

PLACER COUNTY  
**SHERIFF**  
**CORONER-MARSHAL**



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ESI 1851

**EDWARD N. BONNER**  
SHERIFF-CORONER-MARSHAL

**STEPHEN L. D'ARCY**  
UNDERSHERIFF

**To:** Board of Supervisors  
**Date:** October 2, 2007  
**From:** Edward N. Bonner, Sheriff-Coroner-Marshal  
**Subject:** Public Hearing to review and approve an Ordinance Amendment for Booking and Incarceration Fees and the addition of Jail Access 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 \$125.50 and incarceration fees for the main jail and minimum security in the amounts of \$97 and \$77, respectively and the addition of 2.116.085 for Jail Access Fees in the amount of \$251 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 legislation was amended pursuant to AB 1805. 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 that 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 which was \$117.50 plus CPI plus 1%. The actual rate calculated by Maximus based on the previous year's costs is \$251.

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 to the fees charged for the main jail from \$93 to \$97 and minimum security from \$73 to \$77. 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 that has been accounted for in the Proposed Budget submitted to your Board.

**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 the addition of 2.116.085

Resol. No: \_\_\_\_\_

Ord. No: \_\_\_\_\_

First Reading: \_\_\_\_\_

The Board of Supervisors of the County of Placer duly passed the following ordinance  
at a regular meeting held on October 2, 2007,

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 added as set out in Exhibit "A":

EXHIBIT A

AMEND AS FOLLOWS:

**SEC. 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, ~~unless said jurisdictions and the county reach payment specified in this section.~~ The booking fee will be recalculated and adjusted each fiscal year based on the actual costs of booking a person into the Placer County jail. 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 \$117.50 plus the current CPI plus 1%.

City	Booking Fee
Roseville	\$106.71 — 117.50 plus CPI plus 1%
Loomis	\$106.71 — 117.50 plus CPI plus 1%
Lincoln	\$106.71 — 117.50 plus CPI plus 1%
Rocklin	\$106.71 — 117.50 plus CPI plus 1%
Auburn	\$106.71 — 117.50 plus CPI plus 1%
Colfax	\$106.71 — 117.50 plus CPI plus 1%

- B. Persons booked into the county jail may be assessed an administration fee by the county for 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 \$125.50. (Prior code § 2.70).

ADD AS FOLLOWS:

**SEC. 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 (3) year average of the previous 3 years. The Jail Access Fee will be charged at 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	\$251.00
Loomis	\$251.00
Lincoln	\$251.00
Rocklin	\$251.00
Auburn	\$251.00
Colfax	\$251.00

SEC. 2.124.050 SHERIFF-CORONER-MARSHAL FEES:

(18)	Incarceration Fee <sup>1</sup>	<u>\$97.00</u>	<del>\$93.00</del>	p/day main jail
		<u>\$77.00</u>	<del>\$73.00</del>	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).

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(26)	Sheriff Booking Fee <sup>1</sup>	<u>\$125.50</u>	<del>\$117.50</del> per booking
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This fee is charged by the sheriff to ~~other local agencies for offenders booked into county jail by their respective arresting agencies, or 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 <sup>1</sup>	<u>\$77.00</u>	<del>\$73.00</del> 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)