

DEPARTMENT: DISTRICT ATTORNEY

BY: CHRIS JOHNSON

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RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

Resolution adopting the Insufficient Funds Check Collection and Diversion Program and authorizing the District Attorney and the Chairperson of the Mariposa County Board of Supervisors to execute an agreement between the Mariposa County District Attorney and the District Attorney Technical Services, Ltd.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Mr. Henry Craighead, President of the Computer Support Services, a Division of District Attorney Technical Services, Ltd., will be in attendance. In addition, please see attachments outlining this program.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

COSTS: () Not Applicable A. Budgeted Current FY \$ B. Total Anticipated Costs \$ C. Required Additional Funding \$ D. Internal Transfers \$ SOURCE: () 4/5ths Vote Required \$ A. Unanticipated Revenues \$ B. Reserve for Contingencies \$ C. Source Description: _____ Balance in Reserve for Contingencies ,if approved: _____		SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively: _____ _____ _____ _____ _____ _____
CLERKS USE ONLY: Res. No. <u>00-77</u> Ord. No. _____ Vote - Ayes: _____ Noes: _____ Absent: <u>Riilly</u> Abstained: _____ Approved () Denied () Minute Order Attached () No Action Necessary () 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 OFFICER'S RECOMMENDATION: This item on agenda as: _____ Recommended _____ Not Recommended _____ <input checked="" type="checkbox"/> For Policy Determination _____ Submitted with Comment _____ Returned for Further Action Comment: _____ _____ CAO's Initials: <u>Jk</u>

**BEFORE
THE BOARD OF SUPERVISORS
OF THE COUNTY OF MARIPOSA
STATE OF CALIFORNIA**

In the Matter of)	Resolution No. <u>00-77</u>
)	
DISTRICT ATTORNEY BAD)	A RESOLUTION DECLARING SUFFICIENT
CHECK DIVERSION PROGRAM)	FUNDS ARE AVAILABLE TO FUND A BAD
)	CHECK DIVERSION PROGRAM AND
_____)	AUTHORIZING CHAIRPERSON OF BOARD
)	OF SUPERVISORS TO EXECUTE AGREEMENT
)	WITH DISTRICT ATTORNEY TECHNICAL
)	SERVICES, LDT.
)	DBA: COMPUTER SUPPORT SERVICES

WHEREAS, California Penal Code Section 1001.60 et seq. authorizes the district attorney of a California county to create a program for persons who write and/or pass bad checks in the county which will allow such persons to avoid criminal prosecution upon meeting certain conditions, including, but not necessarily limited to, the payment of restitution on such bad checks, the payment of statutory fees to the district attorney, and attendance and completion of remedial classes;

WHEREAS, California Penal Code Section 1001.60 provides that a district attorney of a California county may contract with a private entity to conduct a bad check diversion program;

WHEREAS, District Attorney Technical Services, Ltd., DBA: Computer Support Services has agreed to conduct a bad check diversion program at no cost to the County of Mariposa and the County of Mariposa will receive thirty percent of all fees generated from the operation of the program;

WHEREAS, the Board of Supervisors pursuant to Section 1001.60 of the California Penal Code must declare that there are sufficient funds available to fund a bad check diversion program;

WHEREAS, the Board of Supervisors recognizes that the issuing and passing of bad checks within Mariposa County has a highly negative impact upon the economy of Mariposa County;

NOW, THEREFORE, BE IT RESOLVED that, to the extent the costs of the District Attorney's Bad Check Diversion Program under the provisions of California Penal Code Section 1001.60 et seq. are to be borne, and are borne, by the fees generated from the operation of such program, the funds for such a program are available within the meaning of Section 1001.60 of the California Penal Code;

BE IT FURTHER RESOLVED THAT the District Attorney is authorized to execute the agreement with District Attorney Technical Services, Ltd., DBA: Computer Support Services on behalf of Mariposa County.

THE foregoing Resolution was adopted this 22nd day of February, 2000, by the following vote:

Supervisor <u>Reilly</u>	voted:	<u>(absent)</u>
Supervisor <u>Balmain</u>	voted:	<u>aye</u>
Supervisor <u>Stewart</u>	voted:	<u>aye</u>
Supervisor <u>Parker</u>	voted:	<u>aye</u>
Supervisor <u>Pickard</u>	voted:	<u>aye</u>

Gary S. Parker
Chairperson, Board of Supervisors

ATTEST:

Margie Williams
Clerk, Board of Supervisors

Approved as to Legal Form:

COUNTY COUNSEL

By *Jeff Lee*