



Agenda Date: 2/1/2005
Agenda Placement: 8B
Set Time: 9:45 AM PUBLIC HEARING
Estimated Report Time: 10 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Mary Butler - Chief Probation Officer
Probation
REPORT BY: Lynn Perez, Staff Services Manager, 253-4126
SUBJECT: Public Hearing - Probation Fees

RECOMMENDATION

Consideration and possible adoption of a resolution establishing fees for certain services provided by Adult and Juvenile Probation.

EXECUTIVE SUMMARY

Adoption of this resolution will approve fees effective on and after February 1, 2005. Previously, Napa County has not adopted a fee schedule to collect fees from probationers for services provided by the department. With the adoption of this resolution, there is a potential to increase revenue for the Probation Department by approximately \$5,000 for fiscal year 2004-2005 based on the number of services provided the first six months of the year.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Probation
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Fees for certain probation services are at the discretion of the local agency.
Is the general fund affected?	No
Future fiscal impact:	The Department appropriated \$60,000 in the current year budget. Due to the timing of this action, the realized revenue for this year will be impacted. The

Department is projecting that it will receive about \$5,000 this year. The unrealized revenue will be absorbed within the department with salary savings. The Probation Department will receive increased revenue on an ongoing basis which will protect the fiscal integrity of the County.

Consequences if not approved: If the resolution is not approved, the Probation Department will not see an increase in its revenue to offset the expenditures associated with providing the services involved.

Additional Information: None

ENVIRONMENTAL IMPACT

This item is categorically exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, section 15273(a)(1) and (2) in that the proposed fees are for the purpose, and do not exceed the reasonable cost to the County, of operating expenses and/or the purchasing of supplies, equipment and materials to provide the services and supplies noted.

BACKGROUND AND DISCUSSION

Welfare and Institutions Code Sections 729.9, 903.2 (a) and 903.3 give counties authority to establish fees to recover costs associated with electronic surveillance, drug testing, and juvenile record sealing from the parents of a minor or other persons or estates liable for the support of the minor. In addition, Sections 1203.1 and 1203.4 of the Penal Code provide that the defendant is required to pay for the reasonable cost of probation supervision, drug testing, pre-sentencing reports and adult record clearing fees. It was the intent of the Legislature in enacting this policy to protect the fiscal integrity of counties, to ensure reasonable uniformity throughout the state in the level of financial liability being imposed, and to ensure that such liability is imposed only on persons with the ability to pay.

The fees are based on the actual cost of services provided by the Probation Department. It is anticipated that the department will realize an increase in revenue of approximately \$5,000 this fiscal year during the implementation period. This figure is based on a later start date for billing than earlier anticipated and the number of services provided in the Juvenile Division during the first six months of the year. Billing will begin in the Juvenile Division since there is already a system in place due to the billing for Juvenile Hall detentions. The Department budgeted \$60,000 in the current budget. Due to the timing of this action, the realized revenue for this year will be impacted. The unrealized revenue will be absorbed within the the department with salary savings. This amount is expected to increase in subsequent fiscal years.

The recommended fees are:

Adult Probation Services	\$ 240 per year
Pre-Sentence Report - Misdemeanor	\$ 240 per report
Pre-Sentence Report - Felony	\$ 560 per report
Record Sealing (Adult & Juvenile)	\$ 120 per record

Drug Testing (Adult & Juvenile) \$ 13 per test

Electronic Monitoring (Juvenile) \$ 18 per day

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Helene Franchi