

Agenda Report

July 19, 2021

TO: Honorable Mayor and City Council

FROM: City Attorney/City Prosecutor's Office

SUBJECT: **RECOGNIZE REVENUE OF \$1,000,000 AND APPROPRIATE \$333,333 TO THE FISCAL YEAR 2022 OPERATING BUDGET AND INCREASE THE PERSONNEL ALLOCATION BY 1.0 LIMITED-TERM FULL-TIME EQUIVALENT (FTE) FOR THE JUSTICE REINVESTMENT INITIATIVE GRANT**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3) and 15378; and, as such, no environmental document pursuant to CEQA is required for the project; and
2. Authorize the City Manager to enter into a Memorandum of Understanding (MOU) with the United States Department of Justice to accept and administer these grant funds on behalf of the City of Pasadena; and
3. Amend the City Attorney/City Prosecutor's Office's Fiscal Year 2022 Operating Budget by recognizing \$1,000,000 and appropriating \$333,333 in United States Department of Justice – Justice Reinvestment Initiative grant funds and increase the Department's personnel allocation by a 1.0 limited-term FTE position.

BACKGROUND:

The Pasadena City Prosecutor's Office is responsible for more than 1,500 defendants who have violent or serious criminal histories. This is a high percentage of the total when compared to other agencies, given that the population of Pasadena is approximately 150,000. This indicates that the City is disproportionately affected by defendants with violent or serious criminal histories. The overall goal of the project is to strengthen the referral process from the courts and police to treatment organizations, particularly resources that are as close as possible to Pasadena, while also providing case management that will reduce recidivism. With the new grant resources, the Pasadena City Prosecutor's Office estimates that the caseload of those served will increase from 1,500 to 2,000 at any given time, closing a significant existing service gap.

Recidivism rates vary by state, but California has the highest recidivism rate in the nation. More than 65% of those released from California's prison system return within three years. 73% of those recidivists committed a new crime within 1 year of release. For Los Angeles County and for Pasadena, those numbers are even higher, exceeding 75%. This number also does not include those that have violent or serious offenses, but are not sent to state prison, but are sent to County Jail and then reoffend. The recidivism rate for these individuals is astronomical. Statistics show that almost 75% of individuals with violent or serious offense histories who are sent to the County Jail will reoffend within 3 years. This statistic seems to mirror the state prison rate for violent criminals.

Apart from the need demonstrated by the existing service gap, Pasadena faces severe mental health and substance abuse challenges from defendants with violent or serious criminal histories.

What is needed is a basic understanding of the philosophy, process, target population, and intended outcomes of wraparound services for these types of individuals. There needs to be a recognition and appreciation of the need for teamwork at all levels to create shared ownership of the programs, including its successes, its challenges, its risks and its rewards. An understanding of the variety of structures or models that communities have employed in order to implement wraparound services is essential. Funding sources that have been blended and braided across the nation in order to achieve both adequate and flexible financial and staffing resources to provide sufficient support for this approach must be utilized. Ongoing training needs to support wraparound implementation is paramount if there is to be any success with individuals who have violent or serious criminal backgrounds. Staffing patterns and caseload ratios needed to provide effective support for these individuals at high levels must be analyzed. Collective support for these individuals is a must. These grant funds will be used to achieve what is needed in these areas.

In November 2020, the Department of Justice awarded the City Attorney/City Prosecutor's Office a total of \$1,000,000 over three years to implement a program designed to reduce recidivism rates for misdemeanor cases here in Pasadena and to hire a full-time deputy city prosecutor to oversee this program. If approved by the City Council, this new grant will enable prosecutors to successfully engage community resources in bringing about a reduction in recidivism rates here in Pasadena amongst misdemeanor offenders.

The grant funding will support a limited-term 1.0 FTE Deputy City Prosecutor with an estimated annual cost of \$134,000 plus benefits. In addition, the grant will fund the necessary operations of the Office in performing this program. The annual allotment is not to exceed \$333,333 under the grant terms. In addition to the Deputy City Prosecutor position, the annual allotment will also support approximately \$95,000 for programming costs, supplies, travel and other associated costs of running the program, and \$52,000 plus benefits for funding a Case Manager position through the Flintridge Center. The City Attorney/City Prosecutor's Office requests that this new position and the additional funding for operations be added into the Fiscal Year 2022 Operating Budget.

COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the City Council's strategic planning goal to ensure public safety by increasing enforcement of federal, state and local laws that protect the public from harm.


ENVIRONMENTAL ANALYSIS:

The action herein is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3) and 15378. The acceptance and appropriation of grant funding to provide services for protecting the community is a governmental fiscal activity that does not involve a direct or reasonably foreseeable indirect physical change in the environment. Therefore, the proposed action is not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines. Since this action is not a project subject to CEQA, no environmental document is required.


FISCAL IMPACT:

It is anticipated that the requested grant award of \$1,000,000 will be received and spent over the course of three years starting in Fiscal Year 2022. Pending approval by the City Council, the Fiscal Year 2022 Operating Budget will recognize revenue of \$1,000,000, appropriate \$333,333, and add 1.0 limited-term FTE to begin project implementation. Under the terms of the grant award, the remaining annual allotments will be appropriated in the Department's annual budget submission for each additional fiscal year, plus any unused funding from the prior fiscal year. Project cost accounting will be set up to closely monitor expenditures in order to ensure the Department does not exceed the total grant award.

Respectfully submitted,


for MICHELE BEAL BAGNERIS
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City Attorney/City Prosecutor's Office

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Concurrence by:


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