



County of Del Norte Board of Supervisors

Board Report

AGENDA DATE: December 13, 2022

TO: Del Norte County Board of Supervisors

FROM:
County Counsel

SUBJECT: AN ORDINANCE ESTABLISHING THE CHIEF PROBATION OFFICER AS A BOARD OF SUPERVISORS APPOINTED POSITION

RECOMMENDATION FOR BOARD ACTION:

Introduce AN ORDINANCE ESTABLISHING THE CHIEF PROBATION OFFICER AS A BOARD OF SUPERVISORS APPOINTED POSITION, and designate County Counsel to prepare a summary for publication as requested by County Counsel.**

DISCUSSION/SUMMARY:

Government Code Section 2770 provides that the Chief Probation Officer is appointed by the presiding judge of the superior court, unless the Board of Supervisors has established a merit system controlling the appointment and tenure of the Chief Probation Officer, in which case the Board would appoint the position.

Currently, the superior court appoints the Chief Probation Officer, and only the superior court can remove the Chief Probation Officer, while the county pays the salary and benefits of the position. The County also bears the cost of the Probation department and juvenile hall, and all employees under the control of the Chief Probation Officer are County employees. The County is also legally liable for all actions of the Chief Probation Officer and the department's employees.

This ordinance would bring into alignment the county's liability to fund and supervise the program, and the Board of Supervisor's control over the program. The Board has adopted a resolution establishing benefits and conditions of employment for appointed department heads, and has an Appointed Department Head Evaluation Policy that is a merit-based plan governing performance evaluation, and salary increases and decreases. If the Board adopts this ordinance, these will be the controlling system, and the Chief Probation Officer will be treated as other appointed department heads.

ALTERNATIVES:

The alternative is to not pursue making the Chief Probation Officer a county appointment, or give direction to staff regarding a more detailed system. For example, currently under state law, the Juvenile Justice Commission nominates someone for the judge to appoint. The ordinance could be amended to maintain this nomination system.

FINANCING:

OTHER AGENCY INVOLVMENT:

CHILDREN'S IMPACT STATEMENT:

This section meets the following outcome measures for children in Del Norte County:

ATTACHMENTS:

1. Chief Probation Officer ordinance

APPROVALS:

Joel Campbell-Blair, County Counsel
Kylie Goughnour , Clerk of the Board