

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.17
(ID # 12316)

MEETING DATE:
Tuesday, April 21, 2020

FROM : PROBATION:

SUBJECT: PROBATION: Authorize the Elimination and Write-Off of Receivables Associated with the Care of Detained Youth, Juvenile Services and Delinquency Proceedings, All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize the Riverside County Chief Probation Officer to eliminate outstanding fees for the care of youth detained in the Riverside County juvenile halls and Alan M. Crogan Youth Treatment and Education Center;
2. Authorize the Superior Court of California Enhanced Collections Division to cease collection of fees associated with the care of youth detained in the Riverside County juvenile halls and the Alan M. Crogan Youth Treatment and Education Center; and
3. Delegating authority to the Chief Probation Officer to approve the write-off and relief of accountability for the existing receivables.

ACTION:


Ronald L. Miller, Interim Chief Probation Officer 4/10/2020

MINUTES OF THE BOARD OF SUPERVISORS

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			Budget Adjustment:	No
			For Fiscal Year:	19/20

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Prior to January 1, 2018, the Riverside County Probation Department was authorized to assess a variety of fees against the families of minors in the juvenile justice system, including fees to recoup the County’s cost of detention, legal representation, electronic monitoring, probation or home supervision, and drug testing. As authorized by that statute, the Board of Supervisors on March 2, 2010 adopted Ordinance 849.1, authorizing the collection of the cost of support for minors in local juvenile institutions, minors housed at the Division of Juvenile Justice and the clothing cost for juveniles in group homes.

Effective January 1, 2018, Senate Bill 190 (SB 190) repealed the County’s authority to assess these fees. Authored by Senators Holly J. Mitchell and Ricardo Lara, the signing of SB 190 followed several years of advocacy efforts to reform how fees are assessed to families of detained youth. As a result of the passage of SB 190 and to further the public policy choice made by the California Legislature, the Riverside County Probation Department immediately took action to ensure compliance with SB 190. The agency currently responsible for the collection of all fees on behalf of the Probation Department, the Superior Court of California Enhanced Collections Division (ECD), was notified of SB 190 and the prohibition of collecting specified juvenile fees effective January 1, 2018. In addition, the County Board of Supervisors officially repealed the active Ordinance 849.1 pertaining to the assessment of all juvenile fees on April 10, 2018.

It should be noted that SB 190 does not change the County’s ability to collect restitution on behalf of crime victims, or to charge restitution fines, and it did not prohibit the collection of previously assessed juvenile fees.

As previously mentioned, juvenile fees are referred to the Superior Court of California ECD for billing, ability to pay determination, and collections. Since more of the youth in the juvenile justice system come from economically disadvantage families, a very small portion of the overall fees is collected. For Fiscal Year 2018/19, the Probation Department received approximately \$117,000 in net revenue. This represents approximately 2.8% of the currently outstanding amounts owed of \$4.1M. This collection amount indicates that most parents are unable to pay the fees. Based on current collection rates and information from ECD, it does not appear that

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the collection percentage will exceed the prior year amounts and will most likely decrease over the future years.

In addition, a number of counties throughout California have already eliminated the continued collection of outstanding juvenile fees owed and approved overall debt forgiveness, including Los Angeles, Alameda, Contra Costa, Monterey, Santa Clara, Butte and Marin. There are currently only 22 California counties that have chosen to continue collections on outstanding juvenile fees.

As a result, the Probation Department is recommending the discontinuance of all collection efforts for the approximately \$4.1M outstanding juvenile fees and the repeal of all outstanding balances owed effective upon the approval of this Board item.

Impact on Residents and Businesses

In a March 2017 UC Berkeley study, researchers found that continuing collection practices on prior outstanding balances is believed to be counter-productive, in that it undermines the rehabilitation process for youth and their families. As a progressive California County, our goal is to disconnect youth from the criminal justice system. With the elimination of continued collection efforts and the repeal of the outstanding debt, this County would be moving in the direction to foster a less punitive environment for its youth and their families. Eliminating the collection of outstanding juvenile fees and providing debt forgiveness would be critical to the financial health of the youth and their families in this County. Furthermore, data suggests there is a correlation between charging juvenile fees and higher recidivism rates, likely due to the disproportionate number of low-income families in the juvenile justice system and their inability to pay fees.

Additional Fiscal Information

As with many jurisdictions throughout the Country and the State of California, the Coronavirus (COVID – 19) has also impacted the operations of the Superior Court of California Enhanced Collection Division (ECD). In an effort to minimize the financial hardship of Riverside County residents and in conjunction with the executive order signed by Governor Gavin Newsom, the ECD has suspended all continued collections of outstanding debt. Upon the end of the COVID – 19 pandemic and prior to the restoration of collection efforts by the ECD, the Riverside County Probation Department proposes the discontinuance of all collection efforts for the outstanding juvenile fees and the repeal of the approximately \$4.1M outstanding balances owed.



Gregory V. Priamos, Director County Counsel 4/10/2020