



LEROY D. BACA, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



April 29, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**PROPOSED RESOLUTION TO IMPLEMENT SENATE BILL 1754
INCREASING FUNDING FOR THE COUNTYWIDE WARRANT SYSTEM
(3 VOTES)**

JOINT RECOMMENDATION WITH COUNTY COUNSEL THAT YOUR BOARD:

Pass the amended resolution to implement Senate Bill 1754 to increase the collection of a penalty assessment on violations of promises to appear, or failures to comply with valid court orders.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In November 2002, your Board passed a resolution implementing Senate Bill 1754. The bill amended §853.7a to the Penal Code and §40508.5 to the Vehicle Code. These sections authorize the County, by resolution, to impose an assessment of fifteen dollars (\$15.00) on every person who violates his or her written promise to appear in court or before a person authorized to receive a deposit of bail, or who otherwise fails to comply with any valid court order for a violation of any provision of these codes or local ordinance adopted pursuant to these codes.

The resolution submitted was in error by stating that the assessment should be imposed on every person convicted of violating these sections. A conviction is not required and the attached resolution has the proper legal language to impose the assessments as intended by the laws.

A Tradition of Service

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Senate Bill 1754 passed the legislature and was signed by Governor Davis and became effective January 1, 2003.

Senate Bill 1754 amended Penal Code §853.7a and Vehicle Code §40508.5 by increasing the penalty assessment to fifteen dollars (\$15.00) for the Countywide Warrant System (CWS). The additional revenue is estimated to be approximately \$1,300,000 annually. In order for the courts to collect the assessments, your Board must pass a resolution authorizing the collection for violations of the provisions enumerated in these sections. The existing resolution your Board passed in November 2002, has been amended and a copy is attached for your approval.

Implementation of Strategic Plan Goals

The implementation of collecting the enhanced assessments supports the County's Strategic Goals for two strategies related to Organizational Effectiveness and to Fiscal Responsibility. Specifically, Strategy 2 of the former goal is addressed by improving the internal operations of the CWS, a database used by all law enforcement agencies and courts in the County. Strategy 1 of the latter goal is addressed by providing a fuller funding of the operation of the system.

FISCAL IMPACT/FINANCING

By statute, the money collected from these sections must first be used for the development and operational costs of an automated warrant system. Any additional funds remaining after operational costs have been met, may be used for system modifications, enhancements, new technologies, or for funding a warrant service task force for serving all bench warrants issued within the County. It is our intention to use the additional funds to offset the present operational cost deficit of the CWS.

IMPACT ON CURRENT SERVICES/PROJECTS

The collection of the enhanced fees will ensure that the CWS will be operated at current service levels. Should the fees ever exceed the operational costs, planned enhancements to CWS would be implemented.

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FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Sheriff's Department is responsible for the operation of the CWS. The collection of the increased assessments is performed by the courts and the funds are then transferred to the Sheriff's Department.

Your approval of these matters is requested.

Respectfully submitted,

A handwritten signature in cursive script that reads "Leroy D. Baca". The signature is written in black ink and is positioned above the printed name.

LEROY D. BACA
SHERIFF

RESOLUTION AUTHORIZING THE COURTS OF LOS ANGELES COUNTY
TO IMPOSE AN ASSESSMENT OF FIFTEEN DOLLARS (\$15.00) UPON EVERY
PERSON WHO VIOLATES THE PROVISIONS ENUMERATED IN PENAL
CODE §853.7a AND VEHICLE CODE §40508.5

Whereas, the County of Los Angeles has developed and operates an automated Countywide Warrant System; and

Whereas, Penal Code §853.7a allows a county to fund the operation of an automated warrant system by authorizing its courts to impose an assessment of fifteen dollars (\$15.00) upon every person violating the provisions enumerated in Penal Code §853.7; and

Whereas, effective January 1, 2003, Penal Code §853.7a is amended to increase the penalty assessment to fifteen dollars (\$15.00); and

Whereas, Vehicle Code §40508.5 allows a county to fund the operation of an automated warrant system by authorizing its courts to impose an assessment of fifteen dollars (\$15.00) upon every person violating the provisions enumerated in Vehicle Code §40508.5; and

Whereas, effective January 1, 2003, Vehicle Code §40508.5 is amended to increase the penalty assessment to fifteen dollars (\$15.00).

NOW THEREFORE, BE IT RESOLVED that commencing January 1, 2003, the Board of Supervisors of the County of Los Angeles hereby authorizes the courts of Los Angeles County to impose an assessment of fifteen dollars (\$15.00) upon every person violating the provisions enumerated in Penal Code §853.7a, or in Vehicle Code §40508.5.

BE IT FURTHER RESOLVED that the clerk of the court shall deposit amounts received under this resolution in the County Treasury for the sole and exclusive use to operate the automated Countywide Warrant System, which is operated by the Sheriff's Department, or if additional funds exceed operational costs, those funds may be used by the Sheriff's Department for system modifications, enhancements, new technologies, or for funding a warrant service task force for serving all bench warrants issued within the county.

The foregoing resolution was on the _____ day of _____, 2003
adopted by the BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
and ex-officio the governing body of all other special assessment and taxing districts,
agencies and authorities for which said Board so acts.

SEAL

VIOLET VARONA-LUKENS, Executive Officer-Clerk of the Board
of Supervisors of the County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN, County Counsel

by



Victor L. Wright, Principal Deputy