

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS DATE 10/2/14

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



**FROM:** Probation Department

**SUBMITTAL DATE:**  
 October 1, 2014

**SUBJECT:** Adoption 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 adopt 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

*Mark A. Hake*  
 MARK A. HAKE  
 for 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:**

APPROVE

County Executive Office Signature

BY: *Elizabeth J. Olson*  
 Elizabeth J. Olson

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Departmental Concurrence

**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.

1 ORDINANCE NO. 914.1

2  
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING  
4 ORDINANCE NO. 914 RELATING TO THE REIMBURSEMENT OF  
5 INCARCERATION COSTS AND INCORPORATING BY  
6 REFERENCE PENAL CODE SECTION 1203.1c  
7

8 The Board of Supervisors of the County of Riverside ordains as follows:

9 Section 1. Section 4 of Ordinance No. 914 is amended to read as follows:

10 “Section 4. COLLECTION OF MONEYS. The Riverside County  
11 Superior Court Enhanced Collections Division is responsible for collection of moneys  
12 ordered to be paid pursuant to Penal Code Section 1203.1c. Pursuant to subdivision (b) of  
13 Penal Code Section 1203.1d, , incarceration costs imposed by this Ordinance shall be  
14 Priority 4 reimbursable costs to be disbursed after restitution ordered to or on behalf of, the  
15 victim pursuant to subdivision (f) of Section 1202.4 (Priority 1), state surcharge ordered  
16 pursuant to Section 1465.7 (Priority 2) and fines, penalty assessments, and restitution fines  
17 ordered pursuant to subdivision (b) of Section 1202.4 (Priority 3).”

18 Section 2. Section 6 of Ordinance No. 914 is amended to read as follows:

19 “Section 6. PER DAY COST. The average per-day cost of incarceration  
20 in County Jail facilities is hereby determined to be \$142.42. Defendants will be charged  
21 \$142.42 per day up to and including ten (10) days. Any days over ten (10) will be charged  
22 a flat fee of \$1,500.00.”

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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