



## AGENDA

**COUNTY OF KERN  
COMMUNITY CORRECTIONS PARTNERSHIP (CCP)  
CCP FULL MEMBERSHIP (Referred to as "CCP")  
CCP EXECUTIVE COMMITTEE (Referred to as "Executive Committee")**

5121 Stockdale Highway, Suite #100  
Bakersfield, California 93309

Special Meeting  
Wednesday, June 27, 2012

8:30 A.M.

All agenda item supporting documentation is available for public review in the office of the Kern County Probation Department, 2005 Ridge Rd, Bakersfield, California 93305 during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, following the posting of the agenda. Any supporting documentation that relates to an agenda item for an open session of any regular meeting that is distributed after the agenda is posted and prior to the meeting will also be available for review at the same location and at [www.kernprobation.com](http://www.kernprobation.com).

**AMERICANS WITH DISABILITIES ACT  
(Government Code §54953.2)**

Disabled individuals who need special assistance to attend or participate in a meeting of the Community Corrections Partnership (CCP) or the CCP Executive Committee may request assistance at the Kern County Probation Department, 2005 Ridge Road, Bakersfield, California, or by calling (661) 868-4100. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

### CCP TO CONVENE

CCP Members: Chief Kuge, Judge Bush, District Attorney Green, Public Defender Titus, Sheriff Youngblood, Director Dr. Waterman, Chief Williamson, Director Alvarez, Director Cheadle, Executive Director Corson, Supervisor Goh, Director Lewis, Superintendent Lizardi-Frazier, Division Director Merickel

ROLL CALL:

**CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT:** ALL ITEMS LISTED WITH A "CA" ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY STAFF AND WILL BE APPROVED BY ONE MOTION IF NO MEMBER OF THE BOARD OR PUBLIC WISHES TO COMMENT OR ASK QUESTIONS. IF COMMENT OR DISCUSSION IS DESIRED BY ANYONE, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED IN THE LISTED SEQUENCE WITH AN OPPORTUNITY FOR ANY MEMBER OF THE PUBLIC TO ADDRESS THE BOARD CONCERNING THE ITEM BEFORE ACTION IS TAKEN. STAFF RECOMMENDATIONS ARE SHOWN IN CAPS AFTER EACH ITEM.

1) Minutes from CCP Meeting of June 13, 2012 – APPROVE

2) Public Presentations

The public is provided the opportunity to comment on agenda items at the time those agenda items are discussed by the CCP. This portion of the meeting is reserved for persons to address the CCP on any matter not on this agenda but under the jurisdiction of the CCP. CCP members may respond briefly to statements made or questions posed. They may ask a question for clarification and, through the CCP, make a referral to staff for factual information or request staff to report back to the CCP at a later meeting. **SPEAKERS ARE LIMITED TO TWO MINUTES.**

PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION. THANK YOU.

- 3) Chairperson's Report (Kuge)  
General update on status of AB 109 Realignment activities (Fiscal Impact: None) –  
MAKE PRESENTATION; NO ACTION REQUIRED
- 4) CCP Committee Member Announcements or Reports  
CCP members may make an announcement or a report on their own department's activities.  
They may ask a question for clarification, make a referral to staff or take action to have staff place  
a matter of business on a future agenda (Gov. Code § 54954.2[a]) –
- 5) Draft – Sheriff's Office Proposed Plan for County of Kern Public Safety Realignment Act  
Implementation Plan for FY 12/13  
Discuss draft of Sheriff's Office proposed plan including AB 109 funding allocation (Fiscal Impact:  
\$10,166,857) – MAKE PRESENTATION; DISCUSS; REQUEST INPUT FROM COMMITTEE
- 6) Draft – County of Kern Public Safety Realignment Act Implementation Plan for FY 12/13  
Continue discussion from 6/13/12 meeting of draft Implementation Plan for FY 12/13 and  
determination of FY 12/13 AB 109 funding allocations (Fiscal Impact: \$23,451,975) – DISCUSS;  
REQUEST INPUT FROM COMMITTEE; PROVIDE DIRECTION TO CCP EXECUTIVE  
COMMITTEE
- 7) Carryover Method or Approach for Unexpended FY 11/12 AB 109 Funds  
Tabled from 6/13/12 meeting to discuss method or approach and make determination of how to  
handle carryover of unexpended FY 11/12 AB 109 funds (Fiscal Impact: Unknown) – DISCUSS;  
RECOMMEND APPROVAL OF CARRYOVER METHOD OR APPROACH OF HOW TO  
HANDLE UNEXPENDED AB 109 FUNDS AS OF JUNE 30, 2012 TO CCP EXECUTIVE  
COMMITTEE
- 8) Next CCP Meeting  
July 11, 2012; Probation Department, 5121 Stockdale Hwy., Ste. 100, Bakersfield, CA –  
ANNOUNCE
- 9) ADJOURN AS CCP

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CONVENE TO EXECUTIVE COMMITTEE

Executive Committee Members: Chief Kuge, Judge Bush, District Attorney Green, Public Defender Titus,  
Sheriff Youngblood, Director Dr. Waterman, Chief Williamson  
ROLL CALL:

- 1) Minutes from Executive Committee Meeting of June 13, 2012 – APPROVE
- 2) Public Presentations  
The public is provided the opportunity to comment on agenda items at the time those agenda  
items are discussed by the Executive Committee. This portion of the meeting is reserved for  
persons to address the Executive Committee on any matter not on this agenda but under the

jurisdiction of the Executive Committee. Executive Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification and, through the Executive Committee, make a referral to staff for factual information or request staff to report back to the Executive Committee at a later meeting. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION. THANK YOU.**

- 3) Executive Committee Member Announcements or Reports  
Executive Committee members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) –
  
- 4) Draft - County of Kern Public Safety Realignment Act Implementation Plan for FY 12/13  
Continue discussion from 6/13/12 meeting of draft Implementation Plan for FY 12/13 and determination of FY 12/13 AB 109 funding allocations (Fiscal Impact: \$23,451,975) – DIRECT CHAIRPERSON TO COMPLETE A DRAFT FOR PUBLIC REVIEW; SET PUBLIC HEARING DATE; DIRECT CHAIRPERSON TO PUBLISH NOTICE FOR PUBLIC HEARING AND NOTIFY BOARD OF SUPERVISORS; SET CCP MEETING DATE FOR FINAL APPROVAL
  
- 5) Carryover Method or Approach for Unexpended FY 11/12 AB 109 Funds  
Tabled from 6/13/12 meeting to discuss method or approach and make determination of how to handle carryover of unexpended FY 11/12 AB 109 funds (Fiscal Impact: Unknown) – APPROVE METHOD/APPROACH; AUTHORIZE CHAIRPERSON TO PREPARE WORKSHEET WITH FINAL CARRYOVER BALANCES FOR EACH DEPARTMENT ONCE THEY ARE KNOWN AND PLACE ON AGENDA FOR EXECUTIVE COMMITTEE APPROVAL
  
- 6) Next Executive Committee Meeting  
July 11, 2012; Probation Department, 5121 Stockdale Hwy., Ste. 100, Bakersfield, CA – ANNOUNCE
  
- 7) ADJOURN AS EXECUTIVE COMMITTEE



## MINUTES

**COUNTY OF KERN  
COMMUNITY CORRECTIONS PARTNERSHIP (CCP)  
CCP FULL MEMBERSHIP (Referred to as "CCP")  
CCP EXECUTIVE COMMITTEE (Referred to as "Executive Committee")**

5121 Stockdale Highway, Suite #100  
Bakersfield, California 93309

Special Meeting  
Wednesday, June 27, 2012

8:30 A.M.

CCP meeting called to order by Chairperson Kuge at 8:31 a.m.

CCP Members: Chief David Kuge, Judge Michael Bush, District Attorney Lisa Green, Public Defender Arthur Titus, Sheriff Donny Youngblood, Director Dr. James Waterman, Chief Greg Williamson, Director Lily Alvarez, Director Pat Cheadle, Executive Director Tom Corson, Supervisor Karen Goh, Director Verna Lewis, Superintendent Christine Lizardi-Frazier, Division Director TR Merickel

ROLL CALL: All members present except for the following, Green (Mark Pafford for Green), Titus (Konrad Moore for Titus), Cheadle (Pam Holiwell for Cheadle), Lewis (Aaron Ellis for Lewis), Lizardi-Frazier (Jeanne Hughes for Lizardi-Frazier)

NOTE: The vote is displayed in bold below each item. For example, Waterman-Bush denotes CCP Member Waterman made the motion and CCP Member Bush seconded the motion. Discussion or presentations are displayed in italics.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH A "CA" WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

- 1) Minutes from CCP Meeting of June 13, 2012 – APPROVED as revised to include Sheriff's Plan was not submitted late as clarified by Mr. Merickel, CCP Agenda Item 7.

**Williamson-Merickel: All Ayes**  
MOTION PASSED

- 2) Public Presentations

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**NO ONE HEARD**

- 3) Chairperson's Report (Kuge)

General update on status of AB 109 Realignment activities (Fiscal Impact: None) –

*Chairperson Kuge – Reported Ms. Jamison and Mr. Merickel will be attending workshops on AB 109. Stated he serves on the statewide CPOC AB 109 committee for data, research and reporting. During a conference call the day prior, he brought up concerns about the committee's idea of asking for monies from each of the CCP's for state-wide gathering of data and statistics. Since every county is different, Kuge asked they show how it would benefit each county; specifically, Kern County. He is not sure if any money*

*will be allocated for that type of research or if an outside agency will be hired to do data collection statewide. Kuge will report back to the CCP regarding the next meeting scheduled for mid-July.*

*Chairperson Kuge – Requested the audience hold comments until the end of Committee member discussions at which time the public will be provided an opportunity to discuss or make comments regarding agenda items.*

REPORT MADE

4) CCP Committee Member Announcements or Reports

CCP members may make an announcement or a report on their own department's activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code § 54954.2[a]) –

*Ellis – Provided an update on ETR activities. Referrals began in February with 125 referred to ETR and 35 of those currently enrolled in program. Nine have verified employment in full-time positions. One case manager has been hired but they have not been able to hire the other case manager due to limited amount of referrals; however, program looks positive. They are still working on the work experience program. They may have to go out to an RFP (request for proposal) for the work experience program since they are unable to provide the program themselves. Kuge – Asked if there are non-profits available to contract with that can provide the program. Ellis – The RFP process would do that and the contractor would be paid to provide the program.*

REPORT MADE

5) Draft – Sheriff's Office Proposed Plan for County of Kern Public Safety Realignment Act Implementation Plan for FY 12/13

Discuss draft of Sheriff's Office proposed plan including AB 109 funding allocation (Fiscal Impact: \$10,166,857) –

*Zimmerman – Stated that over the last few months, the Sheriff's Office has identified three levels or layers of need. First, increase the structure of the virtual jail, as they progress and receive more inmates. Second, security staff enhancements are needed due to the sophistication level and type of inmates. Third, support positions that represent the behind-the-scenes structure. The virtual jail would require a Sheriff's Lieutenant and a Senior Deputy which will provide the management and supervision needs for the unit also adding nine Deputy Sheriffs and one Sheriff's Support Specialist. The Deputy Sheriffs will be included in the case management component. The Sheriff Support Specialist will assist with electronic monitoring and maintaining report forms for all personnel within the virtual jail and general clerical support. For the security enhancements, they are requesting 15 Detentions Deputies to enhance the existing security. They are a 24-hour a day operation with four different facilities; on any given day they have 12 different shifts throughout the facilities equating to 1.2 persons per shift. This is woefully insufficient for what is needed but any enhancement in security is going to assist with the more sophisticated population and the greater needs that are placed on the detentions facilities. This is an approximate 5% increase in staffing levels across the board. For three Detentions Deputies, one is going to be an "Educational Deputy" tasked with assisting the Bakersfield Adult School and finding the best candidates to place into the in-custody programs. The second is going to be a support position for the kitchen, laundry, warehouse, and all behind-the-scenes issues that arise in a large operation. The third deputy is going to be a gang/intelligence deputy to stay on top of the more sophisticated population and new dynamic. On the support side, they are asking to fund two Senior Detentions Deputies. One will also be in the gang/intelligence component. The other is going to provide the extra measure of oversight and all the supportive mechanisms in the kitchen, laundry, warehouse, maintenance, etc. The Administrative Coordinator is important because they will provide programmatic support for AB 109, budget analysis, CCP document preparation, and work on required contracts and agreements. For example, Work Release had between 80 and 90 agreements that have to be managed yearly. A programmer is needed to capture statistics, track virtual jail participants, integrate existing computer systems with those that are being built, tracking re-arrests, various classification of inmates, parolees, and those going out to various programs. Finally, the Maintenance Worker III position is needed due to the greater strain on the physical plant of each of the jails.*

*Youngblood – Stated that several years ago, the Sheriff's Office entered into a consent decree Anderson vs. Kern which requires a certain amount of staffing per number of inmates. The Sheriff does not currently meet the consent decree standard. The addition of the proposed Detention Deputies will not get them there, but much closer to what the consent decree requires. Kuge – Asked if the proposed amount was the same percentage of allocation from last year. Zimmerman – Stated yes. Goh – Asked which positions are civilian ones. Zimmerman – Indicated the Administrative Coordinator, Programmer II, Maintenance Worker, and Sheriff Support Technician.*

*Moore – Stated since there is a slightly less than a one million dollar differential between the amount proposed by Probation and the Sheriff's requested amount, re-balance from the contingency fund which seems sufficient to cover the balance. Questioned whether a substantial contingency reserve is needed.*

*Kuge – Stated the proposed increase in contingency fund is due to the total \$10.8 million was not reached; even though it is \$23.4 million this year, it is anticipated that will not be reached either. Any amount not covered would be deducted from the contingency. More money is needed; whatever is awarded is not enough. It is not fair that Probation is the only one giving up 6% of their funding. Moore – Asked if Probation was upwardly revising its request from what was proposed at the last meeting. Kuge – Stated yes. Moore – Asked if there are any supporting documents to justify the change. Kuge – Stated he has documentation but wants to see what the committee wishes to do with the allocations. He stated that the Sheriff indicated what they are asking for still does not meet their standards, but it gets them closer and it is the same for Probation. If Probation kept the same percentage of allocation, it does not meet standards but it does get them closer to being more efficient supervising all of the post-release offenders and the higher felony probationers. The average daily population estimated by the State was just over 1,000 but Probation has over 1,700 on caseload. Probation could always use more probation officers to supervise that population. There are 4,200 adult felony cases that are not supervised, some of them are high risk but Probation does not have the personnel to supervise them.*

*Merickel – Stated that Probation's request was in the context of the original proposed plan. Everyone acknowledges more money is needed and the available funds to the county are not sufficient. The original plan was formed with the understanding that in order to fund additional items, a percentage would have to come from somewhere. It is not fair that Probation gave a requested amount within the context of a certain plan and when that plan changes, say Probation's context is still the same. If the committee wants to fund other things is it fair that the only entity taking a cut is Probation? That is up for the committee to decide. Probation has plans on what they would do with the reallocated funds but more of a discussion is needed to determine what the committee feels is the most appropriate way to proceed.*

*Youngblood – Stated that it is not about fairness. At the last meeting, a proposal was presented on what Probation needed. It was made on behalf of the Sheriff as to what Probation thought the Sheriff needed. The Sheriff's proposal is what is actually needed and because of that, Probation now wants an increase which does not make sense. Kuge – Stated Probation needs the entire allocation. The intent of the legislation was to fund Mental Health services a little more and contract with CBO's (community-based organizations) which is the direction needed to go. Since there was not enough money, Probation's proposal was a way to accommodate that. The Sheriff took the largest percentage, then Probation. It would not be fair to take it out of ETR because they received very little. Probation is trying to fund more services and programs, but if it is based on Probation's needs, then the whole amount and more is needed. Probation is not saying the original proposal is satisfactory, but it was the best plan to go forward as a starting point. Somebody has to give something somewhere if we want to try and change the philosophy of the committee and what we are trying accomplish.*

*Moore – Stated he joins Sheriff Youngblood in resisting a generalized discussion on fairness because that can mean many different things to many different people. Probation spearheaded the specific proposal that is before the members. The reason for this meeting was because the Sheriff did not have the opportunity to weigh in. The CCP reconvened two weeks later for what was understood to be a final proposal for consideration. Probation has made their presentation. He stated his surprise as, "oh by the way, Probation, we'd like more money too now." Does not think that was the intent of the committee when they adjourned to return and reconsider the requested amounts. Stated objection for Probation coming back with a request for more than eight million dollars, which is well over 30% of the total allocation.*

Kuge – Stated he is talking about need. The need is there, but the Sheriff is proposing the entire percentage they received last year. Although the committee can still vote and say no, the original proposal was fair and other committee members feel the same. Probation needs the other 5.68%. Moore – Asked when over the last two weeks did Probation recognize the existence of this need. Kuge – Probation has always recognized it. Moore – Asked why that was not included and if the request for the additional funding is based and motivated by the Sheriff's request. Kuge – No. If the allocation is based on need, then Probation has need for the money.

Pafford – Stated that the same argument could be made in recognizing the District Attorney's (D.A.) position against the Public Defender's (P.D.) in their request for the same money as the D.A. As Sheriff Youngblood said, it is not about fairness and Mr. Moore did not recognize they wanted money until the D.A. said they wanted money. Mr. Kuge has the right to look at the program the same as the P.D. when the D.A. asked for funding and Mr. Moore said, "Since the District Attorney is going to get money, we need to get money." Probation is being attacked under the same scenario which is not appropriate. Moore – Stated that the P.D. supports the D.A.'s request for money. He takes exception of the characterization of the P.D.'s funding request. The AB 109 statutory authority contemplates an equal allocation between the D.A. and P.D. In terms of need, the P.D.'s recommendation which was supported by Probation is included in the request presented two weeks ago. As heard from Chief Williamson, there has been an increase in crime and Chief Williamson has genuinely grappled with trying to determine the factors that has attributed to that. As heard from many speakers, AB 109, at least in the short term, has resulted in an increase in crime. The P.D. is the one agency within the criminal justice process that represents the individual and they are only asking for less than 1%. That is not hypocritical, inconsistent, or entirely at odds with the initial proposal. While he respects, appreciates, and supports the D.A.'s position, he disagrees with another department seeking to assess their own justification. The proposal was a document that was generated by Probation. The only difference is the Sheriff has come in with a well-reasoned argument why they need more money than Probation initially sought to allocate.

Pafford – Stated that Mr. Moore asks for the facts and data to support their allocation. The D.A. has a specific unit in their office with three deputies that only review crimes with the Sheriff's Department, Bakersfield Police Department (BPD), and other agencies. Complaint requests have increased 42% from January 1st through May 31st of this year compared to last year. There is nothing corresponding to that unit within the P.D. The D.A. is asking for funds to handle the increase for the complaint deputy D.A.'s. He recognizes there are equal funds specifically for revocations, but disagrees there is anything in AB 109 that says whatever the D.A. gets, the P.D. gets. He asked where the data for the P.D. to support its increase is. Moore – Stated that Mr. Pafford's comments themselves provide supporting data. A nearly 40% increase in referrals will produce an increase in filings. Kuge – The AB 109 money is entirely different than the equal set-aside for revocations. It can be allocated however the CCP wishes. There is no statutory mandate that there has to be a 50/50 split.

Waterman – Asked if the Sheriff's plan gets them to the 50 to 1 supervision ratio for the virtual jail population. Greg Gonzales, Sheriff's Department – Commented that it gets them to 85 to 1. Waterman – Asked what is Probation's current ratio? Kuge – 100 to 1; with the increase of funding, it would be reduced to 75 or 80 to 1. Youngblood – Asked if the 100 to 1 ratio is the allocation that was asked for last week. Kuge – Yes.

Youngblood – Stated the Sheriff's proposal was left out of the proposal presented last week by Probation and is the Sheriff's original proposal, not something added. Kuge – Stated it was not that the Sheriff was not allowed to present their plan, it was not included in the overall plan because it did not fit with the numbers. Youngblood – Clarified that it was Probation's proposed numbers. Kuge – Stated that Undersheriff Wahl said they were not ready to present the Sheriff's plan last week so it was continued for two weeks. Youngblood – Stated other representatives at the meeting had input into the proposal presented last week; the Sheriff did not. Kuge – Stated the Sheriff did. Youngblood – Stated it was not in the proposal. Kuge – Stated it was not in the original proposal but the Sheriff had input and an opportunity to present a plan at the last meeting.

Waterman – Commented that he feels the Virtual Jail is the linchpin to the Sheriff's proposal because that is an alternative to available jail beds for this population. Asked if the 85 to 1 ratio is enough staffing for a

*large number of people in Virtual Jail. Youngblood – Stated up to 1,500. Waterman – Stated it is such an important strategy and wanted to make sure to understand it all.*

*Alvarez – Stated her understanding is that two weeks prior there was a presentation of the FY 12/13 budget with reductions to Sheriff and Probation and an added new line called CBO program and two other lines for D.A. and P.D. At this meeting, the proposal shows contingency is down to the original amount which means that the CCP is to consider support of the original amounts and postpone support for the CBO programs or this increased dollar amount for contingency. Kuge – The Plan is open for discussion, however, currently the Sheriff's plan is being discussed. The overall plan will be discussed under the next item. Alvarez – The Sheriff has come with a rationale why they should maintain the original percentage they were allocated/granted/approved/recommended by this table (on page 28) in the first nine months. They are not asking for anymore. They are just saying they really can use the entire percentage.*

#### PRESENTATION MADE

- 6) Draft – County of Kern Public Safety Realignment Act Implementation Plan for FY 12/13  
Continue discussion from 6/13/12 meeting of draft Implementation Plan for FY 12/13 and determination of FY 12/13 AB 109 funding allocations (Fiscal Impact: \$23,451,975) –

*Moore – Believes the plan presented by Probation two weeks ago could be modified by inserting the Sheriff's request and reallocating a substantial portion of the contingency fund to the Sheriff which the P.D. supports. This would not affect the CBO Program. The availability of carry over funds would be in favor of reducing the contingency reserve. That would accommodate the other proposed allocations and satisfy those requests from the smaller agencies.*

*Merickel – Stated that though there is carry over from year one, there will be a problem when additional assets are needed if a significant amount for contingency is not allocated. The whole point of contingency is to have it if needed; otherwise, we will have to take a percentage from somewhere else.*

*Moore – Asked what amount is in Probation's carry over funds. Kuge – Answered \$1.2 million. Moore – Stated Probation's potential need to go to the other funds is not there since Probation has a carry-over that exceeds the total contingency that Probation has recommended. Kuge – The Sheriff also has carry over which is \$2.1 million dollars. Moore – Stated the Sheriff has not challenged reduction of the contingency amount. It was Mr. Merickel who challenged the reduction in the contingency amount and that challenge would not seem to be applicable. Merickel – Indicated that this year he is correct; however, moving forward, if contingency is reduced to a small amount and three to four years from now, the Sheriff or Probation has a need for fixed assets or significant items, there would be no funds. Kuge – Stated there may not be enough money and next year we may be faced with the same prospect. Merickel – Stated he is not suggesting this amount is correct or cannot be altered, but there should be a significant contingency available to the CCP for future needs.*

*Goh – Requested Chairperson Kuge address the carry over balances in the various departments and what is planned for contingency. Asked if any contingency was used. Kuge – Stated that contingency was not used for the current fiscal year due to the extended start-up process. Carry over funds came from salary savings because Sheriff and Probation did not have permission to hire until contract negotiations were settled.*

*Youngblood – Stated that contingency concept is in case the money is needed; that need is today—not a year, or two years down the road. If it could be done for six million that is what he would ask for. Requested that a motion be placed on the table and see where everybody stands on this issue to determine what to do.*

*Bush – Stated the proposed plan presented by Probation at the prior meeting did reduce the Sheriff's percentage by a little over 4% and Probation's by 5.68%. Probation should not be penalized and told they cannot ask for anything more than the proposal submitted two meetings ago. Any CCP member could have submitted a proposal including him. Just because Probation was the only one that put a plan together does not mean they should be penalized. The CCP needs to decide if percentages or hard numbers will be*

used. The CCP has to decide if the Probation plan places a million dollars in contingency. If the CCP follows Mr. Moore's proposal giving the Sheriff the extra almost \$970,000 difference between what Probation proposed and what the Sheriff is asking for, leaves a contingency of \$33,000. The CCP needs to determine if they want a contingency. If they do not, that frees up money. If they do, how much does the CCP want? Does the CCP want to give any money to the D.A. or the P.D.? If Mr. Pafford's argument is targeted just toward a filing complaint deputy attorney, does that trump Mr. Moore's argument that they should get exactly what the D.A. gets? These are the items the CCP has to address, however, no one should be punished because they put a plan forth first, or next year, he will ask for \$10 million, because that is what is going to happen. No one got what they wanted last year, we all recognized it was not enough money; we just have to bite the bullet and move forward like last year.

Moore – Stated it is not a matter of punishment and believes Probation came in with a realistic assessment, but will make a motion to increase the amount allocated to the Sheriff from \$9,200,000 listed to \$10,166,857 as requested by the Sheriff and reduce the contingency by \$966,857.

Bush – Requested clarification that contingency amount will now be \$33,569. Moore – Affirmed yes. Mr. Morgan – Clarified that technically the motion is a recommendation to the Executive Committee.

Waterman – Requested clarification by asking if the Sheriff receives 43.35 percent of the total. Kuge – Affirmed yes. Waterman – Stated Mental Health at 14.21 (percent), ETR at 1.07 (percent), Street Interdiction Team at .71 (percent), D.A. and P.D. at .99 (percent), CBO at 4.43 (percent), and contingency is down to \$33,000. Kuge – Affirmed yes.

Waterman – Clarified Mental Health's role in the CBO program by stating, whatever the committee identifies as a need this year is where the funds will go. For example, if the Sheriff comes back and says, "I'm realizing that homelessness is causing people on Sheriff's parole to crash and burn," and Mental Health has a contract for housing or whatever it is needed is not meant as some backdoor way to bring in more mental health or substance abuse treatment. However, the CCP could allocate funds to substance abuse treatment if they felt it is a very effective strategy. He had a brief conversation with the CCP chairperson in which he agreed to oversee the administration of the RFP's if the committee put an amount in for CBO's because two-thirds of their department's money goes to contracts. He wanted to make sure it was known that there was no behind-the-scenes plan for this money or what it means or was even discussed. Kuge – Stated that is correct. The only discussion was "if" there was money given to CBO's, Mental Health could handle the contracting process because that is what they do and they would have a staff person to handle it.

Alvarez – Asked Mr. Moore that if the proposal as listed on the table on page 28 assumes the only way to balance is for Probation to have the negative -5.68 allocation. Moore – Suggested stating it by saying, award Probation eight million dollars of money received from the state. It can be referred to as a percentage. This plan was proposed by Probation but they were not able to incorporate the Sheriff's request. The Sheriff came in with a very well-reasoned argument, with perhaps the most compelling critical need and a conservative estimate. Mental Health, Employer's Training Resource, and the D.A. not withstanding their objection to the P.D. getting less than one percent of the allocation, and everybody else would seem satisfied. There is some discontent on the part of Probation, but proposes they get eight million dollars. Alvarez – Wanted to clarify that if the CCP supported his motion, they would be supporting a reduced allocation which is different than what was presented. Nilon – Stated it is a reduction of an increase. Probation is not going to lose money from the Kern allocation; it is a projected increase that will be reduced. Kuge – Stated this was the same for the Sheriff—a reduction of their increase. Alvarez – Stated that essentially the CCP is supporting an allocation to CBO's in favor of a reduction to Probation. Wondered whether or not this is the year that the CCP considers supporting CBO's.

Bush – Stated he would vote against the motion. He agrees with Ms. Alvarez and does not believe it is fair that Probation is the only agency to receive a percentage reduction this year. As Ms. Alvarez pointed out, increases in funding for the D.A., P.D., and the CBO program comes out of Probation. He does not see the justification and does not think it is fair. As far as the D.A.'s and P.D.'s proposals, one of the reasons judges did not want to be on this committee, was because of this conflict. He thinks Mr. Pafford's and Ms. Green's arguments outweigh the P.D.'s argument. He understands their proposal because he used to be that deputy, reviewing complaints. He assumed the \$232,000 covers salaries and benefits and a small

amount of supplies for one deputy. There is no similar position in the P.D. Once those cases are filed because of AB 109, the P.D. has to absorb that. The P.D. would not absorb all of them, but funding for the D.A. can be pinpointed to one deputy D.A. filing complaints. He will vote no for the proposal because it is not fair to Probation to be the only one funding the CBO's, the D.A., and the P.D. The D.A.'s argument outweighs the P.D.'s argument.

Goh – Stated she does not understand the \$232,000 the P.D. receives as equivalent based on the reasons that were expressed last week by Ms. Green and by the judge. The CBO's have been discussed since the beginning and there was no money last year to allocate. There is no comparison between the cost for government to provide services versus the cost by CBO's. Alternate strategies have been discussed as being essential to the delivery of services. CBO's have come forward over the past months and spoke about their services. Affirmations have been heard from committee members about the benefits of those services. Without the allocation for CBO's with services costing much less, we will not get there. Appreciated the Sheriff articulating their plan clearly but her reason for not supporting the motion is that the P.D.'s argument does not support the revision.

Moore – Stated since the D.A. needs this additional position because with a 40% increase in referrals, you are also going to see an increase of more criminal complaints being filed. It is not always apples to apples in terms of an identifiable position. The P.D. does not have a specifically dedicated revenue source; they are at a disadvantage because there is a strong support for special prosecutions, but there is no sort of criminal constituency that draws political support. An increase in filings will directly, by virtue of AB 109, increase their workload. Chief Williamson's commented about the increase in crime which will directly impact their office. Asked for the smaller agencies to recognize that if it is the P.D. today, it will be them tomorrow. Bush – Stated they should not get into class warfare. Moore – Appreciates Mr. Bush's position but he has an equal vote and does not want to argue views. The P.D. is the one institution that represents those individuals who will be rehabilitated, promoted, given the services so they will not come back, but in the short term, there will be an increase. Asked support for the motion which principally is designed to promote and support the Sheriff's ability to achieve the mission and goals that were set forth. Bush – Stated it is a bad idea to get into class warfare whereby small folks start attacking big folks.

Waterman – Asked if Probation's needs can be met by CBO's if the bulk of that money was designated to meet Probation's needs first? Kuge – Answered no, because Probation needs officers to supervise the increase of cases, something CBO's cannot do. Waterman – Asked if Probation does a number of activities besides supervision and home calls. Kuge – Yes, but the 39.79 original percent would go toward probation officers for supervision to reduce the ratio to a more manageable level. This could also be said for the Sheriff. Waterman – Stated services such as housing could be done by contract providers. Kuge – Stated he asked Dr. Waterman to do that because Mental Health//Substance Abuse are experienced at it and Probation is not.

Goh – Asked Mr. Nilon to elaborate further regarding his earlier comment about a decrease of an increase.

Nilon – Stated the State has allocated more resources for the next year. This is about whether a total dollar amount or a percentage amount. Departments and organizations would not be getting less overall dollars than they have received in the last year. As proposed, some agencies would get more of an increase than others. Suggested considering the carry forward balance of ~\$3 million as an option if they budget a low amount for contingencies.

Corson – Stated with the carry over money he supports the Sheriff's proposal. As a CBO, asked if specific needs have been identified for CBO's or are we just setting aside a percentage opening it up for everyone to come running for money; there is a danger in that because as a CBO, if there is money available, he would come up with a program.

Public Comments:

Kim Albers, Garden Pathways – Stated Probation's plan provided a very descriptive way of how the CBO monies would be allocated by identifying gaps and the process. It was not completely a full narrative, but it certainly was not what was just described. Corson – Stated he gets what those programs specific things are as opposed to the process. Albers – Stated it definitely talked about it being an ongoing process looking at the gaps as they are identified by the major players.

*Merickel – Stated it is erroneous that \$8 million that Probation requested is all that is needed. Probation prepared a plan that would provide funds for other things--a starting point. It is erroneous that if the Sheriff is asking for the original percentage and Probation asked for less, therefore, Probation needs less. The plan was prepared with the understanding that in order to fund additional things, there would have to be a cut from somewhere. Probation needs the money and has good use for it. If the plan is now altered, Probation would want it altered as well.*

*Dr. Rose, Regional Director, Kern County CCS Programs – Though these ideas are wonderful, it is important to hear about the practical application of these funds. She is responsible for the oversight of several programs that work directly with the AB 109 clients and provides mental health and substance abuse services. Those services, provided way of AB 109 funds, have been critical to the forward movement of clients and allowed them to reconstruct their lives that promote a sense of hopefulness and not re-enter the legal system. She wanted to share the huge impact of the funds.*

*Tom Valenzuela, Executive Director, Community Services Organization – Stated that treatment for AB 109 clients helps them mainstream into society and have a better in life. Their organization has referrals and a good rapport with the clientele. Requested the CCP focus on treatment instead of monitoring.*

*Jenifer Pitcher, Kern Citizens for Sustainable Government – Stated the funding has not been guaranteed by the State and believes it is very important to put money into a contingency fund. In order to maintain and sustain the employees, sustainable budget is needed to continue their careers. It would be more fruitful to talk about percentages in case the \$23 million dollars actually turns out to be a lower or higher number avoiding a reallocation of the money.*

*Moore – Restated motion (listed below). Mr. Morgan – Clarified that technically the motion is a recommendation to the Executive Committee.*

MOTIONED TO RECOMMEND TO THE EXECUTIVE COMMITTEE ADOPTION OF THE PROPOSAL PRESENTED TWO WEEKS PRIOR BY THE PROBATION DEPARTMENT WITH MODIFICATION FOR THE SHERIFF'S DEPARTMENT'S REQUEST OF \$10,166,431 AND REALLOCATE FROM THE CONTINGENCY FUND RECOGNIZING THERE ARE FUNDS IN CARRY FORWARD

ROLL CALL VOTE: Kuge-No, Bush-No, Pafford (for Green)-No, Moore (for Titus)-Yes, Youngblood-Yes, Waterman-No, Williamson-Yes, Alvarez-No, Holiwell (for Cheadle)-No, Tom Corson-No, Goh-No, Ellis (for Lewis)-No, Hughes (for Lizardi-Frazier)-No, Merickel-No

**Moore-Youngblood: Yes – 3; No – 11**

MOTION DID NOT PASS

*Waterman – Stated he voted no because that proposal places a million dollars into CBO's when Probation's percentage decreased significantly. He supports a smaller amount because study is needed to determine best usage of money for CBO's. Suggested moving about 2/3 or 60%-65% of it back into the Probation budget so they do not take quite a hit. Bush – Clarified that Mr. Waterman is referring to the prior week's page 28 proposal.*

*Williamson – Asked if Chief Kuge will have time to present what he will do with another 2/3. The plan presented is for his \$8 million. He does not have a plan to make an educated vote. Kuge – Stated Probation has something prepared if the CCP would like it presented. Waterman – Stated his assumption was the money would go into probation officers performing supervision. He would like to make a motion for \$10,166,431 for the Sheriff, \$8,832,000 for Probation, \$3,332,526 for Mental Health/Substance Abuses, \$250,000 for ETR, \$232,000 for the District Attorney, \$0 for the Public Defender, \$166,509 for Street Interdiction Team, \$400,000 for CBO's and \$72,509 for contingency.*

*Moore – Opposed the motion for the zero allocation to the P.D. and requested it be casted in another form. Supported Dr. Waterman's proposal to reallocate from the CBO Program because there are no well defined or specifically identified programs. That is a regrettable course of action because there are community-based programs that do incredibly strong work. Asked if they benefit by so richly rewarding Probation. For example, the P.D. investigators drive Ford Focus'; Probation is requesting approval for Tahoe's. Does Probation need to be interdicting people on the street when there are BPD and Sheriff aggressively*

*targeting and conducting searches. Probation's primary and principle role should be rehabilitation, providing services to the offenders so as to allow them to reconstruct their lives and provide reports to the court. Probation is an arm of Superior Court. It may be a separate discussion for a different day as to how aggressively they should be out there in the law enforcement business particularly when there are such outstanding law enforcement agencies. It would be better rather than decreasing monies for CBO's such as Garden Pathways, Teen Challenge, and many other outstanding programs, to increasing that amount. With government on one hand and the individual on the other, the disparity in power is overwhelming. When another \$232,000 is stripped from the P.D., those are resources that are not going to be available for investigation or handle some of the 40% increase in filings. \$232,000 out of \$23 million is not a greedy request. He invited all to consider that if this minor player can be zeroed out, the same might happen to other smaller agencies, whether it is ETR or the schools. He urged a no vote to reconsider the appropriateness of reducing the amount for CBO's and to not deny the P.D. a small portion of the funding.*

*Youngblood – Asked Dr. Waterman if he would be willing to amend the motion to reduce the Sheriff's allocation by \$232,000 and allocate it to the P.D. Waterman – Stated he would accept that as a friendly amendment (listed below).*

*Pafford – Stated the D.A. would not support a proposal with money allocated to the P.D. The facts do not support it nor does the data. The 42% is going to the complaints desk. If the D.A. asked for a frontline deputy going to Court due to increased complaint requests being filed and the P.D. needed a deputy because of increased complaints, which would be a justification for an equivalent position, but the money they are requesting is not for a frontline position. The P.D. has no comparable position, thus he opposes the motion.*

*Bush – Stated he agreed with Mr. Pafford again. If the P.D. has an increase in filings, they have to absorb it, but this is for complaint filings. If the increase in filings were minimal, the D.A. would have to absorb it, but due to AB 109 the increase in complaint filings is 42%. Due to this significant increase, he will oppose the motion. If the Sheriff is willing to give up \$200,000, it should go to Probation. Youngblood – Stated it is logical that if the D.A.'s workload has increased 40%, the workload of the P.D. will increase in some way. Bush – Stated that the Sheriff and Probation gives the D.A. 42% more filings, someone is going to have to do that for the D.A. If the D.A. files 50% of those, filings go up 20%. They need another Deputy D.A., they need another P.D., basically, a 1 to 1 ratio. If the P.D. had to review those complaints also at the same level, Sheriff Youngblood would be correct; however, it is a different job.*

*Pafford – Stated that with Judge Bush's example, the D.A. would need two deputies to the P.D.'s one deputy; however, the D.A. is requesting only one for that specific purpose. Moore – Stated Mr. Pafford's scenario assumes these front line deputies are funded out of the general fund, a one for one. That overlooks the fact the D.A. has any number of grant-funded positions which the P.D. does not have. The P.D. is at a disadvantage. It is not a one for one. The P.D. has to speak with, interview clients, work with clients, where there is one Deputy D.A. who writes the offers. It is a very intense resource driven process with the individual clients.*

ROLL CALL VOTE TO END DISCUSSION: Kuge-Yes; Bush-Yes; Pafford (for Green)-Yes; Moore (for Titus)-Yes; Youngblood-Yes; Waterman-Yes; Williamson-Yes; Alvarez-Yes; Holiwell (for Cheadle)-Yes; Corson-Yes; Goh-No; Ellis (for Lewis)-Yes; Hughes (for Lizardi-Frazier)-Yes; Merickel-Yes

**Waterman-Alvarez; Yes – 13: No - 1**

**MOTION PASSED**

MOTIONED FOR THE FOLLOWING ALLOCATIONS TOTALING \$23,451,975: SHERIFF – \$10,166,431; PROBATION – \$8,832,000; MENTAL HEALTH – \$3,332,526; ETR – \$250,000; D.A. – \$232,000; P.D. – \$0; STREET INTERDICTION TEAM – \$166,509; CBO'S – \$400,000; CONTINGENCY – \$72,509

AMENDED MOTION TO RECOMMEND TO THE EXECUTIVE COMMITTEE THE FOLLOWING ALLOCATION: SHERIFF – \$9,934,431; PROBATION – \$8,832,000; MENTAL HEALTH – \$3,332,526; ETR – \$250,000; DISTRICT ATTORNEY – \$232,000; PUBLIC DEFENDER – \$232,000; STREET INTERDICTION TEAM – \$166,509; CBO PROGRAM – \$438,940; CONTINGENCY – \$33,569

ROLL CALL VOTE: Kuge-Yes; Bush-Yes; Pafford (for Green)-No; Moore (for Titus)-Yes; Youngblood-Yes; Waterman-Yes; Williamson-No; Alvarez-Yes; Holiwell (for Cheadle)-Yes; Corson-Yes; Goh-No; Ellis (for Lewis)-Yes; Hughes (for Lizardi-Frazier)-Yes; Merickel-Yes

**Waterman-Alvarez; Yes – 11: No – 3**

MOTION PASSED

COMMITTEE BREAK AT 10:08 A.M.; RECONVENED TO CCP AT 10:19 A.M.

7) Carryover Method or Approach for Unexpended FY 11/12 AB 109 Funds

Tabled from 6/13/12 meeting to discuss method or approach and make determination of how to handle carryover of unexpended FY 11/12 AB 109 funds (Fiscal Impact: Unknown) –

*Nilon – Stated there is a minimum of \$3.3 million available for carry over. Kuge – Requested proposals from each department.*

*Waterman – Stated Mental Health anticipates spending their full allocation for the year. Due to a timing issue, they were within \$300,000 of spending the total allocation; however, they have identified further people for treatment and there will not be carry over for his department.*

*Sandra Quigley (CAO's Office) – Indicated Mental Health is not a general fund department so their money is not swept by the CAO. The CAO transferred \$1.2 million from Probation back into the AB 109 fund and then transferred \$2.5 million from the Sheriff. There is a \$400,000 expenditure being discussed to determine if there may be another source of funding to cover it. Conservatively, there is \$1.2 million and \$2.1 million available.*

*Ellis – Stated ETR also has carry over money, approximately \$84,976. This is due to insufficient referrals during the time period with the program starting in February. ETR would like to carry that money over to continue to accept more referrals. Sandra Quigley – Reiterated that ETR is not a general fund department so those funds stay with the department.*

*Moore – Proposed that whichever departments have carry forward money should stay with those departments for the following reasons: 1) It operates as defacto contingency reserve; 2) Any alternative creates a disincentive to departments to frugally spend their money. This is an incentive for departments such as the Sheriff who should be complimented for his thrift managing money and is properly entitled to it.*

*Kuge – Stated that due to the start-up period neither department spent all the money. Asked for clarification that the \$1.2 million that was swept from Probation and the \$2.1 or \$2.5 million whichever would just go back to the same departments.*

*Bush – Agreed with Mr. Moore.*

*Waterman – Stated that the departments that have money for carry over have already identified what those monies would go toward and, above and beyond that, there is about half a million dollars. It might be nice to move that balance of the money not identified for a use to go into a CBO/contingency. It would allow the committee to do it right rather than just have money for CBO's. It would be best if the committee determines an identified need for these funds. Sandra Quigley – Stated her understanding is that the departments have plans on how they would like to spend that money with exact dollar amounts, and then the balance can be determined. Kuge – Asked for clarification from Dr. Waterman. Waterman – Stated that the first year was unknown. He is not saying this would be a precedent for every year, but in view of what just transpired in trying to meet the needs of the two largest partners, if there is non-essential carry over money, move it into CBO's for additional funds beyond the \$438,000 or whatever was left for CBO's.*

*Moore – Requested the carry over monies stay with the individual departments. It is appropriate to reward the Sheriff and Probation if they have not spent over their allocation, particularly in view of the critical needs they have voiced.*

Merickel – Stated that Dr. Waterman was saying that if Probation has \$1.2 million in carry over and Probation submits a plan for one million dollars, the \$200,000 would go into contingency which is different than what Mr. Moore is saying. They are two different proposals. Waterman – Affirmed correct. Moore – Stated his concern that the institutional incentive will be to submit a plan that equals the amount in the available reserve. Pick people that you have confidence in to run the departments and trust them. If they save money, then when they come in and say they need it, he would say, we are going to trust you. Youngblood – Stated he appreciates what the P.D. is saying but he agrees with Dr. Waterman. If there is money not spent, it should go back into contingencies so the committee can reallocate it. It should not be spent on things that not necessarily needed. Kuge – Affirmed he agrees.

Alvarez – Stated that since there is no constitutional amendment yet, which will be on the ballot in November, wonders whether or not the committee would be willing to postpone any kind of decisions about allocations until after they know the outcome. Kuge – Expressed concern that the county needs to have that information before budget comes up which will make a difference for Mr. Nilon, the CAO, and the Board of Supervisors. A decision is needed on the allocations before hearings in August and before the ballot initiative in November.

Bush – Asked Dr. Waterman how does he envision the Sheriff's plan or Probation's plan would cover the \$1.2 or \$2.1 million. Waterman – He believes that the Sheriff and Probation have plans for spending this money and both have come in a little under the funds available; that is where the 400,000 amount is coming. It is a combination of those two departments showing their plans for the roll over monies. Kuge – Stated that he believes what Dr. Waterman is saying, if we have anything left over, whatever that is, goes back into contingencies. Sheriff Youngblood was saying if we do not spend all of the carry over, it should go back into contingencies. Waterman – Stated he assumed each department has requests as how they would spend their carry over dollars and believes those requests do not add up to the full amount of the carry over dollars.

Youngblood – Presented plan for use of carry over monies, personnel equipment for the 27 deputies, \$135,000; Lockers for the increased beds at male minimum for inmates, \$175,000; Cars for the Electronic Monitoring Patrol Deputies, \$468,000; Portable classrooms at Lerdo, \$96,000; Electrical upgrade for portable classrooms enabling computers to function, \$30,000; Computer switches and printers, \$75,000; Security cameras at Lerdo Pre-Trial, \$1,000,000; Lighting and fence repair at Lerdo, \$25,000; Refurbishing barracks #18 at male minimum, \$50,000; Minimum visiting remodel, \$50,000; Replace carpet in the classrooms, \$25,000. Security cameras are a big ticket item, but they are seeing a totally different type of inmate that requires increased security for a total of \$2,129,098. Kuge – Asked Youngblood if they receive the replacement funding, will the balance be placed in contingencies. Youngblood – Stated up to 400,000.

Merickel – Stated there is some carry over money for SIT. He proposed those funds be carried over as well. Each operation is a different amount and this will allow local law enforcement to continue to do their sweeps and operations.

Kuge – Presented plan for use of carry over monies, vehicles/vehicle build out, \$246,000; Equipment for new DPO's \$102,680; Training, \$105,400; Programmers/computers, \$8,000; Furniture, \$2,000; Data mart computer system and training, \$25,000. Probation is the hub receiving all the data; this will provide a better way to produce any and all reports requested by the departments. Work stations for investigators, \$17,500; AB 109 training and miscellaneous costs, \$7,500; Totals \$514,080. New hire training, \$173,600; Equipment, \$130,000 for a total of \$887,680 and the balance to contingencies. Youngblood – Asked Kuge to clarify if he meant programming instead of programmers. Kuge – Probation is asking for programmers' computer equipment, not the programmers themselves which was presented in the other plan. Youngblood – Asked Kuge to clarify if the training for the employees that Probation did not hire, would it be spent on training. Kuge – Answered yes, Probation is in the process of background checks for those coming on board now. Probation would like to carry over funds to train them once they are hired.

Waterman – Asked Kuge for Probation's requested carry over amount and actual rollover amount. Kuge – Answered \$887,680 and \$1.2 million. Waterman – Motion made (listed below).

*Bush – Asked what about the SIT monies. Kuge – Clarified the SIT money is through Probation. Sandra Quigley – Clarified the funds were not swept up; it will stay with SIT. Kuge – ETR's funding is the same as Mental Health and SIT placed in a special designation so that money stays where it is.*

MOTIONED TO RECOMMEND APPROVAL TO THE EXECUTIVE COMMITTEE OF SHERIFF'S AND PROBATION'S PROPOSED CARRY OVER EXPENDITURES AND BALANCE OF ROLLOVER MONIES AND MOVE THE REMAINING AMOUNT INTO A SEPARATE LINE-TIME FOR CONTINGENCY/CBO  
ROLL CALL VOTE: Kuge-Yes; Bush-Yes; Pafford (for Green)-Yes; Moore (for Titus)-Yes; Youngblood-Yes; Waterman-Yes; Williamson-Yes; Alvarez-Yes; Holiwell (for Cheadle)-Yes; Corson-Yes; Goh-Yes; Ellis (for Lewis)-Yes; Hughes (for Lizardi Frazier)-Yes; Merickel-Yes

**Waterman-Youngblood: 14 – Ayes**

MOTION PASSED

- 8) Next CCP Meeting  
*July 11, 2012; Probation Department, 5121 Stockdale Hwy., Ste. 100, Bakersfield, CA at 8:30 a.m. – ANNOUNCED*
- 9) MOTIONED TO RECONVENE MEETING AFTER EXECUTIVE MEETING at 10:45 A.M.  
**Youngblood-Goh: All Ayes**  
MOTION PASSED

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CONVENED TO EXECUTIVE COMMITTEE AT 10:45 A.M.

Executive Committee Members: Chief Kuge, Judge Bush, District Attorney Green, Public Defender Titus, Sheriff Youngblood, Director Dr. Waterman, Chief Williamson

ROLL CALL: All members present except for the following, Green (Mark Pafford for Green), Titus (Konrad Moore for Titus)

- 1) Minutes from Executive Committee Meeting of June 13, 2012 – APPROVED  
**Waterman-Bush: 5 – Ayes. Abstained: Youngblood; Pafford**  
MOTION PASSED
- 2) Public Presentations  
The public is provided the opportunity to comment on agenda items at the time those agenda items are discussed by the Executive Committee. This portion of the meeting is reserved for persons to address the Executive Committee on any matter not on this agenda but under the jurisdiction of the Executive Committee. Executive Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification and, through the Executive Committee, make a referral to staff for factual information or request staff to report back to the Executive Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION. THANK YOU.  
**NO ONE HEARD**
- 3) Executive Committee Member Announcement or Reports  
Executive Committee members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) –

*Waterman – Stated that the state senator has made a point of calling out the valley's situation regarding AB 109. It would be nice if the CCP let him know that the CCP agrees and appreciates his sentiment that the valley needs their proportionate share of the funds.*

MOTIONED TO DIRECT CHAIRPERSON TO SUBMIT LETTER TO THE SENATOR IN APPRECIATION OF HIS SUPPORT OF INCREASING FUNDING FOR THE VALLEY COUNTIES

**Waterman-No Second:**

*Mr. Morgan – Stated that they are unable to motion or take action on an item not on the Agenda.*

MOTION FAILS

*Nilon – Stated that the Chairperson could send a letter of appreciation on his own accord.*

*Waterman – Stated that we live in counties inordinately impacted by poverty, drugs, and crime in comparison to some other California counties. Historically, we have responded to that by relying on incarceration as our main tool. Now we find ourselves in a situation where that is not a tool that is available. Youngblood – Stated we are penalized for it. Kuge – Agreed with Dr. Waterman. It is apparent that valley counties have a higher poverty level and do not have the programs and options; our only option was to send people to prison so there was an inordinate amount. The Bay area counties who raised the largest argument for more funding received a large portion. Alameda County, for example, received \$9 million the first year, double the allocation would have been \$18 million, yet they received \$29 million--receiving more than three times the allocation, a huge increase for those counties that have a higher socioeconomic class. Waterman – Stated he appreciated Supervisor Rubio's point which was if counties such as ours are to ever turn that corner and find other ways to deal with people through treatment and social programming, it would take additional funds to catch up to that approach.*

REPORT MADE

- 4) Draft – County of Kern Public Safety Realignment Act Implementation Plan for FY 12/13  
Continue discussion from 6/13/12 meeting of draft Implementation Plan for FY 12/13 and determination of FY 12/13 AB 109 funding allocations (Fiscal Impact: \$23,451,975) –

*Nilon – Asked Mr. Morgan if the CCP is required to follow the direction listed on the Agenda. Mr. Morgan – Answered that those listed are not required steps; recommends setting final vote of Plan and being consistent with posted action. Williamson – Suggested a 2<sup>nd</sup> draft be prepared to incorporate what was talked about at this meeting. Kuge – Stated Mr. Morgan is correct -- a date should be set for final vote on July 11th; he does not want to violate the Brown Act.*

*Moore – Requested referral to County Counsel for review and research of the appropriateness of a sitting judge voting on the denial of funding to Public Defender's Office while supporting funding for District Attorney's Office to be placed on a future agenda. Item referred to Mr. Morgan, County Counsel.*

*Waterman – Requested the next draft will include \$300,000 plus ~\$130,000 into a separate line item called "Contingency/CBO." Kuge – Stated that since these are one time monies it may be dangerous putting into CBO's; however, given the motion, the plan will be revised to reflect that. Nilon – Stated his office will assist staff with reflecting that in the plan likely showing it as a separate item.*

MOTIONED TO TABLE THIS ITEM TO JULY 11, 2012 MEETING; CHAIRPERSON TO PREPARE DRAFT INCLUDING THE CONTINGENCIES AND THE LINE ITEM EXPENDITURES AND ALLOCATED RESOURCES

**Williamson-Pafford: All Ayes**

MOTION PASSED

- 5) Carry over Method or Approach for Unexpected FY 11/12 AB 109 Funds  
Tabled from 6/13/12 meeting to discuss method or approach and make determination of how to handle carryover of unexpended FY 11/12 AB 109 funds (Fiscal Impact: Unknown) –

*Kuge – Stated the Plan will include a separate sheet showing distribution of the carry over funds by department for vote on July 11, 2012.*

MOTIONED TO AUTHORIZE CHAIRPERSON TO PREPARE WORKSHEET WITH FINAL CARRY OVER BALANCES FOR EACH DEPARTMENT ONCE THEY ARE KNOWN AND PLACE ON AGENDA FOR EXECUTIVE COMMITTEE APPROVAL

**Youngblood-Bush: All Ayes**

MOTION PASSED

- 6) Next Executive Committee Meeting  
*July 11, 2012; Probation Department, 5121 Stockdale Hwy., Ste. 100, Bakersfield, CA at 8:30 a.m. – ANNOUNCED*
- 7) ADJOURNED AS EXECUTIVE COMMITTEE AND CCP COMMITTEE AT 10:59 A.M.
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Submitted by: R. Jamison, Probation Department