



County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T. FUJIOKA
Chief Executive Officer

December 11, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**CHIEF EXECUTIVE OFFICE: ADOPT SENATE BILL 959 REGARDING
INVOLUNTARY HOME DETENTION/ELECTRONIC MONITORING PROGRAM
(ALL DISTRICTS) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the attached resolution to implement the provisions of Senate Bill 959, which authorizes the correctional administrator to offer a program under which inmates who meet certain defined criteria may be required to participate in an involuntary home detention program, which shall include electronic monitoring in lieu of confinement in the County jail or other County correctional facility or program; and
2. Authorize the Chief Executive Office to work with the Probation and Sheriff Departments to take the necessary steps to implement the involuntary home detention program described therein.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

Senate Bill 959 was signed into law by Governor Schwarzenegger on September 26, 2007. Senate Bill 959 adds Section 1203.017 to the Penal Code, by which the correctional administrator, with the Board's authorization, may relieve overcrowded jail conditions by offering a program under which inmates committed to a County jail or other County correctional facility, granted probation, or participating in a work furlough program may be required to participate in an involuntary home detention program, to include electronic monitoring in lieu of confinement in the County jail or other County correctional facility or program.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

Due to the chronic overcrowding in the Los Angeles County jails, it is recommended that your Board adopt Senate Bill 959 and by it Penal Code Section 1203.017, and authorize the Chief Executive Office to work with the Probation and Sheriff's Departments to take the necessary steps to implement the involuntary home detention program described therein.

Implementation of Strategic Plan Goals

The recommended action supports the Los Angeles County Strategic Plan, Goal 1: Service Excellence, by improving the correctional administrator's ability to better support the mandates of the criminal justice system by requiring greater numbers of convicted criminals to serve the sentence imposed on them, and Goal 8: Public Safety, because releasing low-risk misdemeanor inmates on the electronic monitoring program (EMP) will provide increased bed space for high-risk felony inmates to serve a greater percentage (the goal being 100 percent) of their sentence.

FISCAL IMPACT/FINANCING

It is estimated that the cost (to place an inmate in the EMP) will not exceed \$10 per day, which is considerably lower than the current daily custody rate. The daily charge will include the inmate's ankle device, the monitoring/alert, and the data retrieval/storage functions by the selected vendor. The funding source for this program has not yet been determined.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

At this time, it is requested that your Board adopt the legislation as set forth in SB 959 and Penal Code Section 1203.017. The specific rules and regulations under which the program will operate must be drafted and will be submitted for the Board's approval at a later date.

The resolution has been approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES

Currently, an early release program is in place due to overcrowded jail conditions. The ability to place a greater number of inmates on a home detention program via electronic monitoring will provide additional bed space for the more dangerous and violent felons to serve a greater percentage of their sentences.

The Honorable Board of Supervisors
December 11, 2007
Page 3

CONCLUSION

Upon approval by your Board, it is requested that the Executive Officer, Clerk of the Board return one adopted copy of the Board letter to the Chief Executive Office. If you have any questions regarding this letter or the attached resolution, please contact R. Doyle Campbell, Deputy Chief Executive Officer, Public Safety, at (213) 893-2374.

Sincerely,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:SRH:RDC
JW:SW:llm

Attachment

RESOLUTION

WHEREAS, SB 959 (Romero and Runner) which was signed into law by the Governor on September 26, 2007, which authorizes the correctional administrator to implement a program under which sentenced misdemeanor inmates may be required to participate in an involuntary home detention program, which includes electronic monitoring in lieu of county jail; and

WHEREAS, this new law adds Section 1203.017 to the Penal Code, by which the correctional administrator, with this Board's authorization, may relieve overcrowded jail conditions by offering a home detention program; and

WHEREAS, implementation of this legislation allows for sentenced misdemeanor inmates to be required to participate in an involuntary electronic monitoring program in lieu of confinement in the County jail or other correctional facility or program; and

WHEREAS, these provisions become operative upon adoption of a resolution by a majority vote of Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Los Angeles County Board of Supervisors hereby adopts this resolution adding and making operative Section 1203.017 of the Penal Code in Los Angeles County.

ADOPTED by the Board of Supervisors of the County of Los Angeles on 11th
day of December, 2007.



SACHI A. HAMAI, Executive Officer
Clerk of the Board of Supervisors of the
County of Los Angeles

By: *Sachi A. Hamai*
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By: *Paul Yoshinaga*
PAUL YOSHINAGA
Principal Deputy County Counsel