



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



May 4, 2020

The Honorable Kathryn Barger
Chair, Board of Supervisors
County of Los Angeles
869 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisor Barger:

UNDERFUNDED MANDATE OF TRIAL COURT SECURITY

This letter is to apprise you of the ongoing and increasing funding gap that exists between the State of California (State) and the County of Los Angeles (County) to provide law enforcement services to the Los Angeles Superior Court (Court). As mandated by California Government Code, Section 69922, the Los Angeles County Sheriff's Department (LASD) must maintain a presence in all superior court sessions within the County.

The Trial Court Security Funding (TCSF) is part of the Realignment of 2011. Under realignment, the State now pays the County directly, rather than indirectly through the courts. This is a dedicated funding source that comes directly from State sales tax and vehicle license fees. This fund has the potential to fluctuate based on the strengths and weaknesses of the economy and cannot be adjusted absent a voter approved ballot initiative.

The methodology used in 2011 to formulate the funding amount delivered to the County was based on a snapshot of LASD's personnel working within the courthouses at that time. The cost of those personnel identified by the snapshot has increased through the years and the TCSF revenue has not kept pace with the actual costs of employee salaries and benefits.

Additionally, this snapshot only captured a portion of the personnel needed to provide law enforcement services to the Court. It did not include any of the LASD's overheads such as lieutenants, captains, professional staff, and Court Services Division executive staff. Even with an added Trial Court Security Sub Account (Growth Fund), this Realignment created a funding gap that has grown substantially from its inception.

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The Realignment of 2011 mandated a Memorandum of Understanding (MOU) be agreed upon between the Court and LASD, with the approval and authorization of the Board of Supervisors, as required by Government Code, Section 29926. In 2014, the current MOU was signed, with your predecessors' authorization, establishing the current level of service knowing that the costs of law enforcement services were outpacing the TCSF.

Shortly after taking office, I examined the current status of the Department's financial position only to discover this spiraling deficit in Court Services Division. I immediately requested the services of the Audit and Accountability Bureau (AAB) to conduct a forensic review of the TCSF. Their final report (see Attachment A) was recently completed and has confirmed my fears that the TCSF is an under-funded State mandate that has been accepted as part of the County's budget without challenge since the inception of Realignment.

The AAB review centers on LASD's baseline costs vs. State funding for Fiscal Year 2018-2019. AAB's analysis found the annual TCSF is not commensurate with the baseline service levels provided by LASD. AAB estimated this gap to be as much as \$35 million. When factoring in LASD's overhead, as described above, AAB determined the gap to be as much as \$77 million for actual operational costs.

Although our Department's legislative advocates and the California State Sheriff's Association are working with State officials to remedy this statewide funding issue, it will take a State ballot initiative to pass to make any changes to the TCSF funding stream. Therefore, in the interim, it continues to be a County obligation to properly fund this TCSF gap. The Department may have to reduce services in other areas in order to compensate for this deficit, thus putting public safety at risk.

Should you have any questions or need additional information, please contact Chief LaJuana J. Haselrig of Court Services Division [REDACTED]

Sincerely,



ALEX VILLANUEVA
SHERIFF

AV:LJH:djd

(Court Services Division)

- c: Supervisor Hilda L. Solis, First District, Board of Supervisors
- Supervisor Mark Ridley-Thomas, Second District, Board of Supervisors
- Supervisor Sheila Kuehl, Third District, Board of Supervisors
- Supervisor Janice Hahn, Fourth District, Board of Supervisors
- Sachi A. Hamai, Chief Executive Officer
- Mary Wickman, County Counsel, Office of the County Counsel