MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: FEB. 3, 1993

DEPARTMENT: SHERIFF'S
BY: ROD SINCLAIR
PHONE: 966-3615

RECOMMENDED ACTION AND JUSTIFICATION:
(Policy Item: Yes XX No ___)
REQUEST THAT THE BOARD ADOPT A COUNTY ORDNANCE TO ENABLE THE SHERIFF TO IMPOSE AN "CRIMINAL JUSTICE ADMINISTRATIVE FEE" TO HELP COVER THE COUNTY BOOKING EXPENSES.

CALIFORNIA GOVERNMENT CODE 2955B AUTHORIZES THE COUNTY TO RECOVER A "CRIMINAL JUSTICE ADMINISTRATIVE FEE". BY ADOPTING THIS FEE THE COUNTY WILL RECOVER SOME OF ITS COSTS THAT RELATE TO THE BOOKING PROCEDURE AT THE JAIL. (REFER TO ATTACHED PACKAGE FOR EXPLANATION OF THE PROGRAM)

BACKGROUND AND HISTORY OF BOARD ACTIONS:
THE BOARD HAS ADOPTED, IN THE PAST FEES ETC. TO HELP COVER CRIMINAL JUSTICE COSTS WITHIN THE COUNTY.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
DO NOT ADOPT ORDNANCE. DO NOT TAKE ADVANTAGE OF POTENTIAL REVENUE GENERATION BROUGHT ABOUT BY THE REQUESTED ORDNANCE.

<table>
<thead>
<tr>
<th>COSTS:</th>
<th>SPECIAL INSTRUCTIONS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Budgeted current FY $_______</td>
<td>List the attachments and number the pages consecutively:</td>
</tr>
<tr>
<td>B. Total anticipated costs $_______</td>
<td></td>
</tr>
<tr>
<td>C. Required additional funding $_______</td>
<td></td>
</tr>
<tr>
<td>D. Internal Transfers $_______</td>
<td></td>
</tr>
<tr>
<td>SOURCE ( ) 4/5ths Vote Required</td>
<td></td>
</tr>
<tr>
<td>A. Unanticipated Revenue $_______</td>
<td></td>
</tr>
<tr>
<td>B. Reserve for contingencies $_______</td>
<td></td>
</tr>
<tr>
<td>C. Source description:________________________</td>
<td></td>
</tr>
<tr>
<td>Balance in Reserve for Contingencies, if approved: $_______</td>
<td></td>
</tr>
</tbody>
</table>

CLERK’S USE ONLY:
Res. No.: 93-79 Ord. No. __________
Vote - Ayes: 5 Noes: __________
Absent: ________ Abstained: ______
( ) Approved ( ) Denied ( ) Minute Order Attached ( ) no Action

The foregoing instrument is a correct copy of the original on file in this office.

Date:
ATTEST: MARGIE WILLIAMS, Clerk of the Board. County of Mariposa, State of California

By: ____________________________
Deputy

ADMINISTRATIVE OFF.
RECOMMENDATION:
This item on the agenda as:
___ Recommended
___ Not Recommended
___ For Policy
Determination
___ Submitted with
Comment
___ Returned for
Further Action
Comment: ____________________________
A.O. Initials: ______________________

Action Form Revised 5/92
RESOLUTION ESTABLISHING IMPOSITION AND COLLECTION OF A
"CRIMINAL JUSTICE ADMINISTRATION FEE"

WHEREAS, the State of California, has authorized counties whose officer or agent arrests a person to recover from the arrested person a criminal justice administration fee for administrative costs it incurs in conjunction with the arrest if the person is convicted of any criminal offense related to the arrest.

WHEREAS, for the purpose of this resolution a "booking" consists of the following.
1. A prisoner is brought to jail
2. A booking screen is completed
3. The prisoner is searched
4. Property is inventoried and entered on the record
5. The amount of bail is determined and entered in the booking record
6. The booking sheet is printed and signed
7. A "repeater" screen is filled out
8. A medical history is completed
9. The master booking log is completed
10. A file search is conducted for a folder
11. The booking is logged on the folder/or a new folder is prepared
12. A local warrant check is performed
13. A "clets" warrant check is preformed
14. A photograph of the prisoner is taken
15. Receipts and bail information are given to the prisoner
16. The prisoner is allowed to make telephone calls
17. The prisoner's fingerprints are taken
18. If the prisoner is eligible of an O. R. release the release process is commenced and the property is returned/prisoner signs out
19. If the prisoner is not eligible for O. R. he/she is allowed to attempt to arrange bail
20. If bail cannot be arraigned, a classification check is done to determine a proper housing location
21. The prisoner is then dressed-out and personal clothing is inventoried and searched and placed in secure location
22. The prisoner is then assigned to a housing location
23. The arrest is noted on the District Attorney Roster
24. Special needs of the prisoner are noted ie: mental health status, suicide watch if required.

WHEREAS, The cost per booking for fiscal year 1991-92 was the sum of $87.14 based on the number of bookings and the Sheriff's operational costs;

NOW THEREFORE, BE IT RESOLVED there is hereby established a booking fee pursuant to California Government Code Section 29550B. The booking fee shall not exceed the actual administrative costs, including applicable overhead costs permitted by federal Circular A-87 standards, incurred in booking or otherwise processing arrested persons; A judgment of conviction may contain an order for payment of the amount of the criminal justice administration fee by the convicted person, and the execution may be issued on the order in the same manner as a judgment in a civil action, but the order shall not be enforceable by contempt. the court may, as a condition of probation, order the convicted person to reimburse the county for the criminal justice administration fee.

BE IT FURTHER RESOLVED That the booking fee for the 1992-93 fiscal year shall be the sum of $87.14 per booking and shall be adjusted
for future fiscal years when deemed necessary by the Sheriff, based upon the last fiscal years number of bookings and the Sheriff's operational costs.

BE IT FURTHER RESOLVED That the Sheriff's department shall be responsible for the administration required by the implementation of the booking fee.

BE IT FURTHER RESOLVED That this resolution become effective on March 1, 1993.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors the 2nd day of February, 1993 by the following vote:

AYES: BAGGETT, BALMAIN, ERICKSON, PARKER, TABER
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

ERIC J. ERICKSON, CHAIRMAN
Board of Supervisors

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ATTEST:

MARGIE WILLIAMS
Clerk of the Board

JEFFREY G. GREEN ESQ.
County Counsel
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BOOKING REIMBURSEMENT FEE

PURPOSE: To establish an ordinance authorizing imposition and collection of a criminal justice administrative fee to cover county expenses incurred in booking persons arrested and brought to the county jail for booking.

STATUTORY AUTHORITY: This ordinance would be enacted in accordance with the provisions of Section 29550 (b) of the California Government Code.

WHEREAS, the State of California, has authorized counties whose officer or agent arrests a person to recover from the arrested person a criminal justice administration fee for administrative costs it incurs in conjunction with the arrest if the person is convicted of any criminal offense related to the arrest. The fee which the county is entitled to recover pursuant to this subdivision shall not exceed the actual administrative costs, including applicable overhead costs as permitted by federal Circular A-87 standards, incurred in booking or otherwise processing arrested persons. A judgment of conviction may contain an order for payment of the amount of the criminal justice administration fee by the convicted person, and execution may be issued on the order in the same manner as a judgment in a civil action, but the order shall not be enforceable by contempt. The court may, as a condition of probation, order the convicted person to reimburse the county for the criminal justice administration fee.

A BOOKING CONSISTS OF THE FOLLOWING:

1. A prisoner is brought to jail
2. A booking screen is filled out
3. The prisoner is searched
4. Property is inventoried and entered on the booking screen
5. Amount of bail is determined and entered
6. The booking sheet is printed/signed
7. A "repeater" screen is filled out
8. A medical history is completed
9. The master booking log is completed
10. A file search is conducted for a folder
11. The booking is logged on the folder/new folder prepared
12. A local warrant check is run
13. A "clets" warrant check is run
14. A Polaroid photo of the prisoner is taken
15. Receipts and bail information are given to the prisoner
16. The prisoner is allowed to make phone calls
17. Prints are taken
18. If prisoner is eligible for O.R. release, the release process is started and the property returned/prisoner signs out.
19. If the prisoner is not eligible for O.R. he is allowed to attempt to arrange bail.
20. If bail cannot be arranged, a classification check is done to determine proper housing location.
21. The prisoner is then dressed-out and personal clothing is inventoried and searched, placed in a property bag and taken to the property room.
22. The prisoner is then assigned to a housing location.
23. The arrest is noted on the District Attorney Roster.

THIS IS BY NO MEANS AN ALL INCLUSIVE LIST OF BOOKING ACTIVITIES, OTHER ACTIVITIES MAY BE REQUIRED DEPENDING ON THE PRISONER, I.E. INTOXICATION, MEDICAL EXAMINATION, MENTAL HEALTH STATUS, SUICIDE WATCH, LEVEL OF VIOLENCE EXHIBITED, ETC.

IF OUT OF COUNTY WARRANTS ARE LOCATED, OTHER STEPS MUST BE TAKEN TO ARRANGE PICK-UP OR EXTRADITION OF THE PRISONER.
<table>
<thead>
<tr>
<th>DIRECT LABOR</th>
<th>TOTAL COSTS</th>
<th>BOOKING COSTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary/Benefits</td>
<td>$563,447</td>
<td>(-19,971)</td>
</tr>
<tr>
<td>Service/Supplies</td>
<td>$244,418</td>
<td>(-74,318)</td>
</tr>
<tr>
<td>Other Charges</td>
<td>$3,800</td>
<td>$3,800</td>
</tr>
<tr>
<td>A-87 /Administrative Costs</td>
<td>$51,960</td>
<td>(-11.6%)</td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>$863,625</td>
<td>$763,309</td>
</tr>
</tbody>
</table>

8760 Hours Per Year (divided) into $763,309 = (Cost Per Booking) $87.14

Total Bookings for the calendar year 1992 were 893, subsequently 82% (732) of those booked were convicted of a criminal offense related to the arrest made by the Sheriff’s Office.

POTENTIAL REVENUE
732 Bookings (multiplied) by booking fee of ($87.14) = $63,786

A-87 costs are from the County’s Countywide Cost Allocation Plan developed in accordance with Federal Office of Management and Budget Circular A-87 and approved for charging by the State Controllers Office.
BOOKING FEE REIMBURSEMENT

JUSTICE/SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MARIPOSA

PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff,

v.

________________________,

Defendant.

________________________,

Following the arrest of Defendant________________________
by agents of the Mariposa Sheriff’s Office, (Case No.______________),
on ________________, fees in the amount of $_______ were expended for
booking Defendant into the Mariposa County Jail. Having been convicted of an
offense related to the arrest, Defendant is liable, pursuant to Government
Code Section 29550(b), for reimbursement to the County of Mariposa of costs
expended in booking Defendant into the County Jail.

IT IS THEREFORE ORDERED that Defendant now make payment to the Mariposa
County Sheriff’s Office, P.O.Box 276, Mariposa, California 95338, in the
amount of $__________.

DATED ____________

Judge of the Justice/Superior Court
GOVERNMENT CODE

ARTICLE 12. CRIMINAL JUSTICE ADMINISTRATIVE FEES

§ 29550

Reimbursement of county expenses; booking or detaining arrested persons; invoice.

29550.1. Arresting agency; entitlement to recovery of fee imposed by county; order for payment.

Article 12 was added by Stats.1990, c. 466 (S.B.2557) § 1.

The heading of Article 12, Criminal Justice Administrative Fee, was amended by Stats.1991, c. 331 (S.B.21), § 3, to read as it now appears.

§ 29550. Reimbursement of county expenses; booking or detaining arrested persons; invoice

(a) Notwithstanding any other provision of law, a county may impose a fee upon a city, special district, school district, community college district, college, or university for reimbursement of county expenses incurred with respect to the booking or other processing of persons arrested by an employee of that city, special district, school district, community college district, college, or university, where the arrested persons are brought to the county jail for booking or detention. The fee imposed by a county pursuant to this section shall not exceed the actual administrative costs, including applicable overhead costs as permitted by federal Circular A-87 standards, incurred in booking or otherwise processing arrested persons. A county may submit an invoice to a city, special district, school district, community college district, college, or university for these expenses incurred by the county on and after July 1, 1980.

(b) Any county whose officer or agent arrests a person is entitled to recover from the arrested person a criminal justice administration fee for administrative costs it incurs in conjunction with the arrest if the person is convicted of any criminal offense related to the arrest. The fee which the county is entitled to recover pursuant to this subdivision shall not exceed the actual administrative costs, including applicable overhead costs as permitted by federal Circular A-87 standards, incurred in booking or otherwise processing arrested persons. A judgment of conviction may contain an order for payment of the amount of the criminal justice administration fee by the convicted person, and execution may be issued on the order in the same manner as a judgment in a civil action, but the order shall not be enforceable by contempt. The court may, as a condition of probation, order the convicted person to reimburse the county for the criminal justice administration fee.

(c) An administrative screening fee of twenty-five dollars ($25) shall be collected from each person arrested and released on his or her own recognizance upon conviction of any criminal offense related to the arrest other than an infraction. A citation processing fee in the amount of ten dollars ($10) shall be collected from each person cited and released by any peace officer in the field or at a jail facility upon conviction of any criminal offense, other than an infraction, related to the criminal offense cited in the notice to appear. However, the court may determine a lesser fee than otherwise provided in this subdivision upon a showing that the defendant is unable to pay the full amount. All fees collected pursuant to this subdivision shall be transmitted by the county auditor monthly to the *** Controller for deposit in the General Fund. This subdivision applies only to convictions occurring on or after the effective date of the act adding this subdivision and prior to June 30, 1996.


Historical and Statutory Notes

1990 Legislation

The Senate Daily Journal of Aug. 31, 1990, contains the following letter from Kenneth L. Maday to Darryl R. White regarding intent of S.B. 2557 (Stats.1990, c. 466):

"Dear Mr. White: Because of the complexity of the Budget Act of 1990 and the necessity of swiftly enacting a package of 20 bills to implement the budget, several inadvertent errors and ambiguities were included in my Senate Bill 2557 (Ch. 466 Stats. 1990). The following is a listing of these errors and a clear statement of the intent regarding each issue. The intent presented accurately reflects the understanding of the leadership of both houses of the Legislature and the Governor. This document is intended to provide direction and guidance to the Office of the State Controller and to counties and cities and counties in their preparation for the imposition of these fees.

"Criminal Justice Administration Fee

Additions or changes indicated by underline; deletions by asterisks."

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BOOKING FEE REIMBURSEMENT PROCEDURE

Government Code Section 29550(b) now allows the collection of actual booking costs from people arrested and booked by county officers, after the arrested parties are convicted of criminal offenses. The following is an outline of the steps necessary to be followed for the successful collection of these booking costs.

1. The Sheriff-Coroner coordinates the computing of actual booking costs and the County Board of Supervisors sets the booking fee to reflect those actual costs. The current Criminal Justice Administrative fee (Booking Fee) is $87.14.

2. The Sheriff’s Administration Division provides four part Booking Fee Reimbursement forms for use in the court order for the payment and collection process.

3. For each booking, the Jail Division will complete a Booking Fee Reimbursement form. They will type the name of the defendant (in two locations), the Sheriff’s case number, the date of arrest and the booking fee (in two locations) on the form.

4. Jail Division will maintain the last copy of the form (goldenrod) in a folder at the distribution desk and attach the three remaining copies to the District Attorney’s copy of the case to be forwarded through normal distribution.

5. The District Attorney will deliver the three copies of the form to the Court to be included in the Court file. At the time of sentencing, the Court Clerk will retrieve the form and hand it to the judge who can order the convicted person to reimburse the county for the booking fee.

6. Following the order, the court Clerk will insure that the form is given the proper court number, dated and signed. The Court will retain the original copy of the order, provide the defendant with the pink copy and send the yellow copy to the Sheriff’s Jail Division through inter-office mail.

7. The Jail Division upon receipt of the Booking Fee Reimbursement Form will attach a copy of the original booking sheet to the yellow copy of the reimbursement form and route it to the Administration Division for process.