

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: September 17, 1991
AGENDA ITEM NO. RA-4

DEPT.: COUNTY COUNSEL

BY: JEFFREY G. GREEN

PHONE: 966-3625

RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes ___ No X)

Pass and adopt the Resolution attached hereto authorizing house arrests and misdemeanor diversion programs in Mariposa County pursuant to the California Penal Code. Mariposa County desires to alleviate potential jail-crowding problems by instituting house detention programs to reduce the jail population. It would be in the best interest of the citizens of the County for the Board to adopt this Resolution as it will reduce the cost and expense of the housing of inmates.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

There has been no Board action relative to this matter in the past.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not authorize the adoption of this Resolution. Explore other options to alleviate the potential overcrowding in the County jail.

COST: () Not Applicable

- A. Budgeted current FY \$ _____
- B. Total anticipated costs \$ _____
- C. Required add'l funding \$ _____
- D. Source: _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

- Resolution _____
- _____
- _____
- _____
- _____
- _____

SOURCE: () 4/5ths Vote Required

- A. Internal transfers \$ _____
 - B. Unanticipated revenues \$ _____
 - C. Reserve for contingency \$ _____
 - D. Description: _____
- Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:

Resolution No. 91-438

Ordinance No. _____

Vote: Ayes: 5 Noes: _____

~~XXXX~~ Absent: _____ Abstained: _____

Approved () Denied

() Minute Order Attached

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

- This item on agenda as:
- Recommended
 - Not Recommended
 - For Policy Determination
 - Submitted with Comment
 - Returned for Further Action

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

DATE: _____

ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of Calif.
By: _____

Comment: _____

A.O. Initials: JP

Deputy

MARIPOSA COUNTY RESOLUTION NO. 91-438

RESOLUTION AUTHORIZING HOUSE ARRESTS AND
MISDEMEANOR DIVERSION PROGRAMS PURSUANT TO
CALIFORNIA PENAL CODE SECTIONS 1203.016 AND 1001.1

WHEREAS, the County of Mariposa, in order to alleviate potential jail-crowding problems, desires to institute programs to reduce the Mariposa County jail population; and

WHEREAS, the State of California pursuant to California Penal Code Section 1203.016 and Section 1001.1 has made available to counties certain programs to allow reduction in jail populations; and

WHEREAS, it is in the interest of the citizens of Mariposa County to reduce the cost and expense of jail population within the County Jail;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of Mariposa County, a political subdivision of the State of California, that Mariposa County, through the Sheriff's Office and Probation Department, is hereby authorized to institute a House Arrest Program pursuant to California Penal Code Section 1203.016.

BE IT FURTHER RESOLVED, that for purposes of Section 1203.016 the Mariposa County Sheriff is deemed the "Correctional Administrator" in Mariposa County for sentenced persons pursuant to this program.

BE IT FURTHER RESOLVED, that the Mariposa County Sheriff may delegate to the Chief Probation Officer the authority to administer the Home Detention Program.

BE IT FURTHER RESOLVED, that the Sheriff's Department and the Chief Probation Officer are hereby authorized to charge a program administrative fee, not to exceed the pro rata cost of the electronic monitoring or supervising device and the cost of the administration of the program, to be paid by each home detention participant according to his or her ability to pay.

BE IT FURTHER RESOLVED, that the County of Mariposa hereby institutes a Misdemeanor Diversion Program authorized by Section 1001.1 of the California Penal Code.

BE IT FURTHER RESOLVED, that for the pre-trial diversion program the Chief Probation Officer is hereby determined to be the "Correctional Administrator" for purposes of Penal Code Section 1001.1.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors
this 17th day of September, 1991, by the following
vote:

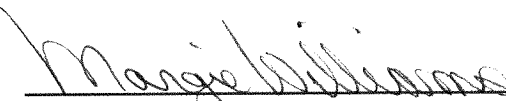
AYES: Baggett, Punte, Erickson, Radanovich, Taber
NOES: None
ABSENT: None
ABSTAINED: None



GEORGE F. RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G. GREEN
County Counsel