



PUBLIC PROTECTION COMMITTEE

September 26, 2016

9:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Candace Andersen, Chair

Supervisor John Gioia, Vice Chair

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. APPROVE Record of Action from the August 15, 2016 meeting. **(Page 3)**
4. CONSIDER recommending the establishment of a County Office of Reentry and Justice (ORJ) within the County Administrator's Office, as a pilot project to commence January 1, 2017. (Lara DeLaney, County Administrator's Office) **(Page 6)**
5. CONSIDER accepting an introductory report on the issue of certain fees assessed by the County related to the juvenile justice system and provide direction to staff regarding next steps. (Timothy Ewell, Committee Staff) **(Page 26)**
6. CONSIDER accepting a status report from the District Attorney and the Employment and Human Services Director on Public Assistance Fraud investigation and prosecution efforts within the County. (Mark Peterson, District Attorney & Kathy Gallagher, EHS Director) **(Page 42)**
7. CONSIDER reviewing and approving the final draft RFP for Facilitation and Data Analysis Services for the Racial Justice Task Force. (Lara DeLaney, County Administrator's Office) **(Page 52)**
8. The next meeting is currently scheduled for October 24, 2016 at 9:00AM .
9. Adjourn

The Public Protection Committee will provide reasonable accommodations for persons with disabilities planning to attend Public Protection Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Public Protection Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours.

Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

Timothy Ewell, Committee Staff
Phone (925) 335-1036, Fax (925) 646-1353
timothy.ewell@cao.cccounty.us



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

3.

Meeting Date: 09/26/2016

Subject: RECORD OF ACTION - August 15, 2016

Submitted For: PUBLIC PROTECTION COMMITTEE,

Department: County Administrator

Referral No.: N/A

Referral Name: RECORD OF ACTION - August 15, 2016

Presenter: Timothy Ewell, Committee Staff **Contact:** Timothy Ewell, (925) 335-1036

Referral History:

County Ordinance requires that each County body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the decisions made in the meeting.

Referral Update:

Attached for the Committee's consideration is the Record of Action for its August 15, 2016 meeting.

Recommendation(s)/Next Step(s):

APPROVE Record of Action from the August 15, 2016 meeting.

Fiscal Impact (if any):

No fiscal impact. This item is informational only.

Attachments

Record of Action - August 2016



PUBLIC PROTECTION COMMITTEE

*** RECORD OF ACTION***

August 15, 2016

9:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Candace Andersen, Chair

Supervisor John Gioia, Vice Chair

Agenda Items:	Items may be taken out of order based on the business of the day and preference of the Committee
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Present: Candace Andersen, Chair

John Gioia, Vice Chair

Staff Present: Timothy M. Ewell, Committee Staff

1. Introductions

Convene - 12:00 PM

2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

The Committee received public comment .

3. APPROVE Record of Action from the June 27, 2016 meeting.

Approved as presented.

Chair Candace Andersen, Vice Chair John Gioia

AYE: Chair Candace Andersen, Vice Chair John Gioia

Passed

4. 1. CONSIDER recommending nominations to the Racial Justice Task Force to the Board of Supervisors for appointment; and,

2. CONSIDER request of the Superior Court to make the Superior Court designee seat a non-voting member of the Task Force; and,

3. PROVIDE any additional direction to staff regarding the Racial Justice Task Force.

Approved as presented with the following direction to staff:

1. Forward to the Board of Supervisors for consideration at the September 13, 2016 regular meeting.

Vice Chair John Gioia, Chair Candace Andersen

AYE: Chair Candace Andersen, Vice Chair John Gioia

Passed

5. The next meeting is currently scheduled for Monday, September 26, 2016 at 9:00 AM.
6. Adjourn

Adjourned - 12:08 PM

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Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

4.

Meeting Date: 09/26/2016

Subject: Proposal to Establish a County Office of Reentry and Justice (ORJ)

Submitted For: David Twa, County Administrator

Department: County Administrator

Referral No.: N/A

Referral Name: Proposal to Establish a County Office of Reentry and Justice (ORJ)

Presenter: Lara DeLaney, County Administrator's Office **Contact:** Lara DeLaney, (925) 335-1097

Referral History:

At its May 6, 2016 meeting, the CCP received a proposal from its Community Advisory Board (CAB) to establish a County Office of Reentry and Justice (ORJ) in the Probation Department. The CAO indicated that the proposal for an ORJ was under consideration for establishment in the County Administrator's Office. Over the course of two months, the CAO's office consulted with the CAB in the development of a proposal, which builds on the work of the CAB and provides for a 2.5 year pilot project during which the ORJ will be established and implemented.

Referral Update:

The CCP considered this matter at its August 5, 2016 meeting. The Executive Committee voted 6-0 (1 absence) to approve the proposal presented by the CAO to establish the Office of Reentry and Justice as a pilot project in the CAO's office, as described in Attachment A.

Recommendation(s)/Next Step(s):

1. RECOMMEND establishing a County Office of Reentry and Justice (ORJ) within the County Administrator's Office, as a pilot project to commence January 1, 2017.

2. PROVIDE direction to staff.

Fiscal Impact (if any):

See attached report which includes a Budget for the ORJ.

Attachments

Attachment A - Office of Reentry and Justice Pilot Proposal



CONTRA COSTA COUNTY

OFFICE OF REENTRY & JUSTICE (ORJ)

Objective

Consistent with the CAB recommendation, establish an Office of Reentry and Justice (ORJ) in the County Administrator's Office (CAO) as a 2.5 year pilot project, located in the former Crime Lab building, formally commencing on January 1, 2017. At the conclusion of the pilot, the CAO will evaluate the ORJ functional performance, achievements, and utility as well as resource availability and utilization, and make a recommendation to the Board of Supervisors on its future operations.

Scope and Responsibilities

The mission of the ORJ will be to build on, align and formalize a cohesive structure for the work currently being provided by the CAO and the contracted Reentry Coordinator in advancement of public safety realignment and justice initiatives. The scope and responsibilities are broadly defined as:

- coordinating a broad array of reentry, public safety realignment, and justice-related services;
- facilitating collaborative efforts around policy development, operational practices and supportive services;
- advancing knowledge of relevant issues, research and best-practices in the fields of reentry and justice;
- fostering capacity-building and partnership development;
- leading the procurement process and contract management for community-based reentry and justice service providers;
- identifying and developing new initiatives and funding opportunities;
- supporting legislative advocacy;
- managing data and evaluation of funded services; and
- conducting public outreach, information sharing and community engagement.

Budget

The Budget for the ORJ will include AB 109 funding allocated to the CAO and Probation Office (for the contracted *Reentry Coordinator*), in-kind administrative and clerical support services of the CAO, a portion of the County's allocation of AB 109 "Planning and Implementation" funding¹, as well as funding from the Local Innovation Subaccount². AB 109 funding for the District Attorney's Ceasefire Program Coordinator allocation may also be included. This

¹ \$663,716 is the fund balance in the Planning & Implementation fund, pending ServicePoint database funding.

² The Local Innovation Subaccount exists only at the local level. The subaccount—funded by taking a ten percent share of public safety-related growth accounts—is intended to promote local innovation and County decision making at the Board of Supervisors level.

proposal does not draw down any of the AB 109 fund balance, but rather reallocates existing expenditures already budgeted.

Staffing

To launch the pilot project, the CAO will recruit and hire an ORJ Program Manager (starting Jan. 1, 2017) at the salary level commensurate with the ADDF classification. The ORJ will be staffed by a Senior Deputy County Administrator (in the role of the Director of ORJ), a Program Manager, a Senior Management Analyst, and clerical support services. The ORJ may also host the AB 109-funded Ceasefire Coordinator³. The ORJ will develop a fellowship program with UC Berkeley and/or Stanford to provide internship opportunities to graduate students for special projects. In the third year, the ORJ would recruit and hire a Research and Evaluation Manager at the VQHA classification.

1. ORJ Director (0.9 FTE, *Senior Deputy County Administrator*; 0.5 FTE in year 3)
2. Program Manager (1.0 FTE, *ADDF classification*)
3. Senior Management Analyst (0.3 FTE, *in-kind* FY 16-17; 1.0 FTE FYs 17-19)
4. Data Systems Analyst contractor in FY 17-18; 1.0 FTE Research & Evaluation Manager FY 18-19)
5. Advanced Level Secretary (0.2 FTE, *in-kind* FY 16-17; 0.5 FTE FY 17-19)
6. Intern/Fellow from UC Berkeley (*stipend*)
7. Ceasefire Program Coordinator (1.0 FTE, *to be determined*)

Functions

1. Program Management
 - a. Work Plan development and oversight for 2016, FYs 17-19
 - b. Staff support to Community Corrections Partnership (CCP), Quality Assurance Committee (QAC), and the Community Advisory Board (CAB)
 - c. CBO Procurement Process and Contract Management
 - i. 17 CBO contracts: contract development, billings, over-sight of implementation
 - d. Reentry Network and Reentry Success Center Coordination
 - i. RFP Process for Network Team contract
 - e. Policy and initiative development
 - i. Innovation Fund Program development and implementation
 - ii. Capacity Building Program development and implementation
 - f. Inter-agency, countywide program development, coordination
 - g. Public outreach, information, and engagement
 - h. Grant development/management
 - i. Intern/Fellow Program Development and Management

³ The District Attorney and CAO's office are currently in discussions about this concept.

2. Program Evaluation, Data Collection, Systems Planning

- a. Update Reentry Strategic Plan
- b. Update AB 109 Operations Plan
- c. Racial Justice Taskforce Facilitation
- d. AB 109 Annual Report
- e. AB 109 Quarterly and Monthly Reporting analysis
- f. ServicePoint and Salesforce information integration (*or transition*)
- g. Case management system integration with evaluation and service delivery data
- h. AB 109 Dashboard maintenance and analysis
- i. Referral feedback loop with Probation
- j. Periodic performance evaluation, needs analysis

3. Capacity and Resource development

- a. CBO and County Department capacity building
 - i. Capacity Assessments
 - ii. Development of Grant Program
- b. Staff training/professional development
- c. Grant writing/resource development
 - i. Identification of funding opportunities
 - ii. Technical assistance for applications
 - iii. Grant writer resources

The CAO acknowledges the valuable input of the CAB in the development of this Proposal and appreciates the collaborative spirit the CAB has demonstrated in our discussions. The “Deliverables and Outcomes” put forward in the CAB Proposal of 5/6/16 are consistent with the intentions of the CAO in the establishment of the ORJ. The CAO will provide an ORJ Work Plan to the CCP at its October meeting for further consideration.

Attachments:

Attachment A: CAO Budget for Pilot ORJ

Attachment B: CAB Proposal to Establish a Contra Costa County Office of Reentry & Justice

Attachment C: District Attorney’s “Ceasefire, Community and Restorative Justice Project”

Attachment D: Local Innovation Fund letter from Dept. of Finance

ORJ Pilot Project: Year 1

	FTE	Jan. 1, 2017	Assumptions	Cost to CAO's Office Budget
<u>Expenditures</u>				
<u>Personnel</u>				
Director of ORJ	0.9	\$	78,326 Senior Deputy County Administrator, fully-loaded	\$2,078
Program Manager	1.0	\$	84,887 ORJ Program Mgr. half year at ADDF classification	
Senior Management Analyst	0.3	\$	- dedicated portion of Vana Tran's time	\$31,934
Ceasefire Coordinator	1.0	\$	83,000 to be determined	
Intern/Fellow		\$	8,000 Beginning Jan. 2017	
Administrative Support	0.2	\$	- dedicated portion of Adv. Sect./Exec. Assist. CAO	\$15,199
Sub-total	3.4	\$	254,261	\$49,211
<u>Data, Evaluation & Systems Planning</u>				
Annual Report Update		\$	- On-going; to be performed by CAO staff	
Ceasefire Program Facilitation		\$	27,000 FY 16-17 AB 109 budget for District Attorney	
AB 109 Operations Plan Update		RFP	One-time: cost proposals to be solicited from contractors	
Reentry Strategic Plan Update		RFP	One-time: cost proposals to be solicited from contractors	
Racial Justice Taskforce Facilitation		RFP	One-time: cost proposals to be solicited from contractors	
		\$	259,000	
<u>Operating Costs</u>				
Office establishment		\$	7,200	
Local transportation		\$	4,000	
Communications		\$	7,200 website, outreach materials, multi-media	
Office Supplies		\$	2,400	
Printing		\$	800	
Conferences and travel		\$	8,400	
		\$	30,000	
<u>Capacity Building</u>				
		\$	120,000 Assessments, prof. development, convenings, specialized services, micro-grants	
<u>Innovation Fund Program</u>				
		\$	239,000 Grants for reentry and justice initiatives: eg., ID Program, Pre-Release Planning, etc.	
<u>Total Expenditures</u>		\$	902,261	
<u>Revenues</u>				
		\$	85,990 CAO AB 109 Budget: half-year	
		\$	53,021 CAO AB 109 Budget: Data Analyst	
		\$	225,000 CAO AB 109 Budget, Data-Program Evaluation	
		\$	69,250 Probation AB 109 Budget: 50% of Reentry Coordinator contract	
		\$	120,000 AB 109 Planning & Implementation Funding*	
		\$	239,000 Local Innovation Fund Subaccount	
		\$	110,000 DA AB 109 Budget for Ceasefire Coordinator	
<u>Total Revenues</u>		\$	902,261	

*AB 109 Planning & Implementation fund balance \$696,062.63 as of 6/30/16. Commitment of \$32,346 to RSC for Restorative Justice Circles. Commitment of \$XXX for ServicePoint database administration & training.

ORJ Pilot Project: Year 2

	FY 2017-18	FTE	<i>Assumptions</i>
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ExpendituresPersonnel

Director of ORJ	\$ 156,651	0.9	<i>Sr. Deputy CAO Classification</i>
ORJ Program Manager	\$ 178,016	1.0	<i>fully loaded, ADDF salary level</i>
Senior Management Analyst	\$ 108,502	1.0	<i>fully loaded, TBH</i>
Ceasefire Coordinator	\$ 110,000	1.0	<i>TO BE DETERMINED</i>
Intern/Fellow	\$ 16,000		<i>2 intern/fellowships to be granted</i>
Administrative Support	\$ 39,138	0.5	<i>Dedicated portion of Adv. Sect.</i>
<i>Subtotal</i>	<u>\$ 608,388</u>	<u>4.4</u>	

Data, Evaluation & Systems Planning

Annual Report Update	\$ -		<i>On-going, performed in-house</i>
Evaluation	\$ 30,000		<i>Periodic performance measurement reports, analysis</i>
Data Systems Administrator, Analyst	\$ 54,612		<i>Contractor for database development, training, maintenance; dashboard maint.</i>
	<u>\$ 84,612</u>		

<u>Capacity Building</u>	\$ 135,000		<i>Professional development, convenings, specialized contracted services, grant development services</i>
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<u>Innovation Fund</u>	\$ 239,000		<i>estimate unavailable</i>
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<u>Operating Costs</u>	\$ 20,500		<i>Conferences, travel, office supplies, printing, communications</i>
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Total Expenditures	\$ 1,087,500
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Revenues

\$ 171,979	<i>CAO AB 109 Budget</i>
\$ 53,021	<i>CAO AB 109 Budget</i>
\$ 225,000	<i>CAO AB 109 Budget</i>
\$ 138,500	<i>Probation AB 109 Budget</i>
\$ 150,000	<i>AB 109 Planning & Implementation Funding</i>
\$ 239,000	<i>Local Innovation Fund Subaccount</i>
\$ 110,000	<i>DA AB 109 Budget for Ceasefire Program Coordinator</i>

Total Revenues	\$ 1,087,500
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ORJ Pilot Project: Year 3

FY 2018-19 FTE

Assumptions

Expenditures

	<u>Personnel</u>		
Director of ORJ	\$ 83,731	0.5	<i>Sr. Deputy CAO Classification</i>
ORJ Program Manager	\$ 173,071	1.0	<i>fully loaded, ADDF salary level</i>
Research and Evaluation Manager	\$ 160,276	1.0	<i>fully loaded, VQHA classification</i>
Senior Management Analyst	\$ 108,502	1.0	<i>fully loaded ADTD classification</i>
<i>Ceasefire Coordinator</i>	\$ 110,000	1.0	<i>TO BE DETERMINED</i>
Intern/Fellow	\$ 8,000		<i>one stipend</i>
Administrative Support	\$ 40,312	0.5	<i>fully loaded, J3TG; Secretary Adv. Level</i>
<i>Subtotal</i>	<u>\$ 684,500</u>	<u>5.0</u>	
<u>Capacity Building</u>	\$ 145,000		<i>Prof development, convenings, specialized contracted services</i>
<u>Innovation Fund</u>	\$ 239,000		<i>unknown estimate</i>
<u>Operating Costs</u>	\$ 19,000		<i>Conferences, travel, office supplies, printing, communications</i>

Total Expenditures	\$ 1,087,500
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Revenues

\$ 171,979	CAO AB 109 Budget	\$ 698,500
\$ 53,021	CAO AB 109 Budget	
\$ 225,000	CAO AB 109 Budget	
\$ 138,500	Probation AB 109 Budget	
\$ 150,000	AB 109 Planning & Implementation Funding	
\$ 239,000	Local Innovation Fund Subaccount	
\$ 110,000	DA AB 109 Budget for Ceasefire Program Coordinator	

Total Revenues	\$ 1,087,500
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Proposal to Establish a Contra Costa County Office of Reentry & Justice (ORJ)
Presented by the Contra Costa County Community Advisory Board
Submitted to the Community Corrections Partnership
July 6, 2016

1. Executive Summary

Consistent with the recommendations developed by the Contra Costa County Community Advisory Board (CAB) and submitted to the Community Corrections Partnership (CCP) and the Public Protection Committee (PPC) from December 2015 through February 2016, the CAB proposes that Contra Costa County establish a County Office of Reentry and Justice (ORJ), expanding on and formalizing the role and responsibilities currently under the management of the County's Reentry Coordinator, a single contracted position.

The CAB proposes that the ORJ be established as a three-year pilot project, administratively housed in the County Administrator Office and operating concurrently with the upcoming three-year cycle of AB109-funded contracts and budget allocations. With a staff of 4.25 FTE, the ORJ will further Contra Costa County's collective efforts to advance the County's reputation as a national leader in smart justice.

The annual budget for the proposed ORJ is estimated at \$682,758. However, it is important to note that more than half of this budget could be funded through reallocations of existing line items, with an incremental cost to the County of only \$312,958 annually for each of three years. Thus, over the course of the three-year pilot, the total incremental cost would be \$938,874. *See Section , Staffing and Budget, below.*

The massive resources and operational changes ushered in by Federal and statewide forces – such as justice reinvestment, prison realignment, Prop 47 sentencing reform, and the deep shifts signaled by California's Bureau of State and Community Corrections – provide singular opportunities to improve both efficiencies and outcomes in the justice landscape in Contra Costa County.

Establishing an expanded and formalized structure to coordinate and align the complex array of local justice initiatives is both necessary and appropriate if the County is to maximize the benefits – operational, fiscal, and social – of these unprecedented investments and shifts in the national, statewide and local criminal justice environment.

While Assembly Bill 109 (AB109, or prison realignment) requires that each County establish a Community Corrections Partnership (CCP) as an advisory body to the Board of Supervisors, to supervise efforts related specifically to prison realignment, AB109 represents just one element of the tremendously complex operations related to criminal justice in any given County. Further, even within the purview of AB109, the role of the CCP is to provide policy and budget recommendations; it is not intended or equipped to undertake the day-to-day efforts of cross-sector, inter-agency program development, coordination, implementation, evaluation, and modification.

Reflecting and advancing Contra Costa's reputation as a leader in justice reform and improvement, the ORJ will provide enhanced resources to a very wide array of stakeholders – the Board of Supervisors, the Public Protection Committee, the CCP, the Quality Assurance Committee, and both public and private agencies – serving as a ready source of project management; research capacity, including ready knowledge of best practices; expertise in both law and social service; deep knowledge of local resources, efforts, and challenges; proven subject matter expertise; communications development and management; and in-house, ongoing evaluation services. Furthermore, this reconfiguration will enhance the County's capacity to identify and effectively compete for prestigious funding opportunities, while also creating the necessary infrastructure to document and communicate successful efforts countywide.

2. Consistency with Existing County Strategies and Policies

- a. Countywide Reentry Strategic Plan: This proposal is consistent with the Contra Costa County Reentry Strategic Plan, adopted by the Board of Supervisors in March 2011. Contra Costa has long been recognized for its prescient leadership in criminal justice reform and improvement; the Reentry Strategic Plan, adopted by the Board of Supervisors in March 2011 anticipated prison realignment and the concomitant formation of the CCP, foreshadowing the nation's increasing commitment to new ways of approaching both justice and public safety. Indeed, the creation of the contracted position of Reentry Coordinator stemmed from that plan's call for staffing responsible for "establishing a more cohesive and centralized system for providing services, removing policy barriers, increasing community awareness and public safety."
- b. AB109 Realignment Implementation Plan: This proposal is consistent with the Contra Costa County 2011/12 Public Safety Realignment Implementation Plan (adopted September 2011), which writes, "The CCP supports the implementation of County Re-Entry Strategic Plan and will participate in meetings to implement the strategic plan while gathering input on strategies to integrate realignment with broader reentry policies and programs." The authors of the AB109 Realignment Implementation Plan "recognize that there is an ongoing need to secure funding for the County's Strategic Reentry Plan separate and apart from the funding allocated for criminal justice realignment."
- c. AB109 Operational Plan: This proposal is consistent with the AB109 Operational Plan (November 2012), which includes strategies and activities to "regularly convene county-wide stakeholders for information sharing and professional development,"¹ "provide resources, such as a reentry coordinator, to support inter-organizational coordination,"² "maximize timely and regular analysis to identify areas of strength and/or concern such that early intervention and correction is possible,"³ and "Provide resources, such as a countywide data analyst, to support data collection and analysis."⁴

¹ AB 109 Operations Plan, November 9, 2012, Objective 6.1.a.ii

² Ibid, 6.1.d.i

³ Ibid, 6.3.e.i

⁴ Ibid, 6.3.e.ii

d. **Reentry Success Center and Reentry Network:** This proposal is consistent with the Implementation Plans for the Reentry Success Center and the Central/East Reentry Network, (adopted March 2014). As explained in a memo submitted by the Public Protection Committee to the Board of Supervisors, “The Center and the Networks will collaborate their work with the Reentry Coordinator, who holds responsibility for all matters related to reentry.”⁵

3. Justification of Need and Benefit

Since AB109 was implemented over four years ago, Contra Costa has had a great shift in how it addresses criminal justice issues in the county. While all of the Contra Costa’s criminal justice stakeholders, both county and community, have strived to cultivate a more collaborative system, there are still challenges and it is important to continue to build and strengthen the system.

In Research Development Associates (RDA) report in January of this year, they found that the County is experiencing gaps between in-custody and post-release supervision and services and the County’s data infrastructure is in need of being more thoroughly developed to increase stakeholders’ capacity to communicate, collect and evaluate data. Additionally, RDA stated an importance to , “ Increase the County’s operational capacity for cross-department planning and implementation efforts by adding additional staffing to support this work.”⁶

Institutionalizing the ORJ and its functions will be essential for enhancing the coordination, integration, and development of the above recommendations to improve the diverse components of the County’s justice and reentry system. With a serious investment in this central and vital role, the County would be able to substantiate any stated intent to pursue an actual integrated strategic approach to its justice and reentry efforts.

4. Scope and Responsibilities

As described in greater detail in the accompanying budget narrative, the ORJ would be responsible for supporting individual agencies and countywide initiatives to advance effective and efficient operations while protecting public safety.

Within the context of justice and reentry, in service to the Board of Supervisors, and in partnership with CAO, the CCP, the CAB, and public and private stakeholders, the ORJ will hold primary responsibility for the following: advancing knowledge on relevant issues, research, and best practices; developing and stewarding policy recommendations; fostering capacity-building and partnership development; leading Requests for Proposals/Qualifications/Interest processes for justice-related initiatives; managing direct service contracts; identifying and supporting implementation of new initiatives and funding opportunities; managing data and evaluation of AB109-funded services; holding responsibility for public outreach, information, and engagement related to reentry and justice.

5. Deliverables and Outcomes

⁵ Report submitted by the Public Protection Committee to the Board of Supervisors, entitled “Adoption of the Proposed Plan for an East & Central County Networked System of Services for Returning Citizens,” March 25, 2014.

⁶ Report submitted by Research Development Associates to the Community Corrections Partnership, entitled “Contra Costa County AB 109 Evaluation:Review of AB 109-Funded Department Performance,” January 15, 2016.
Proposal to Establish a Contra Costa County Office of Reentry and Justice, developed by CAB, submitted to CCP 5/6/16, p. 3 of 10

ORJ Functions	Deliverables	Outcomes
ORJ Planning and Management	<ul style="list-style-type: none"> • Annual ORJ Work Plan • Annual ORJ Budget • ORJ Annual Report • Other County / Agency Required Reports for County Offices 	
Supporting individual agencies and countywide initiatives to advance effective and efficient operations while protecting public safety	<ul style="list-style-type: none"> • Establish system-wide performance outcomes, develop outcome tracking mechanisms, and conduct periodic performance measurement reports • Gap/needs analysis reports (e.g., analytical reports on agency and countywide initiatives and operations to identify gaps, needs, areas for improvement or new programs) • Design and support data-driven pilot projects with agencies / task forces / CBOs • Assist in drafting/updating tools and templates e.g., pre-release planning template and guidelines • Organize technical inputs for ad hoc requests from agencies and task forces e.g., assessments of administrative policies and procedures, IT expertise, systems design, process reengineering, training 	<ul style="list-style-type: none"> • Increase in number of persons diverted • Increase in number of persons enrolled • Increase in number who complete services/programs • Reduction in recidivism rates • Increase in innovative pilot projects implemented in the County • Reduction in waiting times
Advancing knowledge on relevant issues, research, and best practices	<ul style="list-style-type: none"> • Annual Report on State of Reentry and Justice in Contra Costa County (with reentry/AB 109 performance outcomes) • Reports documenting effective practices for replication • Best practice clearinghouse web page (website links) • Policy recommendations on special issues / innovations • Report outs from participation in multi-country research initiatives • Respond to information requests from agencies / CBOs 	<ul style="list-style-type: none"> • Increased in number of evidence-based corrections practices employed in the County • Increased stakeholder awareness of reentry best practices and research
Developing and stewarding policy recommendations	<ul style="list-style-type: none"> • Implementation plans for policy directives (developed through stakeholder engagement, working groups, etc.) • Policy directive implementation status reports 	<ul style="list-style-type: none"> • Reduced time for decision on policy recommendations • Increase in speed and

	<ul style="list-style-type: none"> • Agendas, research papers, draft outlines, and related secretarial support inputs to working groups tasked with updating County Reentry Strategic Plans, AB 109 plan • Secretariat and facilitation support to multi-stakeholder working groups for large scale initiatives (e.g., data management system) • Analytical reports identifying cross-County gaps and inefficiencies (with proposed solutions) • Written report outs from best practice conferences and other events attended • Ad hoc analytical reports upon request from agencies (cost/benefit, cost avoidance, trend, legislative/policy analyses) 	<p>rate of implementation of approved policy and operational recommendations</p> <ul style="list-style-type: none"> • Increase in innovations adopted resulting from analytical reports • Reduction in mentally ill jail population
Fostering capacity-building and partnership development	<ul style="list-style-type: none"> • Capacity building events for public and private entities • Training of staff/contractors on ORJ and county policies and procedures and requirements • Establish new reentry service access points • Inventories of “intercept points” in support of improved processes, partnerships, and referrals • Instruments to formalize partnerships and referral systems (MOUs, referral protocols, process guidelines, standard forms) • Referral and placement monitoring reports • Develop public-private partnerships with the private sector 	<ul style="list-style-type: none"> • Increase in referrals among agencies and CBOs • Increase in placements • Increase in number of partnerships in support of effective reentry service delivery • Increase in private resources applied to reentry • Increase in # of participants that benefit from pre-release planning • Improved access to reentry services
Leading Requests for Proposals processes for justice-related initiatives	<ul style="list-style-type: none"> • Community needs assessment reports (prior to each RFP cycle) • Assessment reports for current contractors • Proposal of timing, composition of RFPs to be issued • RFPs drafted and announced • RFP Q&A sessions • RFP evaluation panels formed, evaluation results documented, and award recommendations submitted to CCP, PPC, etc. 	<ul style="list-style-type: none"> • Improvement in stakeholder satisfaction with the RFP process and focus areas • Improvement in quality and number of proposals received • Increase in contracted services and programs utilized at full capacity

Managing direct service contracts	<ul style="list-style-type: none"> • Contractor performance evaluation reports with recommendations / improvement plans • Training and coaching sessions for contractors in targeted areas (e.g., data collection and reporting) • Authorizations for payment submitted to applicable finance/payment unit based on review/verification of program reports • Performance improvement plans for contractors issued • Maintain database of contracts, budget documents, program and financial reports, etc. • Contractor capacity and service utilization analyses (with solutions e.g., strengthening referral processes, right-sizing programs) 	<ul style="list-style-type: none"> • Improved quality and timeliness of contractor reporting • Reduction in contracts terminated for cause • Improved cost-effectiveness of contracted services • Improved outcomes of contracted services
Identifying and supporting implementation of new initiatives and funding opportunities	<ul style="list-style-type: none"> • Prepare memos of federal, state, foundation funding opportunities and circulate them to appropriate departments • Technical assistance to grants applications • Lead grant writing for key multi-stakeholder opportunities • Proposals for new initiatives within or across agencies, based on data analysis • Analysis of funding sources to address gaps, e.g., Medicaid 	<ul style="list-style-type: none"> • Increased funding levels from state, federal, and private foundation grants • Improved success rates on grant proposals • Increase in cost saving opportunities identified and realized
Managing data and evaluation of AB109-funded services	<ul style="list-style-type: none"> • Data gap analysis reports (identifying where data collection is lacking) • Database/recordkeeping systems developed and maintained (e.g., Diversion Database to track diversion participants in support of quick referrals) • Research reports on best practices • Policy briefs • Program evaluations (governmental and CBO programs) • Stakeholder and public survey reports • Create GIS maps e.g., Prop 47 clients and existing services • Prepare required reports for SB 678, grants awarded to the county, etc. 	<ul style="list-style-type: none"> • Increase in data collected • Increase in quality of outcome evaluations • Increase in number of programs that have been evaluated as effective • Increase in grants received as a result of improved data included in grants applications • Increase in stakeholder and public perceptions of transparency/account-ability within the reentry system

Holding responsibility for public outreach, information, and engagement related to reentry and justice	<ul style="list-style-type: none"> • FAQs, fact sheets, and other outreach materials • Regular information sessions in jails • Success stories • Educational / Training Videos • Website news updates (at least monthly) • Data dashboard for website • Report outs from community/stakeholder outreach events (e.g., town halls, listening sessions) • Media outreach / public relations events 	<ul style="list-style-type: none"> • Increased stakeholder and public awareness of the reentry system • Improved perceptions of the reentry system • Increased media coverage of the reentry system
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6. Staffing

The 4.25 FTE staff will include the following positions. Note that each of these positions is consistent with Contra Costa County's established positions and classifications. The complete project budget, including all line items and additional detail on staff responsibilities and duties, is detailed in the attached budget narrative.

Title	Salary	Benefits@ 70%	FTE	Class. Code	Primary responsibility
Director	\$106,897	\$74,827.90	1.0	ADDF	Provide project management, coordination, policy analysis, technical assistance, development and evaluation related to reentry and justice in Contra Costa
Program Manager	\$82,516	\$57,761.20	1.0	X4SH	Support implementation, analysis, policy development, and outreach under direction of Director. Point of contact for service providers.
Data Analyst	\$79,539	\$55,677.30	1.0	VCXD	Manage ongoing data gathering, synthesis, and analysis, provide specific data and evaluation assistance to agencies as requested
Administrative Assistant	\$53,411	\$37,408.70	1.0	JWXD	Provide administrative services to ensure efficient operation of the Office
Admin Svcs Asst III	\$20,406	\$14,284.2	.25	APTA	Manage fiscal responsibilities for contracted services (including service provider contracts)

7. Budget Sources

The total budget for the proposed ORJ is estimated at \$682,758. However, it is important to note that more than half of this budget could be funded through reallocations of existing line items, with an incremental cost to the County of only \$312,958 annually for three years. Over the course of the three-year pilot, the total incremental cost would be \$938,874.

The proposed funding sources are as follows:

Proposal to Establish a Contra Costa County Office of Reentry and Justice, developed by CAB, submitted to CCP 5/6/16, p. 7 of 10

- \$130,000: The current contracted Reentry Coordinator position, along with its associated budget allocation, would be subsumed into this new Office.
- \$225,000: Evaluation funds currently housed within the budget of the County Administrator's Office would be reallocated to this new Office.⁷
- \$14,800: Approximately \$14,800 of indirect costs would be absorbed by the CAO's existing infrastructure.
- \$312,958: Incremental annual cost to the County for each of the three years of the Pilot phase.

8. Statewide Examples

Similar Offices or Divisions of Reentry have been established in other California counties. Counties such as Santa Clara, San Francisco, and Los Angeles created county positions that serve as experts. These Division are comprised of individuals with the expertise and knowledge to provide structure related to the implementation of realignment efforts. The counties that have created county office of reentry have streamlined communication and oversight of reentry service delivery, promote sound policy, contract oversight and assist with data collection and program evaluation. Below are three California Counties and one out of state county that have created divisions of Reentry.

- Santa Clara County's current Office of Reentry Services (ORS) model is slightly different than the ORJ, but holds similar responsibilities. The Santa Clara County's ORS employs six full time employees funded primarily through AB109 funds. This model differs only in that the ORS also maintains the county's AB 109 resource center. The ORJ would not have this responsibility as Contra Costa County currently utilizes contracts (The Network) and the Reentry Success center as a hub for reentry services. However, the ORJ would be similar to the ORS in that, the ORJ would streamline efforts by coordinating and performing follow-up in all aspects of future programs and plan, which include budget and fiscal oversight; policy and legislative oversight; departmental coordination and participation on various working groups as well as data and evaluation oversight.

⁷ To clarify the historical origin of the AB109 funds managed by the County Administrator's budget, including a total of \$696,000 over three years for contracted evaluation services from fiscal years 12/13 through 15/16, we note that AB109 funds were first allocated to the CAO's budget in fiscal 13/14, in the amount of \$252,000. This allocation was explicitly intended to underwrite the costs of "one FTE Senior Management Analyst to provide fiscal and technical support managing the Realignment fund budget and financial transactions, contract administration for CBO contracts, and website development and maintenance [and] one FTE Senior Business Systems Analyst to assist with purchase and implementation of the case management system for the Probation, District Attorney, and Public Defender departments that include an AB109 tracking component. Following implementation, Systems Analyst will convert to programmer/analyst skill set for ongoing support and development." Still within the 12/13 fiscal year, this amount was increased to \$300,000; a public document on the County website, entitled "Dec 7 CCP Approved Budgets," explains that "Original CAO proposal was \$252,000 for 2 FTEs, this motion included an additional \$48,000 that is to provide for additional research and analysis of data."

In the three fiscal years since then (13/14 through 15/16), the CAO's budget allocation was increased from \$300,000 to \$450,000 annually, specifically to include the costs of evaluation services to be provided by an external evaluator. For 13/14, the contract to the County's selected contractor, Resource Development Associates (RDA) was \$246,000; for 14/15, the contract to RDA was extended at an incremental cost of \$225,000; for 15/16, the contract to RDA was once again extended at an incremental cost of \$225,000, for a total cost of \$696,000 to RDA over its three-year contract. In upcoming fiscal 16/17, the CAO's budget has again been \$450,000. However, the \$225,000 allocated to RDA in previous years has not yet been encumbered.

Proposal to Establish a Contra Costa County Office of Reentry and Justice, developed by CAB, submitted to CCP 5/6/16, p. 8 of 10

- San Francisco County has also established a Division Reentry that also operates similar to the ORJ as presented in this proposal. The Division is comprised of five full time county employees that have expertise in policy, criminal justice and data analyst. According to the Overview of the Reentry Division by San Francisco City and County, the Reentry Division will direct collaborative efforts to promote policy and work to effectively to implement Realignment efforts. The Division much like that of the ORS, works to ensure that county agencies, community based agencies and other stakeholders work to provide services to those returning to the community.
- November of 2015, Los Angeles County Board of Supervisors established the Office of Diversion and Reentry. The county's Department of Health Services recently ended recruitment efforts for the Director of the Office of Diversion and Reentry. According to Supervisor Mark Ridley-Thomas, the Office of Reentry and Diversion will be mostly funded through Assembly Bill 109 and Senate Bill 678. The unclassified position will report directly to the Deputy Director of Community health and the Board of Supervisor. The Director will be responsible for overseeing the planning, development and implementation of jail diversion projects. The director will utilize subordinate managers to implement reentry efforts that will include development of IT systems, data collections, coordinate the analysis of legislation and policies, track services providers and perform cost/benefit analysis and outcomes. The director will also ensure that the Office of Diversion and Reentry disseminates data that is collected to various departments involved in diversion efforts and community stakeholders.
- Other models Reentry Office or Divisions have been established prior to California's AB 109 went into effect in 2011. Cuyahoga County in Ohio established its Office of Reentry in January of 2009, four years after Cleveland developed its reentry strategy. Cuyahoga's Office of Reentry operates similarly to the ORJ, stated in this proposal. The Office of Reentry is a Division of Cuyahoga County's Executive Office of Health & Human Services. The Reentry Office is comprised of the Program Director, Social Program Administrator, two Program officers, a fiscal operator and clerical staff. The Office of Reentry collaborates with policymakers, community leaders and service providers to identify reentry challenges and barriers, and work to target resources toward sound comprehensive solutions. The Office of Reentry is responsible for conducting and collection of research as it relates to reentry services and best practices.

9. Local Precedents

Contra Costa County has both proven and recent experience in developing successful pilot initiatives to develop and test potential new approaches to meet a recognized Community need. Such initiatives are typically conceived as time-limited, specifically-funded, cross-agency demonstration projects.

Local examples include the Zero Tolerance for Domestic Violence initiative, established at the direction of the County Board of Supervisors; the Youth Justice Initiative, a state-funded three-year project conceived in response to new policy directives by the BSCC; the Family Justice Center, initially a single, fiscally-sponsored location conceived and managed by a cross-sector Advisory Council; and the County's Forensic Mental Health Services program, funded through AB109.

10. Conclusion

The Office of Reentry and Justice proposes a new structure that will better support ongoing reentry efforts Countywide, while simultaneously providing the technical capacity and resources necessary to ensure consistency, efficiency, and effectiveness across programs and sectors.

Contra Costa County Office of Reentry + Justice: Proposed scope and budget, 3/17/16				
Sources				
	Current AB109 allocation for evaluation consultants, held in CAO budget			\$ 225,000
	Current AB109 allocation for contracted County Reentry Coordinator, held in Probation budget			\$ 130,000
	Offset of direct costs with in-kind use of existing Probation infrastructure			\$ 14,800
	AB109 unspent funds			\$ 312,958
Total Sources				\$ 682,758
Uses				
	Personnel	FTE	Class. code	Cost
	Director: Leadership, policy analysis and development related to reentry and justice in Contra Costa	1	ADDF	\$ 106,897
	1. Advance knowledge			
	Produce Annual State of Reentry + Justice in Contra Costa County			
	Produce annual "State of Reentry + Justice in Contra Costa County"			
	2. Develop and steward policy recommendations			
	Maintain current and informed understanding of emerging trends, best practices, and justice developments, both nationally and locally			
	Identify and propose solutions for cross-county gaps and inefficiencies			
	Ensure easy access to services and information for individuals and service providers			
	3. Steward implementation of reentry- and justice-related initiatives			
	Hold responsibility for implementation of policy directives, recommendations, and initiatives			
	Steward/guide/manage multi-stakeholder processes and contractors for large-scale initiatives (e.g. reentry strategic plan, AB109 plan, data management systems)			
	4. Foster capacity-building + partnership development			
	Identify and improve key multi-stakeholder processes (such as referrals) to improve efficiency and effectiveness			
	Convene and advance work groups as appropriate			
	Identify and shepherd capacity-building support opportunities for public and private entities			
	5. Manage Requests for Proposals processes			
	Assess current contractors, determine when and what type of RFPs to be issued			
	Develop RFPs			
	Manage RFP review processes (including seating and serving on review panels)			
	6. Manage contracted services processes			
	Identify gaps and opportunities for contracted services			
	Manage implementation of contracted reentry + justice services			
	7. Identify and support implementation of new Initiatives and funding opportunities			
	Identify opportunities for federal and state funding, supply technical assistance and information to appropriate departments			
	Spearhead development of new initiatives			
	8. Manage public communications			
	Foster ready access to relevant information for local stakeholders			
	Supervise development of FAQs, other informational materials, and outreach and communications efforts to support public understanding and awareness of relevant issues			
	Program Manager	1	X4SH	\$ 82,516
	Support implementation, analysis, policy development, and outreach under direction of Director			
	Convene, coordinate, manage efforts directed by the Office			
	Conduct research on best practices, write research and policy briefs			
	Convene and facilitate working groups and communities of practice to advance learning and collective efforts			
	Provide insight and analysis to assess ongoing implementation			
	Identify opportunities for system enhancement, develop recommendations for Director			
	Hold responsibility for ensuring that relevant materials (contracts, budget documents and financial analysis, research briefs, reports) are available and readily accessible			
	Develop and implement outreach (e.g., town halls, listening sessions) to advance the work of the Office			
	Data Analyst	1	VCXD	\$ 79,539
	Manage ongoing internal data gathering, synthesis, and analysis			
	Develop recommendations and mechanisms for periodic review of collective outcomes, including recidivism			
	Manage ongoing review of data and reporting from public and contracted agencies			
	Identify and manage opportunities to gather local data on specific issues			
	Serve as primary contact on contracted consultants (periodic external research and evaluation, etc.)			
	Administrative Assistant	1	JWXd	\$ 53,441
	Provide administrative services to ensure efficient operation of the Office			
	Provide day to day administrative support to Office personnel			
	Serve as staff support for meetings, work groups managed by the Office			
	Provide logistical and administrative support to organize convenings, trainings, etc.			
	Answer phones, schedule meetings, direct callers to appropriate people and resources			
	Admin Services Assistant III	0.25	APTA	\$ 20,406
	Manage fiscal responsibilities for contracted services (including service provider contracts)			
	Total personnel salaries			
	Benefits @ 70%			\$ 239,959
	Total personnel FTE and costs	4.25		\$ 582,758
	Non-personnel costs			
	Direct costs			
	Occupancy			\$ 7,200
	Local transportation			\$ 4,200
	Communications			\$ 7,200
	Office supplies			\$ 2,400
	Printing			\$ 600
	Conferences and travel			\$ 8,400
	Total direct costs			\$ 30,000
	Consultants			
	Periodic evaluation (every three years)			\$ 30,000
	Collective capacity-building			
	Professional development trainings			\$ 20,000
	Convenings, work groups, communities of practice			\$ 10,000
	Specialized services (eg facilitation, program design, grantwriting, research)			\$ 10,000
	Total consultant costs			\$ 70,000
	Total non-personnel costs			\$ 100,000
	Total budget			\$ 682,758

Ceasefire, Community and Restorative Justice Project

Project Coordinator:	\$83,000.00
Facilitator:	<u>\$27,000.00</u>
Total:	\$110,000.00

Need:

While many gains have been made in recent years, our urban areas are still plagued by violence and mistrust. The city of Richmond has seen a dramatic drop in homicides in the last 7 years, but there are still pockets of violent crime. The Ceasefire Project, which is a form of Group Violence Intervention (GVI) has made a significant contribution to the drop, but needs support in terms of coordination with community members and service providers. In addition, it is time to begin working on a replication in East County. Currently, this burden is shouldered by the Richmond Police Department. In light of the goal of strengthening and expanding the program, this burden needs to shift to a countywide agency. The coordinator will work collaboratively with social service and community constituencies to leverage community resources.

Service provision also helps in mobilizing community figures who can influence the behavior of group members. Community members are more willing to deliver the needed moral messages against violence when they know that group members have a standing, genuine offer of help.

The coordinator will be responsible for the following steps:

1. Identify providers
2. Bring providers into the strategy. Social service agencies selected for this project must be able to work with law enforcement and have good standing in the community.
3. After identifying a social service the coordinator should get dedicated providers to deliver rapid, priority attention to group members. Upon contacting the social service providers, group members should receive a prompt response. Social services should provide an individualized assessment, backed with case management and follow-up, as soon as possible.
4. The coordinator, in partnership with any other social service agencies to which the Working Group refers group members, should collect and analyze data on all group members who make contact for services. The lead agency then reports information on clients' progress, process adherence, and program outcomes to the Working Group that defines successful outcomes: e.g., no further involvement in violence.

Technical assistance:

The National Network for Safe Communities recommends the support of an experienced technical assistance team. During the initial planning period, the National Network recommends that the community interested in launching GVI work with a technical assistance team that can explain, guide, and ensure fidelity in basic implementation. Technical advisers can also provide guidance on a governing structure for the GVI effort and analytical and research capacity.



EDMUND G. BROWN JR. ■ GOVERNOR
STATE CAPITOL ■ ROOM 1145 ■ SACRAMENTO CA ■ 95814-4998 ■ WWW.DOF.CA.GOV

February 18, 2014

Matt Cate, Executive Director
California State Association of Counties
1100 K Street, Suite 101
Sacramento, CA 95814

Supervisor Vito Chiesa, President
California State Association of Counties
1010 10th Street, Suite 6500
Modesto, CA 95354

Dear Mr. Cate and Supervisor Chiesa:

This letter is intended to provide clarification on the purpose and establishment of the Local Innovation Subaccount. This subaccount is a feature of 2011 Public Safety Realignment and exists only at the local level. It was created to promote local innovation and county-decision making with respect to specified law enforcement activities realigned in 2011.

As directed in statute, the local subaccount is funded with 10 percent of four existing realignment-related growth special accounts (Trial Court Security, Community Corrections, District Attorney and Public Defender, and Juvenile Justice) beginning with growth attributed to 2015-16 revenues. Each county must calculate and transfer 10 percent of funds received in the specified growth accounts and place them in its local innovation account.

Each Board of Supervisors determines expenditure priorities for the Local Innovation Subaccount. Any activity that is otherwise consistent with the subaccounts or growth special accounts that fund the innovation subaccount may be funded through the Local Innovation Subaccount.

The requirement to transfer funds to support the Local Innovation Subaccount is established in Government Code section 30029.07. This section directs the transfer of growth revenues, which are the funds available after the base for each of the subaccounts within 2011 Public Safety Realignment is satisfied. Growth can only be calculated after the realignment fiscal year closes (August 15 of each year), meaning that final growth amounts are identified and distributed in the fiscal year following the one to which they are attributable. Therefore, it is the position of the Department of Finance that with respect to the Local Innovation Subaccount, counties would be able to make related spending decisions beginning with growth attributable to the 2015-16 year, which will be allocated in Fall 2016 (during the 2016-17 fiscal year).

The Local Innovation Subaccount can be established at any time, so long as it exists prior to the first funding of the account in 2016-17 from 2015-16 growth funds.

Please contact me at (916) 445-4141 if you have any questions.

Sincerely,

DIANE M. CUMMINS
Special Advisor to the Governor

cc: On following page



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

5.

Meeting Date: 09/26/2016

Subject: REFERRAL ON JUVENILE FEES CHARGED BY THE PROBATION DEPARTMENT

Submitted For: David Twa, County Administrator

Department: County Administrator

Referral No.: N/A

Referral Name: REFERRAL ON JUVENILE FEES CHARGED BY THE PROBATION DEPARTMENT

Presenter: Timothy Ewell, Committee Staff **Contact:** Timothy Ewell, (925) 335-1036

Referral History:

On July 19, 2016, the Board of Supervisors referred to the Public Protection Committee a review of fees assessed for services provided while a minor is in the custody of the Probation Department. Welfare and Institutions Code 903 *et seq.* provides that the County may assess a fee for the provision of services to a minor in the custody of its Probation Department. This request is following a statewide discussion as to whether or not these fees should be imposed by counties on the parents or legal guardians of minors in the custody of the County. For reference, included as an attachment is a survey conducted by the California State Association of Counties (CSAC) trying to determine what policies individual counties have put in place related to juvenile fees (Attachment A). In addition, the County of Alameda adopted a resolution in March 2016 imposing a moratorium on juvenile fees and in July 2016 adopted an ordinance to repeal all juvenile fees. Copies of the Board Letter, Resolution and Ordinance are included in the agenda packet for reference (Attachment B).

Collection of Fees

For several years, the County operated an Office of Revenue Collection (ORC) to centralize the collection of fees, fines and other assessments due to the County. The ORC was discontinued and the responsibility for the collection of fees was returned to the departments that originally imposed the fee. In the case of the Probation Department, the responsibility for both juvenile fees and adult public defense fees were assigned. At the time, it was determined to be inefficient to establish a collection unit in both the Probation Department and Public Defender's Office.

Authority for Juvenile Fees

California Welfare and Institutions Code 903 et seq. provides counties the ability to recover costs for the provision of services to juveniles in-custody. In 2003, the Board of Supervisors adopted Resolution No. 03/591 establishing a fee for reimbursement of the actual cost of care of a minor in detention at Orin Allen Youth Rehabilitation Facility (OAYRF) and Juvenile Hall. The Resolution authorized the Probation Department to collect \$17.03 per day, per minor. In 2010, the Board of Supervisors adopted Resolution No. 2010/253 increasing the fee from \$17.03 per day to \$30.00 per day following legislative action increasing the maximum recovery amount to \$30.00 per day. In 2009, the Board of Supervisors adopted Ordinance No. 2009-23 establishing a \$17-per-day fee for electronic surveillance of minors who are under Probation supervision.

Probation Collections Unit

The fiscal year 2016/17 budget authorizes 4.0 FTE employees to staff the Probation Collections Unit (PCU); (2) two Collections Enforcement Officers, (1) one Accounting Technician and (1) one Clerk-Specialist Level position. A summary of the Recommended Budget is summarized below:

		2016-17 Recommended
3004	PROBATION COLLECTIONS UNIT	
E1000	Salaries and Benefits	402,965
E2000	Services and Supplies	77,097
E4000	Fixed Assets	20,000
GRSCST	GROSS EXPENDITURES	500,062
TOTEXP	TOTAL EXPENDITURES	500,062
TOTREV	GROSS REVENUE	790,000
FTE	Allocated Positions (FTE)	4.00
NETCOST	NET COUNTY COST (NCC)	(289,938)

Note that the budget plan for PCU anticipates a Net County Cost (NCC) of (\$289,938). Since the NCC is a negative number, this should be looked at as a revenue for purposes of analyzing budgetary impacts.

PCU Actual Performance Since Inception

The table below illustrates actual budget performance of PCU since inception in fiscal year 2010/11. Over the past six years, PCU has generated an between \$200k-250k in net collections revenue for the County each year. In fiscal year 2015/16 (shown in the YTD Actuals column) that figure has increased to approximately \$374k due to cost savings from a vacancy in the unit and higher than average collection revenue.

	YTD Actuals	2014-15 Actual	2013-14 Actual	2012-13 Actual	2011-12 Actual	2010-11 Actual
PROBATION COLLECTIONS UNIT	0	0	0	0	0	0
Salaries and Benefits	338,601	450,340	429,190	406,283	434,359	370,932
Services and Supplies	103,470	68,513	68,766	78,770	75,430	134,192
Fixed Assets	0	0	0	0	0	0
GROSS EXPENDITURES	442,072	518,853	497,956	485,054	509,789	505,124
TOTAL EXPENDITURES	442,072	518,853	497,956	485,054	509,789	505,124
GROSS REVENUE	815,835	770,053	739,861	690,928	764,033	720,307
Allocated Positions (FTE)	4.00	4.00	5.00	5.00	5.00	0
NET COUNTY COST (NCC)	(373,763)	(251,200)	(241,905)	(205,874)	(254,244)	(215,183)

Note that the "YTD Actuals" column reflects the fiscal year 2015/16 unaudited actuals.

Composition of Revenues

Since the PCU collects revenue for both the Probation and Public Defender departments, it is important to illustrate the revenues generated from each stream of fee recovery revenue. The table below shows the breakdown of Gross Revenue in each fiscal year, by fee type:

3004	PROBATION COLLECTIONS UNIT	2015/16	2014/15	2013/14	2012/13	2011/12	2010/11
	Revenue Composition						
	Juvenile Fees	530,032	430,926	442,707	419,323	474,210	365,809
	Public Defender Fees	285,803	339,127	296,500	271,605	289,824	354,498
	Misc Revenue	0	0	654	0	0	0
	Total	815,835	770,053	739,861	690,928	764,034	720,307

The most important finding to be made from the information in the table above is that annual fee revenue from each source exceeds the average net collections revenue from year to year discussed earlier in this report. That is to say that discontinuing one of the two fees would result in PCU being unable to cover its annual operating costs from year-to-year.

How Does PCU Compare to the Cost of Running Juvenile Hall?

The PCU operates in a separate cost center within the Probation Department budget. However, since the PCU currently provides a net collections revenue benefit to the department as a whole, it is important to illustrate the relative costs to the County for operating the Juvenile Hall as an illustration. A summary of the fiscal year 2016/17 Recommended Budget is provided below for reference:

	2016-17 Recommended
JUVENILE HALL	
Salaries and Benefits	18,287,278
Services and Supplies	992,003
Other Charges	10,200
Expenditure Transfers	16,195
GROSS EXPENDITURES	19,289,481
TOTAL EXPENDITURES	19,305,676
GROSS REVENUE	3,500
Allocated Positions (FTE)	121.00
NET COUNTY COST (NCC)	19,302,176

Current Status of Accounts Receivable

Currently, the PCU has \$16.9 million in accounts receivable outstanding through June 30, 2016. A breakdown by fee type and year of assessment is attached to this staff report for reference (Attachment C). In summary, \$8.55 million is attributable to Juvenile Fees and \$8.34 million is attributable to Public Defender fees with the oldest account dating back to 1990.

Referral Update:

Committee staff will present this item at the meeting. Representatives from the Probation Department will be in attendance to assist with any questions that Committee members may have.

Recommendation(s)/Next Step(s):

1. ACCEPT an introductory report on the issue of certain fees assessed by the County related to the juvenile justice system; and,
2. PROVIDE direction to staff regarding next steps

Fiscal Impact (if any):

No immediate fiscal impact.

Attachments

Attachment A - CSAC Survey Results - Juvenile Fees

Attachment B - County of Alameda Resolution Establishing Moratorium and Ordinance on Juvenile Fees

Attachment C - PCU Outstanding Balances through June 30, 2016

CSAC Survey Results

Juvenile Fees

August 2016

- **Alameda County** placed a moratorium on the assessment and collection of fees in March 2016.
- **Los Angeles County** placed a moratorium on the assessment of fees in 2009.
- **San Francisco County** has not charged fees to date for these activities.
- **Fresno County** the \$50 juvenile administrative fee is charged to the parents when a juvenile is cited by law enforcement.
- **Santa Barbara County** does charge administrative fees to juveniles related to community service work and we charge their parents for basic juvenile hall and camp costs related to their child's support and enrollment. There is also a 10% restitution collection surcharge.
- **Santa Cruz County** charges a daily juvenile hall charge, which is \$ 27 per day. They do not charge supervision fees, records sealing fees or charge for electronic monitoring.
- **Kern County** does not charge juvenile administration fees.



BOARD OF SUPERVISORS

March 16, 2016

The Honorable Board of Supervisors
County Administration Building
Oakland, California 94612

Dear Board Members:

**SUBJECT: ADOPT A RESOLUTION SUSPENDING THE ASSESSMENT AND
COLLECTION OF JUVENILE PROBATION FEES AND THE JUVENILE
PUBLIC DEFENDER FEE FOR ALL ALAMEDA COUNTY RESIDENTS**

RECOMMENDATION:

1. Adopt a Resolution establishing a moratorium on the assessment and collection of juvenile probation fees and the juvenile public defender fee for all county residents (suspending both the assessment of new fees and the collection of outstanding fees).
2. Direct the County Administrator, Probation Department, the Auditor-Controller's Office, and the Office of the Public Defender to develop a plan and ordinance for the repeal of Section 2.42.190 of the Administrative Ordinance Code ("Juvenile Probation Department Fees Ordinance").

SUMMARY/DISCUSSION:

The moratorium being brought for your consideration would affect both the assessment and collection of juvenile administrative fees. With regard to assessment, no youth or his/her family shall be assessed juvenile fees by the County. With regard to the collection, no youth or his/her family who have been previously assessed juvenile fees shall be required to pay on outstanding amounts and no interest will accrue during the moratorium. Implementing a moratorium will reduce one source of revenue for the Probation Department, the Office of the Public Defender and the Auditor-Controller's Office. The County should ensure that expenditures for critical juvenile probation services be supported with funding from other sources to ensure no loss in services or impact on staff during the moratorium.

During this period, staff will continue to review the policy of assessing fees for juvenile probation services and the procedures under which such fees are referred, collected, or waived to develop a plan for implementing a repeal of juvenile probation fees and the juvenile public defender fee by June 28, 2016. The plan and draft ordinance repealing Section 2.42.190 of the Administrative Code will be presented for discussion at the Public Protection Committee prior to being brought to the full Board of Supervisors for consideration.

The intent of the moratorium is to freeze assessment and collection of fees to allow staff to develop a plan to address the effects of the repeal of these juvenile probation fees and to identify funding for the services currently supported with these juvenile probation fees. The effects of the

repeal could include practical issues, including but not limited to: identifying the universe of persons who are currently in the assessment and collections process, how to notify all persons with outstanding juvenile fee related debt, petitioning the juvenile court to vacate all court-ordered judgments for juvenile fees, recalling and halting collections referred to the Franchise Tax Board.

California Welfare and Institutions Code section 903 et seq. permits counties to charge youth and their families for the cost of services imposed on delinquency system-involved youth. These fees are assessed to youth and to parents or guardians, having custody and control of juveniles. Parents/guardians are charged the costs of detention in juvenile facilities (Juvenile Hall and Camp Wilmont Sweeney), public defender/court-appointed counsel, investigation, supervision, electronic (GPS) monitoring, and drug and substance abuse testing.

The Board of Supervisors adopted the current fee schedule in 2009. Prior to 2009, the County only charged youth and families fees for detention in Juvenile Hall and Camp Wilmont Sweeney and for public defender/court-appointed counsel representation. In order to offset the increased cost of providing probation services, the Board of Supervisors approved increases to the detention fees and added four new fees: investigation, supervision, electronic (GPS) monitoring, and drug testing based on their ability to pay.

The current fee schedule is as follows:

Fee	Amount
Juvenile Hall (per day)	\$25.29
Camp Sweeney (per day)	\$20.32
Public Defender or Court-Appointed Attorney (per case)	\$300.00
Juvenile Investigation (per case)	\$250.00
Juvenile Supervision (per month)	\$90.00
Juvenile Electronic & GPS Monitoring (per day)	\$15.00
Juvenile Drug & Substance Abuse Testing (per test)	\$7.17
Juvenile Lab Test Confirmation (per test)	\$21.51

Cal. Welf. & Inst. Code § 903.45, requires counties that charge these fees to ensure that families who cannot afford to pay are not billed. Currently, two financial hearing officers, who are employees of the Central Collections Division of the Auditor-Controller Agency, evaluate whether or not families in the County can afford to pay these fees. Existing ability to pay determination processes are highly discretionary and do not account for changes in circumstances (income, dependents, etc.). If a family does not meet with a financial hearing officer, they can be billed in full, regardless of ability to pay.

The County does not know how many families receive fee reductions or waivers based on inability to pay or how many families are billed in full. The County keeps no data on families charged, and cannot demonstrate that families who cannot pay have not been charged. In short, there is no data that confirms that only families who can pay are being assessed fees.

Many youth in the juvenile system and their families struggle to pay these fees. Imposing this kind of debt on families induces economic and familial instability, which undermines the rehabilitative purpose of the juvenile system. Outstanding fees become civil judgments, which result in referrals to the Franchise Tax Board where parents' wages can be garnished, bank accounts can be levied, and tax refunds can be intercepted.

Youth of color are disproportionality impacted by the imposition of fees. According to Alameda County Probation Department data youth of color are overrepresented in the system and, on average, serve longer probation terms than their white counterparts. This means that youth of color, and their families, have a heavier financial burden. These fees are unfair and unrealistic given the adverse economic conditions faced by families with youth in the juvenile system.

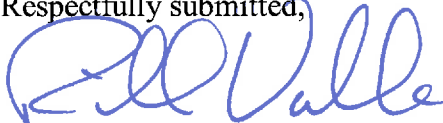
There is little financial gain for the County from these fees. Staff within the Probation Department and the Auditor-Controller's Office, in collaboration with the Policy Advocacy Clinic at Berkeley Law, have gathered data, identified information gaps, and performed an initial review of juvenile fees in Alameda County. For example, in fiscal year 2014-15, Alameda County referred juvenile probation fees of more than \$475,000 to approximately 300 families. Based on the number of staff and resources involved in the assessment and collection of juvenile fees, the County spent more than \$250,000 to collect approximately \$420,000.

	FY 2014-15
Referred	\$476,152
Collected	\$419,830
Costs	\$250,938
Net to County	\$168,892

FINANCING:

The County Administrator's Office working with the appropriate departments will identify alternative funding sources to replace any lost revenue or support impacted staff caused by a moratorium on the assessment and collection of juvenile fees.

Respectfully submitted,



Richard Valle
Supervisor, Second District



Keith Carson
Supervisor, Fifth District

RESOLUTION NO. 2016- 66

**A RESOLUTION PLACING A MORATORIUM ON THE ASSESSMENT AND
COLLECTION OF ALL JUVENILE PROBATION FEES AND THE JUVENILE
PUBLIC DEFENDER FEE**

WHEREAS, the County of Alameda currently charges youth involved in the juvenile justice system and their families six Probation Department fees and a Public Defender fee; and

WHEREAS, the seven fees are as follows: 1) a fee for each night spent in Juvenile Hall, 2) a fee for each night spent at Camp Wilmont Sweeney, 3) a one-time fee for public defender representation, 4) a one-time investigation fee, 5) a daily electronic monitoring fee, 6) a monthly supervision fee, and 7) a fee for drug testing and lab confirmation; and

WHEREAS, in 2009 the Alameda County Board of Supervisors increased the two existing detention fees (Juvenile Hall and Camp Sweeney) and added four new fees to the existing fee schedule, and in 2015, the Board eliminated the juvenile record sealing fee; and

WHEREAS, families and advocates in Alameda County have reported that these fees cause financial hardship and disrupt family stability; and

WHEREAS, unpaid administrative fees become civil judgments, which can result in referrals to the Franchise Tax Board where parents' wages can be garnished, their bank accounts can be levied and their tax refunds can be intercepted; and

WHEREAS, it is in the interest of the County, of young people involved in the juvenile justice system and their families, and of the larger community that the County repeal the seven juvenile probation fees and public defender fee; and

WHEREAS, it is in the interest of the County to adopt this resolution in order to allow staff to develop a plan to address the effects of the repeal of these juvenile probation fees and to identify funding for the services currently supported with these juvenile probation fees to maintain the fiscal integrity of affected County departments, including, but not limited to, the Probation Department, the Auditor-Controller's Office, and the Office of the Public Defender; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors as follows:

Section 1. A moratorium is imposed on the assessment and collection of juvenile probation and juvenile public defender fees, suspending the assessment and collection of:

- A. Fees for time juveniles spend in Juvenile Hall;
- B. Fee for time juveniles spend at Camp Wilmont Sweeney;
- C. Fees for the Public Defender's and court-appointed counsel's representation of juveniles;
- D. Fees for the Probation Department's investigation of juvenile cases;
- E. Fees for the Probation Department's supervision of juveniles;
- F. Fees for the electronic (GPS) monitoring of juveniles; and
- G. Fees for drug testing of juveniles.

Section 2. Unless extended by action of this Board, the moratorium shall expire upon repeal of the fees listed in Section 1.

Section 3. For the purpose of implementing this moratorium, no later than June 28, 2016, County staff is directed to return to the Board of Supervisors with a plan and ordinance for the repeal of fees listed in Section 1.

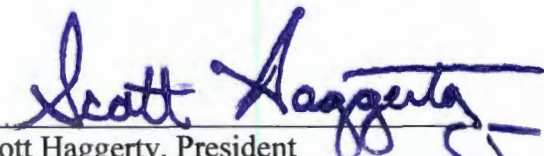
Section 4. That the moratorium imposed by Section 1 of this Resolution shall be effective as soon as it is reasonably possible for the County Auditor-Controller to stop collecting the fees.

THE FOREGOING WAS PASSED AND ADOPTED by the Board of Supervisors this 29th day of March, 2016, to wit:

AYES: Supervisors Carson, Chan, Miley, Valle & President Haggerty

NOES: None

EXCUSED: None



Scott Haggerty, President
Board of Supervisors

ATTEST:
Clerk of the Board of Supervisors

By: R. Bailey, Deputy

APPROVED AS TO FORM:
DONNA R. ZIEGLER, COUNTY COUNSEL

By: Donna R. Ziegler
Donna R. Ziegler, County Counsel

C O U N T Y A D M I N I S T R A T O R



SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

June 22, 2016

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members:

**SUBJECT: ADOPT AN ORDINANCE AMENDING ADMINISTRATIVE CODE SECTION 2.42.190
AND THE JUVENILE FEE SCHEDULES FOR PROBATION AND PUBLIC DEFENDER
TO REPEAL ALL JUVENILE FEES**

RECOMMENDATIONS:

Consistent with your Board's direction on March 29, 2016:

- A) Adopt an ordinance amending Section 2.42.190 of the Administrative Code of the County of Alameda to remove the assessment and collection of juvenile probation fees; and
- B) Amend Resolution No. 2009-468 to repeal juvenile fees collected by the Probation Department in their existing fee schedule for drug or substance abuse testing, laboratory test confirmations and electronic or Global Positioning System (GPS) monitoring; and
- C) Amend Resolution No. 2011-142 to repeal juvenile fees collected by the Public Defender's Office in their existing fee schedule for the Public Defender fee that is assessed for each juvenile case referred to their office.

DISCUSSION/SUMMARY:

On March 29, 2016, your Board passed and adopted Resolution No. 2016-66, which placed a moratorium on the assessment and collection of all juvenile Probation fees and the juvenile Public Defender fee for Alameda County youth involved in the juvenile justice system. The corresponding board letter requested that the County Administrator's Office, Auditor-Controller's Agency, Probation Department and the Public Defender's Office develop a plan and ordinance to amend Section 2.42.190 of the Administrative Code ("Collection of probation department fees") to repeal the portions related to assessment and collection of juvenile fees, which had been allowed per California Welfare and Institutions Code Sections 903 and 904.

Per the approved board letter and resolution, the Auditor-Controller's Agency immediately suspended the collection of juvenile probation fees on March 29, 2016. Action was taken to immediately close two financial hearing offices at the Juvenile Justice Center. Written notices regarding the moratorium were sent to all families on April 6, 2016. Every payment that was received after March 29th was returned or refunded, resulting in refunds totaling \$4,700 between March 29 and June 10. Over-the-counter payments, U.S. Postal Service payments and any checks were returned to families immediately. Tax intercepts, wage garnishments and lockbox check deposits were refunded promptly. All collections referred to the Franchise Tax Board were immediately withdrawn, but additional time was required for the State to receive and remit payments to the County. Since May 1, very few payments have been received resulting in fewer refunds processed.

The Probation Department has also reached out to Presiding Judge Charles Smiley of the Juvenile Dependency Court. Judge Smiley will continue to address each case and situation on its own merits, giving careful consideration to the recommendations of probation and its effects on families in the juvenile justice system.

County Impacts

Juvenile administrative fees paid for specific services provided to those involved in the system as allowed under California Welfare and Institutions Code Sections 903 and 904. Services included programs, activities and staffing costs. **The repeal of these juvenile fees represents a loss of revenue between \$500,000 and \$550,000 annually for Alameda County.** The Proposed Fiscal Year 2016-17 Budget eliminated the collection of juvenile administration fee revenue but expenditures remained in department's operating budgets relying on alternative revenue sources, including the County's General Fund. Additionally, there remains approximately \$2 million in outstanding (assessed, but uncollected) fees assessed since.

Details on departmental revenue reduction impacts are provided below.

Public Defender's Office

In Fiscal Year 2014-15, the Public Defender's Office received just over \$33,000 in revenue from the juvenile Public Defender fee per Resolution No. 2011-142, which is the estimated annual revenue loss. The fees were used to partially offset the cost of juvenile legal representation and were used to cover cost of telephone charges, equipment supplies and expert witnesses when necessary. These service costs will now be covered by other funding sources, primarily the General Fund, and there are no adjustments needed to continue the same level of service.

Probation Department

Based on Fiscal Year 2014-15 totals, the Probation Department estimates that \$275,000 in revenue for juvenile probation fees will be lost annually due to the amendments to Section 2.42.190 of the Administrative Code and Resolution No. 2009-468. These fees were used to support juvenile life skills and educational programming in Camp Sweeney and Juvenile Hall, which could see a reduction in scope of services, activities or events due to the loss of revenue. This includes but is not limited to: Camp Sweeney's Freedom School, Camp Sweeney's Annual Tolerance Tour, Juvenile Hall's Annual Resource Fair and the Destiny Arts Program. Ancillary costs such as special events, bus tickets, payment for bills, etc., are not mandatory but do help youth and families complete their terms and conditions of probation. Other sources of revenue, including the County General Fund, will be needed to continue these services.

Juvenile GPS monitoring is court-ordered per California Welfare and Institutions Code section 601. As such, these are mandated services that the County must continue to provide. The estimated annual cost of electronic/GPS monitoring for juveniles is \$180,000. Today, there are 69 youth in Probation currently being monitored. Additionally, each lost or damaged device costs over \$23,000 to replace. GPS monitoring costs have never been fully offset by juvenile fees, but now the Probation Department, through use of General Funds, will be required to cover the whole cost of these services.

While drug testing for juveniles may also be court-ordered, it is also a term of probation and Camp placement. Juvenile drug testing and post-testing laboratory confirmation costs the department approximately \$30,000 annually. Drug testing costs have never been fully offset by juvenile fees, but now the Probation Department, through use of General Funds, will be required to cover the whole cost of these services.

Auditor-Controller's Office

The estimated revenue lost by the Auditor-Controller's Office is between \$200,000 and \$250,000 annually. Staff in the Auditor-Controller's Office is assigned to the collection of a wide variety of fees, including these juvenile fees. This fee revenue was used to support a portion of staff salary and benefits costs. Since the establishment of the moratorium, affected staff has been assigned to other collection activities.

Given the steps that have been taken by the Auditor-Controller's Office to halt the assessment and collection of fees and the actions that each affected department has taken to plan and assess how the loss of revenue will affect programs, services and staffing, we ask that your Board approve the attached ordinance to repeal the juvenile probation fees and the juvenile Public Defender fee effective immediately.

FINANCING:

The repeal of the juvenile fees translates into loss of revenue for the County of up to \$558,000 annually in newly assessed fees, which breaks down as follows:

Department	Annual Revenue Loss*
Auditor-Controller	\$ 200,000 – 250,000
Probation	275,000
Public Defender	33,000
Total	\$ 508,000 – 558,000

*Approximate

As a result of the Board's action to enact a moratorium on Juvenile Administrative Fees, the FY 2016-17 Proposed Budget reduced revenue collections as indicated above. Department expenses funded previously with fee revenue are budgeted to continue without a specific new revenue source. This revenue loss was part of the FY 2016-17 funding gap and resulted in increased General Fund costs of up to \$558,000.

Additionally, \$2 million in outstanding fees assessed since 2009 will remain uncollected. With service-related expenditures continuing, the net loss to the County is the full amount of revenue that had been generated each year plus any prior year collections that we may have been able to recover.

Respectfully submitted,



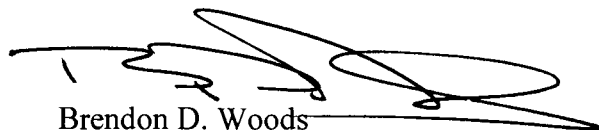
Susan S. Muranishi
County Administrator



Steve Manning
Auditor/Controller



LaDonna M. Harris
Chief Probation Officer



Brendon D. Woods
Public Defender

SSM:MLC:mcp
cc: County Counsel

ORDINANCE NO. 2016- 35

AN ORDINANCE AMENDING SECTION 2.42.190 OF THE ADMINISTRATIVE ORDINANCE CODE TO REPEAL JUVENILE PROBATION FEES, AMENDING RESOLUTION NO. 2011-142 TO REPEAL THE PUBLIC DEFENDER FEE FOR REPRESENTATION OF JUVENILES, AND AMENDING RESOLUTION NO. 2009-468 TO REPEAL THE PROBATION DEPARTMENT JUVENILE SUPERVISION, JUVENILE ELECTRONIC AND GLOBAL POSITIONING SYSTEMS MONITORING, AND JUVENILE DRUG AND SUBSTANCE ABUSE TESTING FEES

WHEREAS, on March 29, 2016, the Board of Supervisors adopted Resolution No. 2016-66 (the Resolution) placing a moratorium on the assessment and collection of seven juvenile probation fees and the Juvenile Public Defender Fee (collectively the Fees); and

WHEREAS, the Resolution directed staff to return to the Board of Supervisors no later than June 28, 2016, with a plan and an ordinance for the repeal of the Fees; and

WHEREAS, the Board of Supervisors finds that it is in the best interest of the County to repeal the Fees and terminate the moratorium;

NOW, THEREFORE, the Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Section 2.42.190 of the Alameda County Administrative Ordinance Code is hereby amended to read as follows:

2.42.190 - Collection of probation department fees.

The following fees and charges shall be paid to the Alameda County probation department or the county of Alameda collection agent:

A. Fees for adult investigations and for providing probation supervision of adults, pursuant to Penal Code Section 1203.1 b, as follows:

1. Adult investigations: Seven hundred ten dollars (\$710.00) per case.
2. Adult supervision: Ninety dollars (\$90.00) per month.

The administrator of the home detention program or his designee, shall have the option to waive the fees for program supervision when deemed necessary, justified or in the interest of justice. All fees paid for program supervision shall be deposited into the general fund of the county. Inmates involuntarily participating in the home detention program shall not be charged fees or costs for the program.

B. Fees for the petition for a change of plea or setting aside of a verdict shall be as follows, pursuant to Penal Code Section 1203.4:

1. Costs of actual services rendered: Not to exceed one hundred fifty dollars (\$150.00) per case.

This fee shall be applied to a person whether or not the petition is granted and the records are sealed or expunged.

SECTION II

The Probation Department schedule of fees adopted in Resolution No. 2009-468 on December 1 2009, is amended to repeal the "Juvenile Supervision Fee" of \$90.00 per month, the "Juvenile Electronic and Global Positioning Systems Monitoring Fee" of \$15.00 per day for the cost of electronic surveillance of a minor, and the "Drug and Substance Abuse Testing Fee" of \$7.17 per drug test and \$21.51 per laboratory confirmation for juveniles. The "Drug and Substance Abuse Testing Fee" of \$7.17 per drug test and \$21.51 per laboratory confirmation for adults shall remain in effect.

SECTION III

The Public Defender schedule of fees adopted in Resolution No. 2011-142 on May 10, 2011, is amended to repeal the \$300 fee for representation of juveniles established in Section 1.A of the Resolution.

SECTION IV

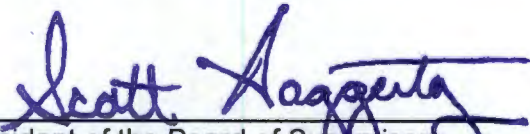
This ordinance shall take effect and be in force thirty (30) days from and after the date of passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on the 12th day of July, 2016, by the following called vote:

AYES: Supervisors Carson, Chan, Miley, Valle & President Haggerty

NOES: None

EXCUSED: None



President of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors,

By: R. Bailey
Deputy Clerk

APPROVED AS TO FORM:

DONNA R. ZIEGLER, COUNTY COUNSEL

By: Andrea L. Weddle
Andrea L. Weddle
Assistant County Counsel

PROBATION COLLECTIONS UNIT
OUTSTANDING BALANCES
as of June 30, 2016

CLIENT# (FEE TYPE)	DATE ASSIGNED	BALANCE REMAINING
22005 Public Defender - Probation	2010	86,408
	2011	306,104
	2012	482,550
	2013	325,120
	2014	269,911
	2015	316,778
	2016	148,480
	TOTAL	\$ 1,935,351

30310 & 30310a Juvenile Electronic Monitoring - Probation	2009	16,914
	2010	697
	2011	91,223
	2012	102,513
	2013	107,228
	2014	86,587
	2015	192,691
	2016	113,138
	TOTAL	\$ 710,991

30355 & 30355a Juvenile Hall - Probation	2010	229,117
	2011	560,683
	2012	377,524
	2013	467,078
	2014	486,320
	2015	615,274
	2016	301,178
	TOTAL	\$ 3,037,175

30356 Ranch - Probation	2010	183,485
	2011	253,115
	2012	276,178
	2013	284,910
	2014	251,175
	2015	294,444
	2016	152,238
	TOTAL	\$ 1,695,546

CLIENT# (FEE TYPE)	DATE	BALANCE
	ASSIGNED	REMAINING
20005 & 21005 Public Defender - Office of Revenue Collections	1995	765
	1996	2,125
	1997	5,207
	1998	12,805
	1999	163,701
	2000	513,914
	2001	696,337
	2002	649,684
	2003	638,625
	2004	624,632
	2005	567,033
	2006	516,570
	2007	640,562
	2008	568,781
	2009	453,979
	2010	350,384
	TOTAL	\$ 6,405,105

30305 Juvenile Hall/Ranch - Office of Revenue Collections	1990	733
	1996	305
	1997	1,668
	1998	3,344
	1999	220,336
	2000	232,546
	2001	393,006
	2002	148,942
	2003	135,039
	2004	120,437
	2005	129,124
	2006	246,830
	2007	459,391
	2008	419,579
	2009	311,241
	2010	282,108
	2013	626
TOTAL	\$ 3,105,256	

GRAND TOTAL	\$ 16,889,424
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Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

6.

Meeting Date: 09/26/2016

Subject: STATUS UPDATE ON PUBLIC ASSISTANCE FRAUD INVESTIGATION
AND PROSECUTION EFFORTS

Submitted For: PUBLIC PROTECTION COMMITTEE,

Department: County Administrator

Referral No.: N/A

Referral Name: STATUS UPDATE ON PUBLIC ASSISTANCE FRAUD INVESTIGATION
AND PROSECUTION EFFORTS

Presenter: Mark Peterson, District Attorney & Kathy
Gallagher, EHS Director

Contact: Timothy Ewell, (925)
335-1036

Referral History:

This referral began in September 2006, when the Employment and Human Services (EHS) Department updated the Internal Operations Committee (IOC) on its efforts to improve internal security and loss prevention activities. The IOC had requested the department to report back in nine months on any tools and procedures that have been developed and implemented to detect changes in income eligibility for welfare benefits.

The EHS Director made follow-up reports to IOC in May and October 2007, describing what policies, procedures, and practices are employed by the Department to ensure that public benefits are provided only to those who continue to meet income eligibility requirements, explaining the complaint and follow-through process, and providing statistical data for 2005/06, 2006/07, and for the first quarter of 2007/08.

Upon creation of the PPC in January 2008, this matter was reassigned from the IOC to the PPC. PPC received a status report on this referral in October 2008 and, again, in June 2010. The Committee requested staff to report back on how the County's program compares to a statewide fraud rate, if such a rate exists. The Committee also requested a follow-up report on the IHSS fraud program and the transition of welfare fraud collections from the Office of Revenue Collection (now disbanded) to the Employment and Human Services Department.

On October 18, 2010, the PPC received a status report from the District Attorney and the Employment and Human Services Director on the Welfare Fraud Investigations and Prosecutions Program, addressing the specific questions of the PPC from the June 21 meeting. As the PPC wishes to monitor performance of the welfare fraud program, it is recommended that this matter be retained on referral with a follow-up report in one year.

At the December 2013 meeting, the Committee received an update on CY 2013 Public Assistance fraud programs in the County and directed Committee staff to continue this referral to the following year. Due to scheduling, the Committee has not been able to receive a report on CY 2014 programs until today's meeting.

At the May 2015 meeting, the Committee received an update on the CY 2014 Public Assistance fraud programs

Referral Update:

The District Attorney's Office and Employment and Human Services department have submitted a joint report on the status of public assistance fraud in Contra Costa County and will present at today's meeting.

Recommendation(s)/Next Step(s):

ACCEPT a status report from the District Attorney and the Employment and Human Services Director on Public Assistance Fraud investigation and prosecution efforts within the County.

Fiscal Impact (if any):

No fiscal impact. This report is informational only.

Attachments

Joint Report on Welfare Fraud and Investigation

MEMORANDUM



To: Public Protection Committee of the Board of Supervisors **Date:** September 26, 2016

From: Kathy Gallagher, Director, Employment and Human Services Department
Mark Peterson, District Attorney

Subject: Joint Report on Welfare Fraud Prevention, Detection and Investigation

The Employment and Human Services Department (EHSD) and the District Attorney (DA) are jointly presenting this annual report to the Public Protection Committee (PPC) of the Board of Supervisors that demonstrates our continuing efforts to prevent, investigate, and prosecute welfare fraud in public assistance programs. This report provides information and summaries on fraud detection and prevention, fraud referrals, staffing, investigative processes, prosecutions, EHSD collection and recovery activities, as well as statistical data for fiscal year 2014/2015.

California county welfare departments are mandated by the California Department of Social Services (CDSS) to establish and maintain written agreements with the local District Attorney for the investigation and prosecution of alleged fraud in the CalWORKs Program (including Childcare and Welfare to Work) and the CalFresh (Food Stamps) Program. Our County also includes the General Assistance Program in the agreement. In Contra Costa County, the DA's Public Assistance Fraud Unit has this responsibility. For fiscal year 2014/2015, the \$414,000 agreement provided for one full-time Deputy District Attorney, one full-time Senior Investigator, one half-time clerk and a vehicle. The agreement also provides training for the legal and investigative staff dedicated to this Unit.

CDSS is the state agency responsible for the administration of the CalWORKs and CalFresh programs. CDSS provides program oversight and guidance to counties through regulations, policies, and reports. To assist counties in detecting fraud, welfare case information is matched against databases from the State Employment Development Department (EDD), Franchise Tax Board (FTB), Internal Revenue Service (IRS) and Social Security Administration (SSA) to ensure that recipients have reported all income, assets, and resources that may affect eligibility. When there is a discrepancy between information reported by the recipient and information in these databases, a report is generated. EHSD receives these reports on a monthly, quarterly, and annual basis from CDSS. When it has been determined that a client's case record may have discrepancies, EHSD staff seek clarification of the discrepant information from the client. If additional clarification is needed or if a worker suspects potential fraud, a referral for investigation is made to the EHSD Social Services Senior Welfare Fraud Field Investigators. If fraud is found and the client received more benefits than they were eligible to receive, an overpayment is computed and the client may be referred to the DA to investigate and prosecute for potential fraud. The combination of the reports and the well trained EHSD and DA staff working together have helped to prevent or significantly shorten the duration of fraud as well as prosecute those that commit fraud.

WELFARE FRAUD PREVENTION, DETECTION, INVESTIGATION AND REFERRAL PROCEDURES

Under Division 20 of California Social Services Regulations, larger counties are required to maintain a Special Investigations Unit (SIU) with staff that are trained and qualified to prevent, detect and investigate welfare fraud. This requirement is met by the agreement with the DA and the process in place in EHSD to detect early fraud and quickly respond to concerns of potential fraud raised by eligibility staff or the public.

Fraud Prevention: As required by CDSS, all EHSD eligibility program staff and first-line supervisors receive annual training in the prevention and detection of fraud. The training is designed to assist the eligibility staff to be diligent and aware of fraud indicators. Eligibility Workers are trained to substantiate the accuracy of the information reported by clients during the process of applying or reapplying for benefits. If an Eligibility Worker suspects fraud during the intake interview or at any point during the intake process, an electronic referral through the EHSD Early Fraud Investigation (EFI) referral system is made to EHSD's Welfare Fraud Unit. The Social Services Senior Welfare Fraud Field Investigators assigned to this unit are stationed in the district offices and are available to assist the eligibility staff as necessary. By having this direct access, either party can readily discuss and quickly resolve any issues or concerns that arise.

Fraud Detection and Investigation: The EFI referral system is automated and greatly speeds up reporting of suspected fraud. It allows the Eligibility Worker (EW) to provide all the needed information to open a fraud investigation case. Once a referral is made by the EW, the EHSD Social Services Fraud Prevention Supervisor reviews and assigns the case to an EHSD Social Services Senior Welfare Fraud Field Investigator for investigation. EHSD Welfare Fraud Field Investigators are professionals and are required to maintain Peace Officer Standards and Training (POST) certification. When the field investigation is complete, the information is returned to the EW for necessary action. Depending on the outcome of the referral and the status of the case, the EW of record takes quick and appropriate case action, including:

- Denying the case, or
- Discontinuing the case, or
- Reducing benefits, and
- Referring the case for overpayment computation and collection

The above actions by EHSD Eligibility Workers result in substantial savings and cost avoidance as applicants determined ineligible are denied benefits and recipients determined to be engaging in potentially fraudulent activities are discontinued. By having the investigators readily accessible, it provides for a rapid response to identify, mitigate and stop any fraud.

Citizen reporting of suspected public assistance fraud also aids in fraud prevention and detection. Citizens can call any one of the following numbers or email the California Department of Social Services, EHSD or the Deputy District Attorney:

California Department of Social Services Fraud Hotline: 1-800-344-8477
California Department of Social Services: <mailto:FraudHotline@dss.ca.gov>
Contra Costa County Deputy District Attorney: <mailto:KMcCosker@contracostada.org>
EHSD website for fraud information and reporting: ehsd.org
EHSD and DA fraud reporting line: (925) 521-5080

During the period covered by this report, EHSD received 413 phone calls to the Fraud Reporting line, 8 complaints of potential fraud from the EHSD website, and 15 complaints from CDSS. The DA received 9 potential fraud complaints.

When information comes in through one of the sources above, the EHSD Social Services Fraud Overpayment Supervisor reviews the information. When this review indicates that further action is needed, the Eligibility Worker (EW) and the Eligibility Work Supervisor (EW Supervisor) of record are notified about the information received. The EW follows up on the reported information and if appropriate, refers the case to the Fraud Prevention Unit or to the DA. The EW then advises the EHSD Social Services Fraud Overpayment Supervisor on the disposition of the complaint. All actions are taken very quickly to prevent erroneous issuance of benefits or to quickly stop benefits if the case has been granted.

Below are the Early Fraud Investigation referral statistics for FY 2014/2015.

EARLY FRAUD INVESTIGATIONS (EFI)

REFERRALS	CASH	CalFresh
Investigation Referrals Received	197	341
Investigations Completed	152	287
Fraud Found	75	194
Fraud Not Found	77	93
INVESTIGATION RESULTS		
Denials	23	52
Discontinuances	30	69
Benefits Reduced	12	39
Fraud Found no financial impact	10	34

Each year CDSS provides information on Fraud Cost Savings (cost avoidance) that result from early prevention and detection of fraud activities. While the official report for fiscal year 2014/2015 has not been issued, CDSS is projecting the savings for Contra Costa County as follows:

CalWORKs Fraud Cost Savings: \$231,803
CalFresh Fraud Cost Savings: \$132,132
Total: \$363,935

These avoided costs document the effectiveness of the continued and combined efforts of EHSD's Eligibility Workers and EHSD's fraud prevention and investigation processes in preventing benefits from going to ineligible individuals and families.

Referral to the DA: When long term or intentional fraud is suspected, EHSD refers cases over \$3,000 or other cases by mutual agreement to the DA for investigation and prosecution in accordance with the written agreement between the departments. A summary of the number of cases referred to the DA and the results is reported below. Referral of cases to the DA is continuous as cases are identified.

Administrative Disqualification Hearings: EHSD has been successful in moving forward with the implementation of the Administration Disqualification Hearing (ADH) process required by CDSS. The ADH process is an alternative to prosecution and imposes a disqualification penalty as well as repayment on individuals who have allegedly committed an Intentional Program Violation (IPV). The ADH process is cost effective and will be used to address cases that are below the threshold for referral to the DA or cases that do not meet the evidentiary parameters to be considered for prosecution. A client suspected of committing an IPV will be asked to attend an Administrative Disqualification Hearing or can be offered an ADH waiver. If it is found that the

client intentionally violated the program, a disqualification penalty is imposed and the client is required to repay the benefits that were fraudulently received. The disqualification penalty period ranges from six months to permanent disqualification depending on the number of violations.

Similar to the ADH process is the Disqualification Consent Agreement (DCA) process the DA utilizes. The DCA process provides the DA the ability to establish IPV's in cases of deferred adjudication. The DCA is a viable and important option and can be presented to the individual in cases in which the determination has been made that the case warrants prosecution by the DA.

D.A.'S PUBLIC ASSISTANCE FRAUD INVESTIGATION/PROSECUTION UNIT

The Public Assistance Fraud Unit is housed within the Office of the District Attorney Special Operations Division, where insurance fraud, environmental crimes, and both major and consumer fraud are prosecuted both criminally and civilly. For fiscal year 2014/2015, Senior Inspector, Todd Almason, continued in his assignment.

Deputy District Attorney, Sophea Nop has been with the office for 6 years and was a Deputy District Attorney in San Joaquin County for 2.5 years prior. She was actively involved in the evaluation and investigation of cases since her transfer into the unit in early 2014. However, because the caseload was insufficient to occupy a full-time deputy, the cases were handled in court by the DA's general felony teams, with Ms. Nop making filing decisions on the few new cases referred.¹

Senior Inspector Almason has over thirty-four years of experience as a law enforcement officer and an investigator in criminal cases. His previous experience includes eight years with the Santa Clara County Department of Social Services, assigned to the Special Investigations Unit; and seventeen years with the Santa Clara County District Attorney's Office, over ten of which were in the Public Assistance Fraud Unit. He is able to bring his experience and knowledge of Federal, State, and local public assistance laws and regulations to bear on any case he is assigned. As the Senior Inspector, he regularly coordinates his investigations with the assigned Deputy District Attorney and communicates regularly with EHSD investigative and non-investigative staff. He meets with and assists EHSD staff, as requested, with issues related to the prevention, detection, investigation, and prosecution of public assistance fraud. He also initially screens all fraud referrals received from EHSD.

The cases selected for DA investigation are prioritized based on a number of factors that may include the amount of the suspected loss or fraud, the number of suspects involved, the nature of the scheme involved, and whether the suspect has been previously suspected of fraud or has other criminal activities on their record. The threshold for filing potential public assistance fraud cases referred to the DA continues to be \$3,000. If criminal charges for Public Assistance Fraud are filed, the charges are generally filed under the following code sections:

- Welfare & Institutions Code § 10980 – Unlawfully Obtaining Public Aid
- Penal Code § 487 – Grand Theft (for IHSS cases)
- Penal Code § 118 – Perjury
- Penal Code § 72 – Fraudulent Claims

¹ Deputy District Attorney Kristina McCosker who has prior experience in the Public Assistance Fraud Unit has been assigned to the Unit as of January 1, 2016 to build and handle a regular caseload.

Depending upon the nature of the case, the sophistication of the alleged fraud, and the criminal history of the individual, the DA generally requests that charged defendants be sent a Notice to Appear in Court or requests that the Court issue a warrant for their arrest. Defendants who have been convicted have received sentences including the following:

- Time in prison or jail, ranging from a few days to several years (not all defendants receive custodial time as this is generally dependent on the amount of the loss and prior criminal record.)
- Probation (for jail sentences) up to five years, or parole (for State prison sentences)
- Community Service hours ranging from 20 to 360 hours
- Restitution and fines
- Work programs

EHSD STAFFING

EHSD is currently recruiting for three (3) Social Services Senior Welfare Fraud Field Investigators and anticipates the vacancies will be filled in the very near future. EHSD has also filled vacancies in the Fraud Overpayment Unit to ensure the timely referral of cases to the District Attorney. Most of the costs for fraud related positions are covered by State allocations.

To assist with the backlog of overpayment calculations reported at a previous Public Protection Committee meeting, EHSD was able to hire additional temporary staff and authorize overtime hours for staff in the Fraud Overpayment Unit. The backlog has been greatly reduced, is on the way to elimination and current work is on track. For the period of July 1, 2015 through June 1, 2016, over 300 cases have been referred to the DA for investigation and prosecution.

COLLECTION EFFORTS

Federal and State regulations mandate that counties attempt to collect and recover welfare benefit overpayments due to fraud, inadvertent client errors, and administrative errors. The responsibility of the collection activities was transferred back to EHSD in October 2010, when the Office of Revenue Collection (ORC) was disbanded. The EHSD collection efforts continue to be handled by the Collections Unit and Fiscal Division. Clients currently receiving aid are subject to grant reduction to repay debts. CalWORKs and CalFresh debts are computed by the Eligibility Worker via the CalWIN system or by the Fraud Overpayment Unit. Former clients are subject to collection action. When collection action is necessary, EHSD uses the activities listed below:

Voluntary payment – Clients are sent a series of letters for demand of payment. Payment plans can be established. Clients make payments by check, money order, or credit card.

Welfare Intercept System (WIS) – This program is administered by the California Department of Social Services Fraud Bureau for CalWORKs and CalFresh debts. CalWORKs debts are eligible for Franchise Tax Board (FTB) offset/intercept. CalFresh debts are eligible for both FTB and U.S. Treasury/Internal Revenue Service (IRS) offset/intercept. Repayments are collected by the state FTB or federal IRS from tax refunds or other payments and are used to offset the debts.

Court-ordered Debt (COD) Program – Court-ordered debts are fines, fees, and restitution orders imposed by a court. EHSD has a small number of COD accounts that the Probation Department continues to administer.

The Collections and Recovery Summary Report for fiscal year 2014/2015 is also attached and provides the impact to County revenue.

STATISTICAL REPORTS

The information for the statistical reports is extracted from the California Department of Public Assistance (DPA) Form 266, Fraud Investigation Activity Reports. These monthly reports are completed by EHSD with input from the DA staff and submitted to the State Fraud Bureau. The attached report for fiscal year 2014/2015 covers the following:

- Fraud Overpayment Unit
- District Attorney Public Assistance Fraud Investigations and Prosecutions

CONCLUSION

EHSD and the DA's office have a long and effective working relationship. We continue to work together to prevent, investigate and prosecute public assistance fraud.

Contributors to this report include:

Laura Cox, Fraud & Appeals Division Manager, EHSD
Jackie Foust, Fraud Overpayment Supervisor, EHSD
Rosmairi Polvorosa, Fraud Prevention Supervisor, EHSD
Jennifer Posedel, Department Fiscal Officer, EHSD
Kristina McCosker, Deputy District Attorney
Todd Almason, Senior Inspector, DA
Catherine Osterlund, Senior Level Clerk, DA

STATISTICAL OUTCOMES
FY JULY 1, 2014 – JUNE 30, 2015

FRAUD OVERPAYMENT UNIT

	CASH	CalFresh
Overpayment Computation Referrals Received	131	770
Number of Overpayments Established	10	70
Dollar Amount of Overpayments	\$39,875	\$138,377
CalWORKs/CalFresh Combo Cases Referred for Prosecution	13	
Public Assistance CalFresh Cases Referred for Prosecution	0	
Non Assistance CalFresh Cases Referred for Prosecution	2	

DISTRICT ATTORNEY WELFARE FRAUD INVESTIGATIONS

INVESTIGATIONS	CASH	CalFresh	TOTAL
Referrals Received*	15	20	35
Investigations Completed**	15	16	31
PROSECUTIONS			
Cases Filed for Prosecution	3	4	7
Active Cases as of 6-30-2015	5	4	9
Convictions	13	16	29
	Public Assistance		
Court Ordered Restitution	\$131,067.97		

* **As indicated in the report above**, referrals to the DA for the current fiscal year to date (July 1, 2015 through June 1, 2016) exceed 300 cases. This is due to the efforts to reduce the backlog of pending cases in the Fraud Overpayment Unit.

** An investigation completed can include referrals from prior fiscal years.

<p align="center">EHSD COLLECTION & RECOVERY SUMMARY FY July 1, 2014 – June 30, 2015</p>

Program Type	Cash Collection	Grant Reduction & EBT Repayments	Annual Totals
CalWORKs	\$306,284	\$585,355	\$891,639
CalFresh	836,288	916,085	1,752,373
IHSS	14,970	0	14,970
General Assistance	13,097	13,605	26,702
Totals	\$1,170,639	\$1,515,045	\$2,685,684

IMPACT TO COUNTY REVENUE

Most of the cost of aid issued by Contra Costa for CalWORKs, CalFresh, and IHSS is funded with Federal and/or State revenue. All collection recoveries, with the exception of General Assistance are returned to the funding source, with the County retaining a small percentage.

For CalWORKs, 2.5% of all collection recoveries reduce the county benefit costs. An annual incentive is also paid to the county based on recoveries. For CalFresh, a local retention amount that is shared equally with the State is calculated based on the recoveries (cash and non-cash) by error type. The local retention rates are 0% for Administrative Error, 10% for Inadvertent Household Error and 17.5% for Intentional Program Violation. The county share of IHSS is determined by an established maintenance of effort. Collections do not impact the county share. Since General Assistance is all county funds, 100% of collection recoveries are returned to the county.



Contra Costa County Board of Supervisors

Subcommittee Report

PUBLIC PROTECTION COMMITTEE

7.

Meeting Date: 09/26/2016
Subject: RFP for Facilitation and Data Analysis Services for Racial Justice Task Force
Submitted For: PUBLIC PROTECTION COMMITTEE,
Department: County Administrator
Referral No.: N/A
Referral Name: RFP for Facilitation and Data Analysis Services for Racial Justice Task Force
Presenter: Lara DeLaney, Sr. Deputy CAO **Contact:** Lara DeLaney, (925)335-1097

Referral History:

On April 7, 2015, the Board of Supervisors received a letter from the Contra Costa County Racial Justice Coalition requesting review of topics within the local criminal justice system. The Public Protection Committee (PPC) generally hears all matters related to public safety within the County.

On July 6, 2015, the Committee initiated discussion regarding this referral and directed staff to research certain items identified in the Coalition's letter to the Board of Supervisors and return to the Committee in September 2015.

On September 14, 2015, the Committee received a comprehensive report from staff on current data related to race in the Contra Costa County criminal justice system, information regarding the County's Workplace Diversity Training and information regarding diversity and implicit bias trainings and presentations from across the country.

On December 14, 2015, the Committee received an update from the Public Defender, District Attorney and Probation Department on how best to proceed with an update to the Disproportionate Minority Contact (DMC) report completed in 2008. At that time, the concept of establishing a new task force was discussed. The Committee directed the three departments above to provide a written project scope and task force composition to the Committee for final review.

At the November 9, 2015 meeting, the Committee received a brief presentation reintroducing the referral and providing an update on how the DMC report compares with the statistical data presented at the September meeting. Following discussion, the Committee directed staff to return in December 2015 following discussions between the County Probation Officer, District Attorney and Public Defender with thoughts about how to approach a new DMC initiative in the County.

On April 12, 2016, the Board of Supervisors accepted a report and related recommendations from the Committee resulting in the formation of a 17-member Disproportionate Minority Contact Task Force composed of the following:

- County Probation Officer
- Public Defender
- District Attorney
- Sheriff-Coroner
- Health Services Director
- Superior Court representative
- County Police Chief's Association representative
- Mount Diablo Unified School District representative
- Antioch Unified School District representative
- West Contra Costa Unified School District representative
- (5) Community-based organization (CBO) representatives (at least 1 representative from each region of the County and at least one representative from the faith and family community)
- Mental Health representative (not a County employee)
- Public Member – At Large

Subsequently, a 7-week recruitment process was initiated to fill the (5) CBO representative seats, the (1) Mental Health representative seat and the (1) Public Member - At Large seat. The deadline for submissions was June 15, 2016 and the County received a total of 28 applications.

On June 27, 2016, the PPC met to consider making appointments to the (5) CBO representative seats, the (1) Mental Health representative seat and the (1) Public Member - At Large seat. The PPC nominated to following individuals to be considered by the full Board of Supervisors:

1. ***CBO seat 1: Stephanie Medley (RYSE, AB109 CAB) (District I)***
2. ***CBO seat 2: Donnell Jones (CCISCO) (District I)***
3. ***CBO seat 3: Edith Fajardo (ACCE Institute) (District IV)***
4. ***CBO seat 4: My Christian (CCISCO) (District III)***
5. ***CBO seat 5: Dennisha Marsh (First Five CCC; City of Pittsburg Community Advisory Council) (District V)***
6. ***Mental Health: Christine Gerchow, PhD. (Psychologist, Juvenile Hall-Martinez) (District IV)***
7. ***Public (At-Large): Harlan Grossman (Past Chair AB 109 CAB, GARE participant) (District II)***

At the conclusion of the of the meeting, the PPC directed staff to set a special meeting for early August to consider the final composition of the entire (17) seventeen member Task Force once all names were received from county departments, school districts, etc.

On August 15, 2016, the PPC approved nominations for appointment to all seventeen seats on the Racial Justice Task Force to the full Board of Supervisors. On September 13, 2016, the Board of Supervisors formally appointment members to the Task Force.

Referral Update:

Over the past two months, the CAO's office has convened a work group to develop a draft Request for Proposals (RFP) to solicit for Facilitation and Data Analysis services for the work of the Racial Justice Task Force. The work group was comprised of representatives of the CAO's office, the District Attorney's Office, the Public Defender's Office, and the Contra Costa County Racial Justice Coalition.

The final draft of the RFP is *Attachment A*. (Please note that the General Conditions of the Contract have been omitted from the RFP draft at this time, but will be included in the final version when issued.)

The proposed timeline for the procurement process, which is anticipated to take 10 weeks, is as follows:

AB 109 RFP RJTF Facilitation and Data Analysis Timeline

Event	Date	
RFPs Draft & Timeline to Public Protection Committee (PPC)	Sept. 26, 2016	
PPC Designates Evaluators	Sept. 26, 2016	
RFP Issued	Sept. 27, 2016	<i>BidSync, Email distribution, Website</i>
Mandatory Bidders Conference	Wed., Oct. 5 @ 10:00	
Written Questions Due from bidders	noon, Oct. 21	
Addendum Issued	Oct. 24	
Responses Due	Nov. 4	<i>5 weeks from issuance</i>
Evaluation Period	Nov. 7-10	
Vendor Interviews	Nov. 10	
Results Letter Issued	Nov. 10	
Appeal Period	Nov. 14-18	
Public Protection Reviews Results	Nov. 28	<i>assuming no Special Meeting and no Cancellation</i>
Board Award Date	Dec. 06	
Contract Start Date	Dec. 06	<i>BOS meets Nov. 1, 8, 15 or 12/6</i>

The timeline includes a mandatory Bidders Conference, which staff is presently working to include remote access capabilities (webinar). The timeline assumes that the Public Protection Committee reviews the recommendation(s) of the Review Panel at its November 28, 2016 meeting.

The work group recommends that the Review Panel be composed of an equal number of County representatives and Contra Costa Racial Justice Coalition members. County representatives would include a designated staff person from each of the following:

- District Attorney's Office
- Probation Department
- Public Defender's Office
- Sheriff's Office

An equal number of representatives from the Coalition would bring the Panel total to 8.

Recommendation(s)/Next Step(s):

REVIEW and APPROVE the final draft RFP for Facilitation and Data Analysis Services for the Racial Justice Task Force.

The Public Protection Committee is also requested to provide input and direction to staff on the timeline for the procurement process and the composition of the RFP Review Panel.

Fiscal Impact (if any):

No fiscal impact.

Attachments

Attachment A - AB 109 RFP Facilitation, Data Analysis for RJTF



Contra Costa County

REQUEST FOR PROPOSALS (RFP) # 1609-196 *Facilitation and Data Analysis Services for the Contra Costa County Racial Justice Task Force*

The Contra Costa County Administrator's Office is pleased to announce, on behalf of the Board of Supervisors, the solicitation of proposals for "Facilitation and Data Analysis Services" to provide support to the Contra Costa County Racial Justice Task Force for the period December 1, 2016 through June 30, 2018.

This RFP is a process by which the County solicits proposals of qualified responders who may be selected to enter into a contract with the County for the provision of these services.

Please read this entire packet carefully.

***Final responses will be due at 651 Pine Street, 10th floor, Martinez, CA 94553
by 12:00 p.m. (noon) on Friday, November 4, 2016.***

Written questions about the RFP can be submitted to lara.delaney@cao.cccounty.us
by 12:00 p.m. on Friday, Oct. 21, 2016.

A mandatory Bidders Conference will be conducted on

Wednesday, October 5, 2016

from 10:00 a.m. – 11:30 a.m. at the County Zoning Administrator's Room,

30 Muir Road, Martinez.

Thank you in advance for your efforts in preparing your response.



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***RFP Timeline***

1.	RFP announced	Tuesday, Sept. 27, 2016
2.	Mandatory Bidders Conference	Wednesday, Oct. 5, 2016, 10:00 a.m.
3.	Written Questions Due from Responders	12:00 p.m. (noon), Oct. 21, 2016
4.	Addendum Issued	Oct. 24, 2016
5.	Response Submission Deadline	12:00 p.m. (noon), Nov. 4, 2016 County Administrator's Office 651 Pine Street, 10 th Floor Martinez, CA 94553
<i>No response will be accepted after this date and time. Postmarked, facsimiled, or e-mailed submissions will not be accepted.</i>		
6.	Review, rating, and interview process	Nov. 7-10, 2016
7.	Notification of recommendations	Nov. 10, 2016
8.	Appeal period	Nov. 14-18, 2016
9.	Deadline to submit appeal letters	5:00 p.m., Nov. 18, 2016
10.	Public Protection Committee Review	Nov. 28, 2016
Board of Supervisors approval and authorization to award contracts is tentatively scheduled for the December 6, 2016 Board of Supervisors' agenda.		



REQUEST FOR PROPOSALS #1609-196
“FACILITATION AND DATA ANALYSIS”
FOR CONTRA COSTA COUNTY RACIAL JUSTICE TASK FORCE

Statement of Work

DRAFT



I. Introduction

The Contra Costa County Administrator's Office (CAO), on behalf of the Board of Supervisors, is issuing this Request for Proposals (RFP) #1609-196 to receive Proposals from qualified contractors to provide facilitation and data analysis services to assist the Racial Justice Taskforce in identifying ways of reducing racial and ethnic disparities (RED) within Contra Costa County's local justice system.

Based on the response to this solicitation for Proposals, Contra Costa County (County) plans to contract with contractors for the period of December 1, 2016 to June 30, 2018. The County will retain the discretion to renew any contract issued, contingent on availability of funding and demonstrated successful performance by funded contractors during the contract period.

Private and public not-for-profit organizations and for-profit organizations with experience in providing services in the described areas are invited to submit Responses. If you are interested in and capable of providing the requested services by contract with the County, please carefully review the Request for Proposals (RFP) and submit your response as directed in the "Response Preparation Instructions." This solicitation is not in any way to be construed as an agreement, obligation, or contract between the County and any party submitting a response, nor will the County pay for any costs associated with the preparation of any response.

II. Synonymous Terms

As used throughout this RFP, the following terms are synonymous:

- A. Supplier, Vendor, Contractor, Successful Responder
- B. Purchase Order, Contract, Agreement
- C. Services, Work, Scope, and Project
- D. Proposer, Responder, Bidder, Organization
- E. "The County" refers to the County of Contra Costa, California.

III. Minimum Organizational Requirements

The County seeks to partner with eligible entities that have expertise in performing facilitation and data analysis services on projects related to racial justice. The successful responder must possess and demonstrate the following minimum requirements:

1. Service History: A documented history of similar or equivalent service delivery to public agencies for at least three years, including successful completion of contract deliverables and participation in outcome evaluation.
2. Criminal Justice System Experience: A history of prior successful experience working with a broad spectrum of justice system stakeholders.



3. Cultural Competency: Demonstrated understanding and capacity to deliver culturally competent and responsive services.
4. Licensing/Certification Requirements: Successful bidders must have and maintain all appropriate licenses, permits, and certifications as required by the laws of the United States, State of California, Contra Costa County, and all other appropriate governmental agencies.

IV. Background

Beginning with the Juvenile Justice Delinquency Prevention Act of 1974, the federal government mandated that states make efforts to address Disproportionate Minority Confinement (DMC). An amendment to this law in 1992 changed the language of DMC to Disproportionate Minority Contact to ensure a more holistic view of the entire justice system and various touch points that may contribute to disproportionate outcomes for minority youth.

Taking up this mandate, the State of California's Corrections Standards Authority initiated a multi-pronged effort to address DMC that included the implementation of an Enhanced DMC Technical Assistance Project (DMC-TAP). Along with Los Angeles, San Diego, Santa Cruz and Alameda, Contra Costa was among the first five counties awarded a DMC-TAP grant. With this grant, in 2005 Contra Costa convened a workgroup to study DMC in three local areas: Richmond, Bay Point, and the Monument Corridor area of Concord. This project culminated with a December 2008 report that made a number of short to long-term recommendations that were aimed to help the County address the various disparities identified in the study. Currently, the Board of State and Community Corrections continues the state's work in this area through its support of the Reducing Racial and Ethnic Disparities (RED) Subcommittee of the State Advisory Committee on Juvenile Justice and Delinquency Prevention.

In Contra Costa, discussions about the implications of RED in regards to our local justice system have expanded beyond the juvenile justice context. This interest culminated with the Contra Costa County Racial Justice Coalition sending a letter to the County's Board of Supervisors (Board) in April 2015 requesting review of several matters aimed at identifying and reducing bias towards, and overrepresentation of, minorities in the local criminal justice system. In July 2015, the Board forwarded this matter to its Public Protection Committee (PPC) for further discussion¹. The Public Protection Committee (PPC) generally hears all matters related to public safety within the County.

On July 6, 2015, the Committee initiated discussion regarding this referral and directed staff to research certain items identified in the Coalition's letter to the Board of Supervisors and return to the Committee in September 2015.

¹ See the report at:
http://64.166.146.245/agenda_publish.cfm?id=&mt=ALL&get_month=7&get_year=2015&dsp=agm&seq=22052&rev=0&ag=660&ln=43490&nseq=&nrev=&pseq=22038&prev=0#ReturnTo43490



On September 14, 2015, the Committee received a comprehensive report from staff on current data related to race in the Contra Costa County criminal justice system, information regarding the County's Workplace Diversity Training, and information regarding diversity and implicit bias trainings and presentations from across the country².

At the November 9, 2015 meeting, the Committee received a brief presentation reintroducing the referral and providing an update on how the DMC report compares with the statistical data presented at the September meeting. Following discussion, the Committee directed staff to return in December 2015 following discussions between the County Probation Officer, District Attorney and Public Defender with thoughts about how to approach a new DMC initiative in the County. These discussions culminated in a joint presentation on December 14, 2015 by the County Public Defender, Chief Probation Officer, and District Attorney that included the following recommendations:

- (1) the County convene a Task Force to revisit and expand upon the findings of the County's 2008 DMC-TAP report,
- (2) the County enter into a contract for a facilitator to help guide the Task Force through this process, and
- (3) a researcher be paid to help the Task Force collect and analyze data during the process.

The Committee directed the three departments above to provide a written project scope and Task Force composition to the Committee for final review.

On April 12, 2016, the Board of Supervisors accepted a report and related recommendations from the Committee resulting in the formation of a 17-member Disproportionate Minority Contact Task Force composed of the following:

- County Probation Officer
- Public Defender
- District Attorney
- Sheriff-Coroner
- Health Services Director
- Superior Court representative
- County Police Chief's Association representative
- Mount Diablo Unified School District representative
- Antioch Unified School District representative
- West Contra Costa Unified School District representative
- (5) Community-based organization (CBO) representatives (at least 1 representative from each region of the County and at least one representative from the faith and family community)
- Mental Health representative (not a County employee)
- Public Member – At Large

² See the report at:

http://64.166.146.245/agenda_publish.cfm?id=&mt=ALL&get_month=9&get_year=2015&dsp=agm&seq=22947&rev=0&ag=684&ln=45005&nseq=&nrev=&pseq=22945&prev=0#ReturnTo45005



Subsequently, a 7-week recruitment process was initiated to fill the (5) CBO representative seats, the (1) Mental Health representative seat and the (1) Public Member - At Large seat. The deadline for submissions was June 15, 2016 and the County received a total of 28 applications.

On June 27, 2016, the PPC met to consider making appointments to the (5) CBO representative seats, the (1) Mental Health representative seat and the (1) Public Member - At Large seat.

At the conclusion of the meeting, the PPC directed staff to set a special meeting for early August to consider the final composition of the entire (17) seventeen-member Task Force once all names were received from county departments, school districts, etc. In addition, the Committee recommended changing the title of the Task Force to the "Racial Justice Task Force," which was determined to be more reflective of the current efforts to evaluate racial disparities in the local criminal justice system.

On August 15, 2016, the Committee approved the nominations for appointment to the Task Force, including a recommendation that the Superior Court designee seat be a non-voting member of the Task Force at the request of the Superior Court. On September 13, 2016, the Board of Supervisors approved the composition of the task force and change of its title. The composition of the Task Force is as follows:

Contra Costa County			
Racial Justice Task Force, Composition			
	Member Seat	Name	Title/Affiliation
1.	County Probation Officer	Todd Billeci	County Probation Officer
2.	Public Defender	Robin Lipetzky	Public Defender
3.	District Attorney	Tom Kensok	Assistant District Attorney
4.	Sheriff-Coroner	John Lowden	Captain, Sheriff's Office
5.	Health Services Director	Dr. William Walker	Health Services Director
6.	Superior Court Designee*	Magda Lopez	Director of Court Programs and Services
7.	County Police Chief's Association representative	Bisa French	Captain, Richmond Police Department
8.	Mount Diablo Unified School District representative	Debra Mason	MDUSD Board Member
9.	Antioch Unified School District representative	Bob Sanchez	AUSD Director of Student Support Services
10.	West Contra Costa Unified School District representative	Marcus Walton	WCCUSD Communications Director
11.	CBO seat 1	Stephanie Medley	RYSE; AB109 CAB; District I resident
12.	CBO seat 2	Donnell Jones	CCISCO; District I resident
13.	CBO seat 3	Edith Fajardo	ACCE Institute; District IV resident
14.	CBO seat 4	My Christian	CCISCO; District III resident
15.	CBO seat 5	Dennisha Marsh	First Five CCC; City of Pittsburg Community Advisory Council; District V resident
16.	Mental Health representative	Christine Gerchow, PhD.	Psychologist, Juvenile Hall-Martinez; District IV resident
17.	Public Member – At Large	Harlan Grossman	Past Chair AB 109 CAB; GARE participant; District II resident
* Superior Court has requested this seat be non-voting member of the Committee.			



V. Funding

Up to \$225,000 (two hundred twenty five thousand dollars) is allocated in the AB 109 Public Safety Realignment/Community Programs Budget in Fiscal Year 2016-17 to fund data collection, program evaluation and system planning services, to be utilized for projects including an update of the AB 109 Operations Plan, the County's Reentry Strategic Plan, and the facilitation and data analysis of the Racial Justice Task Force. *An RFP is anticipated to be issued in the fall of 2016 for the AB 109 Operations Plan and Reentry Strategic Plan Update.*

VI. Purpose, Scope of Services of RFP

A. Purpose:

The County seeks a responder to provide facilitation services for a 17-member Racial Justice Task Force over the course of 18 months, as well as data analysis of the project's impact. Creation of the Task Force was unanimously approved by the Board of Supervisors on April 12, 2016. The mandate of the Task Force is as follows:

1. Research and identify consensus measures within the County to reduce racial disparities in the criminal justice system;
2. Plan and oversee implementation of the measures once identified; and
3. Report back to the Board of Supervisors on progress made toward reducing racial disparities within the criminal justice system.

The selected contractor for this project will be responsible for ensuring that the Task Force meets these objectives.

These facilitation and data analysis services must be independent and objective. In the performance of these services, the successful contractor shall avoid all conflicts of interest and all appearances of conflicts of interest. All conflicts of interest and potential conflicts of interest shall be described in detail in the response with any proposed resolutions to allow the services to be completed objectively.

The proposers of the facilitation and data analysis services for the Racial Justice Task Force must demonstrate expertise in racial and criminal justice facilitation as well as the ability to evaluate and analyze the effectiveness and outcomes of reforms recommended by the Task Force. The successful contractor is also expected to facilitate implementation of selected reforms in the County, with emphasis on building community engagement.

The successful contractor must collaborate with traditional County criminal justice stakeholders and community representatives to identify appropriate reforms, oversee implementation of those reforms, and design and perform data analysis to assess implementation. Responders should demonstrate past experience with or willingness to collaborate with other research partners that may be engaged by the County.



B. Scope of Services

In responding, responders should indicate how they would address the following areas of work and demonstrate capacity and experience in multiple realms related to this RFP, such as:

Facilitation Services

1. Development of group operating guidelines to support meaningful participation by all Task Force members and efficient and effective decision making by the Task Force;
2. Assessments of and recommendations regarding racial and criminal justice reforms;
3. Development of countywide, shared definitions for critical elements of racial and criminal justice reform (e.g., a common definition or set of definitions for disproportionality);
4. Development and production of a public report regarding racial disparities in the criminal justice system and the impacts of implemented reforms selected by the RJTF.
5. Subject-matter research and advice related to racial and criminal justice reform implementation and evaluation strategies in other counties.

Data Analysis Services

1. Analysis of existing countywide racial and criminal justice disparities;
2. Development of countywide, shared baseline data sets and common baseline outcome metrics, benchmarks, and comparison sets;
3. Applying mixed-methods designs, incorporating both quantitative and qualitative techniques, in evaluation;
4. Assessment and recommendations related to options for data infrastructures; and

Contractor(s) will be expected to appear before and present to the Public Protection Committee periodically throughout the contract period, providing progress reports both orally and written.

VII. Contract Monitoring

The County Administrator's Office will actively monitor services provided through these contracts and will:

- a. Monitor subcontracts written by and entered into by the contractor;
- b. Provide information to contractors concerning additional State or County data requirements not provided herein.

At a minimum, contractors will be expected to:

- a. Be able to enter into contract and begin service delivery within 1 month of award;
- b. Perform all services without material deviation from an agreed-upon Service Plan;
- c. Complete progress reports in a timely manner;
- d. Maintain adequate records of service provision to document compliance with Service Plan and complete forms supplied;
- e. Cooperate with the collection of other data as requested by the County.



REQUEST FOR PROPOSALS #1609-196
“FACILITATION AND DATA ANALYSIS”
FOR CONTRA COSTA COUNTY RACIAL JUSTICE TASK FORCE

RFP Requirements and Instructions

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RFP Requirements and Instructions for Responders

The responder requirements in this section are mandatory. Contra Costa County reserves the right to waive any nonmaterial variation.

1. All responders shall submit one (1) original response package and eight (8) complete copies of the response, under sealed cover, by mail or hand-delivery to the CAO at 651 Pine Street, 10th Floor, Martinez, CA 94553 to be received **no later than 12:00 p.m. on Friday, Nov. 4, 2016**. Each submission must be marked on the outside with the Responder's name and RFP #1609-196. Any response received after the deadline will be rejected. Postmarks, faxed and e-mailed submissions are not acceptable.
2. The CAO will review all received responses to make sure they are technically compliant with formatting and submission guidelines as per the RFP. Responders that are non-compliant with technical requirements will not move forward to the Review Panel.
3. All costs incurred in the preparation of a response will be the responsibility of the responder and will not be reimbursed by the County.
4. A response may be withdrawn in person prior to **12:00 p.m. (noon) on Nov. 7, 2016**. If withdrawing a response, the responder must provide appropriate identification (i.e. driver's license) and sign a receipt attesting to his/her withdrawal of the response.
5. A mandatory conference for prospective responders will be held on **Oct. 5, 2016 at 10:00 a.m.** at the County Zoning Administrator's Room at 30 Muir Road, Martinez, to answer questions about the RFP process.
6. Prospective responders interested in participating in the Bidders Conference are requested to return the Bidders Conference RSVP on page 28 by 5:00 p.m. on Monday, Oct. 3, 2016.
7. Any questions regarding this RFP should be emailed to Lara.DeLaney@cao.cccounty.us on or before **12:00 p.m. on Oct. 21, 2016**. Please include RFP #1609-196 in the subject line.
8. The CAO may amend this RFP, if needed, to make changes or corrections to specifications or provide additional data. Amendments will be posted at <http://www.co.contra-costa.ca.us/2366/Services-Programs> and, if after the optional bidders conference, emailed to all those attending. The CAO may extend the RFP submission date, if necessary, to allow responders adequate time to consider additional information and submit required data.
9. The RFP process may be canceled in writing by the CAO prior to awards if the Contra Costa County Board of Supervisors determines that cancellation is in the best interest of the County.



10. With respect to this RFP, the County reserves the right to reject any, some, or all responses. The County reserves the right to negotiate separately in any manner to serve the best interests of the County. All responses become property of the County, without obligation to any responder.
11. Responses will be judged on overall quality of content and responsiveness to the purpose and specifications of this RFP. Responses should be without expensive artwork, unusual printing, or other materials not essential to the utility and clarity of the response. Evaluation criteria and scoring factors are described below.
12. A Review Panel will evaluate responses received. The panel may be composed of representatives of the Public Defender's Office, the Sheriff's Office, the Probation Department, the District Attorney's Office and members of the Racial Justice Coalition. (*Panel composition subject to change depending on availability of participants.*) On the basis of panel ratings recommendations, the Public Protection Committee will make recommendations to the Contra Costa County Board of Supervisors. Responders will be notified of this recommendation in writing. Award of a contract by the Board of Supervisors will constitute acceptance of a response.
13. Only responders submitting a response in accordance with RFP #1609-196 may appeal the RFP process. Appeals must be submitted in writing and should be addressed to Lara DeLaney, Senior Deputy County Administrator; County Administrator's Office and received at 651 Pine Street, 10th Floor, Martinez, CA 94553, no later than **5:00 p.m. on Nov. 18, 2016**. Notification of a final decision on the appeal shall be made in writing to the responder within five (5) days, and the decision of the CAO shall be final and not subject to further review. When submitting, an appellant must clearly state the action appealed, the harm to the appellant, and the action sought. Appeals shall be limited to the following grounds:
 - Failure of the County to follow the selection procedures and adhere to requirements specified in the RFP or any addenda or amendments.
 - There has been a violation of conflict of interest as provided by California Government Code Section 87100 et seq.
 - A violation of State or Federal law.
 - .
14. Successful responders will be expected to promptly enter contract negotiation with the CAO. This may result in mutually agreed upon changes in plans or activities identified in the response. As a result of this negotiation, actual contract(s) may include other agreements and clarifications of activities, consistent with the intent of this RFP.
15. Services will begin upon the signing of a contract according to a mutually agreed upon start-up schedule. The County is not liable for any cost incurred by the contractor prior



to the effective date of any contract.

16. The CAO will actively monitor service implementation and delivery and provide contract monitoring. Any material breach of contract requirements will constitute grounds for terminating the contract.
17. The contract from this RFP will be for the Dec. 1, 2016 through June 30, 2018 period, with satisfactory performance as a condition of any future contract renewal.
18. Each response to this RFP will be a public record that will be subject to disclosure under the California Public Records Act (Government Code, § 6250, et seq.) and the County's Better Government Ordinance (County Ordinance Code, Title 2, Division 25).
19. All contracted parties must agree to implement the County's alcohol/drug abuse prevention/treatment policy and comply with related monitoring and evaluation procedures.



REQUEST FOR PROPOSALS #1609-196
“FACILITATION AND DATA ANALYSIS”
FOR CONTRA COSTA COUNTY RACIAL JUSTICE TASK FORCE

RESPONSE PREPARATION INSTRUCTIONS

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Response Preparation Instructions

RESPONSE INSTRUCTIONS

1. Responses must be in the form of a package containing a complete response and all required supporting information and documents. Each responder must submit one (1) original package and eight (8) complete copies with attachments included.
3. Response materials are to be double-spaced on 8 1/2" x 11" paper (*recycled preferred*) with no less than 1" margins on all sides, using an easy to read 12-point font. Total response should not exceed 10 pages excluding cover sheet, table of contents, budget and budget narrative, and required attachments.
4. Pages must be stapled together and numbered consecutively with each section identified by an appropriate Roman numeral.
5. Forms 1-3 (attached to this RFP) are to be fully completed and attached in the order indicated on the Respondent's Checklist.
6. All information in the response package must be presented in the following sequence.

PROPOSAL OUTLINE

SECTION I - INTRODUCTION

I.1 Proposal Cover Statement (Form #1)

The Proposal Cover Statement with original signatures, **in blue ink**, of the bidder's Board of Directors' President and Executive Director attached to the original of the proposal must precede the narrative. Copies of the form must also serve as a cover page to the remaining eight (8) proposal copies submitted.

I.2 Table of Contents

Include a table of contents using Attachment A as your guide.

SECTION II—PROGRAM NARRATIVE

II.1 Agency Overview (2 pages or less) *Information regarding a data analysis partner should be included in this section if Responder intends to work with a separate provider partner for these services.*

- A. State your organization's mission and its overall service philosophy.
- B. Describe briefly:



1. Responder's history, years in operation, and number of years providing services described herein.
2. Responder's primary areas of expertise and current core services.
3. Responder's qualifications (including resources and capabilities) as they relate to the scope of services described herein.

II.2 Approach to Scope of Work (9 pages or fewer)

Responses should address the following key concepts and goals:

- The County has multiple goals for facilitating and analyzing the data related to the Racial Justice Task Force:
 - ✓ Establish a group process that ensures meaningful participation and equal decision making power to community and government members alike;
 - ✓ Research and identify appropriate reform measures to address racial disparities;
 - ✓ Plan and facilitate implementation of reforms recommended by the Task Force;
 - ✓ Ensure community engagement in the Task Force process and reforms;
 - ✓ Support the development of key definitions (such as shared definitions of disproportionality) and "Learning Questions," such as, "What factors are most highly correlated with decreased rates of racial disproportionality for individuals in Contra Costa County?"
- Facilitation and data analysis for this project may involve several phases of work; these phases may be undertaken by one or more consultants and may be implemented simultaneously or sequentially, as appropriate.
- Facilitation and data analysis will involve departments and divisions of multiple County agencies and municipalities; multiple systems (law enforcement, behavioral health, social service, courts, education); private/nonprofit service providers; and community members at large.
- The project may require contractors with multiple capacities including:
 - ✓ Assessment of multiple existing racial and criminal justice reform models;
 - ✓ The ability to identify needs, challenges, and potential solutions to enable research, selection, implementation, and analysis of appropriate reforms.
- The project may require the utilization of mixed methods, including combined review and analysis of departmental documentation; quantitative data from County and private



data systems; and qualitative data from interviews with partner agencies, service providers, and community members.

- The project may include the development of an interim project evaluation, including key findings and recommendations for next steps or course corrections.

1. Organizational Capacity to Provide Services

- a. Describe your organizational capacity to perform the facilitation and data analysis services described herein and provide an organizational chart. *Organizational chart will not count towards page limit. If you are proposing a partner agency to provide either service, the partner agency's capacity must also be described.*
- b. Submit a staffing plan for all staff working directly or indirectly on this project, including: staff name and job title; time allocated to project; duties/activities. Attach a current resume or CV for each staff position proposed for this project, and the executive management of the organization. Describe briefly how the staffing plan meets the needs of the project. *Clearly indicate positions you will need to hire; any attached resume or CV will not count against page limit. If you are proposing a partner agency, the partner agency plan must also be described.*
- c. Describe your staff's skills and qualifications to perform the services of facilitation and data analysis. *If you are proposing a partner agency, the partner agency's staff skills and qualifications must also be discussed.*
- d. Describe your staff's experience and expertise in working with diverse sub-populations. *If you are proposing a partner agency, the partner agency's staff experience and expertise must also be discussed.*

2. Technical Expertise

- A. Discuss your (and/or your partner agency, if need be) subject-matter expertise as it relates to:
 1. racial and criminal justice reform facilitation;
 2. racial and criminal justice reform implementation;
 3. community engagement related to selection, implementation, and assessment of racial and criminal justice reform;
 4. public/private multi-stakeholder projects;
 5. racial and criminal justice reform data analysis and assessment;
 6. public presentation of data.



- B. Discuss your expertise (*or that of your partner agency*) in group facilitation and project management of multi-stakeholder initiatives that engage public agencies, law enforcement, community-based organizations, and community members, including formerly incarcerated individuals.

3. Experience with Similar Projects

- a. Describe any similar past projects including the scope of the project, relevance, stakeholders, and a brief summary of the approach and services provided. If relevant, indicate any collaborative partners engaged to complete the project. In addition, indicate any challenges encountered and how they were addressed.
- b. Describe any similar past projects that involved informal or formal collaboration with additional research partners or initiatives. Describe past experience collaborating with research partners and highlight any lessons applicable to this scope of work.

4. Implementation

- a. Attach a timeline that includes all phases of implementation, project milestones, and key activities of staff. *The timeline will not count towards any page limit.*
- b. Discuss how, where, and by whom specific services would be provided.

SECTION III. - BUDGET INFORMATION

III. Line-Item Budget and Budget Narrative

- A. Complete a line-item budget for all aspects of the project, showing all costs. The Budget should include a breakdown of all costs that demonstrates computations for each budget category (i.e., Personnel, Benefits, Supplies, Local Travel, etc.) Budgets should also clearly indicate the availability of matching resources and their source for additional points. *Proposed budgets are expected to be complete, reasonable, cost effective, and necessary for proposed activities.*

- Include the compensation rates and hours/FTEs of proposed personnel.
- Estimate the cost for the program and or projects undertaken, if a phased approach is utilized. Tie costs to anticipated phases or milestones.

B. Program Budget Narrative

Each budget cost item must be detailed in the narrative and should reflect the basis for the computations.



If you anticipate using subcontractors or partners, explain the proposed scope and costs anticipated for their services.

Every item must be completed, if applicable. Minimal narrative requirements are described below:

1. Administration and Support

Include supervisors, directors, clerical support staff, and administrative staff with no service delivery responsibilities. Divide the salaries of staff with both "Service Delivery" and "Administration" responsibilities in proportion to the time allotted for each activity.

List such staff in both categories. Indicate titles, rate of pay, time allotted to program and full-time equivalent positions (FTEs). Explain in narrative.

Indirect administrative costs should not exceed 15% of total request.

2. Program Staff

Include all staff involved in service delivery. Indicate titles, rate of pay, time allotted to program and FTEs.

3. Payroll Fringe Benefits

Report estimated costs of benefits, vacations, sick leave and training days on the line-item budget. Narrative shall list staff by title, FTEs, pay rate and amount of time allocated. Include for each staff title by type (FICA, SUI, FUTA, Worker's Compensation, leave and health and other insurance), applicable rates or basis.

4. Operations

a. *Occupancy*

Describe all applicable factors (e.g. rent/leases) and basis for allocating cost to program.

b. *Utilities*

Describe all applicable factors and basis for allocating cost to program.

c. *Telephone, Postage, Insurance, Equipment*

List by type, justification of cost and basis for allocating cost to program.

d. *Printing/Photocopying*

List cost by type and describe justification for cost and basis for



allocating costs to program.

e. *Materials*

List by type and describe justification of cost.

f. *Travel*

Describe type, justification, and basis of cost. Include service delivery, administration mileage and transportation costs for clients.

g. *Miscellaneous*

Indicate kinds of anticipated miscellaneous costs. Each item over \$100 should be explained individually.

IV. Letters of Recommendation

Provide no more than three (3) relevant letters of recommendation. These letters should speak specifically to the services you are seeking to provide and your organization's demonstrated experience and expertise.



REQUEST FOR PROPOSALS #1609-196
“FACILITATION AND DATA ANALYSIS”
FOR CONTRA COSTA COUNTY RACIAL JUSTICE TASK FORCE

RESPONSE REVIEW AND SELECTION

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Response Review and Selection

All responses submitted in compliance with the RFP requirements will be eligible for review and selection.

Response Selection Methodology:

- A. CAO staff will review each response's adherence to RFP specifications, including:
 - 1. Forms and Attachments
 - 2. Response Narrative
 - 3. Budget Information
- B. All responses deemed responsive will be referred to the RFP Review Panel.
 - 1. The panel may be composed of representatives of Probation, Public Defender, the District Attorney's Office, the Sheriff's Office and the Racial Justice Coalition. *(Panel composition subject to change depending on participant availability.)*
 - 2. The Review Panel will review all qualified responses and evaluate and score all responses utilizing the Rating Sheet on page 25.
 - 3. Interviews may be conducted on November 10, 2016, as needed.
- C. The Public Protection Committee will make recommendations for contract award to the Board of Supervisors after considering the recommendation of the Review Panel.



REQUEST FOR PROPOSALS #1609-196
“FACILITATION AND DATA ANALYSIS”
FOR CONTRA COSTA COUNTY RACIAL JUSTICE TASK FORCE

Rating Sheet

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Rating Sheet

Responses will be rated as follows with a maximum score of 100:

Program Elements and Possible Score

- I. Cover Statement and Table of Contents *(required but not rated)*
- II.1. Agency Overview 0-10
1. Organization's overall services/history (10 pts.)
- II.2. Program Proposal 0-70
1. Capacity to Provide Services (20 pts.)
2. Technical Expertise (20 pts.)
3. Experience with Similar Projects (20 pts.)
4. Program Implementation (10 pts.)
- III. Program Budget/Narrative 0-20
Budget complete, reasonable, cost-effective, and necessary. (17 pts.)
Matching/leveraged resources (3 pts.)

Total: 100 pts.



REQUEST FOR PROPOSALS #1609-196
“FACILITATION AND DATA ANALYSIS”
FOR CONTRA COSTA COUNTY RACIAL JUSTICE TASK FORCE
ATTACHMENT A

REQUIRED ATTACHMENTS AND CHECKLIST

DRAFT



Required Attachments and Checklist

Each respondent must submit a response in the following order with documents as described (unless otherwise noted). Duplicate enclosed forms as necessary.

- ☐ **A. Proposal Cover Statement (Form #1)** attached as cover to each proposal
- ☐ **B. Table of Contents**
- ☐ **C. Program Narrative**
- ☐ **D. Agency Organizational Chart**
- ☐ **E. Job Descriptions and Resumes** of Executive Director and key program staff
- ☐ **F. Implementation Timeline**
- ☐ **G. Budget Information**
- ☐ **H. Letters of Recommendation**
- ☐ **I. List of Agency Board of Directors (Form #2)**
- ☐ **J. Bidder's Statement of Qualifications (Form #3)**, completed and signed by Agency Executive Director and President of Agency Board of Directors. *(Form #3 with original signatures must accompany original proposal.)*



Bidders Conference RSVP Form

To: Lara DeLaney, Senior Deputy County Administrator

County Administrator's Office

Attention: RFP #1609-196

Lara.delaney@cao.cccounty.us

Re: Attendance at Bidders Conference for RFP #1609-196

I/We plan to participate in the Bidders Conference:

Name(s): _____

Organization: _____

Email: _____

Phone: _____

Please return the completed form to the above email address by 5:00 p.m., Monday, Oct. 3, 2016.



REQUEST FOR PROPOSALS #1609-196

“FACILITATION AND DATA ANALYSIS”

FOR CONTRA COSTA COUNTY RACIAL JUSTICE TASK FORCE

FORM 1

Proposal Cover Statement

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**FORM #1****PROPOSAL COVER STATEMENT****FACILITATION AND DATA ANALYSIS FOR RACIAL JUSTICE TASK FORCE**

Applicant
Organization _____
Business
Address _____

Phone _____ email: _____ Year Organization Founded _____
Contact Person & Title _____
501(c)3 ☐ yes Exemption Expiration Date _____
☐ no Other (explain): _____
Federal Employer Number: _____

We submit the attached proposal and attachments in response to Contra Costa County's Request for Proposals #1609-196, and declare that:

If the Board of Supervisors of Contra Costa County accepts this proposal, we will enter into a standard contract with Contra Costa County to provide all work specified herein as proposed or in accordance with modifications required by Contra Costa County. Funds obtained through this contract will not be used for other programs operated by the bidder/contractor unless stipulated within the proposal and accepted by the County.

Authorized representatives: (two signatures required)

Name: _____ Date: _____

Signature: _____
Executive Director

Name: _____

Signature: _____ Date: _____
Board President

This form must accompany the proposal package when submitted. Only one copy with original signatures is required.



REQUEST FOR PROPOSALS #1609-196
“FACILITATION AND DATA ANALYSIS”
FOR CONTRA COSTA COUNTY RACIAL JUSTICE TASK FORCE

FORM 2

Current Board of Directors

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FORM #2

CURRENT BOARD OF DIRECTORS

1. Number of Board members required by agency's bylaws: _____
2. Number of members on current Board: _____
3. When and how often does the Board meet: _____
4. List current Board members below (or attach Board List in this format):

<u>Name of Member</u>	<u>City of Residence</u>	<u>Occupation/Affiliation</u>	<u>Board Position</u>
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5. Describe key roles and responsibilities of the Board:



REQUEST FOR PROPOSALS #1609-196
“FACILITATION AND DATA ANALYSIS”
FOR CONTRA COSTA COUNTY RACIAL JUSTICE TASK FORCE

FORM 3

Bidder’s Statement of Qualifications

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**FORM #3****BIDDER'S STATEMENT OF QUALIFICATIONS**

1. List any licenses or certifications held by the agency, with expiration dates.

2. (a) Who administers your agency's fiscal system?
Name: _____
Phone: _____
Title: _____
Work Schedule: _____
(b) What CPA firm maintains or reviews the agency's financial records and annual audit, if applicable?
Name: _____
Phone: _____ Address: _____

3. Number of years bidder operated under the present business name. ____
List related prior business names, if any, and timeframe for each.

4. Number of years bidder has provided the services described in this proposal or related services. ____

5. Has bidder failed or refused to complete any contract? ☐ Yes ☐ No
If yes, briefly explain:

6. Is there any past, present, or pending litigation in connection with contracts for services involving the bidder or any principal officer of the agency? ☐ Yes ☐ No
If yes, briefly explain.

**FORM #3, Cont.**

7. Does bidder have a controlling interest in any other firm(s)? ☐ Yes ☐ No
If yes, please list below.
8. Does bidder have commitments or potential commitments that may impact assets, lines of credit or otherwise affect agency's ability to fulfill this RFP? ☐ Yes ☐ No
If yes, specify below.

Bidder attests, under penalty of perjury, that all information provided herein is complete and accurate. Bidder agrees to provide to County other information the County may request as necessary for an accurate determination of bidder's qualifications to perform proposed services.

Name and Title

(Executive Director)

Date

Name and Title

(Board President)

Date



REQUEST FOR PROPOSALS #1609-196
“FACILITATION AND DATA ANALYSIS”
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General Conditions of County Contract

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