



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 4/8/2019

Agenda Placement: 7E

## Napa County Legislative Subcommittee Board Agenda Letter

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**TO:** Napa County Legislative Subcommittee  
**FROM:** Mary Booher for Minh Tran - County Executive Officer  
County Executive Office  
**REPORT BY:** Molly Rattigan, Deputy County Executive Officer - 253-4112  
**SUBJECT:** SB 144 (Mitchell) Criminal Fees

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### **RECOMMENDATION**

County Executive Officer requests discussion and possible direction on SB 144 (Mitchell), a bill that would eliminate certain criminal justice administration fees.

### **EXECUTIVE SUMMARY**

SB 144 would end the assessment and collection of administrative fees imposed through the criminal justice system and release all current owed debts for the cost of administrative fees.

The California State Association of Counties (CSAC) has approached member organizations with questions and concerns about the impact of this bill. While there are valid points raised through the bill and the bill is well intended, the unintended consequence would be an immediate loss of revenue to counties and the potential loss of services if these agencies cannot backfill the lost revenue. In Napa County, the anticipated immediate revenue loss would be approximately \$500,000.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **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**

California law currently allows counties to charge administrative fees to people in the criminal justice system. The administrative fees are to help counties recover costs based on the cost of services provided without being excessive or unfair. Fees include probation fees, criminal justice monitoring fees, trial court fees, and public defender fees. Currently, 56 of 58 counties charge one or more administrative fees. The fees vary from County to County.

SB 144 would end the assessment and collection of administrative fees imposed through the criminal justice system and release all current owed debts for the cost of administrative fees. The author contends that taking this action will dramatically reduce court-ordered debt and enhance the economic security of those in the criminal justice system. The author further contends that fees are inequitable toward low income communities and communities of color.

The California State Association of Counties (CSAC) has approached member organizations with questions and concerns about the impact of this bill. While there are valid points raised through the bill and the bill is well intended, the unintended consequence would be an immediate loss of revenue to counties and has the potential to result in the loss of services if these agencies cannot backfill the lost revenue. In Napa County, the anticipated immediate revenue loss would be approximately \$500,000.

Napa County has been invited to participate in discussions at the CSAC Legislative Conference regarding this topic. Staff is seeking direction to participate in on going conversations regarding this bill and seek a thoughtful and comprehensive solution that meets the goals of this bill without creating revenue challenges for counties and risking the loss of services.

California State Association of Counties-Pending; likely to oppose unless amended  
Rural County Representatives of California- Oppose unless amended

### **SUPPORTING DOCUMENTS**

A . SB 144

B . SB 144 Fact Sheet

Recommendation: Approve

Reviewed By: Molly Rattigan