



Agenda Date: 4/1/2008
Agenda Placement: 9D
Set Time: 9:15 AM PUBLIC HEARING
Estimated Report Time: 10 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Pamela Kindig - Auditor-Controller
Auditor - Controller
REPORT BY: Stephen Owen, Accountant-Auditor II - 253-4589
SUBJECT: Public Hearing - Criminal Justice Administration Fee

RECOMMENDATION

Auditor-Controller requests adoption of a resolution increasing the Maximum Criminal Justice Administrative Fee (Booking Fee) and decreasing the Arrestee Fee and the Jail Access Fee, for Fiscal Year 2008-2009, pursuant to Section 29550 to 29552 of the California Government Code.

EXECUTIVE SUMMARY

Government Code Section 29551(e) provides for the County to adopt an increase in the Criminal Justice Administrative Fee (Booking Fee) by the amount of the California Consumer Price Index plus one (1) percent compounded annually. The Arrestee Fee and Jail Access Fee are based on 100% of the cost to book an arrestee. The public hearing on the proposed increase to the Criminal Justice Administrative Fee has been scheduled and duly notified. Adoption of the resolution is recommended.

Procedural Requirements:

1. Chair announces agenda item.
2. Chair declares the Public Hearing open.
3. Staff reports on the item.
4. Questions by the Board.
5. Chair invites public comments.
6. Chair declares the Public Hearing closed.
7. Chair reads the Ordinance Title.
8. Chair invites a motion to waive the balance of the reading of the ordinance.
9. Member moves waiving the balance of the reading of the ordinance.
10. Another member seconds the motion waiving the balance of the reading of the ordinance.
11. Chair calls for the Vote on the motion waiving the balance of the reading of the ordinance.
12. Chair announces the result of the vote on the motion waiving the balance of the reading of the ordinance.
13. Chair invites a motion of intent to adopt the ordinance.

14. Member moves intention to adopt the ordinance.
15. Another member seconds the motion of intention to adopt the ordinance.
16. Board discussion and debate on the motion of intention to adopt the ordinance.
17. Chair calls for the Vote on the motion of intention to adopt the ordinance.
18. Chair announces the result of the vote on the motion of intention to adopt the ordinance.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Corrections - Corrections will include the allocation in the Requested Fiscal Year 08-09 budget. At this time the State allocation is estimated to be between \$124,000 to \$182,000.
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	Yes
Future fiscal impact:	In accordance with Government Code Sections 29550 to 29552, the County will receive an apportionment from the State of California in the amount of \$124,000 to \$182,000. Should the State not appropriate the full amount stipulated in Government Code Section 29552, then the County may recoup a portion of their costs directly from the Cities and other governmental agencies in Napa County using the Maximum Criminal Justice Administration Fee. In accordance with Government Code Section 29550 to 29552, the Maximum Criminal Justice Administrative Fee, Arrestee Fee and Jail Access Fee are required to be set each year.
Consequences if not approved:	The Department of Corrections will have a reduction of revenues of approximately \$124,00 to \$182,000.
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

In 1991, the State enacted new legislation authorizing counties to impose a booking fee (Criminal Justice Administration Fee), Government Code Section 29550, for the purpose of reimbursing counties for expenses related to the booking or other processing of persons arrested. The booking fee is imposed on cities, special districts and community college districts which book persons into the County jail. Each year the County Auditor-Controller prepares a report on the prior year's cost for booking persons into the jail and recommends any adjustment to the booking fee. The Clerk of the Board is required to notify the affected cities and districts of the

recommendation. The report must be filed with the Clerk of the Board each calendar year.

Due to a change in Government Code Section 29550 to 29552, the booking fee can no longer be imposed on the Cities and other governmental agencies in Napa County. Starting in fiscal year 2007-2008, the County will receive an apportionment from the State of California. Should the State not appropriate the full amount stipulated in Government Code Section 29552, the County may then recoup a portion of their costs directly from the Cities and other governmental agencies using the Maximum Criminal Justice Administration Fee. The Maximum Criminal Justice Administrative Fee is based on the Criminal Justice Administration Fee in effect at June 30, 2006 increased by the California Consumer Price Index plus one (1) percent compounded annually.

In addition to the Maximum Criminal Justice Administrative Fee, the Jail Access Fee and the Arrestee Fee provide for recovery of the costs of booking an arrestee. The Jail Access Fee pursuant to Government Code Section 29551 (b) is based on 100% of the costs to book an arrestee and may be imposed on cities and other governmental agencies when they exceed the previous years three (3) year average for specified non-felony crimes.

The Arrestee Fee pursuant to Government Code Section 29550(c) is based on 100% of the costs to book an arrestee and may be imposed on each person arrested by an officer or agent of the County and brought to the County Jail for booking or detention. However, the fee is assessed to the arrestee at the discretion of the Court.

Both the Jail Access Fee and the Arrestee Fee are based on the same method used to determine the superseded Booking Fee. On July 1, 2007, it cost the jail \$134 per booking. The Jail Access Fee and Arrestee Fee have decreased to \$130 per booking as of July 1, 2008. The decrease has been caused by the combined effects of a reduction in Extra Help, a decrease in the proportion of overhead allocated to the booking process and a decrease in direct costs, which in the prior year included a capital equipment purchase.

Based on the Auditor-Controller's report, a Maximum Criminal Justice Fee of \$58.32 per booking; a Jail Access Fee of \$130 per booking; and an Arrestee Fee of \$130 per booking, effective July 1, 2008, is recommended.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Maiko Klieman