[MS-0398.040.008 0187]

DON

San Diego
ASSOCIATION OF
GOVERNMENTS

Suite 800, First Interstate Plaza
401 B Street
San Diego, California 92101
(619)595-5300 Fax (619)595-5305

RECEIVED
NOV 04 1991
Ans'd.....

TY

October 10, 1991

TO: Hon. George Bailey, Supervisor, Second District
David E. Janssen, Assistant CAO

FROM: Susan Pennell
SANDAG, Criminal Justice Research Division

SUBJECT: Statewide Impact of SB 2557 (booking fees)

As you requested at the September Criminal Justice Council meeting, I obtained additional information about the impact of booking fees on cities throughout the state.

The Chief of Arroyo Grande police department in San Luis Obispo County mailed the survey to about 300 law enforcement agencies in California. Information is available from 102 agencies on how they have been affected by the booking fee legislation.

I received a summary of the preliminary results from Chief Ter Borch who indicated that the five respondents from San Diego agencies stated that their procedures had <u>not</u> changed due the booking fees.

Other *preliminary* findings based on the 102 agencies include (courtesy of the Chief):

Booking Policies Affected

76 agencies stated that they have changed their booking policies as a result of SB 2557.

- Most no longer book non-violent misdemeanor offenders.
- Approximately 44 respondents indicated that they no longer book misdemeanor violent crimes and driving under the influence (DUI) offenders.
- 12 agencies reported that they now cite non-violent <u>felony</u> offenders. (Note: There is no provision in law to do this.)
- Approximately 27 agencies indicated that they will no longer <u>book</u> probation violators because their county charges them for such arrests.

- Approximately 28 agencies indicated that they no longer book warrant arrestees (other than their own) because their county charges them for these arrests.

  - Note: Due to the refusal to arrest and book bench warrant subjects, there is a definite loss of revenue to the counties.

- Approximately 13 agencies stated they will not arrest on a warrant under a specified amount (ranging from $2,000 to $7,500).

- Approximately 50 agencies stated that they will not arrest and book a suspect on suspicion at the request of another agency (these involve felony cases - often burglary, robbery, etc.

Conflicts

- Approximately 42 agencies reported conflicts between agencies as a result of SB 2557. Examples include:

  - No longer assist the Sheriff's Department in unincorporated areas,

  - Refusal to make 836 PC arrests for other agencies (see above),

  - Reduced cooperation with other agencies due to charges,

  - Arguments over which agency is liable for charges,

  - Establishing fees to charge the county for services provided to it,

  - General ill-will between agencies.

- Most agencies surveyed anticipated future conflicts with other law enforcement agencies as a result of SB 2557.

- A substantial number of agencies reported that their city has refused to pay booking fees and several indicated that they are involved in legal actions with their counties. (The Chief said about 30 or 40 agencies.)

Booking Fees

- Fees ranged from $50.00 to $175.52 (L.A. County charges $175.52 for female arrestees and $160.84 for male arrestees).

- There is no standard that determines what an appropriate booking fee is.

- There is no standard as to what types of arrests should be subject to booking fees (several counties charge for bench warrants, probation violations and court

ordered bookings. One county apparently charges a booking fee for bookings as a result of district attorney cite letters.

- One county (Sacramento County) has proposed raising its booking fee 15.5%.

The Chief stated that he expects to receive from 100-200 additional surveys and will send the completed analysis. He also mentioned that an all day hearing will take place in Sacramento on November 7 convened by the local government committees of the Assembly and the Senate.

Information about changes in the number of misdemeanor citations is not yet available from the Bureau of Criminal Statistics (BCS). I will continue to keep you advised as more information becomes available.