

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

907



**FROM:** Executive Office

**SUBMITTAL DATE:**  
August 9, 2010

**SUBJECT:** Increase in the Criminal Justice Administration Fee

**RECOMMENDED MOTION:** That the Board of Supervisors direct the Clerk of the Board to schedule a public hearing on September 28, 2010 to review an increase of the Criminal Justice Administration Fee to \$414.45 as permitted under Government Code §29550.

**BACKGROUND:** Government Code § 29550 was amended effective July 1, 2007 establishing a new statutory structure whereby counties would receive an appropriation of state funds to support local detention facilities. The baseline amount was established at \$35 million. Beginning in FY 2009/10 this amount was taken from the Local Safety and Protection Account in the Transportation Tax Fund of the Revenue and Taxation Code § 10752.2, a dedicated portion of the Vehicle License Fee (VLF). However, in any year when the state appropriates less than \$35 million the county can exercise the option of reverting to the structure established for the criminal justice administration fee, commonly known as the booking fee. This occurred last fiscal year when the

Continued

Elizabeth J. Olson, Sr. Management Analyst

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	No
	Annual Net County Cost:	\$0	For Fiscal Year:	2010/2011

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** **APPROVE**

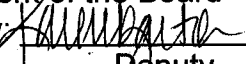
BY:   
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**County Executive Office Signature**

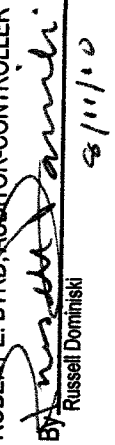
**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Tavaglione, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the matter is approved as recommended, and is set for public hearing on Tuesday, September 28, 2010 at 9:30 a.m.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: August 31, 2010  
xc: EO, Auditor, COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

ROBERT E. BYRD, AUDITOR-CONTROLLER  
  
Russell Dominiski 8/11/10

Dep't Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy

Background continued:

amount forwarded to all counties was \$29,839,295, or \$5,160,706 less than anticipated \$35 million authorized. Riverside County received \$2,530,999 for FY 09/10.

Government Code § 29550 allows the county to collect fees at the rate in place on June 30, 2006 escalated by the California Consumer Price Index plus one percent, compounded annually in proportion to the level of under-appropriation. The new structure, funded from a percentage of the VLF, does not specify a set funding level rather it guarantees only a percentage that is dedicated to the local detention facility account. As of the preparation of this submittal, the estimated funding from VLF for FY 10/11 is \$30 million.

The county has sent letters to all city managers and chiefs of police informing them of the proposed FY 10/11 fee along with information about how the fee was calculated and the amount distributed from the VLF last year. (Exhibit A) These letters comply with the statutorily required 45-day notice for a public hearing.

The state requires the county to consider the following possible scenarios:

1. If the state appropriation is at least \$35 million, cities or arresting entities will not be charged the criminal justice administration fee; or
2. If the state appropriates less than \$35 million, cities/arresting entities will be charged an adjusted rate as provided in Government Code §29551 (e). The adjusted rate would be charged upon approval by the Board of Supervisors and the initial calculation will be made following the first quarter disbursement; or,
3. If the state does not appropriate the VLF the county is able to charge cities/arresting entities its actual cost for booking arrestees into county detention facilities.

Additionally, Government Code § 29550.2 states that any person booked into a county jail pursuant to any arrest by any governmental entity is subject to a criminal justice administration fee if the individual is convicted of a criminal offense relating to the arrest and booking. Regardless of the location of the arrest, funds collected from those convicted of a crime are deposited into the county treasury to support detention costs.