

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

532



**FROM:** Executive Office

**SUBMITTAL DATE:**  
October 21, 2010

**SUBJECT:** Criminal Justice Administration Fee Charge to Arresting Entities

**RECOMMENDED MOTION:** That the Board of Supervisors approve charging arresting entities \$32.91 per individual booked at County operated jails since state revenues are not estimated to reach the legislated \$35 million cited in Government Code §29552.

**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). On September 28, 2010 (item 9.1) the Board approved set the fee at \$414.45. The Government Code also provides that in any year when the state appropriates less than \$35 million the county has the option of establishing a structure to collect fees at the rate in place on

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:   
Dean Deines

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: November 2, 2010  
xc: EO, Auditor

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

- Policy
- Policy
- Consent
- Consent

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

nDepartmental Concurrence

Background continued:

June 30, 2006 escalated by the California Consumer Price Index plus one percent, compounded annually in proportion to the level of under-appropriation as provided in subdivision (e). 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. The amount is capped at \$35 million statewide.

CSAC and the State Controller's Office are in agreement that counties will likely receive no more than 75% of the annual estimate by the end of the fourth quarter, the current estimate is actually 74.15%, or \$25.9 million statewide. This means that the County would need to collect the remaining 25.85%, or \$32.91 per booking.

The new rate (Attachment A) was calculated based on the formula established by the Government Code and the calculation was reviewed and approved as to methodology by the Auditor-Controller's Office. Government Code §29551 (d) clarifies that an adjusted rate as provided for in subdivision (e) can be charged upon approval by the Board of Supervisors. Each arresting entity would be notified in writing that \$32.91 would be charged for every arrestee booked retroactive to July 1, 2010. At the end of FY 10/11 the County will reconcile funds received from the State VLF and amounts billed to arresting entities to ensure that the total does not exceed provisions of the law. This was done at the end of FY 09/10 and each arresting entity was given a credit (Attachment B).

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. The \$414.45 rate for this fiscal year as established by the Board would be applicable to this Government Code. All funds collected from those convicted of a crime will continue to be deposited into the county treasury to support detention costs.

ATTACHMENT A

COUNTY OF RIVERSIDE  
 CRIMINAL JUSTICE ADMINISTRATION FEE  
 FY 2010/2011 INDEXED BOOKING COST  
 Based on California Consumer Price Index

GC 29551 (d):

Booking Fee Charges to Non-County Entities:

Booking Fee Rate @ 6/30/2006		\$	110.40
California CPI from July 06 to June 07	3.40%		
Plus 1 Percent	1.00%		4.40%
Sub-Total		\$	115.26
California CPI from July 07 to June 08	3.40%		
Plus 1 Percent	1.00%		4.40%
Sub-Total		\$	120.33
* California CPI from July 08 to April 09	1.30%		
Plus 1 Percent	1.00%		2.30%
Sub-Total		\$	123.10
* California CPI from July 09 to April 10	0.70%		
Plus 1 Percent	1.00%		1.70%
Total Indexed Booking Fee:		\$	125.19
* Projected California CPI from July 10 to April 11	0.70%		
Plus 1 Percent	1.00%		1.70%
Total Indexed Booking Fee:		\$	127.32

Proposed State Funding GC 29551 (d):	35,000,000.00
Projected State Appropriations from VLF:	25,951,494.45
Projected Percentage Appropriated:	74.15%

FY 10-11 Proposed Allowable Recovery Percentage : 25.85%

FY 10-11 Proposed Rate Chargeable by Riverside County: \$32.91

**GC29551 (e)**

(e) The maximum rate of the fee charged by each local agency pursuant to subdivision (d) shall be the rate charged as of June 30, 2006, pursuant to Section 29550 or 29550.3, increased for each subsequent fiscal year by the California Consumer Price Index as reported by the Department of Finance plus 1 percent, compounded annually.

ATTACHMENT B

FY 09-10 Reconciled Criminal Justice - Booking Cost

Agency Name	# of Bookings	Actual Rate	Total Cost	# of Bookings	Adjusted Rate	Total Cost	Difference / Credit Due
Banning PD	688.00	43.04	29,611.52	688.00	37.1056368	25,528.68	(4,082.84)
Beaumont PD	705.00	43.04	30,343.20	705.00	37.1056368	26,159.47	(4,183.73)
Blythe PD	278.00	43.04	11,965.12	278.00	37.1056368	10,315.37	(1,649.75)
Calimesa PD	158.00	43.04	6,800.32	158.00	37.1056368	5,862.69	(937.63)
Canyon Lake PD	74.00	43.04	3,184.96	74.00	37.1056368	2,745.82	(439.14)
Cathedral City PD	394.00	43.04	16,957.76	394.00	37.1056368	14,619.62	(2,338.14)
Coachella PD	731.00	43.04	31,462.24	731.00	37.1056368	27,124.22	(4,338.02)
Corona PD	1,197.00	43.04	51,518.88	1,197.00	37.1056368	44,415.45	(7,103.43)
Desert Hot Springs PD	441.00	43.04	18,980.64	441.00	37.1056368	16,363.59	(2,617.05)
Hemet PD	714.00	43.04	30,730.56	714.00	37.1056368	26,493.42	(4,237.14)
Indian Wells PD	138.00	43.04	5,939.52	138.00	37.1056368	5,120.58	(818.94)
Indio PD	1,199.00	43.04	51,604.96	1,199.00	37.1056368	44,489.66	(7,115.30)
La Quinta PD	863.00	43.04	37,143.52	863.00	37.1056368	32,022.16	(5,121.36)
Lake Elsinore PD	1,070.00	43.04	46,052.80	1,070.00	37.1056368	39,703.03	(6,349.77)
Menifee City	556.00	43.04	23,930.24	556.00	37.1056368	20,630.73	(3,299.51)
Moreno Valley PD	3,333.00	43.04	143,452.32	3,333.00	37.1056368	123,673.09	(19,779.23)
Murrieta PD	955.00	43.04	41,103.20	955.00	37.1056368	35,435.88	(5,667.32)
Norco PD	555.00	43.04	23,887.20	555.00	37.1056368	20,593.63	(3,293.57)
Palm Desert PD	1,185.00	43.04	51,002.40	1,185.00	37.1056368	43,970.18	(7,032.22)
Palm Springs PD	257.00	43.04	11,061.28	257.00	37.1056368	9,536.15	(1,525.13)
Perris PD	1,058.00	43.04	45,536.32	1,058.00	37.1056368	39,257.76	(6,278.56)
Rancho Mirage PD	400.00	43.04	17,216.00	400.00	37.1056368	14,842.25	(2,373.75)
Riverside PD	4,172.00	43.04	179,562.88	4,172.00	37.1056368	154,804.72	(24,758.16)
RCC	7.00	43.04	301.28	7.00	37.1056368	259.74	(41.54)
San Jacinto PD	784.00	43.04	33,743.36	784.00	37.1056368	29,090.82	(4,652.54)
Temecula PD	1,529.00	43.04	65,808.16	1,529.00	37.1056368	56,734.52	(9,073.64)
Wildomar	342.00	43.04	14,719.68	342.00	37.1056368	12,690.13	(2,029.55)
<b>Total</b>	<b>23,783.00</b>	<b>43.04</b>	<b>1,023,620.32</b>	<b>23,783.00</b>	<b>37.11</b>	<b>882,483.36</b>	<b>(141,136.96)</b>