

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



FROM: Probation Department

SUBMITTAL DATE:
October 1, 2014

SUBJECT: Introduction of Ordinance No. 914.1, An Ordinance Amending Ordinance No. 914 Relating to the Reimbursement of Incarceration Costs and Incorporating By Reference Penal Code Section 1203.1c. Districts All.

RECOMMENDED MOTION: That the Board of Supervisors introduce Ordinance No. 914.1, amending Ordinance No. 914 relating to the reimbursement of incarceration costs and incorporating by reference Penal Code section 1203.1c.

BACKGROUND:
Summary

On December 15, 2011 the Board of Supervisors implemented Ordinance No. 914 as the first step towards recovering incarceration costs through the RECORCE (Require Every Convict Occupant Reimburse County Expenses) program. The attached amendment, Ordinance No. 914.1, proposes to reflect the actual agency responsible for collections which is the Riverside County Superior Court Enhanced Collections Division, and clarify the manner in which the total cost is calculated and charged to defendants.

Continued

for 
MARK A. HAKE
Chief Probation Officer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

SOURCE OF FUNDS: N/A

Budget Adjustment: No

For Fiscal Year: N/A

C.E.O. RECOMMENDATION:

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL 10/1/14
BY: GREGORY P. PRIAMOS DATE

Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

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

FORM 11: of Ordinance No. 914.1, An Ordinance Amending Ordinance No. 914 Relating to the Reimbursement of Incarceration Costs and Incorporating By Reference Penal Code Section 1203.1c. Districts All.

DATE: October 1, 2014

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

Since the inception of Ordinance 914, the Probation Department has been tasked with providing the Courts with the calculation of the total amount allowable to charge defendants under this ordinance (credit for time served x daily incarceration costs). In the Felony Vertical Calendar Departments of the Courts, the Probation Department already had staff assigned to those courtrooms performing other court-related functions, resulting in no fiscal impact to the department. However, in the six (6) Misdemeanor Courts throughout Riverside County, the Probation Department was required to add six (6) additional positions to support implementation of the ordinance in these courtrooms, with the expectation that the monies collected will offset the staffing costs.

From the collections data reported by the Riverside County Superior Court Enhanced Collections Division, it was clear this expectation was not being met since the incarceration costs imposed by this ordinance are only priority 4 reimbursable costs after victim restitution, State surcharge, fines and other penalty assessments. As the District Attorney's Office and Public Defender's Office are now available to provide the required information to the Misdemeanor Courts, the Probation Department will no longer need to staff these courtrooms.

The attached amendment, Ordinance No. 914.1, proposes to reflect the Riverside County Superior Court Enhanced Collections Division as the actual agency responsible for collections, and remove this responsibility from the Chief Probation Officer as the designated County Officer. In addition, the amendment clarifies the manner in which the total cost is calculated, proposing to charge defendants \$142.42 per day up to and including ten (10) days; any days over ten (10) will be charged a flat fee of \$1,500.00.

Also attached is a redlined version of the existing ordinance showing the sections that are recommended for modification and those that will remain unchanged.

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Section 3. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

By: _____
Chairman

ATTEST:

CLERK OF THE BOARD:

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM:

By: 
GREGORY P. PRIAMOS
County Counsel

GPP:ay
9/11/2014
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