



Legislation Text

File #: 2020-0943, **Version:** 1

To: Sonoma County Board of Supervisors
Department or Agency Name(s): Sonoma County Sheriff's Office
Staff Name and Phone Number: Melissa MacDonald, 565-3922
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:

Agreement for the Provision of Court Security Services

Recommended Action:

Authorize the Chair to execute an Agreement for the Provision of Court Security Services between the County of Sonoma and the Superior Court of California, County of Sonoma, for the term of July 1, 2020 to June 30, 2023, with the option to extend for two additional one-year terms.

Executive Summary:

Pursuant to Government Code § 69926, the Sheriff's Office provides security services for the Superior Court of California, County of Sonoma. These services include bailiff functions, protection to members of the judiciary and court personnel, jury functions, inmate transport and supervision in court holding areas, and patrols of hallways and other common areas of court facilities. The Court Security Bureau is staffed with 29 deputies, six correctional officers, two sergeants, and one lieutenant, and they provide security at five court locations. Full time staffing is supplemented with extra help and overtime as needed.

This Agreement for Provision of Court Security Services submitted to the Board for approval and execution reflects the current legislation related to the performance and funding of Court Security.

Discussion:

The "Superior Court Security Act of 2012," Government Code sections 69920-69927, requires that the County and the Superior Court of California, County of Sonoma ("Court") memorialize the court security obligation and corresponding reimbursement through a Memorandum of Understanding (MOU). The Agreement for the Provision of Court Security Services ("Agreement") between the County of Sonoma and the Court defines the level of service provided by the Sheriff's Office to the Court. The previous Agreement expired on June 30, 2020.

In FY 11-12, the State of California implemented a realignment budget plan (AB 118), which shifted certain criminal justice responsibility from the state to counties. Chapter 40 of the Statutes of 2011 created the Trial Court Security Account, providing funding for Court Security Service directly to the county. Previously court security funding was controlled by the County Court Administrator's Office. As a result of realignment, the

County receives a monthly disbursement from the State of California into a Special Revenue Fund, which the Sheriff's Office now manages. The reimbursement amount is determined by actual costs of Court Security operations, less exclusions specified in the Trial Court Financial Policies and Procedures Manual presented by the Judicial Council of California.

The previous Agreement between the County and the Court had been in effect since July 1, 2015, and expired on June 30, 2020. Since July of 2020, the Sheriff's Office has continued to provide security services to the Court based on the same terms in the expired Agreement while the new Agreement was being finalized. The new Agreement continues the provision of court security services through June 30, 2023, with options to extend the Agreement for two (2) additional one (1) year extensions. No other material changes have been made to the Agreement. This Agreement covers all costs related to the provision of court security services, with the exception of limited office supplies, non-court security related trainings, and retiree health benefits, which the State will not cover. The actual costs of these exclusions are accounted for in the Sheriff's Office's Adopted FY 20-21 budget; therefore, there is no additional funding request accompanying this Agreement.

The retroactive date of the Agreement reflects the fact that the Sheriff's Office has maintained a strong relationship with the Court and that the Court has been satisfied with the level of service provided.

The Agreement does not limit the County's funding obligation to the amount allocated by the State for court security services. However, in the event that the funding appropriated by the State is insufficient to cover court security expenditures (e.g., high profile cases), the Sheriff would advise the Court as soon as reasonable and the Court would then reimburse the County. This situation has not occurred in recent history and is currently not anticipated.

For FY 20-21, \$9,276,831 was recommended as reimbursement for Court Security. This amount is based on estimated costs for the fiscal year and the average rate of reimbursement over the past three years (95%). Should the State not allocate enough funds to reimburse actual expenses, the Sheriff's Office will be able to draw from the fund balance to cover the Court Security related costs.

Prior Board Actions:

The Board has approved Agreements for court security services between the County and the Court since 1999.

FISCAL SUMMARY

Expenditures	FY 20-21 Adopted	FY21-22 Projected	FY 22-23 Projected
Budgeted Expenses	\$9,276,831	\$9,555,136	\$9,841,790
Additional Appropriation Requested			
Total Expenditures	\$9,276,831	\$9,555,136	\$9,841,790
Funding Sources			
General Fund/WA GF			
State/Federal	\$9,276,831	\$9,555,136	\$9,841,790

Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources	\$9,276,831	\$9,555,136	\$9,841,790

Narrative Explanation of Fiscal Impacts:

The Court reimburses the County for salary and benefit costs for Court Security personnel, including overtime and extra help. It also reimburses the County for security services and equipment, including ammunition, batons, bulletproof vests, and handcuffs. Non-reimbursable costs include overhead costs required for the operation of the Sheriff’s Office (e.g., EFS, HRMS), and retiree health benefits for Court Security personnel. The allowable and non-allowable costs are detailed in the Trial Court Financial Policy and Procedures Manual.

The Sheriff’s Office FY 20-21 Adopted Budget includes \$9,276,831 for Court Security services. No additional appropriations are requested.

A 3% cost increase was assumed for both the FY 21-22 and FY 22-23 projections.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Agreement for the Provision of Court Security Services

Related Items “On File” with the Clerk of the Board:

N/A