



Juvenile Fees Referral Report to the Board of Supervisors

October 25, 2016



History

- ▶ July 19, 2016: The Board of Supervisors referred a review of juvenile fees assessed by the Probation Department to the Public Protection Committee for review.
- ▶ September 26, 2016: The Public Protection Committee received an introductory report from staff on juvenile fees and directed staff to forward the report to the Board of Supervisors for discussion



Collection of Fees

- ▶ County previously had an Office of Revenue Collections (ORC) that centralized collection of many receivables on behalf of departments
- ▶ ORC had difficulty generating sufficient revenue to pay for the cost of collections and was subsequently closed
- ▶ Responsibility for collections was returned to departments
- ▶ Probation Collections Unit (PCU) established in FY 2010/11 collecting
 - Juvenile Fees
 - Adult Public Defense Fees



Juvenile Fees

- The County assesses and the Juvenile Court orders collection of certain fees to offset the costs of caring juveniles in custody
 - Juvenile Cost of Care Fee: Up to \$30 /day. Authorized by W&I 903 and County Resolution No. 2010/253
 - Juvenile Electronic Monitoring Fee: Up to \$17/day. Authorized by County Ordinance 2009-23
- All juvenile fees are assessed on a sliding scale based on ability to pay



Juvenile Fees on a Sliding Scale

- The County significantly reduces the \$30 Juvenile Cost of Care fee based on ability to pay evaluations conducted by the Probation

<i>Adjusted, Daily Juvenile Cost of Care Fee</i>	<i>Max Daily Rate</i>	July 2016	August 2016	September 2016*
Juvenile Hall	\$ 30.00	\$ 5.93	\$ 6.21	\$ 16.98
OAYRF	\$ 30.00	\$ 3.17	\$ 9.13	\$ 14.57

***Note:** September 2016 adjusted average higher because of pending ability to pay evaluations in progress.



Probation Collections Unit (PCU)

- ▶ Staffing of 4.0 FTE
 - ▶ 2.0 Collection Enforcement Officers
 - ▶ 1.0 Accounting Technician
 - ▶ 1.0 Clerk–Specialist Level
- ▶ Unit currently at minimum staffing level



Probation Collections Unit (PCU)

► FY 2016/17 Budget:

		2016-17 Recommended
3004	PROBATION COLLECTIONS UNIT	
E1000	Salaries and Benefits	402,965
E2000	Services and Supplies	77,097
E4000	Fixed Assets	20,000
GRSCST	GROSS EXPENDITURES	500,062
TOTEXP	TOTAL EXPENDITURES	500,062
TOTREV	GROSS REVENUE	790,000
FTE	Allocated Positions (FTE)	4.00
NETCOST	NET COUNTY COST (NCC)	(289,938)



PCU Performance

- PCU does generate revenue for the County

	YTD Actuals	2014-15 Actual	2013-14 Actual	2012-13 Actual	2011-12 Actual	2010-11 Actual
PROBATION COLLECTIONS UNIT	0	0	0	0	0	0
Salaries and Benefits	338,601	450,340	429,190	406,283	434,359	370,932
Services and Supplies	103,470	68,513	68,766	78,770	75,430	134,192
Fixed Assets	0	0	0	0	0	0
GROSS EXPENDITURES	442,072	518,853	497,956	485,054	509,789	505,124
TOTAL EXPENDITURES	442,072	518,853	497,956	485,054	509,789	505,124
GROSS REVENUE	815,835	770,053	739,861	690,928	764,033	720,307
Allocated Positions (FTE)	4.00	4.00	5.00	5.00	5.00	0
NET COUNTY COST (NCC)	(373,763)	(251,200)	(241,905)	(205,874)	(254,244)	(215,183)

- FY 2015/16 generated higher than average revenue due to a vacancy and increased receipts

Note: "YTD Actuals" represented the FY 2015/16 unaudited actuals



PCU Revenue Composition

- Important to evaluate the two revenue streams coming into PCU

3004	PROBATION COLLECTIONS UNIT	2015/16	2014/15	2013/14	2012/13	2011/12	2010/11
	Revenue Composition						
	Juvenile Fees	530,032	430,926	442,707	419,323	474,210	365,809
	Public Defender Fees	285,803	339,127	296,500	271,605	289,824	354,498
	Misc Revenue	0	0	654	0	0	0
	Total	815,835	770,053	739,861	690,928	764,034	720,307

- Since FY 2010/11, Juvenile fees have grown from approximately 51% to 65% of PCU revenue



PCU Insolvent without Both Fees

- PCU operating costs average \$500k per year
- PCU could not operate with revenue from one fee
 - More difficult without Juvenile Fees since it represents 65% of total revenue
 - Important to be aware of the operational impact to PCU from policy changes to juvenile fees



Status of Accounts Receivable

- PCU has \$16.9 million in accounts receivable outstanding from juvenile fees and adult public defense fees.
 - \$8.55 million attributable to Juvenile Fees
 - \$8.34 million attributable to Adult Public Defense Fees
- Earliest receivable on record dates to 1990



Committee Discussion

- The Public Protection Committee accepted the staff report
- Received testimony from the public, including representatives from the Racial Justice Coalition and UC Berkeley Policy Advocacy Clinic
- Referred the issue to the Board of Supervisors with two recommendations:
 - Implement a temporary moratorium on juvenile cost of care fees; and/or
 - Refer the issue to the Racial Justice Task Force for further review



Recommendations

1. ACCEPT a report on the issue of certain fees assessed by the County related to the juvenile justice system;

2. CONSIDER taking the following actions:

a. ADOPT Resolution No. 2016/606 to place a moratorium on the assessment and collection of the Juvenile Cost of Care Fee for Juvenile Hall and the Orin Allen Youth Rehabilitation Facility and DIRECT staff to return to the Board of Supervisors with an update no later than February 14, 2017 in advance of fiscal year 2017/18 budget development;

AND / OR

b. REFER the issue to the Racial Justice Task Force for additional review and report back to the Board at a future date;

3. PROVIDE further direction to staff regarding next steps.



Questions / Discussion

