

Judge Patricia L. Kelly  
Presiding Judge

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

Darrel E. Parker  
Court Executive Officer



June 13, 2017

Board of Supervisors  
Santa Barbara County  
105 East Anapamu St.  
Santa Barbara, CA 93101

RE: Court Security

Dear Members of the Board:

Thank you for the opportunity to address your Board during the budget hearings this past Monday. The Court remains concerned that, due to County budgeting issues, the Sheriff and County are contemplating reducing the current level of court security by seven full-time equivalents (F.T.E.). We appreciate that the County Administrator has recommended a restoration of up to \$800,000 in on-going and one-time funding in the coming fiscal year. We encourage you to follow the recommendation, but must re-emphasize our position that California statute prohibits such an action without the mutual consent of the court.

We are hopeful that you share our belief that adequate staffing levels must be maintained to protect the safety of the hundreds of people who work and transact business in court facilities every day. This includes not only judges and court staff, but employees from county agencies and departments, such as the District Attorney's Office, Public Defender, Probation Department, Child Support Agency, and Sheriff's Office. Reducing the level of court security puts the safety of the court's patrons at risk.

The court recognizes the challenges presented by the existing court security funding methodology. However, the Superior Court Security Act of 2012 (Government Code § 69920, et seq.), governs court security in the trial courts and implements the statutory changes that were made to realign court security funding. Government Code § 69920 provides, among other things, that the court is to receive the same level of court security services that it did before realignment.

This article shall be known and may be cited as the Superior Court Security Act of 2012. This article implements the statutory changes necessary as a result of the realignment of superior court security funding enacted in Assembly Bill 118 (Chapter 40 of the Statutes of 2011), in which the Trial Court Security Account was established in Section 30025 to fund court security. As such, this article supersedes and replaces Function 8 of Rule 10.810 of the California Rules of Court. ***Although realignment changed the source of funding for court security, this article is not intended to, nor should it, result in reduced court security service delivery,*** increased obligations on sheriffs or counties, or other significant programmatic changes that would not otherwise have occurred absent realignment. [Emphasis added.]

Board of Supervisors  
Santa Barbara County  
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Re: Court Security Funding

The above quoted language was intended to codify the understanding of the California State Sheriffs' Association, California State Association of Counties, and the Judicial Council as reflected in the letter, which is attached.


Requiring the court to accept less than the security staffing levels that it has received for the past seven plus years would contradict this express goal of the Superior Court Security Act.

The Court has repeatedly indicated a willingness to discuss the parameters of a new MOU to set the terms of court security in the future, including working collaboratively with the Sheriff's Department to efficiently manage court security staffing resources. We have introduced a proposal for a Presiding Judge & Sheriff Joint Security Task Force to examine opportunities for operational efficiencies and savings. However, any new MOU requires, as set forth in Government Code § 69920, the same level of court security staffing that has been provided to the Court up to and since the 2011 realignment. We remain willing to meet with you to discuss this matter further and to respond to any questions you may have. I urge you to adopt, at a minimum, the County Administrator's recommendation to restore \$800,000 for the coming year as we work with the Sheriff to conclude an MOU on Court Security.

Sincerely,



Patricia L. Kelly  
Presiding Judge



Darrel E. Parker  
Court Executive Officer

PLK/DEP:ct

ENC: Court Security Letter September 8, 2011  
c: Sheriff William Brown  
Undersheriff Bernard Melekian  
Commander Darin Fotheringham  
District Attorney Joyce Dudley  
Public Defender Tracy Macuga  
County Executive Officer Mona Miyasato  
County Counsel Michael Ghizzoni



*California State Sheriffs Association*  
1231 I Street ♦ Suite 200  
Sacramento, CA ♦ 95814  
916/375-8000



*Judicial Council of California*  
Administrative Office of the Courts ♦  
Finance Division  
455 Golden Gate Avenue  
San Francisco, CA ♦ 94102-3688  
415/865-7960



*California State Association of  
Counties*  
1100 K Street ♦ Suite 101  
Sacramento, CA ♦ 95814  
916/327-7500

September 8, 2011

To: California Sheriffs  
Presiding Judges and Court Executive Officers of the Superior Courts  
County Supervisors and Administrative Officers

Re: Court Security in California

The realignment of court security funding — while not intended to fundamentally affect the provision of services — presents a number of transitional issues as courts and counties adjust to a new funding structure. This memo is intended to express the joint commitment of the courts, counties, and sheriffs to work collaboratively to identify and resolve both short- and long-term issues associated with the change in funding.

During this first year of transition, we anticipate the need to deal with jurisdiction-specific issues as they arise. For example, we are aware that despite efforts to realign funds only associated with sheriff-provided security services, some errors were made. In a few instances, the amount reduced from a court's budget and allocated to the county included court funding dedicated to court attendants, marshals, or private security contracts – funding that should have remained with the court. We believe there could be other allocation issues that may arise.

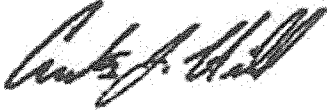
To correct future allocations, courts and sheriffs will receive surveys to allow us to better capture the amount of funding that should have been allocated to each county for court security, and the extent to which that amount differs from the allocation made as a result of the realignment.

We also recognize that longer-term implementation issues exist that must be analyzed and addressed. This effort will include a review of relevant statutes to determine where and how current law conflicts with realignment and an exploration of ways to resolve those areas of conflict. In the meantime, courts and sheriffs have a continuing responsibility to enter into an annual or multiyear memorandum of understanding (MOU). The MOUs in the new funding context may be different than in past years, as they are likely to focus more on the services to be provided, the deployment of resources, and similar topics, as opposed to payment for services provided.

Finally, while realignment clearly changed the source of funding for court security, it is not intended nor should it result in reduced court security service delivery, increased obligations on sheriffs or counties, or other significant programmatic changes that would not otherwise have occurred absent realignment. As we work through transitional issues, we ask courts and counties

alike to keep CSSA, the Administrative Office of the Courts, and CSAC informed of questions as they arise so that we may assist you as necessary in resolving them. This information exchange also will be helpful in developing FAQs on a timely basis to apprise other jurisdictions of issues and potentially effective solutions.

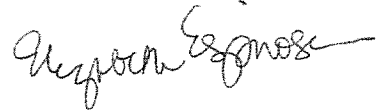
Sincerely,



Curtis Hill  
Legislative Advocate  
California State Sheriffs  
Association



Zlatko Theodorovic  
Chief Financial Officer  
Administrative Office of the  
Courts



Elizabeth Howard Espinosa,  
Legislative Representative  
California State Association of  
Counties