DATE: August 25, 2015
TO: Board of Supervisors
FROM: John P. Mills, Deputy County Executive
SUBJECT: San Jose State University Records Clearance Project

RECOMMENDED ACTION
Approve First Amendment to Agreement with San Jose State University Research Foundation relating to providing criminal record expungement services with no change to the contract amount, and extending the agreement for a six-month period through February 28, 2016, that has been reviewed and approved by County Counsel as to form and legality.

FISCAL IMPLICATIONS
There is no adverse impact to the General Fund as no increase (nor decrease) in contract amount is being recommended.

CONTRACT HISTORY
On October 7, 2014, the Board of Supervisors approved an Agreement with the San Jose State University Research Foundation relating to providing criminal record expungement services in an amount of $33,500 for the period ending August 31, 2015.

REASONS FOR RECOMMENDATION
Reason(s) for approval of amendment
As the agreement was executed in October 2014, the Project got off to a later than anticipated start. Additionally, there have been staffing changes which have further impacted and delayed the provision of expungement services. The Amendment will provide the San Jose State University Research Foundation with the needed time to complete all components of the agreed-to scope of service.

CHILD IMPACT
The recommended action will positively impact children and youth, as former inmates who have successfully availed themselves of criminal record expungement services gain increased access to employment, housing, public benefits, family reunification, and other economic and social advantages.
SENIOR IMPACT
The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS
The recommended action will have no/neutral sustainability implications.

BACKGROUND
The San Jose State University Research Foundation was previously selected because they had received a grant award from The Health Trust for primary/majority funding for this project. The County provided only matching funding to allow the Research Foundation to leverage the primary funds.

Starting expungement screening and counseling while an inmate is still in custody is not common expungement practice. People often wait a substantial period of time before seeking to expunge their criminal convictions. Since recidivism is most frequent shortly after release from custody, the SJSU Records Clearance Project’s approach was intended to provide an up-front incentive for law-abiding behavior, thereby easing reentry for inmates upon their release from incarceration. In addition, the SJSU Records Clearance Project makes criminal record expungement services accessible to inmates, most of whom are low-income, as the Records Clearance Project’s services are free to clients.

CONSEQUENCES OF NEGATIVE ACTION
The San Jose State University Research Foundation would not be provided the needed time to fulfill the agreed-to scope of services contained in their Agreement thereby making their criminal record expungement services inaccessible to County inmates and others.

STEPS FOLLOWING APPROVAL
Upon approval of the recommended action, the Clerk of the Board of Supervisors will obtain the signature of the Board President on the associated service agreement amendment form. The Clerk will then notify Fran Palacio in the Office of the County Executive when the executed agreement is available electronically.

ATTACHMENTS:
- 77838(PDF)