



PLACER COUNTY
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CORONER-MARSHAL



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EDWARD N. BONNER
SHERIFF-CORONER-MARSHAL

DEVON BELL
UNDERSHERIFF

To: The Honorable Board of Supervisors
From: Edward N. Bonner, Sheriff 
Date: June 19, 2012
Subject: Public Hearing to review and adopt an Ordinance Amendment for the Sheriff's Office Booking, Jail Access and Incarceration Fees

Action Requested

Conduct a public hearing and adopt an ordinance amending the Sheriff's Office booking and jail access fees charged to the cities, incarceration fees for the main jail and minimum security, and booking fees charged to defendants at sentencing.

Background

The Sheriff's Office conducts an annual study of booking, jail access and incarceration fees based on actual costs for the previous year. Government Code Sections 29500-29552 authorize the County to assess other local arresting agencies for some of the costs or their bookings into the County jail facilities. Government Code Section 29550 outlines the actual cost standards set out for booking fees charged to cities for their County jail bookings.

In order to reduce the costs to local agencies, the State appropriates funding to backfill counties for the bookings that would otherwise be billed to cities. The legislation provides for a jail access fee charge 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, referred to as jail access fees. Additionally, should the State not fully fund the backfill to the counties for the cost of booking, Government Code Sections 29552 provides that the counties can revert to charging cities for the difference at the same booking rate that was in place on June 2006 with an annual adjustment. The 2012-2013 adjusted booking rate for the cities is \$136 based on an additional 1% adjustment and California Consumer Price Index increase of 1.7%. The jail access fees charged to cities in the event of excess bookings are set at the new full cost rate of \$328. The annual study supports booking costs of \$328, incarceration fees for the main jail and minimum security in the amounts of \$121 and \$112 respectively. This study is on file with the Clerk of the Board.

Recommended fee adjustments represent amounts allowed by law and substantiated by the actual costs to perform the tasks associated with the fees. Note that in relation to Criminal Justice fees the County has a process to recoup these costs as ordered by the Court. Defendants, probationers, or inmates, generally cannot be denied services if they do not possess the required resources to pay for those services. In those hardship cases, the County also has a payment reduction process that takes into account an individual's ability to pay. Additionally, AB3000 dictates how monies collected are distributed so that fines are paid first, which may further impact fee revenues.

Subject to review and comments and based on the findings of the study, we recommend your Board approve the fee adjustments as submitted.

Fiscal Impact

Booking fee reimbursements to the County from the State for FY 2012-2013 are estimated at \$464,844, the same amount as projected for FY 2011-2012 assuming the State will continue to fund at the 90% level. The amount received in FY 2010-2011 was \$339,970. To date, we have received \$385,863 in FY 2011-2012 booking fee revenues; including 10% charged to the cities for the proportionate amount of underfunding at the State level (90%). The incarceration fee adjustment revenues are anticipated to be minimal as these fees are imposed at the discretion of each judge and are based on the ability of a defendant to pay. There is no impact to the General Fund.

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

In the matter of:
An Ordinance Amending Chapter 2, Articles 2.116,
and 2.124 of the Placer County Code, adjusting
Sheriff's Office fees

Resol. No: _____

Ord. No: _____

First Reading: _____

The following ordinance was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held on June 19, 2012,

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:
Clerk of said Board

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

Section 1. That Chapter 2, Article 2.116, Section 2.116.080 and 2.116.085 are hereby amended as follows:

2.116.080 Fees for Jail Booking.

- 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 to be compounded annually.

City	Booking Fee	
Roseville	\$132.00	<u>\$136.00</u>
Loomis	\$132.00	<u>\$136.00</u>
Lincoln	\$132.00	<u>\$136.00</u>
Rocklin	\$132.00	<u>\$136.00</u>
Auburn	\$132.00	<u>\$136.00</u>
Colfax	\$132.00	<u>\$136.00</u>

- 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 ~~two hundred ninety-six dollars (\$296.00)~~ **three hundred twenty-eight dollars (\$328.00)**.

2.116.085 Fees for Jail Access

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 DUI and domestic violence) exceed the three-year average of the previous three years. The jail access fee will be charged at one hundred (100) percent 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	\$296.00	<u>\$328.00</u>
Loomis	\$296.00	<u>\$328.00</u>
Lincoln	\$296.00	<u>\$328.00</u>
Rocklin	\$296.00	<u>\$328.00</u>
Auburn	\$296.00	<u>\$328.00</u>
Colfax	\$296.00	<u>\$328.00</u>

Section 2. That Chapter 2, Article 2.124, Section 2.124.050 is hereby amended as follows:

2.124.050 Sheriff/coroner/marshal fees.

1. Alarm Activation:	
a. Second activation	\$ 25.00
b. Third activation	50.00
c. Subsequent activation in 60-day period	100.00
2. Background check fee	25.00
3. Card dealers license ²	55.00
4. Card dealers license—Renewal	25.00
5. Concealed Weapon License—New: ²	
a. Process fee, fingerprints, interview, and background check	120.00
b. Gun range (admin fee and materials) (also see Section 2.112.050 of this code)	75.00
A three dollar (\$3.00) process fee for the county is set by the state.	
6. Concealed Weapon License—Renewal ²	
a. Process fee, finger prints	45.00
b. Gun safety class (every 5th year) (also see Section 2.112.050 of this code)	
One hundred dollars (\$100.00) for new permits and twenty-five dollars (\$25.00) for renewal permits process fee for the county is set by the state. The additional twenty dollars (\$20.00) is for the rolling fee for fingerprints. Licensee must attend a gun safety class every 5 years.	
7. Copies of General Reports:	
a. Flat rate (based on average) (also see Section 2.116.050 of this code)	10.00
8. Copies from microfilm—general reports (also see Section 2.116.030 of this code)	20.00 flat fee
9. Copies of coroner reports* (also see Section 2.116.030 of this code)	35.00 flat fee
* 1st copy free to the family.	
10. Copies from microfilm coroner reports (also see Section 2.116.030 of this code)	55.00 flat fee
11. Coroner fee	Varies
Actual costs of autopsies performed on out of county residents billed back to county of residence.	
12. Emergency response restitution	Varies
Actual emergency response costs related to a DUI or negligent operation of a vehicle, boat, or airplane incurred by county departments are billed back to the responsible party. The fee must not exceed one thousand dollars (\$1,000.00) per incident.	
13. a. Explosive permit inspections (also see Section 12.9 of this code)	\$164.00
b. Various on-site permit inspections as required The sheriff inspects home occupation gun sales or repairs premises only. The state inspects the commercial operations.	164.00
c. Explosive permits—New	70.00

d. Explosive permits—Renewal	50.00
14. Fingerprinting services (also see Section 2.116.020 of this code) Prints for personal use are free (i.e., children and elderly). Fee charged when done for employment or licensing purposes.	20.00 flat fee
15. Firearms Dealers License Fee:	
a. License, background	50.00
b. Annual inspection fee (home occupation) The sheriff inspects home occupation gun sales or repair premises only. The state inspects the commercial operations.	164.00
16. Impound Vehicle Release Fee—Sheriff (Victims are not charged.)	75.00
17. Impound Vehicle Release Fee—Tow Company:	
a. Administrative service fee	75.00
b. Hearing fee, included in administrative service fee. (also see Section 10.12.150 of this code) For vehicles held by tow companies as a result of Vehicle Code Section 14607 (30-day hold for driving on a suspended or revoked license. A hearing can be requested to obtain early release.)	
18. Incarceration Fee ¹	
\$118.00 \$121.00 p/day main jail	
\$86.00 \$112.00 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)	
19. Inmate Medical Fee: ¹	
a. Health service request	\$ 3.00
b. Over-the-counter medications Inmates co-pay for each initiated health service request or over-the-counter medication. No one is ever denied treatment due to lack of ability to pay.	.50 each request
20. Law Enforcement Services	Varies
Other local law enforcement agencies requesting specialized services from the sheriff's department will be charged for the actual cost of the services provided. Services include, but are not limited to, assistance with crime scene and homicide investigations, and assistance with public events.	
21. a. Massage therapist license approval ¹ sign-off for business license (also see Section 2.116.020 of this code)	70.00
b. On-site inspection services if required	120.00
22. One-Day Liquor License Processing (New) Fee	15.00
23. Delete as per PC 290(a)(1)(F)	
24. Secondhand Dealers and Pawnbrokers License, New ² (see Sections 5.28.060 and 5.28.070)	70.00
25. Secondhand Dealers and Pawnbrokers License, Renewal ²	35.00 every 2 yrs