DEPARTMENT: Probation

RECOMMENDED ACTION AND JUSTIFICATION: Approve a reorganization plan for the Probation Department by eliminating the two Deputy Chief Probation Officer positions and creating an Assistant Chief Probation Officer position and an additional Deputy Probation Officer III position in order to absorb a funding loss.

See attachment #1

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Board of Supervisors has previously authorized departments to reorganize to maximize the available funds for salaries and benefits

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

In addition to the loss of a Deputy Probation Officer I position, the Probation Department will lose a portion of funding for a Deputy Probation Officer.

Financial Impact? ( X ) Yes ( ) No Current FY Cost: $ Annual Recurring Cost: $
Budgeted In Current FY? (X) Yes ( ) No ( ) Partially Funded
Amount in Budget: $ Additional Funding Needed: $
Source: Internal Transfer
Unanticipated Revenue ______ 4/5's vote
Transfer Between Funds ______ 4/5's vote
Contingency ______ 4/5's vote

( ) General ( ) Other
Attachments
# 1 Justification
# 2 Funding Calculation
# 3 Assistant Chief Probation Officer Job Description
# 4 Deputy Probation Officer III Job Description

CLERK’S USE ONLY:
Res. No. 4-25-04 Ord. No. ________ Vote – Ayes: ________ Noes: ________ Absent: ________
( ) Approved
(4) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date:
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: ______________________________
Deputy

COUNTY ADMINISTRATIVE OFFICER:
( ) Requested Action Recommended
( ) No Opinion
Comments:

CAO: ________

Revised Dec. 2002
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: GAIL NEAL, Chief Probation Officer

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: REORGANIZATION PLAN FOR THE PROBATION DEPARTMENT
Resolution No. 04-395

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on August 24, 2004

ACTION AND VOTE:

11:50 a.m. Gail Neal, Chief Probation Officer;
Approve Reorganization Plan for Probation Department by Eliminating Two Deputy Chief Probation
Officer Positions and Creating an Assistant Chief Probation Officer Position and an Additional Deputy
Probation Officer III Position; and Approve Budget Action Transferring Funds within the Probation Budget
in Order to Absorb a Funding Loss ($130,461)

BOARD ACTION: Gail Neal presented her request for reorganization of the Department, and she advised
of budget changes. Discussion was held relative to the request. Supervisor Parker asked for clarification of
the Human Services Department’s budget covering two months of the cost for a probation officer.
Supervisor Bibby asked for clarification of the reorganization request and intent to ask for a permanent full-
time deputy probation officer in the next budget year to replace the position being lost due to the
elimination of the Children’s System of Care program funding. She also asked for clarification of the
salary impacts that this request may have on existing employees, as well as probationary status impacts, and
relative to the budget calculations that were given in the staff report. Motion by Bibby to direct the County
Administrative Officer to bring back a proposal to leave the Department with the existing structure and
funding for the deputy probation officer position, died for lack of a second. Further discussion was held.
Supervisor Parker noted the concurrence received from the Superior Court Judges for the reorganization.
(M)Balmain, (S)Pickard, Res. 04-395 was adopted approving the reorganization and budget action as
requested. Further discussion was held. Tom Guarino, County Counsel, asked for clarification of the
effective date. Gail Neal requested that this be effective September 4, 2004, so that no one is laid off.
Supervisor Bibby asked for further clarification of the changes in the salaries. The motion was amended,
agreeable with the maker and second, to include the effective date of September 4th/Ayes: Stetson,
Balmain, Parker, Pickard; Noes: Bibby.

Luciano Beltran, Attorney with the Law Firm of Goyette and Associates, stated they represent the
Mariposa County Sheriff’s Management Association and the Deputy Sheriff’s Association. He stated he
was present to speak on behalf of the Sheriff’s Management Association in regards to the deputy chief
probation officer positions as recognized in the Memorandum of Understanding (MOU). He referred to an
email from the Chief Probation Officer relative to the loss of funding, and he advised of the Association’s response. He stated he feels that the County failed to meet its obligation under the MOU to meet and confer on this reorganization plan. He advised that they requested to meet and confer on a number of issues related to this situation.

Supervisor Bibby asked County Counsel to clarify whether the meet and confer is required. Tom Guarino stated it appears that this is an emergency issue because of the funding situation, and he advised that he will review the meet and confer requirements.

Susie Johnson, Vice Chair of the Calaveras County Band of Miwok Indians, stated she was present to speak in support of the position of Bryce Johnson, Deputy Chief Probation Officer; and that she is trying to address and understand what the Board is saying. Chairman Parker clarified that this issue is not specific to Mr. Johnson, that it is a departmental request that affects a couple of individuals. Susie stated she was present to show support in this matter. She questioned whether someone is being grandfathered in with this reorganization without a college education. She stated they will be in support of whoever is placed in the Assistant Chief Probation Officer position. She also referred to an incident concerning the wearing of a tribal headdress that she felt was inappropriate and was not culturally sensitive.

Gail Neal asked whether the job descriptions were adopted with the action, as this was not included in their agenda title for the item. Rich Inman, County Administrative Officer, advised that adoption of the job descriptions was included as they were included in the agenda package materials.

Bryce Johnson, Deputy Chief Probation, asked about the changes in the job descriptions relative to the allowance for substitution of experience for the college education for the assistant chief probation officer position, and he noted that the requirements for a deputy probation officer include a college education.

Rich Inman advised that the new job descriptions for the deputy probation officers include allowance for substitution of experience for the college education, and it is his recommendation that there always be a substitution rule. Supervisor Bibby asked that this be reviewed, and noted that the last batch of job descriptions as a result of the job classification survey was pulled from the agenda and has not been rescheduled.

cc: Mary Hodson, Deputy Administrative Officer
Ken Hawkins, Auditor
Sandi Laird, Administrative Analyst – Administration
File
Approve a reorganization plan for the Probation Department by eliminating the two Deputy Chief Probation Officer positions and creating an Assistant Chief Probation Officer position and a Deputy Probation Officer III position in order to absorb a funding loss.

The Children's System of Care program (CSOC), (known as Family Solutions in Mariposa County) which has been funded for approximately six years, has been eliminated by Governor Schwarzenegger through the loss of funding in the state Mental Health budget. The funding for the program ceased July 1, 2004. The local program is slated to be terminated on September 1, 2004. The Mariposa County Behavior Health Services funded a full time Deputy Probation Officer for that program. The Human Services Director, Cheryle Kelly-Rutherford, has generously agreed to transfer two months worth of funding, July and August, to cover the cost of the Probation Officer's salary and benefits.

Unfortunately, as of August 30, 2004, the amount allocated for salaries and benefits for the Probation Department will have a deficit of $48,845. That amount equals the ten-month salary and benefits of a Deputy Probation Officer II at the Step V level. Based on the premise of seniority, the position lost would be that of a Deputy Probation Officer I. The amount of funding made available through the loss of the DPO I position still does not meet the amount necessary to cover the money lost through CSOC.

This deficit causes the necessity for reorganization. With the elimination of both Deputy Chief Probation Officer positions and the creation of an Assistant Chief Probation Officer and a Deputy Probation Officer III, position, the previously approved budget restraints can be met, with the exception of the lowest ranked Probation Officer position. As of September 1, 2004, that position would still remain unfunded and eliminated.

Under the reorganization plan the Assistant Chief Probation Officer would assume many of the responsibilities currently held by both Deputy Chief Probation Officers. The new Assistant Chief would supervise all the Deputy Probation Officers rather than the current three assigned to each Deputy Chief. The Assistant Chief Probation Officer would be responsible for the day-to-day field services/Deputy Probation Officers. The Chief Probation Officer would, of course, have the overall responsibility for the department, but would also handle the day-to-day responsibilities of the juvenile hall and administrative divisions.

It is requested that the Board of Supervisors delete the two allocations for the Deputy Chief Probation Officers and create an allocation for an Assistant Chief Probation Officer and adopt the job description, and allocate an additional Deputy Probation Officer III position.

On a separate note, on August 17, 2004, the Board of Supervisors is scheduled to address my request to transfer money so that I may continue funding for
Donald Lozano's position (the DPO I position slated for elimination) until December 31, 2004. Upon reviewing the fiscal requirements, it will be necessary to use a portion of those funds, $6,562, to cover the amount needed in the reorganization plan.

I understand the horrendous budget issues this fiscal year, and it continually seems to get worse. However, I would be remiss in my responsibilities as department head if I did not ask the BOS to consider funding the DPO I position with general fund money. The amount needed to continue funding the DPO I position for an additional eight months to July 31, 2005 would be $26,475. I would respectfully request the BOS to continue funding for Mr. Lozano's position with the understanding that I would attempt to absorb the salary and benefits through operational savings at the end of the fiscal year. Of course, with the 05/06 budget year I would be requesting a permanent full time DPO I/II position to replace the current position lost since the workload only increases as time passes. Each of the Probation Officers within the probation department already work a very hectic caseload. It is only a matter of time that the workload exceeds the manpower to meet those needs.

Although the funding for the CSOC program is no longer available, the services provided by the Probation Officer in the program are still needed; with the loss of the money does not go the workload. Further, the Probation Officer assigned to the CSOC caseload works the most intense juvenile caseload. The reduced workforce will expedite the lack of services the Probation Department will be able to provide to the community.
### 10 Month Calculation - Savings

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<tr>
<th>Classification</th>
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<th>Salary</th>
<th>Benefits</th>
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<td>95,254.97</td>
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### 10 Month Calculation - Reorganization Expenditures

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<td>plus 6% Long.</td>
<td>40% average Benefits</td>
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<td>Assistant Chief Probation Officer</td>
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**Estimated Savings**

(7,041.77) (4,824.69) (11,866.46)

### Loss of position

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<td>(23,788.50)</td>
<td>(9,305.70)</td>
<td>(33,094.20)</td>
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<td>16,851.80</td>
<td>51,522.97</td>
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<td><strong>Difference in Salaries/Benefits</strong></td>
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<td>10,882.67</td>
<td>7,546.10</td>
<td>18,428.77</td>
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### Summary

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<th>Salary</th>
<th>Benefits</th>
<th>Total</th>
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</table>
| Difference in Salaries/Benefits | (10,882.67) | (7,546.10) | (18,428.77)
| Estimated Savings from Reorganization. | 7,041.77 | 4,824.69 | 11,866.46 |
| Remaining deficit | (3,840.90) | (2,721.41) | (6,562.31) |
ASSISTANT CHIEF PROBATION OFFICER

DEFINITION
To assist in planning, coordinating and directing the programs and activities of the Probation Department, including adult and juvenile probation services; to supervise and evaluate the work of subordinate staff; to participate in all aspects of probation casework and fieldwork duties; and to perform related duties and responsibilities as required.

SUPERVISION RECEIVED AND EXERCISED
Receives general direction from the Chief Probation Officer.

 Exercises direction over professional, technical and clerical staff.

EXAMPLES OF ESSENTIAL FUNCTIONS
Assists in the overall coordination, administration and supervision of field and office functions of the Probation Department.

May assist in the development and implementation of departmental policies and procedures, goals and objectives.

Trains, supervises and evaluates the performance of professional, technical and clerical personnel as assigned; provides advice and assistance as needed; recommends and implements disciplinary processes as necessary.

Reviews and evaluates reports of subordinates for accuracy, completeness and compliance with applicable policies and procedures; determines and monitors follow-up actions required.

May assist in the preparation and management of the department budget.

Assesses, investigates, reports and presents cases concerning adult and juvenile offenders; performs physical searches of offenders and their residences; testifies and presents departmental recommendations for sentencing in court; assesses client needs and develops case plans to ensure compliance with court orders; monitors probationers’ performance; investigates, interrogates and arrests probation violators as required.

Assists subordinates in making difficult decisions in complex, sensitive or controversial case situations.

May oversee the daily operations of Juvenile Hall, ensuring compliance with applicable laws, regulations, policies, procedures, and standards of safety.

Responds to and resolves inquiries, requests for assistance and complaints in areas of responsibility.
County of Mariposa
Assistant Chief Probation Officer
Page 2

Assists in coordinating department activities and programs with those of other law enforcement agencies, County departments and divisions, and other agencies as appropriate.

May represent the Chief Probation Officer and the department at meetings and other functions as necessary.

Reviews and keeps informed of current major court decisions and legislation that relate to probation programming and community safety.

May prepare or assist in the preparation of grant requests, surveys, statistical and other reports.

Performs general administrative / office work as required, including preparing reports and correspondence, attending meetings, copying and filing documents, entering and retrieving computer data, reviewing mail and literature, ordering supplies and equipment, etc.

**EMPLOYMENT STANDARDS**

**Knowledge of:**

Pertinent federal, state and local laws, regulations, codes and ordinances.

County and departmental policies and procedures.

Principles and practices of adult and juvenile probation work.

Principles of applied psychology and human behavior and their relationship to the causes, extent and control of crime and delinquency.

Casework, case planning and management, including intervention and modification strategies.

Interviewing methods.

Types and services of public and private assistance / support agencies available to probationers.

Principles and practices of law enforcement.

Judicial / court processes and procedures.

Principles of supervision, training and performance evaluation.

Budget preparation and administration practices.

Report and business letter preparation techniques.

Modern office practices and technology, including the use of computers for word processing and records management.
County of Mariposa  
Assistant Chief Probation Officer  
Page 3

English usage, spelling, grammar and punctuation.

Safe work practices.

Use of firearms.

Public / community relations techniques.

**Ability to:**  
Interpret, analyze and apply pertinent federal, state and local laws, rules, regulations, codes and ordinances, and County / department policies and procedures.

Train, supervise and evaluate the work of subordinate staff.

Understand and follow complex written and oral instructions.

Exercise sound, independent judgment with minimal supervision.

Exercise skilled judgment in the assessment and treatment of probationers.

Analyze problems, identify alternative solutions, determine consequences of proposed actions and implement recommendations in support of goals.

React quickly and calmly in emergency situations.

Prepare clear and concise reports; maintain detailed records.

Perform mathematical computations with accuracy.

Make effective public presentations.

Gain cooperation through discussion and persuasion.

Communicate clearly and concisely, both orally and in writing.

Establish and maintain effective working relationships with those contacted in the course of work.

Meet the physical requirements necessary to safely and effectively perform assigned duties.

**TYPICAL WORKING CONDITIONS**  
Work is performed in an office and field environment; worker drives on surface streets or isolated dirt road areas and may be exposed to traffic hazards, adverse weather conditions,
extreme heat or cold, wetness, air contaminants, fumes/dust, laboratory solvents and chemicals, skin irritants, violence, above average noise.

**TYPICAL PHYSICAL REQUIREMENTS**
Requires the mobility to work in an office and field environment. Requires the ability to sit at a desk and intermittently walk, stand, stoop, kneel, crouch, climb, run, balance and reach while performing office and field duties; operate a motor vehicle; lift and/or move weights of up to 25 pounds frequently and over 40 pounds occasionally; use hands to finger, handle or feel objects, tools or controls. Must be able to maintain effective audio-visual discrimination and perception needed for making observations, communicating with others, reading and writing, and operating office and police-issue equipment. Must be able to use a telephone to communicate verbally and a keyboard to communicate through written means, to review information and enter/retrieve data, to see and read characters on a computer screen. Requires the strength and stamina to perform law enforcement duties, including handling firearms and making arrests.

**MINIMUM QUALIFICATIONS**

**Experience:**
Five years of increasingly responsible experience as a probation, parole or corrections officer, including at least two years in a lead supervisory or management capacity; or three years at or above the Deputy Probation Officer III level in Mariposa County.

**Education:**
Graduation from an accredited college or university with a Bachelor’s degree in sociology, criminology, corrections, social services, psychology or closely related field.

**Substitution**
Relevant work experience may be substituted on a year for year basis for the education.

**Additional Requirements:**
Possession of a valid California driver’s license.

Possession of certificate of completion of 200 hours of Probation Officer Core as required by Standards in Training for Corrections (S.T.C.) certification as a Deputy Probation Officer.

Completion of, or the ability to complete within one year of employment, the Probation Supervisor Core Training course as required by Standards in Training for Corrections (S.T.C.).

Ability to pass a background investigation and psychological evaluation prior to appointment.

PC 832 Firearms Training including Arrest, Search, and Seizure.

A firearms qualification is highly desirable.
This class specification lists the major duties and requirements of the job and is not all-inclusive. Incumbents may be expected to perform job-related duties other than those contained in this document.
DEPUTY PROBATION OFFICER III

DEFINITION
To investigate adult and juvenile cases for probation; to provide professional casework services to adult and juvenile offenders placed on probation and monitor probationers’ activities to ensure compliance with court orders; to handle special caseloads and major department projects and/or programs as assigned; and to perform related duties and responsibilities as required.

SUPERVISION RECEIVED AND EXERCISED
Receives direction from the Deputy Chief or Chief Probation Officer.

Exercises lead direction over professional, technical and clerical staff as assigned.

EXAMPLES OF ESSENTIAL FUNCTIONS
Assesses, investigates, reports and presents cases concerning adult and/or juvenile offenders applying for probation.

Assesses client needs and develops case plans to ensure compliance with court orders.

Testifies and presents departmental recommendations for sentencing in court.

Monitors probationers’ performance and makes recommendations regarding probation modification, revocation, termination or arrest as necessary.

Monitors and investigates clients at their homes, places of employment and other locations as necessary.

Remains on-call as scheduled for after-hours / weekend duties.

 Leads or assists in special departmental programs or projects.

Responds to and resolves inquiries, requests for assistance and complaints in areas of responsibility.

May represent the department at meetings and other functions as necessary; prepares and makes public presentations as required.

Provides training and lead direction of assigned staff; provides advice and assistance as needed.

Conducts background investigations on department job applicants as directed.

May serve as training officer, ensuring all department officers remain current with mandatory training; maintains training records and prepares related reports.
Ability to:
Interpret and apply pertinent federal, state and local laws, rules, regulations, codes and ordinances, and County / department policies and procedures.

Provide staff training and leadership as assigned.

Understand and follow complex written and oral instructions.

Exercise sound, independent judgment with minimal supervision.

Exercise skilled judgment in the assessment and treatment of probationers.

Provide effective case management.

Analyze written and verbal reports, draw appropriate conclusions, and develop recommendations and action plans.

React quickly and calmly in emergency situations.

Prepare clear and concise reports; maintain detailed records.

Perform mathematical computations with accuracy.

Make effective public presentations.

Gain cooperation through discussion and persuasion.

Communicate clearly and concisely, both orally and in writing.

Establish and maintain effective working relationships with those contacted in the course of work.

Meet the physical requirements necessary to safely and effectively perform assigned duties.

TYPICAL WORKING CONDITIONS
Work is performed in an office and field environment; worker drives on surface streets and may be exposed to traffic hazards, adverse weather conditions, extreme heat or cold, wetness, air contaminants, fumes/dust, laboratory solvents and chemicals, skin irritants, violence, above average noise.

TYPICAL PHYSICAL REQUIREMENTS
Requires the mobility to work in an office and field environment. Requires the ability to sit at a desk and intermittently walk, stand, stoop, kneel, crouch, climb, run, balance and reach while performing office and field duties; operate a motor vehicle; lift and/or move weights of up to 25
May assist in supervising the daily operations of Juvenile Hall if assigned; assists with juvenile intake, counseling and referral.

May prepare or assist in the preparation of grant requests, surveys, statistical and other special reports.

Performs general office work as required, including preparing reports and correspondence, attending meetings, copying and filing documents, entering and retrieving computer data, etc.

**EMPLOYMENT STANDARDS**

**Knowledge of:**
- Pertinent federal, state and local laws, regulations, codes and ordinances.
- County and departmental policies and procedures.
- Principles and practices of adult and juvenile probation work.
- Principles of applied psychology and human behavior and their relationship to the causes, extent and control of crime and delinquency.
- Casework, case planning and management, including intervention and modification strategies.
- Interviewing methods.
- Types and services of public and private assistance / support agencies available to probationers.
- Principles and practices of law enforcement.
- Judicial / court processes and procedures.
- Principles of staff training and leadership.
- Report and business letter preparation techniques.
- Modern office practices and technology, including the use of computers for word processing and records management.
- English usage, spelling, grammar and punctuation.
- Basic arithmetic.
- Safe work practices.
pounds frequently and over 40 pounds occasionally; use hands to finger, handle or feel objects, tools or controls. Must be able to maintain effective audio-visual discrimination and perception needed for making observations, communicating with others, reading and writing, and operating office and police-issue equipment. Must be able to use a telephone to communicate verbally and a keyboard to communicate through written means, to review information and enter/retrieve data, to see and read characters on a computer screen. Requires the strength and stamina to perform law enforcement duties, including handling firearms and making arrests.

MINIMUM QUALIFICATIONS

Experience:
Three years of increasingly responsible experience as a probation, parole or corrections officer; or two years as a Deputy Probation Officer II level in Mariposa County.

Education:
Graduation from an accredited college or university with a Bachelor’s degree in sociology, criminology, corrections, social services, psychology or closely related field.

Substitution:
Relevant work experience may be substituted on a year for year basis for the education.

Additional Requirements:
Possession of a valid California driver’s license.

Possession of a certificate of completion for 200 hours of Basic Probation Officers coursework.

Completion of or the ability to complete additional training as required by Standards in Training for Corrections (S.T.C.).

Ability to pass a background investigation and psychological evaluation prior to appointment.

PC 832 Firearms Training is optional.

This class specification lists the major duties and requirements of the job and is not all-inclusive. Incumbents may be expected to perform job-related duties other than those contained in this document.
## BUDGET ACTION FORM

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To separate existing DPO III to new Account

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### TRANSFER BETWEEN FUNDS

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### TOTAL

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### ACTION REQUESTED:

( ) Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the county budget, or in any one fund of the budget, or appropriating Reserve for Contingencies;

( ) Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;

### JUSTIFICATION:

Reorganization of Probation Department

DEPT HEAD SIGNATURE ____________________________ DATE 8/16/04

APPROVED BY RES NO. 94-395 CLERK 3-0-04 DATE 3-24-04

AUDITOR'S USE ONLY BA #