



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 15-1346 **Version:** 2  
**Type:** Agenda Item **Status:** Approved  
**File created:** 11/4/2015 **In control:** Board of Supervisors  
**On agenda:** 11/17/2015 **Final action:** 11/17/2015  
**Title:** Sheriff's Office recommending the Board approve and authorize the Chair to sign Resolution 194-2015 designating the Sheriff's Office as the collection agency for attachment of AB109 inmate trust accounts, while in custody, to pay victim restitution debt.

**FUNDING:** Inmate Trust Account Funds.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 2A - Sheriff Resolution Victim Restitution 11-17-15, 2. Executed Resolution 15-1346 (11-17-15)

Date	Ver.	Action By	Action	Result
11/17/2015	2	Board of Supervisors	Approved	Pass

Sheriff's Office recommending the Board approve and authorize the Chair to sign Resolution **194-2015** designating the Sheriff's Office as the collection agency for attachment of AB109 inmate trust accounts, while in custody, to pay victim restitution debt.

**FUNDING:** Inmate Trust Account Funds.

### DEPARTMENT RECOMMENDATION

The Sheriff's Office recommends that this Resolution be signed to allow for the collection of inmate trust account funds for victim restitution, while the inmate is being incarcerated in the County Jail.

### DISCUSSION / BACKGROUND

In 2011, Governor Brown signed Assembly Bill AB 109, the prison realignment law, which shifted responsibility for incarcerating certain inmates from state prisons to county jails. As a result, certain inmates were transferred to the County jails who have committed crimes against victims where restitution is due as a consequence of the harm inflicted by their actions.

On October 16, 2012, Resolution 147-2012 was signed by the Board recognizing that victims of crime shall be treated with compassion and respect, and that they shall have access to all appropriate mechanisms of the justice system and other governmental processes, and wherever possible, county agencies should provide assistance to victims to support restitution collection efforts.

Therefore, the Sheriff's Office is requesting this Resolution be signed authorizing that the Inmate Trust Account Funds of AB 109 inmates in County jails be attached to pay restitution to victims of crimes committed by these inmates.

### ALTERNATIVES

Failure to provide this source of restitution to victims would diminish the public respect for rules of law, and allow criminals to not fully suffer the consequences of their actions.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Superior Court, multiple County agencies, and the jail commissary vendor, Keefe, have developed an efficient process for attaching these inmate trust accounts to pay victim restitution. County Counsel reviewed and approved the resolution.

### **CAO RECOMMENDATION**

[This section is completed by the CAO's Office. This section is required]

### **FINANCIAL IMPACT**

No impact to Net County Cost. Some of the Inmate Trust Account Funds of AB 109 inmates will be attached for restitution purposes.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Please return signed Resolution to the Sheriff's Office

### **STRATEGIC PLAN COMPONENT**

Public Safety

### **CONTACT**

Undersheriff Randy Peshon