



EST. 1851

PLACER COUNTY SHERIFF 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-Coroner-Marshal *Edward N. Bonner*
Date: June 21, 2011
Subject: Public Hearing to review and adopt an Ordinance Amendment for Sheriff Office Fees

ACTION REQUESTED

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

BACKGROUND

The Sheriff's Office has a variety of fees established for permits and services rendered to the public and for costs charged to defendants. In addition, Government Code Sections 29500-29552 (AB 1805) authorize the County to assess other local arresting agencies for some of the costs or their bookings into the County jail facilities. The Sheriff Office fees were reviewed pursuant to County Code 2.124.020, which generally requires that fees not exceed the actual cost of services or the average actual cost of services, and with regard to Section 29550 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 appropriated \$35 million to backfill counties for the bookings that would otherwise be billed to cities. To mitigate concerns that "sweeps" might inundate County jail systems, 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, AB 1805 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 2011-2012 adjusted booking rate for cities is \$132 based an additional 1% and California Consumer Price Index increase of 1.2%. The jail access fees charged to cities in the event of excess bookings are set at the new full cost rate of \$296. The Sheriff's Office also conducts an annual study of incarceration and booking fees based on actual costs for the previous year. The study supports booking costs of \$296, incarceration fees for the main jail and minimum security in the amounts of \$118 and \$86 respectively. The Livescan fingerprinting fee has been increased by \$5 for a total of \$20 which does not exceed the actual average costs of \$22 related to the cost of labor to process the Livescan fingerprinting services. The studies supporting the fees set are 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, 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 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. Either may reduce the amount the County is able to actually realize for these fees.

The Sheriff's Office requests your Board conduct a public hearing to provide the public and cities the opportunity to comment on recommended fee adjustments. Subject to review and comments and based on the findings of the attached studies, we recommend your Board approve the fee adjustment as submitted.

FISCAL IMPACT

Booking fee reimbursements to the County from the State for 2011-2012 are estimated at \$345,000, which is the same amount as was received in FY 2009-2010 and projected for 2010-2011. To date, we have received \$235,346 in 2010-2011 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. The fiscal impact to increase the Livescan fingerprinting fee is estimated at \$6,000. Upon your Board's approval, fee adjustments will be reflected in our FY 2011-2012 Final Budget. 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 2.112,
2.116 and 2.124 of the Placer County Code,
adjusting various 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 21, 2011,

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:

Section 1. That Chapter 2, Article 2.112, Section 2.112.050 is hereby amended as follows:

2.112.050 Concealed weapon permit applications.

A. 1. The sheriff is authorized to charge a maximum processing fee of one hundred ~~fifteen~~ ~~twenty~~ dollars (~~\$115.00~~) **(\$120)** for a new and ~~forty~~ ~~forty-five~~ dollars (~~\$40.00~~) **(\$45.00)** for a renewed, concealed weapons permit as determined by Section 12054 of the Penal Code, but in no event is the sheriff authorized to charge more than the maximum allowable amount as set forth in that section and other relevant sections of state law. The new concealed weapons permit is one hundred dollars (\$100.00) plus ~~fifteen~~ ~~dollars~~ (~~\$15.00~~) **twenty dollars (\$20.00)** for the cost of the LiveScan fingerprint processing.

2. In addition the sheriff is authorized to charge a maximum of twenty-five dollars (\$25.00) for any modification to a current permit, or to provide a duplicate permit. The renewal fee is twenty-five dollars (\$25.00) plus ~~fifteen~~ **twenty** dollars (~~\$15.00~~) (\$20.00) for the cost of the LiveScan fingerprint processing.

Section 2. That Chapter 2, Article 2.116, Sections 2.116.020, 2.116.080 and 2.116.085 are hereby amended as follows:

2.116.020 Fees for fingerprinting.

The following charges shall be made for the taking of fingerprints by the Sheriff's office, except as otherwise provided by county ordinance or state law:

A. Basic Fingerprinting	\$15.00 \$20.00
B. Solicitor's permit fingerprinting under Chapter 5	\$15.00 \$20.00
C. Operator's license or dealer's permit fingerprinting under Chapter 5	\$15.00 \$20.00
D. Fortuneteller's permit fingerprinting under Chapter 5 (prior code 2.37)	\$15.00 \$20.00

* * * * *

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	\$129.00 – \$132.00
Loomis	\$129.00 – \$132.00
Lincoln	\$129.00 – \$132.00
Rocklin	\$129.00 – \$132.00
Auburn	\$129.00 – \$132.00
Colfax	\$129.00 – \$132.00

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 ~~three hundred ninety-three dollars (\$393.00)~~ **two hundred ninety-six dollars (\$296.00)**. (prior code § 2.70)

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	\$393.00 \$296.00
Loomis	\$393.00 \$296.00
Lincoln	\$393.00 \$296.00
Rocklin	\$393.00 \$296.00
Auburn	\$393.00 \$296.00
Colfax	\$393.00 \$296.00

Section 3: 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	50.00 55.00
4. Card dealers license—Renewal	25.00
5. Concealed Weapon License—New: ²	

a. Process fee, fingerprints, interview, and background check	115.00 120.00
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	40.00 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 fifteen dollars (\$15.00) 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	65.00 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.	15.00 20.00 flat fee
15. Firearms Dealers License Fee:	
a. License, background, fingerprints	50.00
b. Annual inspection fee (home occupation)	164.00

The sheriff inspects home occupation gun sales or repair premises only. The state inspects the commercial operations.	
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	
\$167.00 \$118.00 p/day main jail	
\$66.00 \$86.00 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	.50 each request
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.	
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)	65.00 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)	65.00 70.00
25. Secondhand Dealers and Pawnbrokers License, Renewal ² (see Sections 5.28.060 and 5.28.070)	35.00 every 2 yrs
26. Sheriff Booking Fee ¹	296.00 393.00 per booking
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)	

Agency charges for booking fees may be reduced by the sheriff for agencies that provide pre-booking services into the corrections management system. The reduced rate will be calculated and applied based on time savings realized.	
27. a. Shipping of property to convicted or released persons (Victims are not charged.)	20.00 per package or actual cost
b. Intake, storage release of firearms (as per Family Code 6389(a) and PC 12021(c)(1))	
Storage	\$ 5.00 per month
Intake	20.00
Release	30.00
28. Tree Transportation Tags:	
a. Per application	10.00
b. Per tag	1.00
No charge if 50% or more of receipts are appropriated for nonprofit benevolent purposes. Applies if transporting over 5 trees or pounds of shrubs or boughs. (see Section 2.112.040)	
29. Visa Letters	20.00
Letters of good conduct for out-of-country travelers to give foreign consulates.	
30. Weekend Sentences Fee ¹	66.00 86.00 per day
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)	
31. Coroner's Custody Fee ³ (includes \$150.00 transportation fees plus \$10.00 for materials)	160.00 or up to maximum as allowed per PC based on actual costs

- 1 Calculated annually. This fee is subject to the ability to pay; the fee charged shall not exceed the maximum amount stated.
- 2 This service also requires that an established estate and/or federal fee be collected by the county and forwarded to the state and/or federal government. The state and federal fees are not stated in the Placer County Code as they are established by the state and federal legislation.
- 3 This fee will not be charged for indigents, children under 14 years of age or death as a result of a criminal act of another unless the coroner has reasonable grounds to believe that the deceased was involved in any criminal activity which contributed to his or her death.

**NOTICE OF PUBLIC HEARING AND SUMMARY OF PROPOSED AMENDMENT TO
CRIMINAL JUSTICE FEES ORDINANCE**

On June 21, 2011 at 10:20 A.M. at the Placer County Administrative Center, 175 Fulweiler Avenue, Auburn, California, the Board of Supervisors will hold a public hearing to consider amending Chapter 2 of the Placer County code as it relates to a proposed:

1. Decrease in Booking Fees to Placer County arrestees Not-to-Exceed \$97.
2. Increase in Booking Fees charged to the cities/towns Not-to-Exceed \$3.
3. Decrease in Jail Access Fess charged to the cities/towns Not-to-Exceed \$97.
4. Decrease in incarceration fees for Placer County's Main Jail Not-to-Exceed \$20.
5. Increase in incarceration fees for the Minimum Security facilities Not-to-Exceed \$20.
6. Increase in incarceration fees for weekenders Not-to-Exceed \$20.

The proposed change in Jail Access Fees is authorized by Government Code Section 29550 through 29552. This allows for reimbursement of services connected with the booking process at 100% of the actual costs for non-county entities exceeding their 3 year average for misdemeanors and municipal code violations in years where the State funded at least \$35 million. This reimbursement is charged against the government agency that requested the booking and arrestees booked by Placer County.

The proposed change in incarceration fees is authorized by California Penal Code Section 1203.1c. As ordered by the court these fees are billed to the inmate. This legislation generally requires that fees not exceed either the actual cost of services or the average actual cost of services. Also, defendants, probationers, or inmates, can only be assessed these fees to the extent they have the ability to pay the fees.

Certified copies of the proposed ordinance and the report upon which the fees are based are available for public review at the following offices: **Auburn:** Placer County Sheriff's Department, 2929 Richardson Ave. Suite A and the Clerk of the Board of Supervisors, 175 Fulweiler Avenue. Questions regarding this ordinance modification can be answered by contacting Placer County Sheriff's Department Fiscal Management Unit at (530) 889-6965, Janice Gage, Administrative Services Manager.

Edward Bonner, Sheriff-Coroner-Marshal
Ann Holman, Clerk of the Board of Supervisors

Publish: Auburn Journal
Press Tribune
Tahoe World

**NOTICE OF PROPOSED AMENDMENT TO THE
CRIMINAL JUSTICE FEES ORDINANCE**

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Edward Bonner, Sheriff-Coroner-Marshal
Ann Holman, Clerk of the Board of Supervisors

Pub: June 10, 17, 2011

Ad#6626600

**NOTICE OF PUBLIC HEARING AND SUMMARY OF PROPOSED ORDINANCE
SETTING FEE FOR LIVESCAN SERVICES**

Where: Board of Supervisors' Hearing Room, 175 Fulweiler Avenue, Auburn, CA
When: Tuesday, June 21, 2011 @ 10:20 A.M.
Subject: Public Hearing to review and approve an increase to the
Livescan fee within the Sheriff/Coroner/Marshal Office

NOTICE IS HEREBY GIVEN that the Placer County Board of Supervisors will hold a public hearing to consider approval of an increase in Livescan fees submitted by the Sheriff-Coroner-Marshal. The Board will consider oral and written testimony by any interested person or affected party.

Section 2.112.050 Concealed weapon permit application

- Cost increase from \$115.00 to \$120.00 for a new application
- Cost increase from \$40.00 to \$45.00 for a renewal

Section 2.116.020 Fees for fingerprinting

- (A) Basic Fingerprinting from \$15.00 to \$20.00
- (B) Solicitor's permit fingerprinting from \$15.00 to \$20.00
- (C) Operators license/dealer's permit fingerprinting from \$15.00 to \$20.00
- (D) Fortuneteller's permit fingerprinting from \$15.00 to \$20.00

Section 2.124.050 Sheriff/Coroner/Marshal fees

- (3) Card dealer license from \$50.00 to \$55.00
- (5a) Process fee, fingerprints, interview, background from \$115.00 to \$120.00
- (6a) Process fee, fingerprints from \$40.00 to \$45.00
- (6b) Rolling fee from \$15.00 to \$20.00
- (13c) Explosive permit new from \$65.00 to \$70.00
- (13d) Explosive permit renewal from \$15.00 to \$20.00
- (15a) Strike the word fingerprints (no longer done)
- (21a) Massage therapist license from \$65.00 to \$70.00
- (24) Secondhand Dealers/Pawnbrokers New from \$65.00 to \$70.00

Copies of the proposed ordinance and the fee study supporting the proposed fee are available for public review at the following offices: **Auburn:** Placer County Sheriff's Office, 2929 Richardson Ave. #A and the Clerk of the Board of Supervisors, 175 Fulweiler Avenue. **Tahoe:** 2501 N. Lake Blvd., Tahoe City. Additional information or questions regarding this request can be answered by contacting (530) 889-6965, Janice Gage, Administrative Services Manager, Sheriff's Office.

Edward Bonner, Sheriff-Coroner-Marshal
Ann Holman, Clerk of the Board of Supervisors

Publish: Auburn Journal
Press Tribune

