

ASSEMBLY BILL

No. 2125

Introduced by Assembly Member Price

February 20, 2008

An act to amend Section 30061 of the Government Code, relating to local law enforcement.

LEGISLATIVE COUNSEL'S DIGEST

AB 2125, as introduced, Price. Supplemental local law enforcement funding.

Existing law establishes in each county treasury a Supplemental Law Enforcement Services Fund and requires that moneys from this fund be allocated in accordance with specified requirements for, among other things, juvenile justice plans. Existing law requires juvenile justice plans to include specified assessments of services and strategies to assist at-risk juveniles.

This bill would require juvenile justice plans to also assess job training services and strategies, and require, under certain conditions, a demonstration of the effectiveness at reducing delinquency through job training and employment to qualify for funding allocation.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 30061 of the Government Code is
- 2 amended to read:
- 3 30061. (a) There shall be established in each county treasury
- 4 a Supplemental Law Enforcement Services Fund (SLESF), to

1 receive all amounts allocated to a county for purposes of
2 implementing this chapter.

3 (b) In any fiscal year for which a county receives moneys to be
4 expended for the implementation of this chapter, the county auditor
5 shall allocate the moneys in the county's SLESF, including any
6 interest or other return earned on the investment of those moneys,
7 within 30 days of the deposit of those moneys into the fund, and
8 shall allocate those moneys in accordance with the requirements
9 set forth in this subdivision. However, the auditor shall not transfer
10 those moneys to a recipient agency until the Supplemental Law
11 Enforcement Oversight Committee certifies receipt of an approved
12 expenditure plan from the governing board of that agency. The
13 moneys shall be allocated as follows:

14 (1) Five and fifteen-hundredths percent to the county sheriff for
15 county jail construction and operation. In the case of Madera,
16 Napa, and Santa Clara Counties, this allocation shall be made to
17 the county director or chief of corrections.

18 (2) Five and fifteen-hundredths percent to the district attorney
19 for criminal prosecution.

20 (3) Thirty-nine and seven-tenths percent to the county and the
21 cities within the county, and, in the case of San Mateo, Kern,
22 Siskiyou, and Contra Costa Counties, also to the Broadmoor Police
23 Protection District, the Bear Valley Community Services District,
24 the Stallion Springs Community Services District, the Lake
25 Shastina Community Services District, and the Kensington Police
26 Protection and Community Services District, in accordance with
27 the relative population of the cities within the county and the
28 unincorporated area of the county, and the Broadmoor Police
29 Protection District in the County of San Mateo, the Bear Valley
30 Community Services District and the Stallion Springs Community
31 Services District in Kern County, the Lake Shastina Community
32 Services District in Siskiyou County, and the Kensington Police
33 Protection and Community Services District in Contra Costa
34 County, as specified in the most recent January estimate by the
35 population research unit of the Department of Finance, and as
36 adjusted to provide a grant of at least one hundred thousand dollars
37 (\$100,000) to each law enforcement jurisdiction. For a newly
38 incorporated city whose population estimate is not published by
39 the Department of Finance, but that was incorporated prior to July
40 1 of the fiscal year in which an allocation from the SLESF is to

1 be made, the city manager, or an appointee of the legislative body,
2 if a city manager is not available, and the county administrative
3 or executive officer shall prepare a joint notification to the
4 Department of Finance and the county auditor with a population
5 estimate reduction of the unincorporated area of the county equal
6 to the population of the newly incorporated city by July 15, or
7 within 15 days after the Budget Act is enacted, of the fiscal year
8 in which an allocation from the SLESF is to be made. No person
9 residing within the Broadmoor Police Protection District, the Bear
10 Valley Community Services District, the Stallion Springs
11 Community Services District, the Lake Shastina Community
12 Services District, or the Kensington Police Protection and
13 Community Services District shall also be counted as residing
14 within the unincorporated area of the County of San Mateo, Kern,
15 Siskiyou, or Contra Costa, or within any city located within those
16 counties. The county auditor shall allocate a grant of at least one
17 hundred thousand dollars (\$100,000) to each law enforcement
18 jurisdiction. Moneys allocated to the county pursuant to this
19 subdivision shall be retained in the county SLESF, and moneys
20 allocated to a city pursuant to this subdivision shall be deposited
21 in an SLESF established in the city treasury.

22 (4) Fifty percent to the county or city and county to implement
23 a comprehensive multiagency juvenile justice plan as provided in
24 this paragraph and to the ~~Board of Corrections~~ *Corrections*
25 *Standards Authority* for administrative purposes. Funding for the
26 ~~Board of Corrections~~ *Corrections Standards Authority*, as
27 determined by the Department of Finance, shall not exceed two
28 hundred seventy-five thousand dollars (\$275,000). For the 2003-04
29 fiscal year, of the two hundred seventy-five thousand dollars
30 (\$275,000), up to one hundred seventy-six thousand dollars
31 (\$176,000) may be used for juvenile facility inspections. The
32 juvenile justice plan shall be developed by the local juvenile justice
33 coordinating council in each county and city and county with the
34 membership described in Section 749.22 of the Welfare and
35 Institutions Code. If a plan has been previously approved by the
36 ~~Board of Corrections~~ *Corrections Standards Authority*, the plan
37 shall be reviewed and modified annually by the council. The plan
38 or modified plan shall be approved by the county board of
39 supervisors, and in the case of a city and county, the plan shall
40 also be approved by the mayor. The plan or modified plan shall

1 be submitted to the ~~Board of Corrections~~ *Corrections Standards*
2 *Authority* by May 1, 2002, and annually thereafter.

3 (A) Juvenile justice plans shall include, but not be limited to,
4 all of the following components:

5 (i) An assessment of existing law enforcement, probation,
6 education, mental health, health, social services, drug and alcohol,
7 *job training*, and youth services resources that specifically target
8 at-risk juveniles, juvenile offenders, and their families.

9 (ii) An identification and prioritization of the neighborhoods,
10 schools, and other areas in the community that face a significant
11 public safety risk from juvenile crime, such as gang activity,
12 daylight burglary, late-night robbery, vandalism, truancy, controlled
13 substances sales, firearm-related violence, and juvenile substance
14 abuse and alcohol use.

15 (iii) A local juvenile justice action strategy that provides for a
16 continuum of responses to juvenile crime and delinquency and
17 demonstrates a collaborative and integrated approach for
18 implementing a system of swift, certain, and graduated responses,
19 *and job training*, for at-risk youth and juvenile offenders.

20 (iv) Programs identified in clause (iii) that are proposed to be
21 funded pursuant to this subparagraph, including the projected
22 amount of funding for each program.

23 (B) Programs proposed to be funded shall satisfy all of the
24 following requirements:

25 (i) Be based on programs and approaches that have been
26 demonstrated to be effective in reducing delinquency and
27 addressing juvenile crime for any elements of response to juvenile
28 crime and delinquency, including prevention, intervention,
29 suppression, and incapacitation, *or have demonstrated effective*
30 *strategies to reduce delinquency through job training and*
31 *employment*.

32 (ii) Collaborate and integrate services of all the resources set
33 forth in clause (i) of subparagraph (A), to the extent appropriate.

34 (iii) Employ information sharing systems to ensure that county
35 actions are fully coordinated, and designed to provide data for
36 measuring the success of juvenile justice programs and strategies.

37 (iv) Adopt goals related to the outcome measures that shall be
38 used to determine the effectiveness of the local juvenile justice
39 action strategy.

1 (C) The plan shall also identify the specific objectives of the
2 programs proposed for funding and specified outcome measures
3 to determine the effectiveness of the programs and contain an
4 accounting for all program participants, including those who do
5 not complete the programs. Outcome measures of the programs
6 proposed to be funded shall include, but not be limited to, all of
7 the following:

8 (i) The rate of juvenile arrests per 100,000 population.

9 (ii) The rate of successful completion of probation.

10 (iii) The rate of successful completion of restitution and
11 court-ordered community service responsibilities.

12 (iv) Arrest, incarceration, and probation violation rates of
13 program participants.

14 (v) Quantification of the annual per capita costs of the program.

15 (D) ~~The Board of Corrections~~ *Corrections Standards Authority*
16 shall review plans or modified plans submitted pursuant to this
17 paragraph within 30 days upon receipt of submitted or resubmitted
18 plans or modified plans. The board shall approve only those plans
19 or modified plans that fulfill the requirements of this paragraph,
20 and shall advise a submitting county or city and county
21 immediately upon the approval of its plan or modified plan. The
22 board shall offer, and provide, if requested, technical assistance
23 to any county or city and county that submits a plan or modified
24 plan not in compliance with the requirements of this paragraph.
25 The SLESF shall only allocate funding pursuant to this paragraph
26 upon notification from the board that a plan or modified plan has
27 been approved.

28 (E) To assess the effectiveness of programs funded pursuant to
29 this paragraph using the program outcome criteria specified in
30 subparagraph (C), the following periodic reports shall be submitted:

31 (i) Each county or city and county shall report, beginning
32 October 15, 2002, and annually each October 15 thereafter, to the
33 county board of supervisors and the ~~Board of Corrections~~
34 *Corrections Standards Authority*, in a format specified by the
35 ~~Board of Corrections~~ *Corrections Standards Authority*, on the
36 programs funded pursuant to this chapter and program outcomes
37 as specified in subparagraph (C).

38 (ii) ~~The Board of Corrections~~ *Corrections Standards Authority*
39 shall compile the local reports and, by March 15, 2003, and
40 annually thereafter, make a report to the Governor and the

1 Legislature on program expenditures within each county and city
2 and county from the appropriation for the purposes of this
3 paragraph, on the outcomes as specified in subparagraph (C) of
4 the programs funded pursuant to this paragraph and the statewide
5 effectiveness of the comprehensive multiagency juvenile justice
6 plans.

7 (c) Subject to subdivision (d), for each fiscal year in which the
8 county, each city, the Broadmoor Police Protection District, the
9 Bear Valley Community Services District, the Stallion Springs
10 Community Services District, the Lake Shastina Community
11 Services District, and the Kensington Police Protection and
12 Community Services District receive moneys pursuant to paragraph
13 (3) of subdivision (b), the county, each city, and each district
14 specified in this subdivision shall appropriate those moneys in
15 accordance with the following procedures:

16 (1) In the case of the county, the county board of supervisors
17 shall appropriate existing and anticipated moneys exclusively to
18 provide frontline law enforcement services, other than those
19 services specified in paragraphs (1) and (2) of subdivision (b), in
20 the unincorporated areas of the county, in response to written
21 requests submitted to the board by the county sheriff and the district
22 attorney. Any request submitted pursuant to this paragraph shall
23 specify the frontline law enforcement needs of the requesting
24 entity, and those personnel, equipment, and programs that are
25 necessary to meet those needs. The board shall, at a public hearing
26 held at a time determined by the board in each year that the
27 Legislature appropriates funds for purposes of this chapter, or
28 within 30 days after a request by a recipient agency for a hearing
29 if the funds have been received by the county from the state prior
30 to that request, consider and determine each submitted request
31 within 60 days of receipt, pursuant to the decision of a majority
32 of a quorum present. The board shall consider these written
33 requests separate and apart from the process applicable to proposed
34 allocations of the county general fund.

35 (2) In the case of a city, the city council shall appropriate
36 existing and anticipated moneys exclusively to fund frontline
37 municipal police services, in accordance with written requests
38 submitted by the chief of police of that city or the chief
39 administrator of the law enforcement agency that provides police
40 services for that city. These written requests shall be acted upon

1 by the city council in the same manner as specified in paragraph
2 (1) for county appropriations.

3 (3) In the case of the Broadmoor Police Protection District
4 within the County of San Mateo, the Bear Valley Community
5 Services District or the Stallion Springs Community Services
6 District within Kern County, the Lake Shastina Community
7 Services District within Siskiyou County, or the Kensington Police
8 Protection and Community Services District within Contra Costa
9 County, the legislative body of that special district shall appropriate
10 existing and anticipated moneys exclusively to fund frontline
11 municipal police services, in accordance with written requests
12 submitted by the chief administrator of the law enforcement agency
13 that provides police services for that special district. These written
14 requests shall be acted upon by the legislative body in the same
15 manner specified in paragraph (1) for county appropriations.

16 (d) For each fiscal year in which the county, a city, or the
17 Broadmoor Police Protection District within the County of San
18 Mateo, the Bear Valley Community Services District or the Stallion
19 Springs Community Services District within Kern County, the
20 Lake Shastina Community Services District within Siskiyou
21 County, or the Kensington Police Protection and Community
22 Services District within Contra Costa County receives any moneys
23 pursuant to this chapter, in no event shall the governing body of
24 any of those recipient agencies subsequently alter any previous,
25 valid appropriation by that body, for that same fiscal year, of
26 moneys allocated to the county or city pursuant to paragraph (3)
27 of subdivision (b).

28 (e) Funds received pursuant to subdivision (b) shall be expended
29 or encumbered in accordance with this chapter no later than June
30 30 of the following fiscal year. A local agency that has not met
31 this requirement shall remit unspent SLESF moneys to the
32 Controller for deposit into the General Fund.

33 (f) If a county, a city, a city and county, or a qualifying special
34 district does not comply with the requirements of this chapter to
35 receive an SLESF allocation, the Controller shall revert those funds
36 to the General Fund.

O