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AGENDA COVER MEMO

Memorandum Date: August 18, 2010
Order Date: August 31, 2010

TO: Board of County Commissioners

DEPARTMENT: Sheriff's Office

PRESENTED BY: Russel E. Burger, Sheriff

AGENDA ITEM TITLE: ORDER _____ /IN THE MATTER OF
TRANSFERRING POSITION NUMBER 22751, 1.0 FTE AND
RELATED AND BUDGETED REVENUE AND
APPROPRIATED EXPENDITURES FROM FUND 552
INFORMATION SERVICES/REGIONAL INFORMATION
SERVICES TO THE SHERIFF'S OFFICE FUND 260

I. MOTION

Motion to Approve Transfer of 1.0 FTE and Related and Budgeted Revenue and Appropriated Expenditures From Fund 552 Information Services/Regional Information Services to the Sheriff's Office Fund 260.

II. AGENDA ITEM SUMMARY

The Board is asked to transfer a 1.0 FTE position and associated budgeted revenue and expenditures from Information Services/Regional Information Services to Public Safety, Office of the Sheriff. The Director of Information Services, Tony Black, and Sheriff Russ Burger both support transfer of the position.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The Board has not taken any action related to this position.

B. Policy Issues

County departments are not allowed to exceed the FTE appropriation and must receive Board approval to increase or decrease the appropriation.

C. Board Goals

This request relates to the Lane County strategic goal of Resource Planning and Allocation, specifically B1: Develop plans for the chief resources applied to deliver County services – human resources.” Transferring this position meets the definition of “analyzing future workforce needs” and “identifying actions to assure that workforce capabilities meet future needs”.

D. Financial and/or Resource Considerations

None. This position is self-supporting by providing fee-for-service work for internal departments and outside agencies. It is anticipated that the position will remain self-supporting into the future.

E. Analysis

The position provides computer-related forensics support and analysis for County departments and outside agencies as needed. There are three general types of support provided; 1) public information requests per ORS statute; 2) electronic discovery “e-discovery” services in response to pending litigation which includes obtaining, analyzing and providing data per a legal request; and 3) internal investigation support involving potential employee misconduct. Clients of this service include in-house county departments as well as outside agencies such as the State of Oregon Government Ethics Commission. Over the past several years, this work has increasingly led to criminal investigations and, therefore, is more appropriately administered by the Sheriff’s Office.

When not busy with internal forensic work, the position will provide computer forensic support for the Sheriff’s Office as needed for criminal investigations. Currently, the Sheriff’s Office does not have any computer forensics capacity and must seek these services outside the department. By transferring the position to the SO, the staff person will be able to provide forensic services to the SO when not engaged on other projects. As a result of the transfer, the Sheriff’s Office will gain vital computer forensic expertise.

Because some of the cases handled by this position are criminal in nature, if the position becomes part of the Sheriff’s Office, the staff member can be sworn in as a special investigator. This will provide the staff member with protection from prosecution in certain cases where illegal items, for instance, child pornography, are found stored on a PC. The Sheriff’s Office can also provide support to insure data related to criminal acts are properly handled and that rules for evidence and chain of custody are followed. Further, transferring this position will enhance the capabilities of the service by providing access to forensic resources that are only available to law enforcement personnel.

F. Alternatives/Options

1. Approve the transfer of 1.0 FTE and related budgeted revenue and expenditures from IS/RIS to the Sheriff's Office, Police Services.
2. Do not approve the transfer. Leave the FTE and budgeted revenue and expenditures in Information Services.

IV. TIMING/IMPLEMENTATION

Upon Board approval, revenues and expenditures associated with this position will be transferred administratively at the beginning of pay period #20, September 18, 2010. Fiscal staff in the two departments will apportion revenue and expenditures based on actual use.

V. RECOMMENDATION

Approve the transfer of position #22751 1.0 FTE from IS/RIS to the Sheriff's Office.

VI. ATTACHMENTS

1. Board Order

THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

RESOLUTION) ORDER _____ / IN THE MATTER OF TRANSFERRING
AND ORDER:) POSITION NUMBER 22751, 1.0 FTE AND RELATED AND
) BUDGETED REVENUE AND APPROPRIATED
) EXPENDITURES FROM FUND 552 INFORMATION
) SERVICES/REGIONAL INFORMATION SERVICES TO THE
) SHERIFF'S OFFICE FUND 260
)

WHEREAS, a position exists in Information Service/Regional Information Services that provides computer forensic and "e-discovery" services; and

WHEREAS, the position is self-funded through charges to county departments and outside agencies; and

WHEREAS, computer forensic work can lead to criminal charges; and;

WHEREAS, transferring the position to the Sheriff's Office would provide the employee greater protection from potential prosecution; and

WHEREAS, whereas transferring the position to the Sheriff's Office would provide the employee access to law enforcement computer forensic resources; and

WHEREAS, the Sheriff's Office has need of computer forensic expertise;

IT IS HEREBY RESOLVED AND ORDERED, that position number 22751, 1.0 FTE be transferred from IS/RIS to the Sheriff's Office and the amounts for the following funds be reduced or increased as outlined below:

<u>Fund 552 Information Services</u>		<u>FTE</u>
Revenue	-\$159,012	
Expenditures	-\$159,012	-1.0
 <u>Fund 260 Public Safety</u>		
Revenue	+\$159,012	
Expenditures	+\$159,012	+1.0

Effective date: _____ day of _____ 2010.

Bill Fleenor, Chair
Lane County Board of County Commissioners

APPROVED AS TO FORM

9/23/10

lane county

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OFFICE OF LEGAL COUNSEL