



**Contra
Costa
County**

To: Board of Supervisors
From: PUBLIC PROTECTION COMMITTEE
Date: September 19, 2017

Subject: REPEAL OF CERTAIN JUVENILE FEES CHARGED BY THE PROBATION DEPARTMENT

RECOMMENDATION(S):

1. ADOPT Resolution No. 2017/331 to permanently repeal the "Juvenile Cost of Care Fee" for Juvenile Hall and the Orin Allen Youth Rehabilitation Facility; and,
2. INTRODUCE Ordinance No. 2017-05 which repeals the "Cost of Electronic Surveillance of Minors" fee, WAIVE reading, and SET September 26, 2017 for adoption.

FISCAL IMPACT:

The fees proposed for repeal were suspended following approval of a moratorium in October 2016. Subsequently, the Board adopted the fiscal year 2017/18 budget, which does not contemplate any revenue from juvenile fees. Today's action, therefore, does not have any fiscal impact on the County.

BACKGROUND:

On July 19, 2016, the Board of Supervisors referred to the Public Protection Committee a review of fees assessed for services provided while a minor is in the custody of the Probation Department. Welfare and Institutions Code 903 et seq. provides that the County may assess

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY
ADMINISTRATOR

☒ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **09/19/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 19, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Timothy Ewell, (925)
335-1036

BACKGROUND: (CONT'D)

a fee for the provision of services to a minor in the custody of its Probation Department.

On September 26, 2016, the Public Protection Committee accepted an introductory report on the issue and voted unanimously to refer the issue to the full Board of Supervisors with two separate options: 1) to adopt a temporary moratorium on the Juvenile Cost of Care and Cost of Electronic Surveillance of Minors fees and/or 2) refer the issue to the newly formed Racial Justice Task Force for review.

On October 25, 2016 the Board adopted Resolution No. 2016/606, which established a moratorium on the assessment and collection of the Juvenile Cost of Care and Cost of Electronic Surveillance of Minors fees. Concurrently, the Board directed staff to return to the Public Protection Committee and forward a recommendation back to the Board by May 31, 2017.

On March 6, 2017, the Committee received an update from the County Probation Officer on the status of the Juvenile Cost of Care and Cost of Electronic Surveillance of Minors fees and the current moratorium. At that time the Committee recommended that the juvenile fees subject to the temporary moratorium be permanently repealed and directed staff to return to the Committee with a recommendation as to how to refund certain juvenile fees charged by the County. The Committee reconvened on July 10, 2017.

On July 10, 2017, the Committee received an update from the County Probation Officer with a proposal on how to refund certain juvenile justice fees. Following the discussion, the Committee directed staff to bring a recommendation to repeal the Juvenile Cost of Care and Cost of Electronic Surveillance of Minors fees to the full Board for consideration. In addition, the Committee directed staff to return at the October 2, 2017 Committee meeting to further discuss a possible refund process. The Committee indicated that a subsequent action would be forwarded to the Board for consideration.

CONSEQUENCE OF NEGATIVE ACTION:

The fees being proposed for repeal are currently suspended under a moratorium approved by the Board in October 2016. The fees would continue not to be assessed or collected; however, the fees would not be permanently repealed.

CLERK'S ADDENDUM

Speakers: Oscar Flores, CC Racial Justice Coalition; Edith Pastrano; Nancy Ybarra, CCISCO; Melvin Willis, resident of Richmond; Sadie Weller, CC Racial Justice Coalition; Jeff Landau, CC Racial Justice Coalition.

ATTACHMENTS

Resolution No. 2017/331

Ordinance No. 2017-05, "Repeal of Fee for Electronic Surveillance of Minors"