

ORDINANCE NO. 9877 (NEW SERIES)

AN ORDINANCE AMENDING SECTION 363
OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE
RELATING TO THE ESTABLISHMENT AND
ADJUSTMENT OF PROBATION FEES AND CHARGES

The Board of Supervisors of the County of San Diego ordain as follows:

Section 1. The Board of Supervisors finds and determines that Section 363 of Article XX of the San Diego County Administrative Code, which imposes Probation Department fees and charges pursuant to Penal Code section 1203.1b must be amended to reflect additions and adjustments to reflect actual expenses incurred by the Probation Department in the administration of various services and responsibilities. The amendments made by this ordinance are intended to address these expenses.

Section 2. Section 363 of Article XX of the San Diego County Administrative Code is hereby amended to read as follows:

SECTION 363 PROBATION DEPARTMENT

The following fees and charges shall be paid to the San Diego County Probation Department or the County collection agent.

- (a) A fee for the sealing of juvenile traffic infraction and traffic misdemeanor records, and juvenile arrests and court proceedings records, \$120 per sealing, pursuant to Section 903.3(b) of the Welfare and Institutions Code.
- (b) A fee of \$51 for re-enrollment or out-of-state transfer in the Public Service Work Program pursuant to Section 4024.2(e) of the Penal Code.
- (c) A fee of \$414 charged to public agencies to recover the cost of supervision and supplies to provide Public Service Work Program work crews.

The following fees and charges shall be paid to the Department of Revenue & Recovery:

- (d) A fee for daily charges for the care of minor persons in the custody of the Probation Officer and minors under Probation supervision as follows, pursuant to Welfare and Institutions Code Sections 903, 903.2, 903.25, and 904:

<u>Description</u>	<u>Current Rate</u>
1) Juvenile Hall	\$31 per day
2) Girls Rehabilitation Facility	\$30 per day
3) Juvenile Ranch Facility	\$31 per day
4) Camp Barrett	\$30 per day

5) Home Supervision/Electronic Monitoring \$20 per day

(e) Division of Juvenile Justice: Fee to recover County payments to California Department of Corrections and Rehabilitation, Division of Juvenile Justice for care, support and maintenance for County wards committed prior to and after January 1, 1997 pursuant to Sections 903, 912 and 912.5 of the Welfare & Institutions Code as follows:

1) All wards in Placement prior to January 1, 1997; and wards committed on and after January 1, 1997 for most serious offenses pursuant to Assembly Bill 1758 and Sections 4951 through 4954 of Title 15 of the California Code of Regulations (Categories 1-4).....\$6.16 per day

2) Wards committed on or after January 1, 1997 for less serious offenses:

a) Pursuant to Sections 4955, 4956, and 4957 of Title 15 of the California Code of Regulations (Categories 5,6,and 7)..... \$53.22, \$79.82, \$106.43 per day accordingly.

(f) A charge of \$120 for the cost of services rendered for processing of adult petitions for change of plea or setting aside of a verdict, and petitions for sealing record of misdemeanor conviction of a minor, pursuant to Penal Code Sections 1203.4(c) and 1203.45(g) respectively.

(g) Pursuant to Sections 1203.1b and 1203.9(d) of the Penal Code the Probation Department shall impose fees for adult probationer services, investigation and supervision, including fees as follows:

<u>Description</u>	<u>Current Rate</u>
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1) Probation Investigative Charges:

a) Pre-sentence Investigation (General Jurisdiction)	\$1,127 each
b) Pre-sentence Investigation (Limited Jurisdiction)	\$663 each
c) Pre-sentence Investigation (Limited Jurisdiction-Resident Court Officer Written Report)	\$437 each
d) Conditional Sentencing Pre-Plea or Diversion Report (Same as pre-sentence reports as required)	Above rates as appropriate

e) Process Investigation for transfer of Jurisdiction under Interstate Compact Agreement \$77 each

2) Probation Supervision Charges (all of the following are monthly except f and h):

<u>Description</u>	<u>Current Rate</u>
a) Intensive Supervision	\$99
b) Domestic Violence Diversion	\$8
c) Drunk Driving	\$8
d) Administrative Bank	\$5
e) Interstate Compact Supervision	\$38
f) Home Detention/Electronic Surveillance	\$20 Per Day
g) Substance Abuse Screening and Supervision (Pursuant to Proposition 36)	\$79
h) Effective November 1, 2001, a polygraph test fee	Effective 11/01/01, \$400 maximum

(h) A fee to cover the cost of collection of restitution of up to 10% of the restitution ordered pursuant to Section 1203.1(l) and a fee to cover the cost of collection of a restitution fine up to 10% of the restitution fine ordered pursuant to Section 1202.4 (l) of the Penal Code

(i) A fee of up to \$250 each for approval and annual renewal of Batterers Diversion Programs as required by Penal Code Section 1203.097.

(j) A fee of \$50 to cover the administrative and clerical costs of processing of payment made in installments to the Probation Department; pursuant to Penal Code section 1203.1b (h).

Section 3. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen (15) days after its passage, a summary hereof shall be published once with names of the members of this Board voting for and against it in a publication of general published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED this 31st of July, 2007.