



VENTURA COUNTY SHERIFF'S OFFICE

- **GEOFF DEAN**
Sheriff
- **GARY PENTIS**
Assistant Sheriff
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Assistant Sheriff

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April 23, 2012

RECEIVED
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VENTURA COUNTY
GRAND JURY

The Honorable Judge Vincent O'Neill, Jr.
Presiding Judge, Superior Court of California
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: Grand Jury Report: "Vehicle Impound Fees in Ventura County"

Dear Judge O'Neill:

This letter is in response to the Grand Jury's Findings and Recommendations pertaining to the fees collected by local municipalities for the release of impounded vehicles.

FINDINGS

Finding FI-04:

Vehicle release fees across the County for violations of Vehicle Code sections 12500 and 14601 vary from \$11 in unincorporated areas, to \$300 in Thousand Oaks. The average (mean) vehicle release fee for the County is \$137.79. (FA-03-FA-14)

Response:

We concur with this finding.

Finding FI-05:

Six Cities (Camarillo, Fillmore, Moorpark, Ojai, Santa Paula, and Simi Valley) and the Sheriff (unincorporated County areas) do not identify any additional tasks or any extra hours required to process the impoundment of a DUI vehicle versus the cost of other types of impoundments. This transfers extra costs from the DUI violator to the general public. (FA-03-FA-06, FA-09, FA-10)

Response:

Existing law holds the violator liable for the costs incurred by public agencies when an emergency response is required by an incident that results as the proximate cause of that violator's negligent operation of a motor vehicle due to his/her impairment from the consumption of alcoholic beverage or any drug. Other procedures are in place to recoup these costs. These procedures are

SPECIAL SERVICES

6401 Telephone Road, Suite 200
Ventura, CA 93003
(805) 477-7011 FAX (805) 477-7010

PATROL SERVICES

2101 East Olsen Road
Thousand Oaks, CA 91362
(805) 494-8261 FAX (805) 494-8295

DETENTION SERVICES

800 South Victoria Avenue
Ventura, CA 93009
(805) 654-2305 FAX (805) 654-3500

SUPPORT SERVICES

800 South Victoria Avenue
Ventura, CA 93009
(805) 654-3926 FAX (805) 654-2109

separate and apart from the administrative fees authorized by C.V.C. 22850.5. Therefore we believe there are no additional costs associated with a DUI violator to transfer to the general public.

Finding FI-06:

There is no standardized list of allowable categories of impound costs used to calculate vehicle release fees across the County. Some cities base fees on costs that occur after a traffic stop transitions to the impound process. This cost basis also includes the vehicle release paperwork. Other cities and the Sheriff collect fees based only on the cost of the paperwork generated at the end of the impound process. This disparity in the services included in the fee allocations for violations of Vehicle Code sections 12500, 14601, and 23152 is a major factor in the fee variations. (FA-03-FA-14)

Response:

We concur with this finding.

RECOMMENDATIONS

Recommendation R-02:

Representatives of all law enforcement agencies within the County should meet and identify a standard set of tasks, labor hours and overhead items to cover the full spectrum of administrative costs for violations of Vehicle Code sections 12500, 14601, and 23152. (FI-06)

Response:

This recommendation was an agenda item at the Ventura County Law Enforcement Coordinating Committee (V.C.L.E.C.C.) meeting on April 17, 2012. A committee is being formed with representative from each law enforcement agency, within Ventura County, to discuss a standard set of tasks, labor hours and overhead items to formulate administrative costs.

Recommendation R-03

All Cities should apply their local rates and factors and their targeted cost recovery goals to calculate their individual vehicle release fees using the standardized cost category list from Recommendation R-02. It should be recognized that categories not included in the cost basis for approved fees represent costs to be borne by the general public and not the violator at a time of reduced public safety budgets. As necessary, new resolutions authorizing any revised vehicle release fees should be passed and the basis for the fees should be available to the public. (FI-04-FI-06)

Response

We agree with the recommendation that all Cities should apply their local rates and factors and their targeted cost recovery goals to calculate their individual vehicle release fees.

Recommendation R-05

The Board of Supervisors should request the Sheriff's Department to apply the rates and factors for the unincorporated County areas along with directed cost recovery goals using the standardized cost category list from Recommendation R-02. It should be recognized that categories not included in the cost basis for approved fees represent costs to be borne by the general public and not the violator. (FI-04, FI-06)

Response

The Sheriff's Office will create a methodology to achieve administrative cost recovery as allowed by law for the Board of Supervisors review. If a standardized cost category list as described by Recommendation R-02 is agreed upon, the Sheriff's Office methodology will conform to that list.

Thank you for the opportunity to respond to this Grand Jury report. If additional explanation is needed, please feel free to contact Commander Brent Kerr at 371-8323

Sincerely,

A handwritten signature in black ink that reads "Geoff Dean". The signature is written in a cursive, flowing style.

Geoff Dean
Sheriff

Cc: Assistant Sheriff Crombach

✓ Foreman, Ventura County Grand Jury
800 S. Victoria Avenue
Ventura, CA 93009