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September 8, 2011

To: California Sheriffs
Presiding Judges and Court Executive Officers of the Superior Courts
County Supervisors and Administrative Officers

Re: Court Security in California

The realignment of court security funding while not intended to fundamentally affect the provision of services presents a number of transitional issues as courts and counties adjust to a new funding structure. This memo is intended to express the joint commitment of the courts, counties, and sheriffs to work collaboratively to identify and resolve both short- and long-term issues associated with the change in funding.

During this first year of transition, we anticipate the need to deal with jurisdiction-specific issues as they arise. For example, we are aware that despite efforts to realign funds only associated with sheriff-provided security services, some errors were made. In a few instances, the amount reduced from a court's budget and allocated to the county included court funding dedicated to court attendants, marshals, or private security contracts funding that should have remained with the court. We believe there could be other allocation issues that may arise.

To correct future allocations, courts and sheriffs will receive surveys to allow us to better capture the amount of funding that should have been allocated to each county for court security, and the extent to which that amount differs from the allocation made as a result of the realignment.

We also recognize that longer-term implementation issues exist that must be analyzed and addressed. This effort will include a review of relevant statutes to determine where and how current law conflicts with realignment and an exploration of ways to resolve those areas of conflict. In the meantime, courts and sheriffs have a continuing responsibility to enter into an annual or multiyear memorandum of understanding (MOU). The MOUs in the new funding context may be different than in past years, as they are likely to focus more on the services to be provided, the deployment of resources, and similar topics, as opposed to payment for services provided.

Finally, while realignment clearly changed the source of funding for court security, it is not intended nor should it result in reduced court security service delivery, increased obligations on sheriffs or counties, or other significant programmatic changes that would not otherwise have occurred absent realignment. As we work through transitional issues, we ask courts and counties

alike to keep CSSA, the Administrative Office of the Courts, and CSAC informed of questions as they arise so that we may assist you as necessary in resolving them. This information exchange also will be helpful in developing FAQs on a timely basis to apprise other jurisdictions of issues and potentially effective solutions.

Sincerely,



Curtis Hill
Legislative Advocate
California State Sheriffs
Association



Zlatko Theodorovic
Chief Financial Officer
Administrative Office of the
Courts



Elizabeth Howard Espinosa,
Legislative Representative
California State Association of
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