

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

901



**FROM:** Executive Office

**SUBMITTAL DATE:**  
September 13, 2011

**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 October 4, 2011 to review an increase of the Criminal Justice Administration Fee to \$450.34 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

Robert W. Tremaine  
Principal 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:	2011/2012

<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: Christopher M. Hans  
**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday, October 4, 2011 at 9:30 a.m.

Ayes: Buster, Tavaglione, Benoit and Ashley  
Nays: None  
Absent: Stone  
Date: September 13, 2011  
xc: E.O., COB

Kecia Harper-Ihem  
Clerk of the Board  
By: Deputy

3.12

FISCAL PROCEDURES APPROVED  
BY: PAUL ANGULO, CPA, AUDITOR-CONTROLLER  
RUSSELL S. DOMINSKI 9-31-11

Departmental Concurrence

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

Background continued:

amount forwarded to all counties was \$25,597,736, or \$9,402,264 less than anticipated \$35 million authorized. Riverside County received a total of \$2,496,498 for FY 2010/11.

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, there is no estimate for the FY 2011/2012 funding. Due to changes in the state budget it appears there will be no funding from the VLF and the assumption is that these funds will come from realignment appropriations. The estimated funding from VLF for FY 10/11 was \$30 million. Once the state has delineated the funding for FY 2011/12 the rates will be adjusted to concur with current statutes.

The county has sent letters to all city managers and chiefs of police informing them of the proposed FY 2011/12 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:

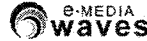
1. If the state appropriation is at least \$35 million, cities or arresting entities will not be charged the criminal justice administration fee; or
2. If the state appropriates less than \$35 million, cities/arresting entities will be charged an adjusted rate as provided in Government Code §29551 (e). 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 necessary funding 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.

FOR BILLING INQUIRIES:  
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 EMAIL [billinginquiry@pe.com](mailto:billinginquiry@pe.com)



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09/16/2011	100619857-09162011	NOTICE OF PUBLIC HEARING BEFORE Order Placed by: Cecilia Gil	Press-Enterprise	2 x 59 LI	118	1	1.29	152.10	152.10
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*E.O.  
3.12 of 09/13/11*

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Publication(s): Press-Enterprise

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Ad Desc.: /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

09/16/2011

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: September 16, 2011  
At: Riverside, California

\_\_\_\_\_  
  
BOARD OF SUPERVISORS  
P.O. BOX 1147  
COUNTY OF RIVERSIDE  
RIVERSIDE, CA 92502

Ad Number: 0000619857-01

P.O. Number:

## Ad Copy:

### NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, October 4, 2011, at 9:30 a.m. to review an increase of the Criminal Justice Administration Fee, commonly known as booking fee, as permitted under Government Code §29550.

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 amount forwarded to all counties was \$25,597,736, or \$9,402,264 less than anticipated \$35 million authorized. Riverside County received a total of \$2,496,498 for FY 2010/11.

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the increase at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to Riverside County Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, P.O. Box 1147, Riverside, CA 92502-1147

Dated: September 14, 2011

Kecia Harper-Ihem Clerk of the Board  
By: Cecilia Gil, Board Assistant

9/16