



# BOARD OF SUPERVISORS COUNTY OF MADERA

MADERA COUNTY GOVERNMENT CENTER  
200 WEST 4<sup>TH</sup> STREET / MADERA, CALIFORNIA 93637  
(559) 675-7700 / FAX (559) 673-3302 / TDD (559) 675-8970  
Agendas available: [www.MaderaCounty.com](http://www.MaderaCounty.com)

5.Z

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## AGENDA ITEM SUBMITTAL

July 7, 2020  
Chairman David Rogers

<b>DEPARTMENT</b> Probation Department		<b>DEPARTMENT CONTACT</b> Laura Cunningham 559-675-7739		<b>AGENDA ITEM</b> 5.Z Consent Calendar	
<b>SUBJECT:</b> Authorize the elimination and write-off outstanding fees associated with the care of detained juv			<b>REQUIRED VOTE:</b> 3/5 Votes Required	<b>DOC. ID NUMBER</b> 6271	<b>DATE REC'D</b>
<b>STRATEGIC FOCUS AREA(S):</b> Public Safety					
<u>For Clerk of the Board's Office Use Only</u>					
Is this item Budgeted? N/A Will this item require additional personnel? N/A Previous Relevant Board Actions: On June 22, 2010 adopted Ordinance No. 489A PowerPoint/Supporting Documents: Other/Misc.				<b>DOCUMENT NO(S).</b>	

### RECOMMENDED ACTIONS:

Consideration of approval to end the collection of outstanding juvenile fees, stop all current/new referrals of outstanding juvenile fees to the State Franchise Tax Board, and notify families of the debt that has been resolved.

### DISCUSSION / FISCAL IMPACT / STRATEGIC FOCUS:

**Background:** Prior to January 1, 2018 the Madera County Probation Department was authorized to assess fees against the families of juveniles in the Juvenile Justice System, including fees to recoup the County's cost of detention, legal representation, electronic monitoring, probation supervision and drug testing. As authorized per that statute, the Board of Supervisors on June 22, 2010 adopted Ordinance No. 3.33.020 authorizing the collection of the cost of juvenile fees.

Effective January 1, 2018, Senate Bill 190 (SB 190) repealed the County's authority to assess these fees. As a result of the passage of SB 190, the Madera County Probation Department immediately took action to ensure compliance with SB 190 and ceased collection of these fees. It should also be noted that SB 190 does not change the County's ability to collect restitution on behalf of crime victims and it did not prohibit the collection of previously assessed juvenile fees prior to January 1, 2018.

**Discussion:** Since more juveniles in the Juvenile Justice System come from



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economically disadvantaged families, a small portion of the fees are ever collected. For Fiscal Year 2018/19, the Probation Department received \$42,152 in revenue. This represents approximately 3% of the current owed amount of \$1,375,684 from 2,000 accounts. For current Fiscal Year 2019/20, the department received \$8,186. Based on the collections rates, it appears most likely there will be a continued decrease over the years.

In addition, the number of counties throughout California have already eliminated the continued collection of outstanding juvenile fees owed and approved overall debt forgiveness. There are currently 18 counties that continue to collect on outstanding juvenile fees.

As with many jurisdictions throughout California, the Corona virus has also impacted the operations of the Superior Court of California. In an effort to minimize financial hardships and in conjunction with Governor Newsom's declaration, the Superior Court for the County of Madera temporarily suspended collections of fines.

**Strategic Plan Public Safety:** As a progressive county, our department goal is to disconnect a juvenile from the Criminal Justice System. With the elimination of the continued collections and the repeal of the outstanding debt, we would be moving in the direction to foster a less punitive system for juveniles and their families.

**FISCAL IMPACT:** In recognition of the elimination of this collections effort and loss of potential County revenue, one vacant Account Technician will not be filled giving an estimated administration savings for the Probation Department of approximately \$72,589.94 which will reduce Net County Cost by that amount.

## ATTACHMENTS

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1. Senate Bill No. 190
2. Ord. No 489A section 3.33.020