

**1999 - 2000 Ventura County Grand Jury Report**

**Assessment of Fees  
for Work Furlough Inmates**



## Assessment of Fees for Work Furlough Inmates

On August 18, 1999, a supervisor from the Probation Department's Work Furlough/Work Release Program spoke to the 1999-2000 Ventura County Grand Jury. After hearing an overview of the program, the panel scheduled a follow-up visit to tour the Work Furlough facility located at the Camarillo Airport. Questions were posed during the September 10th tour regarding the financial means testing of inmates participating in the Work Furlough program. Responses to those questions prompted further inquiry by this Grand Jury and, as a result of this inquiry, a new methodology has been implemented by the Probation Department to determine "ability to pay."

### Background

Participation in the Work Furlough Program requires that an inmate has been sentenced to a county jail for a term of over thirty days and that his/her current employment is acceptable to the program staff. Potential participants are evaluated based on the nature of their current offense, criminal history, employment and community status, prior work furlough experience (if any) and current adjustment in custody. Participation in this program is not based on the ability to pay.

The Work Furlough Program allows inmates to maintain their current employment, attend school, receive drug intervention and support their families.

Statistics indicate inmates participating in the program are more successful when released back to the community.

### Methodology

- Interviewed the Supervising Deputy Probation Officer of the Work Furlough Program.
- Interviewed the Probation Department employee responsible for processing inmates into the Work Furlough Program.
- Reviewed intake forms in use as of September 10, 1999.

- Reviewed Probation Department documents entitled Work Furlough Summary dated 11/98 and Work Furlough Summary revised 5/99.
- Requested and obtained the following information from the Probation Department:
  1. Procedures, either currently in place and/or under consideration, for assessing ability of the inmate to pay, and the goals and time table for implementation of these procedures.
  2. Procedures to assess the financial means of non-English speaking inmates and inmates who might be illiterate.
  3. Fee assessment data for the month of September 1999 to allow an overview of the current assessment practice.
  4. Percentage of inmates who appealed their fee assessment in September 1999.

## Findings

Our inquiry was limited to the need for appropriate procedures to assess fees to work furlough inmates and whether these procedures were in place at the time of our visit in September 1999. These are our findings:

### Assessment of Fees to Work Furlough Inmates

- F-1 Fees associated with Work Furlough participation are:
- |                       |   |
|-----------------------|---|
| a. Board Fee          | \$48.00/day                             |
| b. Screening Fee      | \$19.00 one-time charge                 |
| c. Administration Fee | \$39.00 one-time charge                 |
| d. Booking Fee        | \$35.00 one-time charge paid to Sheriff |
- F-2 Fees are recommended by the Probation Department and approved by the Board of Supervisors.
- F-3 Board fees collected in September 1999 totaled \$79,406.04.
- F-4 The average daily work furlough population in the month of September 1999 was 160 inmates.
- F-5 Approximately 70 inmates included in the September population were in the following non-paying categories:
- a. Stages (Alcohol/Drug recovery for a minimum of 6 weeks.)
  - b. Look For Work Program (unemployed inmates who are allowed to seek employment three days each week and perform work in the Work Release program three days per week.)
  - c. Janitor

FINANCIAL STATEMENT DECLARACION DE FINANCIAS		Account # Bag #
Name: _____ Birthdate: _____		County of residence: _____
<small>Nombre (Print/Escribir letra de molde) Fecha de nacimiento</small>		<small>Condado de residencia</small>
Address: _____		<b>Other Income</b>
<small>Domicilio</small>		<small>Otros Ingresos</small>
City _____ State _____ Zip _____		<b>Retirement</b> \$ _____
<small>Ciudad Estado Zona Postal</small>		<small>Pension</small>
Phone(____) _____ Soc. Sec # _____		<b>Rentals</b> \$ _____
<small>Telefono # de Seguro Social</small>		<small>Rentas</small>
Employer _____ Phone(____) _____		<b>Social Security</b> \$ _____
<small>Patron Telefono</small>		<small>Seguro Social</small>
Employer's address _____		<b>Veteran's Benefits</b> \$ _____
<small>Direccion del Patron</small>		<small>Beneficio de Vetrano</small>
How long on job? _____ Occupation _____		<b>Disability</b> \$ _____
<small>Quanto tiempo en su trabajo Ocupacion</small>		<small>Sueldo de Incapacidad</small>
Weekly net income \$ _____ CDL # _____		<b>Child Support</b> \$ _____
<small>Sueldo libre por semana # de licencia</small>		<small>Ayuda de hijos</small>
Spouse's Name _____ Birthdate _____		<b>Welfare</b> \$ _____
<small>Nombre de Esposo/Esposa Fecha de nacimiento</small>		<small>Asistencia del Condado</small>
Address _____		<b>Other Assets</b>
<small>Domicilio</small>		<small>Otros Deudas</small>
City _____ State _____ Zip _____		<b>Securities</b> \$ _____
<small>Ciudad Estado Zona Postal</small>		<small>Segirudades</small>
Phone(____) _____ Soc. Sec # _____		<b>Real Estate</b> \$ _____
<small>Telefono # de Seguro Social</small>		<small>Bienes Raices</small>
Employer _____ Phone (____) _____		<b>Automobile</b> \$ _____
<small>Patron Telefono</small>		<small>Auto</small>
Employer's address _____		<b>Make/Year</b> _____
<small>Direccion del Patron</small>		<small>Tipo/Año de auto</small>
How long on job? _____ Occupation _____		<b>Other</b> \$ _____
<small>Quanto tiempo en su trabajo Ocupacion</small>		<small>Otras</small>
Weekly net income \$ _____ CDL# _____		<b>Do you Rent?</b> _____
<small>Sueldo libre por semana # de licencia</small>		<small>Utd. Renta</small>
# of children you support _____		<b>Buying Home?</b> _____
<small># de hijos que mantiene Otros</small>		<small>Compra Casa?</small>
Total # of persons you support _____		<b>Own Home</b> _____
<small># total de personas que mantiene</small>		<small>Es casa propia</small>
Name of Bank _____ Branch _____		
<small>Nobre del banco</small>		
Ckg. Acct # _____ Svgs. Acct # _____		
<small># de cuenta # de cuenta</small>		
<p>I certify that the foregoing is a complete and accurate statement of my financial situation and that I have no other additional income or assets whatsoever. You have ny express permission to verify the information furnished.</p> <p>Yo cerifico que toda la informacion anterior es verdad. Uds. tiene mi permiso de verificar la informacion propcionada.</p>		
Signature _____	Date _____	
<small>Firma</small>	<small>Fecha</small>	

Figure 1. Financial Statement Form (side 1)



### Intake Process for Work Furlough Inmates – September 1999

- F-6 At the time of the Grand Jury visit, the intake process which determined the fee assessed for participation in the Work Furlough Program was described as follows:
- The inmate was asked to provide a pay stub and, if the amount indicated was sufficient in the judgment of the intake employee, the \$48.00 fee was assessed.
  - If an inmate requested an appeal, he/she filled out a Financial Statement. (See Figure 1)
  - The means test was described as a loose sliding scale.
  - There were no written guidelines or procedures in place.
  - None of the intake documents gave notice to the inmate that an appeals process was available.

Staff stated that procedures for fee assessment had been delayed because of work required to get a new computer system up and running.

- F-7 In response to our request for clarification, the Probation Department’s letter (November 16, 1999) provided a sliding scale (see Figure 2) and stated that during the month of September 1999 the 88 new inmates were given an automatic means test. Rates shown in first two columns are assumed to be hourly dollar amounts.

FROM	TO	DAILY CHARGE
5.75	6.75	14.25
6.76	8.50	18.00
8.51	10.25	21.75
10.26	12.00	25.50
12.01	13.75	29.25
13.76	15.50	33.00
15.51	17.25	36.75
17.26	19.00	40.50
19.01	20.75	44.25
20.76		48.00

**Figure 2. Ventura County Probation Agency Work Furlough Program - Sliding scale for fiscal year 1999-2000**

## Conclusions

- C-1 The Work Furlough Program serves both the inmate participants and the County of Ventura.
- C-2 Ventura County Probation Department response to Grand Jury questions, dated November 16, 1999, indicates that procedures and forms are now in place to provide means testing assistance to English speaking, non-English speaking and illiterate inmates.
- C-3 The response from Ventura County Probation Department dated November 16, 1999, indicates appropriate changes have been made in the procedures used to assess “ability to pay” and assign fees for Work Furlough participants: “Although we believe the sliding scale in combination with the inmates being able to request a financial evaluation addresses the ‘ability to pay’ requirement set forth in the Penal Code, we have recently assessed this practice and decided to implement a new methodology for determining the ‘ability to pay’ by an individual in the program. This new rate determination methodology involves the sending of three (3) forms (copies attached—English and Spanish) to participants accepted to the Work Furlough Program prior to their arrival. These forms are: 1) Instructions for Financial Evaluation; 2) Financial Statement; and 3) Authorization to Release Information/Authorization To Disclose Information to a Governmental Agency. The evaluation of this information in combination with the credit reports we will run, will allow us to better assess that individual’s total household income and their total household expenses. The overall results will be a rate determination that is reflective of that individual’s “ability to pay.” The full implementation of this new methodology will coincide with the implementation of our new computer system on November 1, 1999.”

## Recommendations

The Ventura County Grand Jury recommends:

- R-1 That the Ventura County Probation Department monitor the financial means assessment and the process of appeal of those assessments to ensure compliance with the Penal Code;
- R-2 That Probation Department Work Furlough Program Policy and Procedure Manual reflect these changes and that those policies and procedures be available for review by any citizen;

- R-3 That the Senior Accountant, Probation Department, be charged with the task of internal oversight and that such oversight include an annual compliance review;
- R-4 That any increase in fees, approved by the Board of Supervisors and assessed to inmates participating in the Work Furlough Program, be part of the annual budget review process and that any increase in fees accurately reflect costs to the county for the participating inmates.

### **Commendation**

Work Furlough staff interviewed by the Grand Jury were professional county employees interested to having the proper tools to do their job well. We commend them for their open response to the concerns of the Grand Jury.

The response of the Probation Department was to review current procedures and forms and improve them. We commend them for the timeliness and completeness of their response.

### **Responses Required By**

Chief Administrative Officer (R-4)

Director/Chief Probation Officer (R-1, R-2, R-3)

