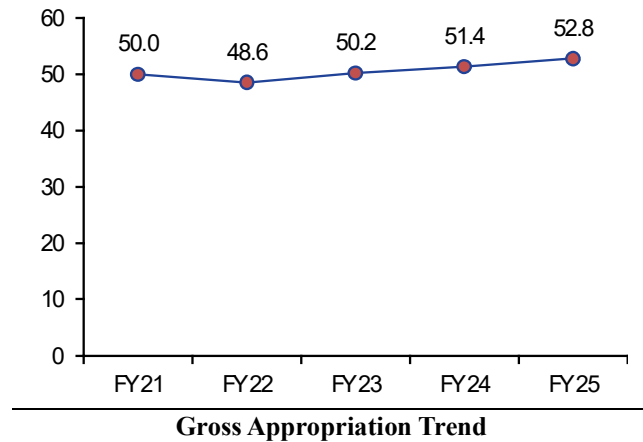


Criminal Justice Systemwide Costs

Use of Fund Balance or Discretionary Revenue Criminal Justice Systemwide Costs— Budget Unit 217

Budget Summary	FY 23-24 Adopted	FY 24-25 Base	FY 24-25 Recommended	Increase/ (Decrease)	Percent Change
Total Net Appropriation	\$ 51,370,269	\$ 46,541,128	\$ 52,791,128	1,420,859	2.8%
Revenue	\$ 301,714,708	\$ 293,294,600	\$ 299,903,015	(1,811,693)	-0.6%
Net Cost	\$ (250,344,439)	\$ (246,753,472)	\$ (247,111,887)	3,232,552	-1.3%



Program Summary

Program Name	Gross Appropriation	Net Cost	FTEs
Court Operations Support	\$ 44,441,128	\$ (245,733,472)	—
Diversion and Prevention	8,350,000	(1,378,415)	—
Total	\$ 52,791,128	\$ (247,111,887)	0.0

Summary of Major Changes to the Budget

The County Executive's recommendations for the FY 24-25 Budget for the Criminal Justice Systemwide Costs (CJSC) align with the countywide need to consolidate services to achieve efficiencies in both cost and service delivery. This year's actions include reducing contract services that are no longer needed or need to be right-sized. It also funds pilot programs that have demonstrated high outcomes in the Department of Reentry Services and Office of Supportive Housing, previously funded annually with one-time Community Corrections Subaccount (AB 109) funds. Across various County departments, the FY 24-25 Recommended Budget deletes 7.0 FTE AB 109-funded positions and removes AB 109 funding for 2.0 FTE positions, which helps address the structural deficit in AB 109. Additionally, this year's recommendations acknowledge the need to draw down the fund balance accumulated in AB 109 due to expenses coming in lower than budgeted over several years. The Recommended Capital Projects in the Facilities and Fleet Department includes \$26 million in AB 109 funding for improvements to the Main Jail and Elmwood that benefit the intended AB 109 population.



The increased expenditure budget in the Criminal Justice Systemwide Costs is due to the County Executive's recommended actions presented herein and the removal of one-time actions. Departmental revenue estimates have been updated to reflect the current revenue forecast for FY 24-25, including a projection decrease for the Public Safety Sales Tax and an increase to the Community Corrections Subaccount.

Overview

The Criminal Justice Systemwide Costs budget reflects General Fund support for trial court operations and public safety sales tax revenue. Oversight and administration of maintenance of effort requirements are provided by the Controller-Treasurer's Office and the Office of the County Executive.

Trial Court Operations

The Trial Court Funding Act of 1997 required the County of Santa Clara to meet a \$40,324,363 maintenance of effort (MOE) requirement in support of trial court operations. The original MOE requirement consisted of two components:

- ◆ An amount based on, though not equal to, the County's contribution to trial court operations in FY 94-95, (\$28,689,450); and
- ◆ An amount equal to the fines and forfeitures revenue remitted to the State in FY 94-95 (\$11,597,583)

Undesignated Fee Revenue Sweep

State legislation adopted in FY 03-04 addressed the distribution of various fines, fees, and forfeitures overlooked in the original Trial Court Funding Act of 1997. The new conditions required the County to remit an additional \$1,612,246 to the State for FY 03-04 and FY 04-05. Beginning in January 2006, these revenues have been allocated directly to the State, resulting in a loss of revenue for counties. That loss was mitigated, over time, by a reduction in the County's MOE. By FY 09-10, this revenue sweep was fully mitigated and no further reductions to the MOE are anticipated.

The total FY 23-24 MOE requirement is \$39,650,742.

Other Court-related Costs

Under the provisions of the Trial Court Funding Act and subsequent legislation, counties are fiscally responsible for court facilities until those facilities are transferred to the State. After a facility is transferred to the State, the County remains responsible for a court

facility payment (CFP) as a maintenance-of-effort contribution to the State, while future increased costs are the responsibility of the State. The CFP is budgeted in the Facilities and Fleet Department budget.

Public Safety Sales Tax

The Public Safety Sales Tax is a 1/2 cent sales tax implemented as a result of Proposition 172 and passed in 1993. The driving economic forces for revenue growth in this account are statewide taxable sales. Each county's share of the Public Safety Sales Tax is based on the amount a county contributes to the statewide total in the previous year.

For FY 24-25, the Administration estimates collections will total \$279.0 million, a \$1.0 million decrease from FY 23-24.

The maintenance of effort required of the County to fund public safety and justice programs sets a baseline level that changes each year at a rate similar to the growth or decline in this revenue account. The Controller-Treasurer Office has done a preliminary estimate of the MOE for FY 24-25 that indicates the County will continue to be meet the maintenance of effort requirements for the Public Safety Sales Tax.

Public Safety Realignment Program – AB 109

In October 2011, California's Public Safety Realignment (AB 109) was passed to reduce overcrowding in California's prisons. Commonly referred to as "Realignment," this legislation shifted the responsibility of incarcerating and supervising lower-level, nonviolent offenders from the State of California to the county level. Now, low-level felons who commit nonviolent and less serious offenses serve their sentences in county jails, instead of prisons, and are supervised by local probation departments, instead of state parole. To assist the counties with taking on this challenge, funding was allocated to each local jurisdiction, and each county was tasked with determining how to distribute the funds most effectively.



In response to the new legislation and in order to preserve public safety, the County of Santa Clara adopted an implementation and spending plans that included investment into reentry interventions, through the formation of a collaborative Adult Reentry Network. The Reentry Resource Centers (RRC) and the Office of Diversion and Reentry Services (DRS) were established early on to support these efforts. The RRCs in San Jose and Gilroy serve as the hubs of the Reentry Network and utilize a one-stop-shop model to connect people to resources. DRS provides oversight of the RRCs and supports diversion and reentry efforts by coordinating cross-departmental collaborations and providing contracted services to address service gaps.

AB 109 Investments Leads to Effective Outcomes:

Since Realignment was initiated over a decade ago, the Adult Reentry Network's partnerships and reentry services have grown from delivering primarily basic immediate needs to services that are also assisting clients in becoming self-sufficient long-term. The progress of AB 109-funded programs has prompted County leaders to approve multiple expansions of services and staff to continue growing the amount of and access to services for residents. DRS together with many justice partners strive to improve upon the foundation of services they have created, serving people more effectively and offering more forms of support in custody, as alternatives to custody, and in the community.

- ◆ During FY 23-24, RRCs served 5,759 unique individuals with a total of 21,058 visits, and 3,017 new clients registering for the first time. DRS works in partnership with many county departments and community-based organizations to provide service navigation, faith-based services, employment services, legal support, behavioral life skills, and education services to justice-involved clients to increase the likelihood that they will remain in the community and not recidivate.
- ◆ For the period between January 2019 and March 2023 an analysis of almost 11,000 clients who visited the Reentry Resource Centers in San Jose and Gilroy showed they had a recidivism rate of 29 percent in that four-year period. In other words, as of March 2023, only 29 percent of Reentry Center clients were convicted of a new crime after coming to the Reentry Center for the first time.
- ◆ The Sheriff's Custody Alternative Supervision Program supervised 44 participants with a 97% success rate in FY 22-23.
- ◆ The Office of Supportive Housing, through the Reentry Rapid Rehousing (RRRH) and Emergency Assistance Programs (EAP), provided financial assistance to 100 households, motel assistance to 152 households, and RRRH served 40 households in FY 23-24.
- ◆ Social Services Agency, Department of Employment & Benefit Services, processed 1,863 applications for benefits, leading to 2,802 re-entry households receiving public benefits in FY 22-23.
- ◆ The Valley Homeless Healthcare Program's Reentry Medical Mobile Unit (MMU) provides comprehensive primary care to homeless ex-offenders at the RRCs in San Jose and Gilroy. From July 1, 2022 to June 30, 2023, the Reentry MMU provided health services to 956 formerly incarcerated homeless people through 3,456 visits or 3.7 visits per patient. Based on three-year utilization trends, VHHP is projecting a small 44 patient increase in the number of patients.
- ◆ The Behavioral Health Services Team at the RRC served close to 1,400 clients for mental health services and approximately 2,700 clients for substance use treatment in FY 22-23.
- ◆ The Public Defender's Reentry Expungement Program served over 2,100 clients and facilitated the expungement of 2,400 convictions in FY 22-23.
- ◆ The Probation Department contract with Catholic Charities to provide educational, vocational, and employment services to 40 adult clients annually. Phases include Intake/Enrollment, Employment Preparation, Job Development & Placement, and Job Retention. Additionally, Probation provides Cognitive Based Treatment (CBT) programs to 100 high-risk adult clients. The CBT program focuses on developing positive decision-making skills, developing pro-social skills, and learning how to become self-sufficient.
- ◆ The Department of Pretrial Services assists the court in making informed decisions for clients within the justice system. The Department conducts timely investigative reports and client supervision services to minimize incarceration and provide monitoring to individuals according to their condi-

tions of release. These services directly impact the jail population in the County and assist in maintaining public safety in local communities.

Investments of the AB 109 Allocation

Realignment (AB 109) shifted the responsibility of incarcerating and supervising lower-level nonviolent offenders from the State to the offender's respective county jurisdiction. This shift in responsibilities also came with a fiscal burden. With the increased demand on the criminal justice system, the County of Santa Clara made substantial investments in custody and after-release services through service enhancements in the Department of Correction, the Office of the Sheriff, the Probation Department, Custody Health Services, and the Behavioral Health Services Department, among others. The County also invested in reentry interventions and the reduction of recidivism. By funding innovative ideas such as the establishment of the Department of Reentry Services, the County has helped to improve outcomes for individuals who are part of the criminal justice system.

The County's approach since the first Adult Reentry Strategic Plan has been to take a holistic view at the system and make funding recommendations that support the Realignment population and initiatives that serve all reentry clients. As such, the FY 24-25 Recommended Budget, is providing ongoing funding for pilot programs that have proven outcomes in serving the intended population. In addition, excess AB 109 fund balance will be strategically utilized to fund a portion of jail-related capital projects to alleviate the use of General Fund dollars.

Summary of Public Safety Realignment Revenue and Expenses

Realignment is funded with a dedicated portion of existing state sales tax revenue and vehicle license fees. In the November 2012 general statewide election,

voters approved the Governor's initiative to constitutionally protect the revenues that fund public safety realignment. The County of Santa Clara continues to allocate funding from this legislation for a proactive rehabilitative justice network with a renewed focus on serving the client.

AB 109 revenue is composed of a base allocation and a growth allocation. The base allocation is derived from current year State funding and each county receives a portion of the total realignment revenue. The growth allocation is derived prior year actual funding from the State based on a county's annual felony probation success and improvement of failure rates from one year to the next. The County of Santa Clara continues to be a leader in meeting these metrics and has seen an increase in this growth allocation. The County has considered the base allocation as a steady ongoing revenue and the growth allocation as a one-time funding due to its volatility.

In FY 24-25, the base allocation for the County is estimated at \$75.4 million and the growth allocation at \$2.4 million. The cost for the current recommended program services in FY 24-25 is \$111.2 million. Of that, \$83.1 million is ongoing in nature and \$28.1 million is one-time in nature. The total cost of the program services will be offset by the base allocation and growth allocation, with the remaining balance of \$33.5 million coming from restricted fund balance.

Initial recommended adjustments to the AB 109 budget are discussed in detail with the recommendation for each impacted department. The table below depicts the base cost and recommended ongoing and one-time changes for the FY 24-25 budget. Please refer to the General Fund Five-Year Forecast section to learn more about the projected expenditures and revenues for the AB 109 Program.

Department	FY 24-25 FTE	FY 24-25 Salaries and Benefits	FY 24-25 Ongoing Services and Supplies	FY 24-25 One-Time Expenditure	FY 24-25 REC Total Cost
Behavioral Health Services	13.0	\$2,633,400	\$6,445,434	—	\$9,078,834
County Counsel	1.0	\$255,883	—	—	\$255,883
County Executive/Office of Reentry Services	28.0	\$4,871,468	\$925,004	—	\$6,131,123
Criminal Justice System-wide Costs	0.0	—	\$7,925,000	\$2,053,415	\$9,978,415



Department	FY 24-25 FTE	FY 24-25 Salaries and Benefits	FY 24-25 Ongoing Services and Supplies	FY 24-25 One-Time Expenditure	FY 24-25 REC Total Cost
Custody Health	44.5	\$8,935,748	\$178,356	—	\$9,114,104
Employee Services	0.0	—	\$9,000	—	\$9,000
Facilities and Fleet	0.0	—	\$331,524	\$26,053,895	\$26,385,419
Library District	2.0	\$321,598	—	—	\$321,598
Office of Pretrial Services	46.0	\$8,005,868	\$938,485	—	\$8,944,353
Office of Supportive Housing	2.0	\$332,216	\$1,601,475	—	\$1,933,691
Probation Department	42.0	\$11,010,563	\$3,323,814	—	\$14,333,909
Public Defender	6.0	\$1,408,121	—	—	\$1,372,341
Santa Clara Valley Medical Center	19.0	\$5,637,086	\$13,320	—	\$5,650,406
Sheriff/DOC	63.0	\$16,189,066	\$486,587	—	\$16,675,653
Social Service Agency (DEBS)	7.0	\$1,171,064	\$32,085	—	\$1,203,149
Technology Services and Solutions	0.0	—	\$100,000	—	\$100,000
Total	273.5	\$60,772,081	\$22,388,140	\$28,107,310	\$111,231,751

County Executive's Recommendation

Summary of County Executive's Recommended Actions

Program or Activity	Impact	Impact on Services	Position Impact	FY 24-25 Ongoing Net Cost/(Savings)	FY 24-25 One-Time Net Cost/(Savings)
Diversion & Prevention - Eliminate Funding for the Juvenile Justice System Collaborative	☒	No impact on services	—	(\$250,000)	—
Diversion & Prevention - Allocate Resources for Diversion & Reentry Services	●	Provide essential services to clients to transition successfully into the community	—	—	—
Diversion & Prevention - Reduce Contract Services	●	No impact on services	—	(\$108,415)	—

↑ — Enhanced ◆ — Modified ● — No Change ↓ — Reduced ☒ — Eliminated

☒ Diversion & Prevention - Eliminate Funding for the Juvenile Justice System Collaborative

Recommended Action: Reduce ongoing appropriation of \$250,000 for the Juvenile Justice Systems Collaborative.

Service Impact: The funding was established in FY15-16 utilized for Innovation & Technical Assistance. The contracts supported by this funding have expired, and the funding is no longer needed.

Ongoing Savings: \$250,000

● Diversion & Prevention - Allocate Resources for Diversion & Reentry Services

Recommended Action: Increase ongoing allocation of \$4,555,000 and one-time funding of \$2,053,415 for reentry programming offset by increased AB 109 reimbursement.

Service Impact: This funding will support contracts with community-based organizations to provide a wide array of services in support of in-custody clients and those who have been recently released and/or are on some type of formal supervision. These services



provide a wide variety of services to clients including legal, behavioral, employment, service navigation, and education.

Background: These contracts were previously funded annually with one-time AB 109 funds. The funding provides continuity of services.

Ongoing Net Cost: \$0
 Increase in Services and Supplies: \$4,555,000
 Ongoing reimbursement from AB109 Trust Fund: \$4,555,000

One-time Net Cost: \$0
 Increase in Services and Supplies: \$2,053,415
 Ongoing reimbursement from AB109 Trust Fund: \$2,053,415

● Diversion & Prevention - Reduce Contract Services

Recommended Action: Reduce ongoing appropriation of \$108,415 in contract services.

Service Impact: The reduction will have minimal impact to overall services because multiple contracts will receive minor reductions based on utilization.

Ongoing Savings: \$108,415

**Revenue and Appropriations for Expenditures
 Criminal Justice System-Wide Costs— Budget Unit 217**

Object Description	FY 22-23 Actuals	FY 23-24 Adopted	FY 24-25 Base	FY 24-25 Recommended	Change From FY 23-24 Adopted To FY 24-25 Recommended	
					Amount \$	Percent %
Services And Supplies	\$ 50,006,817	\$ 51,370,269	\$ 46,541,128	\$ 52,791,128	\$ 1,420,859	2.8%
Total Net Appropriation	\$ 50,006,817	\$ 51,370,269	\$ 46,541,128	\$ 52,791,128	\$ 1,420,859	2.8%
Revenue	295,666,180	301,714,708	293,294,600	299,903,015	(1,811,693)	-0.6%
Net Cost	\$ (245,659,363)	\$ (250,344,439)	\$ (246,753,472)	\$ (247,111,887)	\$ 3,232,552	-1.3%

**Revenue and Appropriations for Expenditures
 Criminal Justice System-Wide Costs— Budget Unit 217
 General Fund — Fund 0001**

Object Description	FY 22-23 Actuals	FY 23-24 Adopted	FY 24-25 Base	FY 24-25 Recommended	Change From FY 23-24 Adopted To FY 24-25 Recommended	
					Amount \$	Percent %
Services And Supplies	\$ 50,006,817	\$ 51,370,269	\$ 46,541,128	\$ 52,791,128	\$ 1,420,859	2.8%
Total Net Appropriation	\$ 50,006,817	\$ 51,370,269	\$ 46,541,128	\$ 52,791,128	\$ 1,420,859	2.8%
Revenue	295,666,180	301,714,708	293,294,600	299,903,015	(1,811,693)	-0.6%
Net Cost	\$ (245,659,363)	\$ (250,344,439)	\$ (246,753,472)	\$ (247,111,887)	\$ 3,232,552	-1.3%

Major Changes to the Budget

	Positions	Appropriations	Revenues
0001-General Fund (Fund Number 0001)			
Current Level Budget			
FY 23 -24 Adopted Budget	—	\$ 51,370,269	\$ 301,714,708
Board Approved Adjustments During FY 23-24	—	—	—
Cost to Maintain Current Program Services			
Salary and Benefit Adjustments	—	—	—



Major Changes to the Budget

	Positions	Appropriations	Revenues
IntraCounty Adjustments	—	170,859	—
Other Adjustments	—	(5,000,000)	(8,420,108)
Subtotal (Current Level Budget)	—	\$ 46,541,128	\$ 293,294,600
Recommended Changes for FY 24-25			
IntraCounty Adjustments	—	\$ —	\$ 6,608,415
Decision Packages			
Reduce Funding for Juvenile Justice System Collaborative	—	(250,000)	—
DRS Division Cost Reduction	—	(108,415)	—
Allocate Resources for Diversion & Reentry Services	—	6,608,415	—
Information Technology			
Capital			
Subtotal (Recommended Changes)	—	\$ 6,250,000	\$ 6,608,415
Recommended Budget	—	\$ 52,791,128	\$ 299,903,015

