



Board Agenda Item 24

DATE: February 28, 2017

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

SUBJECT: Memorandum of Understanding with Superior Court for Court Security Services

RECOMMENDED ACTION(S):

- 1. Approve and authorize Sheriff, on behalf of the County, to execute a Memorandum of Understanding (MOU) with the Superior Court of California (Court) for court security services effective July 1, 2017 through June 30, 2022, which includes a three-year base and two optional one-year extensions.**
- 2. Authorize the Sheriff to execute amendments modifying the Staffing Plan and/or the Court Security Plan.**

There is no increase in Net County Cost associated with the recommended actions as all costs associated with court security services will be funded with Trial Court Security funding and those costs not allowed (with no estimated change from the current year) will be included in the Sheriff-Coroner's Org 3111 requested budget for FY 2017-18. Approval of the first recommended action will grant authorization to the Sheriff to execute the MOU along with the two additional one year periods. The second recommended action would limit the Sheriff-Coroner's authority to execute amendments to only those modifying the staffing plan and/or the Court Security Plan. All other amendments must return back to your Board for authorization.

ALTERNATIVE ACTION(S):

There is no viable alternative action. California Government Code section 69926(b) requires an annual or multi-year MOU for court security services.

FISCAL IMPACT:

There is no additional Net County Cost associated with the recommended actions. The positions allocated to the Sheriff-Coroner's Office for the Court Services Unit will be funded within the Trial Court Security Allocation. Administrative costs and other costs not covered (Military Leave, Court Transportation, Jury Duty, etc.) under the allocation are funded using Net County Cost. Funding for these non-allowable costs in the amount of \$129,000, which are estimated at the current year level, will be included in the FY 2017-18 Sheriff-Coroner's Org 3111 requested budget and will be included in subsequent requested budgets by the Sheriff-Coroner's Office.

DISCUSSION:

In FY 2011-12, the State Legislature enacted Assembly Bill (AB) 118 and Senate Bill (SB) 89 that realigned funding, including Court security, from the State to Counties. The same legislation requires each County Treasurer to establish a Trial Court Security Account for this purpose. Costs associated with providing security services to Fresno County Superior Court is offset by funding from this account.

On July 15, 2014 your Board approved a retroactive Memorandum of Understanding with the Superior Court of California for court security services effective July 1, 2014 through June 30, 2017. Upon mutual agreement from the Sheriff-Coroner and the Presiding Judge it was decided not to exercise the one-year term extensions. A new MOU is being requested to allow for additional Deputy Sheriff positions to be allocated for services under the proposed agreement beginning FY 2017-18. It is anticipated that the Sheriff-Coroner's office will return to your Board, in June, with an agenda item to request the additional positions to be allocated to the Sheriff-Coroner's budget.

Below is a list of some of the details the Sheriff-Coroner's Office will provide as outlined in the MOU:

- Providing personnel for and performance of security functions during normal court hours;
- The movement of inmates within court facilities;
- Perimeter screening of the public and other court users and staff;
- Patrol of the interior of court facilities, security of holding cells; and
- Provide law enforcement responses to the Clerk's Offices, Court Administration, Family Court Services, Human Resources, and the Jury Assembly Room.

The Sheriff-Coroner will provide security services to the Court based on priorities. Primary importance is given to in-custody inmates to and from court, as well as entrance screening and monitoring of the public, followed by individual courtroom security, mandated training and civil law, then investigations, courthouse escorts, perimeter security, and non-mandated training. Additionally, the Sheriff, in conjunction with the presiding judge, shall develop an annual or multi-year comprehensive, countywide Court Security plan and shall be responsible for a Law Enforcement Security Plan that will become part of the MOU. The Sheriff-Coroner will provide the following positions to the Court:

1 - Sheriff Lieutenant
6 - Sheriff Sergeants
108 - Deputy Sheriffs
20 - Community Service Officers
3 - Communications Dispatchers
1 - Account Clerk
1 - Office Assistant
140 - Total Positions

The approval of the second recommended action will grant authorization to the Sheriff-Coroner to execute any amendments modifying the staffing plan and/or the Court Security Plan. However, any staffing increases will continue to be brought to your Board for approval via salary resolution amendments. The Court Administration and the Sheriff-Coroner's Office will meet on an annual basis to agree upon and sign off on the Countywide Court Security Plan.

REFERENCE MATERIAL:

BAI #32, July 15, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Memorandum of Understanding

CAO ANALYST:

Jeannie Z. Figueroa