

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: District Attorney *CS*

BOARD AGENDA # *B-2

Urgent Routine

AGENDA DATE April 15, 2008

CEO Concurs with Recommendation YES NO
ght
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Introduce and Waive the First Reading of an Ordinance to Establish the Stanislaus Family Justice Center Commission

STAFF RECOMMENDATIONS:

1. Approve the introduction and waiving of the first reading of an ordinance to establish the Stanislaus Family Justice Center Commission.
2. Direct the Auditor Controller to establish a budget/accounting structure in accordance with County policy.

FISCAL IMPACT:

The Stanislaus Family Justice Center Commission will address the needs of victims of domestic violence, sexual assault, child abuse or elder abuse by providing a combination of programs, services and interventions in one location. An interest-bearing Special Revenue fund for the Stanislaus Family Justice Center will initially be funded by foundations and donors. In the future the Commission may request funding from the Board of Supervisors, but at this time there is no fiscal impact on the County's General Fund.

BOARD ACTION AS FOLLOWS:

No. 2008-261

On motion of Supervisor Monteith, Seconded by Supervisor DeMartini
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST: Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

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DISCUSSION:

The Family Justice Center model is based on the concept that victims of abuse need only go to one location to tell their story one time and get all the services and assistance needed. At least 10 agencies in Stanislaus County, both private and public, have committed to this project. It is a collaborative effort on the part of a multi-disciplinary team of professionals to address the needs of victims of domestic violence, sexual assault, child abuse or elder abuse by providing a combination of programs, services and interventions in one location. The ordinance will establish the Family Justice Center as an individual entity, establish the Stanislaus Family Justice Center Commission, and set up budget/accounting structure in accordance with County policy.

Domestic and family violence, along with sexual assault, child abuse and elder abuse, are serious problems in this country, destroying lives and leaving families broken and dysfunctional. Citing the Federal Bureau of Investigation, the Stanislaus County Domestic and Family Violence Coordinating Council reports that "a woman is beaten every 15 seconds in the United States"—far too many of these beatings lead to serious injuries or death. The Council also reports that "more than 50% of women killed in the United States are killed by intimate partners or ex-partners." Moreover, "approximately 50% of homeless women and children are on the street because of violence in the home."

Stanislaus County is in the unenviable position of being 25% higher than the state average in domestic violence calls to law enforcement as well as being 50% higher in child welfare referrals. More than 2,000 elders report being abused, more than 3,000 domestic violence calls for help are received by law enforcement, more than 150 cases of sexual assault were reported, and more than 10,000 cases are referred through child welfare annually. What is even more sobering is that experts estimate that only 25% of the incidents are reported. This could be due to fear, love, family, money or simply not knowing where and how to seek help.

In April 2007, collaborators met under the guidance of Carol Shipley, Assistant District Attorney, to explore the possibility of establishing a Family Justice Center in Stanislaus County. At present, victims must go from location to location to report abuse and get needed services, telling their story at each location, traversing the city and county in a cumbersome system that is often confusing and time-consuming. The victim may need to take hours or days off work or sneak away from an abusive environment many times, plus the cost of transportation to these various locations may be prohibitive. The telling and retelling of traumatic events can be overbearing as well. The Family Justice Center model is based on the concept that victims of abuse need only go to one

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location, and tell their story one time, to get all the services and assistance needed. It is a collaborative effort on the part of a multi-disciplinary team of professionals, from various agencies both public and private, housed under one roof to reduce the number of times and places victims must currently go to tell their story and receive assistance. At least ten agencies in Stanislaus County, both public and private, have committed to this project.

The Family Justice Center model has proven effectiveness in other communities. For example, the San Diego Family Justice Center reports that cooperation from victims has gone from 25% to 75% over the past few years; in the years prior to 2002, when the Family Justice Center was opened, domestic violence homicides ranged from 9 to 22 annually. However, not one victim who has received services at the Family Justice Center has been a victim of domestic violence homicide since that time. Clients report great satisfaction with the service delivery and increased safety in their lives. The Family Justice Center significantly enhances the ability of police to investigate violent crimes and ultimately increases convictions; increasing convictions increases the number of abusers who complete mandatory rehabilitation programs. These results are replicated in all of the 15 Family Justice Centers implemented via the President's Family Justice Center Initiative of 2003.

Services envisioned to be available at the Family Justice Center include: advocacy, basic needs, counseling/support, crisis intervention, employment and financial assistant (as well as information and referral to other community services), housing and shelter assistance, law enforcement and prosecution, legal assistance service, and medical care/mental health counseling.

The proposed governance structure (Stanislaus Family Justice Center Commission) is similar to the Public Authority model used by the Prop 10 Children and Families Commission. The commission will be under the Board of Supervisors with a separate budget unit managed by the District Attorney's office. The Board of Supervisors will appoint the Commission Board. The Family Justice Center will also be supported through fund raising by a 501(c)(3) public charity foundation.

BOARD PRIORITIES:

The Family Justice Center helps to fulfill the Board's priorities of A Safe Community, Effective Partnerships, and Efficient Delivery of Public Services.

STAFFING IMPACTS:

There are no staffing impacts at this time. Once the Family Justice Center is formally established, positions will be requested from the Board.

ORDINANCE NO. C.S. _____

**AN ORDINANCE TO ESTABLISH THE
STANISLAUS FAMILY JUSTICE COMMISSION**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. Chapter 9.65, attached to this ordinance and incorporated herein by reference, is added to the Stanislaus County Code.

Section 2. This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor _____, seconded by Supervisor _____, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of _____, 2008, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:


ABSENT: Supervisors:

Thomas W. Mayfield, Chair of the Board
of Supervisors of the County of
Stanislaus, State of California

ATTEST:
Christine Ferraro Tallman
Clerk of the Board of Supervisors of the
County of Stanislaus, State of California

By _____
Deputy

APPROVED AS TO FORM:

By 
John P. Doering
County Counsel

Chapter 9.65

STANISLAUS FAMILY JUSTICE CENTER

Sections:

9.65.010	Findings and Purpose
9.65.020	Definitions
9.65.030	Establishment of Commission
9.65.040	Establishment of Trust Fund
9.65.050	Membership
9.65.060	Officers
9.65.070	Conduct of Business
9.65.080	Duties
9.65.090	Property and Assets

Section 9.65.010 Findings and Purpose

The Board of Supervisors of the County of Stanislaus do find that the victims of domestic violence, sexual assault, child abuse or elder abuse, and more than 30 public agencies and nonprofit organizations recognize that there is a compelling need in Stanislaus County to create and implement a comprehensive, collaborative, and integrated system with a multi-disciplinary team of professionals under one roof to help and support these victims of violence.

It is the intent of this ordinance to establish a Stanislaus Family Justice Center Commission to address the needs of victims of violence, including the creation and implementation a Family Justice Center as an integrated, comprehensive, and collaborative system of information and services to build healthy relationships by providing a combination of programs, services and interventions in one location. This effort will provide support through improved case management and an augmented exchange of information and resources. Closing the gaps will improve accessibility to services and ease the burden of reporting crimes and prosecuting and rehabilitating offenders. The Family Justice Center should also greatly enhance the ability of police to investigate domestic violence, sexual assault, child abuse or elder abuse crimes and ultimately increase convictions. Increasing convictions will increase the number of abusers who will complete mandatory rehabilitation programs. This combination of victim assistance, support and strengthening with the extensive counseling for abusers should work to decrease the rate of violence in Stanislaus County.

Section 9.65.020 Definitions

- A. "Commission" means the Stanislaus Family Justice Center Commission.

9.65.030 Establishment of Commission

There is established a commission to be known as the Stanislaus Family Justice Center Commission.

9.65.040 Establishment of Fund

There is established an interest-bearing special revenue fund to be known as the Stanislaus Family Justice Center. Funding will initially be provided by foundations and donors. The Board of Supervisors shall allocate for the purposes the Commission proceeds from gifts, legacies or bequests, and funds or property received for the purposes of the Commission. All moneys so allocated shall be used for the purposes of the Commission, including the acquisition of property, facilities, and equipment, and for the operation and maintenance of all facilities operated under the auspices of the Commission, and for the payment of salaries of persons employed for said work.

9.65.050 Membership

A. The Commission shall consist of nine (9) members. The Chairman of the Board of Supervisors shall select one of the members of the Board of Supervisors as a member of the Commission. The Board of Supervisors shall appoint two (2) community members. The remaining six (6) members shall be standing members comprised of The Haven Executive Director, the Director of the Community Services Agency, the City of Modesto Chief of Police, the District Attorney, the Stanislaus County Sheriff, and one (1) representative from the Mayors' Commission, or each respective standing member's designated alternate representative.

B. The two (2) appointed community members of the Commission shall serve at the pleasure of the Board of Supervisors for a term of office of three (3) years, until the appointment of his/her successor, and are subject to a two-term limit. Vacancies shall be filled by appointment for the unexpired portion of the term.

C. The two (2) appointed community members of the Commission shall have staggered terms. One community member shall be appointed for an initial term of office for three years, and the other community member shall be appointed for an initial term of office for two years.

D. In the event any member fails to attend three consecutive regular meetings of the Commission without valid excuse, approved by the Commission, the Chairman of the Board of Supervisors shall be notified of that fact by the Secretary of the Commission. The Commission is empowered to excuse absences, upon the giving of a valid excuse, or grant permission in advance to its members upon valid excuse to not attend a meeting or a reasonable number of meetings. Any appointed member of the Commission may be removed by the Chairman of the Board of Supervisors subject to the approval of the board, or by a majority vote of the Board of Supervisors.

E. The members of the Commission shall serve without compensation, but may receive actual and necessary expenses as are incurred in carrying out their duties.

9.65.060 Officers

A chair and vice-chair shall be elected by the Commission from among the members, and elect a secretary, who need not be a member of the Commission. Each officer shall serve for a term of one year.

9.65.070 Conduct of Business

The Commission shall establish a time and place for regular meetings which shall be held at least once every two months. Special meetings may be held upon the call of the Chairman. All meetings shall be conducted in accordance with the Ralph M. Brown Act (Gov. Code, § 54950 et seq.). The Commission shall make such rules and regulations as are necessary to conduct business, and shall keep a record of its resolutions, transactions, which record shall be a public record.

The Commission shall adopt and, thereafter, maintain a conflict of interest code in compliance with applicable provisions of the Political Reform Act (Gov. Code, § 87300 et seq.) and the regulations adopted by the Fair Political Practices Commission (Cal. Code of Regs, tit. 2, § 1870 et seq.).

9.65.080 Duties

A. The Commission shall coordinate with and establish partnerships with those governmental and non-governmental organizations engaged in activities designed to prevent and treat victims of domestic violence, elder abuse, child abuse and sexual assault. The Commission may receive funds from governmental and non-governmental sources to defray needed administrative expenses to fund programs to accomplish its objectives, including the acquisition of property and equipment in the name of Stanislaus County.

B. The Commission shall ensure effective organizational planning, ensure adequate resources, manage resources effectively, determine and monitor the Commission's programs and services, and enhance the Commission's public image.

C. The Commission may employ such staff as is reasonably necessary to implement the objectives of the Commission, and shall consider all appeals of staff decisions related to the programs established by the Commission.

9.65.090 Property and Assets

A. All personal and real property acquired to further the purposes of the Commission shall be held in the name of the County of Stanislaus.

B. Upon repeal of this ordinance, or if the Commission becomes a private organization, any surplus property or surplus money shall be returned, pro rata, to the funding source from which funds were furnished, or to the person, agency or entity making the contribution. Any surplus property or money that cannot be attributed to any single fund source shall be distributed to the County.

ORDINANCE C.S. 1040

NOTICE IS HEREBY GIVEN that on May 6, 2008, at 9:00 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider the adoption and the waiving of the second reading of Ordinance C.S. 1040. This ordinance adds Chapter 9.65 to the Stanislaus County Code to establish the Stanislaus Family Justice Center Commission to address the needs of victims of violence, including the creation and implementation of a Family Justice Center as an integrated, comprehensive, and collaborative system of information and services to build healthy relationships by providing a combination of programs, services and interventions in one location.

NOTICE IS FURTHER GIVEN that a full copy of the proposed ordinance is available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, call Carol Shipley, Assistant District Attorney at 525-5552.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: April 15, 2008

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus,
State of California

BY:


Elizabeth A. King, Assistant Clerk of the Board

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

APRIL 22, 2008

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at **MODESTO, California** on

APRIL 22, 2008


(Signature)

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BY ORDER OF THE BOARD OF SUPERVISORS
DATED: April 15, 2008
ATTEST: CHRISTINE FERRARO TALLMAN,
Clerkof the Board of Supervisors of the County of Stanislaus, State of California
BY: Elizabeth A. King, Assistant
Clerk of the Board
APRIL 22, 2008
