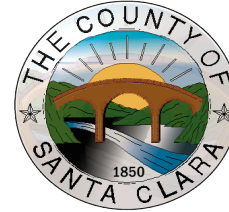


County of Santa Clara
Office of the County Executive

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DATE: February 5, 2021

TO: Honorable Board of Supervisors
Jeffrey V. Smith, County Executive

FROM: Martha Wapenski, Deputy County Executive
Gregory G. Iturria, County Budget Director

SUBJECT: Off-Agenda Report relating to the Protect Your People Budget Proposal

This report is submitted under advisement from the Board of Supervisors on November 10, 2020 (Agenda Item No. 13(d)). The Board approved Supervisor Ellenberg's referral to the Administration for a report and analysis using a long-term lens of Silicon Valley De-Bug's "Protect Your People Budget" model for reduction of services and maintenance of services.

Silicon Valley De-Bug produced the Protect Your People Budget representing "families of Santa Clara County who have been severely harmed by the criminal punishment system." The recommendations of this document were presented to the Public Safety and Justice Committee at its meeting of August 6, 2020. The following is a link to where the report can be found:

<http://sccgov.igq2.com/Citizens/FileOpen.aspx?Type=4&ID=204718>

This report provides information on some of the work the County is already doing about the recommendations in the report, and next steps with regard to the budget process. The Protect Your People Budget recommends what it refers to as divestments in the County's law enforcement departments and offices, and investments in community programs and various other County departments and offices. A review of the document shows that its focus is both policy and budget recommendations. A number of recommended divestments in law enforcement departments focus on the practices of those departments and how those practices should change to better serve those who are

charged with crimes, and especially those who must spend time in jail, either pre- or post-adjudication, as well as their families and the community as a whole.

Other recommendations have a direct impact on budget decisions. These are framed as budget reallocations, from law enforcement departments to departments that support defendants charged with crimes, the homeless, and other underserved populations in our County.

It should be noted that a number of the issues raised in the recommendations are being addressed by the County in various ways. The following are just a few examples. In the Office of the District Attorney, there are series of social justice reforms titled, “Bend the Arc,” being implemented to address racial discrimination and promote equity within the criminal justice system through policy and practice changes. In the Behavioral Health Services Department, there is continuous planning and growth in the community mobile response program. The Offices of Public Defender, the District Attorney and Pretrial Services are collaborating on the Rapid Representation program, a public portal for PC1269 to enable both higher bail and lower bail/release requests to the Court, and a shared data-driven business process analysis map to pilot and improve information and client support services. Additionally, as part of access to justice and supportive community resources, the Office of Pretrial Services has implemented and enhanced a mobile application that notifies clients of their drugs tests, court dates, weekly check-in reminders with their assigned officer, and also allows for text communication with their assigned officer. The County has already invested millions of dollars in community programs through the Office of Reentry Services, jail diversion, reentry housing programs, and criminal justice mental health/substance use treatment services. With regard to criminal defense, the County uses Assembly Bill 109 funds to provide free record clearance and Pro Bono for civil/family law.

The Office of Reentry Services (ORS) is an independent division and not within a law enforcement agency, and as such is coordinating a number of jail diversion initiatives. Among the many services ORS oversees, there is an outreach court program that is held at the Reentry Resource Center to reduce/eliminate fines/fees, and offered via a provider. Additionally, ORS provides pro bono services to help with child support and other family/civil law issues.

It is important to note that while the County is addressing many community needs outlined in the Protect Your People budget, there is planning for the future as well. Some examples include the Probation Department and District Attorney’s Office collaborating on the development of automatic expungements for those who successfully complete probation, which removes many barriers relate to fines/fees. The County is expanding pretrial and jail diversion, to focus on decreasing its reliance on

incarceration further so that non-violent individuals spend very little or no time incarcerated, by utilizing the Sobering Center-Mental and Drug Triage Unit. The County is also working on improving and highlighting the importance of the sobering center as a place where individuals are able to quickly connect to behavioral health services 24/7.

While these efforts on their own do not specifically address all of the issues raised in the Protect Your People Budget, departments can use the recommendations to inform budget decision making, and how the underlying issues can best be addressed and presented for consideration to the other departments and stakeholders involved.

The current budget landscape at the County requires significant budget reductions that directly and severely impact the ability to reallocate funds among County departments and non-profit partners. While the Protect Your People Budget does not necessarily provide a blueprint that can be followed, it does offer ideas that department heads can consider during the FY 2020-2021 Midyear Budget and the upcoming FY 2021-22 Recommended Budget processes over the next several months. As such, the Administration will continue to work closely with the Board to ensure that budget proposals reflect Board priorities at the same time they responsibly address the budget shortfalls for the departments.

cc: Chief Board Aides
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Mary Ann Barrous, Agenda Review Administrator
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