



PLACER COUNTY
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EDWARD N. BONNER
SHERIFF-CORONER-MARSHAL

DEVON BELL
UNDERSHERIFF

To: The Honorable Board of Supervisors
From: Edward N. Bonner, Sheriff-Coroner-Marshal
Date: July 7, 2009
Subject: Public Hearing to review and approve an Ordinance Amendment for Booking, Jail Access and Incarceration Fees

Action Requested

It is requested that your Board conduct a public hearing to review and approve an ordinance amendment for Placer County Code 2.116.080 and 2.124.050 modifying booking fees to \$129 and incarceration fees for the main jail and minimum security in the amounts of \$167 and \$66, respectively and the amendment of 2.116.085 for Jail Access Fees in the amount of \$393 per the attached ordinance.

Background

Authorization to charge for incarceration fees is provided by Penal Code Section 1203.1c and for booking fees and jail access fees under Government Code Section 29550 to 29552. Annually, the Sheriff's Department contracts with Maximus to conduct a study of incarceration and booking fees based on actual costs for the previous year. Based on the findings of this report, the Sheriff's Department recommends, for your Board's approval, an amendment to the existing ordinance that adjusts the fees charged to cities and individuals for these services.

In the case of booking fees, the Sheriff's Department fees were amended pursuant to AB 1805 enacted in the 2005-06 legislative session. To implement this legislation the State appropriated \$35 million to backfill counties for the bookings that would otherwise be billed to cities. To mitigate the concerns for "sweeps" that would inundate our jail system, the legislation also allows for a jail access fee to be charged to entities that is equal to 100% of the cost to book inmates for misdemeanors and municipal code violations (except DUI and domestic violence) that exceed the previous 3 year average for those entities. Additionally, AB 1805 allows should the State not fully fund the backfill to the counties for the cost of booking, the counties can revert to charging cities for the difference at the same booking rate that was in place on June 2006, compounded annually. The updated cost for the booking rate is \$129 based an additional 1% and adjustment of the California Consumer Price Index of -2.5%. The actual rate calculated by Maximus based on the previous year's costs for Jail Access Fees is \$393.

Based on the study by Maximus for incarceration fees, we are recommending adjustments be made in the fees applied to both the main jail and minimum security. We are recommending an increase the fees charged for the main jail from \$95 to \$167 and decrease minimum security from \$78 to \$66. Your Board's approval of this ordinance modification is required.

Fiscal Impact

Fiscal impact for the incarceration fee adjustments are anticipated to be minimal as these fees are imposed by the judge and are based on the ability to pay. Booking fees reimbursements to the county from the State is estimated at the same rate in FY 09/10 as was received in FY 08/09 at \$505,000. This takes into account charging the cities for the proportionate amount of underfunding at the State level. The current State budget presented by the Governor has a reduction of 10% applied to booking fees. This would mean we would charge the cities 10% or \$12.90 for each booking. If the State does not fund anything under these provisions, then the County could charge \$129 for each booking to the cities.

**Before the Board of Supervisors
County of Placer, State of California**

In the matter of:
An ordinance amending Chapter 2
Criminal Justice, Incarceration and
Booking Fees, Sections 2.116.080, 2.124.050 (18, 26, and 30)
and 2.116.085

Ord. No: _____

The Board of Supervisors of the County of Placer duly passed the following ordinance
at a regular meeting held on _____.

By the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

The Board of Supervisors of the County of Placer hereby ordains as follows:

That Chapter 2, Section 2.116.080 and 2.124.050, 18, 26 and 30, for Booking, Incarceration Fees and
Weekend fees are amended and that Section 2.116.085 Jail Access Fees be amended as follows:

SECTION 1. That Placer County Code Section 2.116.080 is hereby amended as follows:

- A. The following amounts will be charged as jail booking fees based on the number of bookings and in the total amounts specified below pursuant to AB 1805 and Government Code Sections 29550 to 29552. Rates charged pursuant to this section will only be charged if funding is not provided to the County from the State. The booking fee charged to the cities will be limited to the amount sufficient to offset the funding shortfall provided by the State based on the rate as of June 2006 of One hundred seventeen dollars and fifty cents (\$117.50) plus the current California Consumer Price Index (CPI) plus one percent (1%) to be compounded annually.

City	Booking Fee
Roseville	\$131.00 - \$129.00
Loomis	\$131.00 - \$129.00
Lincoln	\$131.00 - \$129.00
Rocklin	\$131.00 - \$129.00
Auburn	\$131.00 - \$129.00
Colfax	\$131.00 - \$129.00

- B. Persons booked into the county jail may be assessed an administration fee by the county for actual costs incurred in conjunction with the arresting and booking pursuant to Government Code Section 29550.2. The fees for jail booking for Placer County arrestees will be ~~one hundred thirty one dollars (\$131.00)~~ three hundred ninety three dollars (\$393.00). (Prior code § 2.70).

SECTION 2. That Placer County Code Section 2.116.085 is hereby amended as follows:

The following amounts will be charged as jail access fees based on the number of bookings and in the total amounts specified below pursuant to AB 1805 and Government Code Sections 29550 to 29552. Rates charged pursuant to this section will only be charged if bookings for misdemeanors and municipal code violations (except for Driving Under the Influence (DUI) and domestic violence) exceed the three year average of the previous three years. The Jail Access Fee will be charged at one hundred percent (100%) of the cost of booking inmates into the County jail. Funding The Jail Access Fee will be recalculated and adjusted each fiscal year based on the actual costs of booking a person into the Placer County jail.

City	Jail Access Fee
Roseville	\$325.00 - \$393.00
Loomis	\$325.00 - \$393.00
Lincoln	\$325.00 - \$393.00
Rocklin	\$325.00 - \$393.00
Auburn	\$325.00 - \$393.00
Colfax	\$325.00 - \$393.00

SECTION 3. That Placer County Code Section 2.124.050 is hereby amended as follows:

(18)	Incarceration Fee ¹	<u>\$167.00</u>	\$95.00	p/day main jail
		<u>\$66.00</u>	\$78.00	p/day minimum security

The cost of incarceration in the county main jail and minimum security as ordered by the court to be charged to the offender based on the ability to pay. (see Section 2.96.060 of this code).

(26)	Sheriff Booking Fee ¹	<u>\$393.00</u>	\$131.00 per booking
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This fee is charged by the sheriff to the offenders as ordered by the court, based on ability to pay if booked directly into jail by the sheriff's department. (see Section 2.116.080).

(30)	Weekend Sentences Fee ¹	<u>\$66.00</u>	\$78.00 per day
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Cost of incarceration in the minimum security barracks as ordered by the court to be charged to the offender based on the ability to pay. (see Sections 2.96.040 and 2.96.050)

