



24-3357

DATE: February 6, 2024 (Item No. {{item.number}})

TO: Board of Supervisors

FROM: James R. Williams, County Executive

SUBJECT: Approve Implementation of the Lateral Hire Bonus Program for the Sheriff's Office

RECOMMENDED ACTION

Consider recommendations relating to a temporary sign-on bonus program for lateral and academy graduate correctional and enforcement deputies for the Office of the Sheriff.

Possible action:

- a. Approve a Temporary Sign-On Bonus Program in an amount not to exceed \$3,500,000 for lateral and Academy graduate correctional and enforcement deputies for the Office of the Sheriff, providing a sign-on bonus totaling up to \$40,000, for lateral correctional and enforcement deputy candidates, and a sign-on bonus totaling up to \$20,000 for Academy graduate correctional and enforcement deputy candidates, subject to Program requirements.
- b. Ratify Side Letter Agreement with the Correctional Peace Officers' Association (CPOA) relating to measures to incentivize lateral hires from other law enforcement agencies into classifications represented by the CPOA, that has been reviewed and approved by County Counsel as to form and legality.
- c. Ratify Side Letter Agreement with the Deputy Sheriff's Association (DSA) relating to measures to incentivize lateral hires from other law enforcement agencies into classifications represented by the DSA, that has been reviewed and approved by County Counsel as to form and legality.
- d. Ratify Side Letter Agreement with the Service Employees International Union, Local 521, relating to measures to incentivize referrals of lateral hires from other law enforcement agencies into classifications represented by the DSA and the CPOA, that has been reviewed and approved by County Counsel as to form and legality.
- e. Ratify Side Letter Agreement with the County Employees Management Association relating to measures to incentivize referrals of lateral hires from other law enforcement agencies into classifications represented by the DSA and the CPOA, that has been reviewed and approved by County Counsel as to form and legality.

FISCAL IMPLICATIONS

Approval of the recommended action will cost approximately \$3,500,000 over the duration of the Temporary Sign-on Bonus Program. Funding for this program will be addressed at a future date and initial costs will be utilized from existing appropriations within the Sheriff's Office Enforcement Bureau and/or Custody Bureau budgets.

REASONS FOR RECOMMENDATION AND BACKGROUND

The County of Santa Clara Office of the Sheriff (Sheriff's Office) has faced significant challenges in recruiting qualified personnel to serve in coded and classified positions as Deputy Sheriffs in the Enforcement Bureau and as Sheriff's Correctional Deputies in the Custody Bureau. There were approximately 414 Deputy Sheriffs in the Enforcement Bureau and approximately 748 Sheriff's Correctional Deputies/Correctional Officers in the Custody Bureau as of January 12, 2020. There are currently approximately 287 Deputy Sheriffs in the Enforcement Bureau and approximately 670 Sheriff's Correctional Deputies/Correctional Officers in the Custody Bureau as of January 7, 2024. This represents an approximately 31% reduction in staffing in the Enforcement Bureau and an approximately 10% reduction in staffing in the Custody Bureau. The FY 2023-2024 Master Salary Ordinance authorizes 347 Deputy Sheriff positions and 784 Sheriff's Correctional Deputy positions.

Administration anticipates that the payment of cash bonuses will incentivize qualified applicants for academy graduate and lateral hire positions within the Sheriff's Office. Accordingly, Administration has developed the Temporary Sign-On Bonus Program ("Program"), also referred to as "lateral hire bonus" program, where qualified applicants will be eligible for a \$20,000 hiring bonus for academy graduate positions and a \$40,000 hiring bonus for lateral hire positions in the Sheriff's Office. Furthermore, there will be a \$5,000 referral bonus for current employees of the Sheriff's Office if the employee refers an academy graduate or lateral hire who successfully completes either the Jail Training Officer program requirement or the Field Training Officer program requirement. The County has reached side letter agreements with the Correctional Peace Officers' Association (CPOA) and the Deputy Sheriff's Association (DSA) regarding the incentive measures applicable to employees represented by CPOA and DSA.

Administration will oversee the Program in concert with the Sheriff's Office and will continue the Program until staffing of sworn peace officers increases to satisfactory levels or the funds are exhausted, whichever comes first. Accordingly, Administration requests the Board of Supervisors approve the Program in an amount not to exceed \$3,500,000 on a one-time basis and ratify the Side Letter Agreements with CPOA, DSA, the County Employees Management Association, and Service Employees International Union, Local 521, relating to the incentive measures, such as referral bonuses, applicable to employees represented by those unions.

The Sheriff's Office has been unable to attract qualified applicants in sufficient numbers to increase staffing levels of Sheriff's Correctional Deputies and Deputy Sheriffs. The reduced staffing has caused negative impacts to the Sheriff's Office such as requiring mandatory

overtime shifts for Sheriff's Correctional Deputies/Correctional Officers and Deputy Sheriffs.

The Semi-Annual Report Relating to the Academy, Recruitment and Staffing levels submitted by Sheriff Jonsen to the Public Safety and Justice Committee on December 14, 2023 (Item No. 7), provides a comprehensive overview of the underlying issues prompting the need for the Lateral Hire Bonus Program and is quoted here in relevant part:

"Law Enforcement Staffing Crisis"

Recruitment and retention are profound barriers challenging the law enforcement profession today. The profession is physically and mentally demanding, and societal needs and expectations have evolved as a result of recent major events. The changes in community expectations coupled with the inherent difficulties of the law enforcement profession have made it difficult to attract potential applicants. Filling vacancies as a result of retirements, resignations, and separations are significantly more difficult than the years previous.

In an article written by, Sid Smith (A former Chief of Police), "A Crisis Facing Law Enforcement: Recruiting in the 21st Century", he acknowledges the difficulty in upholding the law while maintaining high professional standards in an increasingly violent society. It is imperative that we as an agency continue to build an applicant pool sufficient to meet the needs of the community we serve.

A recent analysis was conducted by The Marshall Project. The analysis highlighted decreasing numbers of Americans working for local government jobs over the past two years. Data was gathered from the U.S. Bureau of Labor Statistics and Census Bureau. The data revealed a steady decline in both law enforcement and local government jobs during the pandemic. In fact, from March 2020 to August 2022, the number of local law enforcement employees decreased by 4% while the number of government workers decreased by 5%. While economists believe that the social and political landscape contributed peace officer retirements and resignations, the two major causes resulting in a reduction in police numbers were the COVID-19 pandemic and mass early retirements. Researchers forecast an exodus from the workforce as baby boomers become eligible to retire. During this era, more than a quarter of the U.S. workers will reach age 55 or older by 2030. As a result, the law enforcement profession is faced with a unique challenge because fewer people are applying to become law enforcement officers in today's society.

The California state legislation hasn't made hiring police officers easier. With the implementation of Senate Bill 2, becoming a police officer is more difficult. New laws have raised the minimum hiring age of peace officers to 21, and the state is currently working with the college community system to create a modern policing degree

program by 2025. The creation of the policing degree program will provide a statewide requirement for officers to earn a college education.

The reduction in law enforcement officers has become evident. Recent statistics maintained by California POST (Commission on Police Officer Standards and Training), indicate from 2012 to 2022, POST has certified on average 3,200 officers each year. POST issued 2,424 basic certificates as of December 13, 2022. This was the lowest number of basic certificates issued since 2013.

Agencies such as the Santa Clara Police Department, the Sunnyvale Department of Public Safety, and the Santa Clara County District Attorney's Office are actively and personally recruiting deputies to lateral to their respective departments with the promise of a higher salary and/or an improved work/life balance. The Santa Clara Police Department (SCPD) is offering an approximately \$40,000 a year increase at the officer level. Comparatively, the officer's salary at SCPD is more than a lieutenant's salary at Santa Clara County. The San Jose Police Department is advertising a \$10,000 lateral hiring incentive to prospective officers interested in joining their police department. **Other agencies in the surrounding area are offering hiring incentives between \$10,000 and \$75,000."**

CHILD IMPACT

The recommended action will have no/neutral impact on children and youth.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

CONSEQUENCES OF NEGATIVE ACTION

The Sheriff's Office would be unable to implement the Lateral Hire Bonus Program.

STEPS FOLLOWING APPROVAL

The Clerk of the Board of Supervisors is requested to send notification of completed processing to Staci Bjerk, Jennifer Paredes-Fricano, and Zullay Rodriguez, Employee Services Agency, Human Resources Department.

ATTACHMENTS:

- County-CPOA Side Letter re Lateral Hire Bonus Program and Referral Bonus
- County-DSA Side Letter re Lateral Hire Bonus Program and Referral Bonus
- County-SEIU Side Letter re Lateral Hire Referral Bonus
- County-CEMA Side Letter re Lateral Hire Referral Bonus