

**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

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and that Ordinance 914.1 is adopted.

Ayes: Jeffries, Stone and Benoit
Nays: None
Absent: Tavaglione and Ashley
Date: October 21, 2014
xc: Probation, COB

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: 11/15/11, 3.1 | District: All | Agenda Number:

3-23

FORM APPROVED COUNTY COUNSEL 10/21/14
DATE
BY: GREGORY P. PRIAMOS

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: Jeff Stone
Chairman
Jeff Stone

ATTEST: Kecia Harper-Ihem
CLERK OF THE BOARD:

By: Kecia Harper-Ihem
Deputy

(SEAL)

APPROVED AS TO FORM:

By: G.P.P.
GREGORY P. PRIAMOS
County Counsel

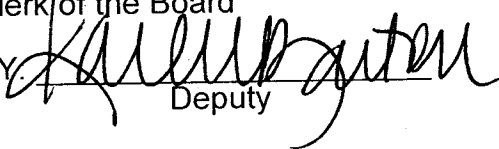
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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) SS

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on October 21, 2014, the foregoing ordinance consisting of 3 Sections was adopted by the following vote:

AYES: Jeffries, Stone and Benoit
NAYS: None
ABSENT: Tavaglione and Ashley

DATE: October 21, 2014

KECIA HARPER-IHEM
Clerk of the Board
BY: 
Deputy

SEAL



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

October 24, 2014

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 914.1

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, October 29, 2014**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PEC Legals Master <legalsmaster@pe.com>
Sent: Friday, October 24, 2014 8:37 AM
To: Gil, Cecilia
Subject: Re: FOR PUBLICATION: Adoption of Ord. No. 914.1

Received for publication on Oct. 29. Proof with cost to follow.

Thank You!
Legal Advertising



Phone: 1-800-880-0345 / Fax: 951-368-9018 / E-mail: legals@pe.com

Please Note NEW Deadlines (effective 06/14): Deadline is 10:30 AM, three (3) business days prior to the date you would like to publish.

****Additional days required for larger ad sizes****

From: Gil, Cecilia <CCGIL@rcbos.org>
Sent: Friday, October 24, 2014 8:28 AM
To: PEC Legals Master
Subject: FOR PUBLICATION: Adoption of Ord. No. 914.1

Good morning! Adoption of Ordinance is attached for publication on Wednesday, Oct. 29, 2014. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant
Clerk of the Board
951-955-8464
MS# 1010



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

October 24, 2014

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 914.1

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, October 29, 2014**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Friday, October 24, 2014 9:20 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Adoption of Ord. No. 914.1

Good morning ☺
Happy Friday to you too!!!!!!!!!!!!!!

Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator

The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
t 760.778.4578 | f 760.778.4528
legals@thedesertsun.com / dpwlegals@thedesertsun.com

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From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Friday, October 24, 2014 8:30 AM
To: Email, TDS-Legals
Subject: FOR PUBLICATION: Adoption of Ord. No. 914.1

Good morning! Happy Friday ☺

Attached is an Adoption of Ord. for publication on Wednesday, Oct. 29, 2014. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant
Clerk of the Board
951-955-8464
MS# 1010

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

ORDINANCE NO. 914.1

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING
ORDINANCE NO. 914 RELATING TO THE REIMBURSEMENT OF
INCARCERATION COSTS AND INCORPORATING BY
REFERENCE PENAL CODE SECTION 1203.1c**

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

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

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

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

"Section 6. PER DAY COST. The average per-day cost of incarceration in County Jail facilities is hereby determined to be \$142.42. Defendants will be charged \$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."

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

Jeff Stone, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **October 21, 2014**, the foregoing Ordinance consisting of three (3) sections was adopted by said Board by the following vote:

AYES: Jeffries, Stone, and Benoit
NAYS: None
ABSENT: Tavaglione and Ashley

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

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: GARRY GRANT

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: QST 21-014 **Agenda #** 3-23

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____