



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Probation  
Department No.: 022  
For Agenda Of: June 16, 2020  
Placement: Administrative  
Estimated Time:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Tanja Heitman, Chief Probation Officer (805) 803-8537  
Director(s)  
Contact Info: Damon Fletcher, Administrative Deputy Director (805) 882-3654  
**SUBJECT:** Adopt a Resolution to repeal the Assessment and Collection of all Juvenile Probation Administrative Fees and write off the account receivable balance

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

**Recommended Actions:**

That the Board of supervisors:

- A. Adopt a Resolution to approve and authorize the Chief Probation Officer to repeal all Juvenile Probation fees and write off all current accounts receivables balances for Juvenile fees assessed prior to the implementation of Senate Bill 190 (SB 190) on January 1, 2018.
- B. Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA guidelines.

**Summary Text:**

Effective January 1, 2018, SB 190 repealed county authority to charge specified fees related to juvenile offenders. As a result of this legislation, Santa Barbara County Probation Department ceased all active collections on juvenile fees effective September 2018. Although active collections were ceased, the balances remain on clients' accounts and were subject to collection. The requested action would write off all current balances for these fees and repeal future fees.

**Background:**

As part of the measures necessary to balance their Fiscal Year (FY) 2011-12 budget, the Treasurer Tax Collector (TTC) ceased all collection actions and accounting functions and returned uncollected accounts to originating departments. Probation was one of the departments that utilized the TTC central collections programs and worked collaboratively with the TTC to transfer over 53,000 accounts totaling over \$51.5 million that dated back almost 30 years. These accounts include all of the fines, fees, and restitution amounts that were in the central collections system at the time of transfer. Approximately \$5 million of the accounts transferred were related to the juvenile fees that were ultimately eliminated when Governor Jerry Brown signed SB 190 on October 11, 2017.

Effective January 1, 2018, SB 190 repealed authority for counties to assess juvenile fees for detention, legal representation, electronic monitoring, probation or home supervision, and drug testing. In response to the signing of this legislation and ongoing statewide concerns about these fees, the Santa Barbara County Probation Department ceased all active collections on juvenile fees effective September 2018 and retrieved all accounts from the California Franchise Tax Board Court Ordered Debt program. While SB 190 repealed the authority to assess these fees effective January 1, 2018, it did not discharge any previously assessed fees.

The actions taken by the Probation Department when SB 190 passed reduced juvenile fee revenue in the Department to \$0 annually. A large portion of the accounts and fees that remain were in existence at the time of the transfer of collections responsibility and due to the age of the accounts the Probation Department does not have the necessary documentation to certify the validity of the charges. These accounts are uncollectable regardless of the action of the Board. This action would write off approximately \$6.3 million in outstanding fees and repeal the fees.

**Fiscal Impact:**

The collection of juvenile fees has been phased out over the last three years as the Department has not been actively collecting fees that were assessed prior to the implementation of SB 190. In FY 2018-19, annual revenues from institution fees paid by clients was \$160,290. In FY 2019-20, estimated revenues are approximately \$20,000 which were received prior to Probation returning client payments for these fees. The proposed budget for FY 2020-21 does not include any revenue from juvenile fees.

The Department intends to write off approximately \$6.3 million in accounts receivable related to juvenile fees due to the inability to validate the accuracy of the old accounts and the recent change in legislation. This action will ensure a more accurate accounting of the Department's accounts receivable. A similar action will be brought to the Board at a later date to address uncollectable debt in the adult division.

**Staffing Impacts:**

**Legal Positions:**  
0.0

**FTEs:**  
0.0

**Special Instructions:**

Please return one certified copy of the resolution to Christina Sibley, Fiscal Manager, Probation Department, 117 E. Carrillo St, Santa Barbara CA 93101.

**Attachments:**

Resolution Repealing Juvenile Fees and Writing off accounts

**Authored by:**

Damon Fletcher, Administrative Deputy Director