



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 3/26/2024

To: Sonoma County Board of Supervisors
Department or Agency Name(s): County Administrator's Office
Staff Name and Phone Number: Nikolas Klein, 565-5312
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:

Consolidated Fee Hearing - FY24-25 Fees for County Administrator's Office

Recommended Action:

Adopt a resolution setting the contingent Criminal Justice Administrative Fee (Jail Booking Fee) at \$261.34 per applicable booking and setting the Jail Access Fee at \$402.73 per applicable non-felony booking, effective July 1, 2024.

Executive Summary:

Government Code Section 29551 authorizes the County to collect a Criminal Justice Administrative Fee, or Jail Booking Fee, only if state Public Safety Realignment revenue allocated for this purpose is less than \$35 million statewide (Sonoma County's share is \$791,066) in a given fiscal year. While the County anticipates statewide Public Safety Realignment funding in Fiscal Year 2024-25 will meet the \$35 million threshold, per the Governor's Proposed Budget released on January 10, 2024, approval of this contingent fee would position the County to charge arresting agencies in the event of a funding shortfall. The Board of Supervisors is requested to increase the contingent Jail Booking Fee from \$249.37 to \$261.34, an increase of \$11.97, or 4.8%. This increase is statutorily set with annual increases limited to the California Consumer Price Index, plus 1%.

The intent of the Jail Access Fee ("JAF") is to incentivize arresting agencies to minimize unnecessary arrests, reduce pressure on jail capacity and provide space for serious offenders, and foster development of local alternatives to deal with non-violent, less serious offenders. The JAF may only be charged to agencies for certain identified non-felony bookings if the arresting agency exceeds their three-year moving average for these types of bookings (recalculated in July of each year). The JAF cannot be billed to individuals. The recommended action increases the JAF from \$376.38 to \$402.73, an increase of \$26.35, or 7.0%, to account for the Sheriff's booking operations cost increase.

Discussion:

Criminal Justice Administrative Fee (Jail Booking Fee) Calculation

Assembly Bill 1805 (2006) amended Government Code Section 29550, and added GC Sections 29551 and 29552, to address the costs associated with booking arrestees of other agencies into county jails. Pursuant to this legislation, if the State appropriates \$35 million in the Enhancing Law Enforcement Activities Subaccount (Local Law Enforcement Services Account-Local Revenue Fund 2011) to directly fund counties for the cost of jail bookings, a county may not levy a booking fee. In accordance with GC Section 29552, Sonoma County's apportionment of the total annual \$35 million budgeted statewide is \$791,066. To comply with State law, the

Sheriff's Office deposits these funds in a Special Revenue Fund, which in turn reimburses detention operations costs in the General Fund. However, if in subsequent years, less than the full \$35 million is allocated in the state budget for all counties, local arresting agencies would be required to pay the portion of the booking fee equal to the proportion that the appropriated amount is less than \$35 million, as long as the Board maintains and updates this fee. Effective July 1, 2021, Assembly Bill 1869 amended and repealed portions of GC 29550 to prohibit the County, or any arresting agency, from recovering the contingent Criminal Administrative Fee from convicted individuals.

The Criminal Justice Administrative Fee, also known as the Jail Booking Fee, is statutorily set with annual increases limited to the California Consumer Price Index, plus 1.0%. This methodology has been in place since 2006 and established in Government Code Section 29551. The California Department of Finance ("DOF") aggregates Bureau of Labor Statistics data and publishes annual Consumer Price Index increases for the entire state. Based on the State's data published January 2024, the year-over-year statewide CPI increase for calendar year 2023 was forecasted to be 3.8%. The historical CPI data set, "Calendar Year Averages from 1950", is attached to this report, and also published on the DOF website:

<https://dof.ca.gov/forecasting/economics/economic-indicators/inflation/>. After factoring in the additional 1.0% increase allowed above the annual 3.8% CPI inflation rate, the overall proposed fee increase for FY 2024-25 equates to 4.8%. Refer to Attachments 3 & 4 for details.

Jail Access Fee Calculation

The Jail Access Fee may only be charged to agencies for certain identified non-felony bookings if the arresting agency exceeds its three-year average for these types of bookings. According to the legislation, the JAF applies to bookings for Municipal Code Violations and misdemeanor violations, except for driving under the influence and domestic violence misdemeanor offenses, including enforcement of protective orders. The Sheriff's Office notifies arresting agencies of their rolling averages in July of each year and also provides actual arrest numbers on a monthly basis to help arresting agencies manage their costs for optional bookings. The JAF may not exceed the actual cost of booking an arrested person.

The current JAF was set at \$376.38 per applicable booking effective July 1, 2022, and was based on the most recent time study and cost calculation completed by a consultant in November 2019, adjusted for annual inflation. The JAF rate may not exceed actual cost of booking an arrested person. The County Administrator's Office and Sheriff's Office recommended no changes to this fee for Fiscal Year 2023-24, pending results of a booking operations cost analysis to be completed by the Sheriff's Office. The cost analysis is anticipated to be completed during the 2024 calendar year, but significant progress has been made. Based on preliminary results of this analysis as of January 2024, both the County Administrator's Office and Sheriff's Office recommend applying an inflation adjustment to the JAF for FY 2024-25 to account for recently negotiated salaries and benefits increases. Sheriff's Office salaries and benefits costs for permanent positions are estimated to increase 7.8% in FY 24-25. Applying this 7.8% increase to booking operations labor costs, combined with a 3.8% CPI adjustment to non-labor booking operations costs, results in a weighted inflation adjustment of 7.0% for FY 2024-25. Increasing the current \$376.38 JAF by the weighted 7.0% inflation adjustment results in a newly proposed fee of \$402.73 effective July 1, 2024. Refer to Attachment 5 for details.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

- March 21, 2023: Board adopted the Jail Booking Fee effective July 1, 2023.
- March 22, 2022: Board adopted the Jail Booking Fee and Jail Access Fee effective July 1, 2022.
- March 23, 2021: Board adopted the Jail Booking Fee and Jail Access Fee effective July 1, 2021.
- March 24, 2020: Board adopted the Jail Booking Fee effective July 1, 2020.
- May 14, 2019: Board adopted the Jail Booking Fee effective July 1, 2019.
- May 8, 2018: Board adopted the Jail Booking Fee effective July 1, 2018.
- Each year since FY 1990-91 the Board has set the Jail Booking Fee.

FISCAL SUMMARY

Expenditures	FY23-24 Adopted	FY24-25 Projected	FY25-26 Projected
Budgeted Expenses		\$3,821	
Additional Appropriation Requested			
Total Expenditures		\$3,821	
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other		\$3,821	
Use of Fund Balance			
General Fund Contingencies			
Total Sources		\$3,821	

Narrative Explanation of Fiscal Impacts:

The Criminal Justice Administrative Fee (Jail Booking Fee) is only billable to arresting agencies if the state does not fully fund the booking fee allocation through Public Safety Realignment. Using the three-year average of 145 arresting agency Jail Access Fee billings, it is estimated that \$58,435 will be received in FY 2024-25, based on the new proposed rate of \$402.73 per booking. This equates to an estimated revenue increase of \$3,821, when compared to 145 bookings at the current rate of \$376.38. Projected revenue for the Jail Access Fee will be programmed in the Sheriff’s Office FY 2024-25 Recommended Budget.

Staffing Impacts:

Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

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Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

- 1) Fee Summary
- 2) Resolution establishing Jail Booking Fee and Jail Access Fee effective July 1, 2024
- 3) Jail Booking Fee Calculation History
- 4) California Statewide Consumer Price Index as of November 2023
- 5) Jail Access Fee 3-Year Average and FY 2024-25 Inflation Adjustment

Related Items "On File" with the Clerk of the Board:

N/A

Attachment 1
Fee Summary

Department	Division/unit	Type of change (Increase, decrease, new fee, replacement of fee, deletion of fee, other change)	Fee Description (short)	Fee Subcategory	Legal basis for fee	Requirement to adjust fee (resolution or ordinance)	Anticipated FY 2023-24 Units	Anticipated units, FY 2024-25	Current fee amount	Proposed fee amount	Change in fee (%)	Proposed effective date	Additional revenue expected	Last date fee changed	Amount prior to last change	Amount fee is subsidized by other funding (per unit), if any
BOS/CAO	CAO	Increase	Jail Booking Fee ¹	N/A	GC 29550-29552	Resolution	0	0	\$ 249.37	\$ 261.34	4.8%	7/1/2024	\$ -	7/1/2023	\$ 229.41	\$ -
BOS/CAO	CAO	Increase	Jail Access Fee ²	N/A	GC 29550-29552	Resolution	145	145	\$ 376.38	\$ 402.73	7.0%	7/1/2024	\$ 3,820.75	7/1/2022	\$ 369.00	\$ -

Note 1: Contingent fee may only be collected if the State does not provide funding allocation to the County of Sonoma in a given fiscal year.

Note 2: May only be charged to arresting agencies for certain identified non-felony bookings if the arresting agency exceeds their three-year average for these types of bookings.



County of Sonoma

State of California

Date: March 26, 2024

Item Number:

Resolution Number:

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, 1)
Setting A Contingent Criminal Justice Administrative Fee (Jail Booking Fee) At \$261.34 Per
Applicable Booking; And 2) Setting The Jail Access Fee at \$402.73 Per Applicable Non-Felony
Booking; All Fees To Be Effective July 1, 2024.**

Whereas, in 1990, the Board of Supervisors established a Criminal Justice Administrative Fee (Jail Booking Fee) to provide for reimbursement of County expenses incurred with respect to booking or other processing of arrested persons, to the extent authorized by law; and

Whereas, Assembly Bill 1805, a State general government trailer bill adopted in 2006, amended Government Code Sections 29550 and added GC Sections 29551 and 29552, to address costs associated with booking arrestees of other agencies into county jails; and

Whereas, should the State appropriate less than the full \$35 million for this purpose, arresting agencies will be required to pay to the County all or a portion of the booking fee equal to the proportion that the appropriated amount is less than \$35 million; and

Whereas, to dissuade local agencies from increasing the number of jail bookings for misdemeanor offenses, the State Legislature has established a Jail Access Fee that the County may charge to agencies for each booking that exceeds the average number of that agency's misdemeanor bookings over the previous three-year period; and

Whereas, the proposed Jail Booking Fee is calculated to be \$261.34 based on the formula mandated by State law; and the proposed Jail Access Fee is recommended at \$402.73, based on the actual cost of booking and processing arrested persons, adjusted for inflation; and

Whereas, the Board of Supervisors desires to recover the allowable portion of the actual costs of booking and processing persons arrested by other agencies.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma, State of California, hereby sets the Criminal Justice Administrative Fee at \$261.34 per applicable booking effective July 1, 2024, contingent on the State not appropriating \$35 million to counties to fund the cost of jail bookings, and

Be It Further Resolved should the State appropriate less than the full \$35 million to fund the cost of jail bookings, that the Board of Supervisors authorizes the Jail Booking Fee to be billed effective July 1, 2024 to local agencies at a rate determined to be that portion of the booking fee equal to the proportion that the appropriated amount is less than \$35 million; and

Be It Further Resolved the Board of Supervisors sets the Jail Access Fee effective July 1, 2024, pursuant to Government Code Section 29551(b) at \$402.73, to be assessed to local agencies for each jail booking that exceeds the agency's previous three-year rolling average number of non-felony bookings for municipal code violations and misdemeanor violations, except driving under the influence offenses and domestic violence misdemeanor offenses, including enforcement of protective orders; and

Be It Further Resolved based on information presented to this Board, this Board finds that the proposed fees comply with all legal requirements, including Art. XIII C of the California Constitution.

Supervisors:

Gorin:

Coursey:

Gore:

Hopkins:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

Attachment 3
Jail Booking Fee Calculation
(Annual CPI + 1.0%)

Criminal Justice Administrative Fee (Booking Fee) Calculation History

Fiscal Year	Adopted Fee	Consumer Price Index - Source	CPI % Change	CPI + 1%	New Fee	Annual Change (\$)	Annual Change (%)	New Fee Effective Date
FY 06-07	\$ 123.00	San Francisco CPI (February 2005 to February 2006)	2.9%	3.9%	\$ 127.83	\$ -	0.0%	
FY 07-08	\$ 127.83	San Francisco CPI (February 2006 to February 2007)	3.2%	4.2%	\$ 133.42	\$ 5.58	4.4%	July 1, 2007
FY 08-09	\$ 133.42	San Francisco CPI (February 2007 to February 2008)	2.9%	3.9%	\$ 138.66	\$ 5.24	3.9%	July 1, 2008
FY 09-10	\$ 138.66	San Francisco CPI (February 2008 to February 2009)	0.9%	1.9%	\$ 141.31	\$ 2.65	1.9%	July 1, 2009
FY 10-11	\$ 141.31	San Francisco CPI (February 2009 to February 2010)	2.4%	3.4%	\$ 146.14	\$ 4.84	3.4%	July 1, 2010
FY 11-12	\$ 146.14	San Francisco CPI (February 2010 to February 2011)	2.1%	3.1%	\$ 150.71	\$ 4.56	3.1%	July 1, 2011
FY 12-13	\$ 150.71	San Francisco CPI (February 2011 to February 2012)	3.5%	4.5%	\$ 157.54	\$ 6.83	4.5%	July 1, 2012
FY 13-14	\$ 157.54	San Francisco CPI (February 2012 to February 2013)	2.4%	3.4%	\$ 162.93	\$ 5.39	3.4%	July 1, 2013
FY 14-15	\$ 162.93	San Francisco CPI (February 2013 to December 2013)	1.3%	2.3%	\$ 166.68	\$ 3.75	2.3%	July 1, 2014
FY 15-16	\$ 166.68	San Francisco CPI (January 2014 to December 2014)	2.7%	3.7%	\$ 172.85	\$ 6.17	3.7%	July 1, 2015
FY 16-17	\$ 172.85	San Francisco CPI (January 2015 to December 2015)	3.2%	4.2%	\$ 180.00	\$ 7.15	4.1%	July 1, 2016
FY 17-18	\$ 180.00	San Francisco CPI (January 2016 to December 2016)	3.5%	4.5%	\$ 188.00	\$ 8.00	4.4%	July 1, 2017
FY 18-19	\$ 188.00	San Francisco CPI (January 2017 to December 2017)	2.9%	3.9%	\$ 195.00	\$ 7.00	3.7%	July 1, 2018
FY 19-20	\$ 195.00	California Average CPI (January 2018 to December 2018)	3.7%	4.7%	\$ 204.17	\$ 9.17	4.7%	July 1, 2019
FY 20-21	\$ 204.17	California Average CPI (January 2019 to December 2019)	3.0%	4.0%	\$ 212.34	\$ 8.17	4.0%	July 1, 2020
FY 21-22	\$ 212.34	California Average CPI (January 2020 to December 2020)	1.7%	2.7%	\$ 218.07	\$ 5.73	2.7%	July 1, 2021
FY 22-23	\$ 218.07	California Average CPI (January 2021 to December 2021)	4.2%	5.2%	\$ 229.41	\$ 11.34	5.2%	July 1, 2022
FY 23-24	\$ 229.41	California Average CPI (January 2022 to December 2022)	7.7%	8.7%	\$ 249.37	\$ 19.96	8.7%	July 1, 2023
FY 24-25	\$ 249.37	California Average CPI (January 2023 to December 2023)	3.8%	4.8%	\$ 261.34	\$ 11.97	4.8%	July 1, 2024

ATTACHMENT 4
CONSUMER PRICE INDICES, UNITED STATES AND CALIFORNIA
CALENDAR YEAR AVERAGES, (1982-84=100)

Year	CPI-U (All Urban Consumers)	CPI-U (All Urban Consumers)	CPI-U (All Urban Consumers)	CPI-U (All Urban Consumers)
	United States Index	United States % Change	California Index	California % Change
2018	251.107	2.4	272.564	3.7
2019	255.657	1.8	280.665	3.0
2020	258.811	1.2	285.364	1.7
2021	270.970	4.7	297.497	4.3
2022	292.655	8.0	319.397	7.4
2023 f/	304.832	4.2	331.649	3.8

f/ Governor's Budget, November 2023

All Urban Consumers: Include, in addition to wage earners and clerical workers, groups such as professional, managerial, and technical workers, the self-employed, short-term workers, the unemployed, and retirees, and others not in the labor force.

California CPI:

From 1965 to 1986: Population-weighted average of the CPI for Los Angeles, San Diego, and San Francisco MSAs.

From 1987 to 2017: Population-weighted average of the CPI for Los Angeles and San Francisco MSAs.

From 2018 onward: Population-weighted average of the CPI for Los Angeles, Riverside, San Diego, and San Francisco MSAs.

Los Angeles MSA: Includes the counties of Los Angeles and Orange.

Riverside MSA: Includes the counties of Riverside and San Bernardino.

San Diego MSA: San Diego county.

San Francisco MSA: Includes the counties of Alameda, Contra Costa, Marin, San Francisco, and San Mateo.

Source:

United States, Los Angeles, Riverside, San Diego, and San Francisco MSAs -- U.S. Bureau of Labor Statistics (BLS)

California -- Calculated by the CA Department of Finance using a formula developed by the CA Dept. of Industrial Relations (DIR)

Forecast -- CA Department of Finance, (percent changes calculated from unrounded data)

Annual percent change from 2023 onward are based on forecast.

Beginning with the January 2007 data, indices published by the BLS will be rounded to three decimal places.

Updated: January 2024

Calendar year 2023 actuals will be available in:

Mid-January 2024 for United States.

Mid-February 2024 for California.

Attachment 5
Jail Access Fee - 3-Year History and FY 2024-25 Inflation Adjustment

Agency	FY 20-21 (\$339 JAF)		FY 21-22 (\$369 JAF)		FY 22-23 (\$376 JAF)		3-Year Avg. (\$376 JAF)		FY 23-24 Est. (\$376 JAF)		FY 24-25 Est. (\$403 JAF)	
	Qty.	Fee	Qty.	Fee	Qty.	Fee	Qty.	Fee	Qty.	Fee	Qty.	Fee
Cloverdate PD	1	\$339	-	\$0		\$0	1	\$376	1	\$376	1	\$403
Cotati PD	-	\$0	-	\$0	4	\$1,506	1	\$376	1	\$376	1	\$403
Healdsburg PD	-	\$0	1	\$369	19	\$7,151	7	\$2,632	7	\$2,632	7	\$2,821
Petaluma PD	-	\$0	10	\$3,690	98	\$36,885	36	\$13,536	36	\$13,536	36	\$14,508
Rohnert Park DPS	-	\$0	-	\$0	67	\$25,217	22	\$8,272	22	\$8,272	22	\$8,866
Santa Rosa PD	-	\$0	-	\$0	213	\$80,169	71	\$26,696	71	\$26,696	71	\$28,613
Sebastopol PD	-	\$0	5	\$1,845		\$0	3	\$1,128	3	\$1,128	3	\$1,209
Santa Rosa JC PD	-	\$0	8	\$2,952		\$0	4	\$1,504	4	\$1,504	4	\$1,612
SS Univ PD	-	\$0	-	\$0		\$0	-	\$0	-	\$0	-	\$0
Totals	1	\$339	24	\$8,856	401	\$150,928	145	\$54,520	145	\$54,520	145	\$58,435

Sheriff Booking Operations	Cost	% of Total	COLA/CPI	Weighted		Notes
				Adjustment		
Salaries and Benefits	\$ 15,190,241.96	81.5%	7.8%	6.3%		FY 24-25 salaries and benefits increase for permanent positions resulting from 2023 labor agreements
Services and Supplies	\$ 1,478,228.42	7.9%	3.8%	0.3%		Department of Finance 2023 Calendar Year CPI increase for California
2 CFR Part 200 / A-87 Cost Allocation	\$ 1,976,257.69	10.6%	3.8%	0.4%		Department of Finance 2023 Calendar Year CPI increase for California
Total	\$ 18,644,728.07	100.0%		7.0%		
Jail Access Fee effective 7/1/22 (Current)					\$376.38	
Jail Access Fee effective 7/1/24 (Proposed)					\$402.73	
Year-over-Year increase (\$)					\$26.35	
Year-over-Year increase (%)					7.00%	