

**COUNTY OF SAN DIEGO, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

**Subject**

Allocation of County Penalty Assessment Funds

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Purpose

To provide a review and evaluation process for responding to requests for funds from Penalty Assessment revenues pursuant to Government Code 76000 (Chapter 12).

Background

Government Code 76000 provides for the collection of additional surcharges on every fine, penalty or forfeiture. The Government Code establishes specific uses of these penalty assessments as follows:

76100 Courthouse Construction Fund: acquisition, rehabilitation, construction, and financing of courtrooms and related space (operation and maintenance activities are not eligible).

76101 Criminal Justice Facilities Construction Fund: construction, reconstruction, expansion, improvement, operation, or maintenance of county criminal justice and court facilities and for improvement of criminal justice automated information systems.

76102 County Automated Fingerprint Identification and Digital Image Photographic Suspect Booking Identification System Fund: purchase, lease, operation, including personnel and related costs, and maintenance of automated fingerprint equipment and digital image photographic equipment, replacement of existing automated fingerprint equipment, digital image photographic equipment, and other equipment needed for the suspect booking and for the reimbursement of local agencies within the county which have previously purchased, leased, operated, or maintained automated fingerprint equipment and digital image photographic equipment from other funding sources.

76103 Forensic Laboratory Fund: construction, reconstruction, expansion, improvement, operation including personnel or related costs, or maintenance of forensic lab facilities.

76104 County Emergency Medical Services Fund: supporting emergency medical services pursuant to Chapter 2.5 of Division 2.5 of the Health and Safety Code.

76104.5 DNA Identification Fund: the establishment of automated photographic or DNA (genetic fingerprint) identification systems, or any new technology in the county.

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Interest earned by the Forensic Laboratory Fund, County Emergency Medical Services Fund and the DNA Identification Fund will be deposited in those funds as authorized by the statute.

**Policy**

It is the policy of the Board of Supervisors that the Chief Administrative Officer will make annual recommendations for the allocation of Penalty Assessment revenues in accordance with the allocation process described below. It is the intent of the Board of Supervisors to retain as much flexibility as permitted by law in the allocation of revenues and interest.

**Allocation Process**

It is the intent of the Board of Supervisors to establish an orderly process for prioritizing projects proposed for funding from Penalty Assessment revenues.

**Project Criteria**

New project priorities must increase operational efficiency or effectiveness and shall be established in order of the following criteria:

1. Capital projects, debt service, rents and lease payments have the highest priority.
2. Public or employee health/safety is threatened by existing or imminent conditions.
3. Request must be implemented in the current fiscal year due to unforeseen circumstances such as loss of revenue, legislative action, litigation, etc.

Funding requests will be reviewed and approved by the Public Safety Group office. Projects related to building and/or infrastructure improvements must be included in the annual capital improvement and/or major maintenance needs assessment process as described in Board of Supervisors Policy G-16. This will allow for a more comprehensive and Countywide planning effort.

County departments shall submit their automated information system project requests to the Chief Technology Office for review, evaluation and cost estimates.

The Public Safety Group will project the estimated revenues from penalty assessments and will include those estimates in the annual CAO Recommended Operational Plan

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based on available funding in each of the six major funds established pursuant to Government Code Section 76000-76104.5

Project savings from completed projects or cancellations will be reviewed by the Chief Administrative Officer for reallocation.

**Sunset Date**

This policy will be reviewed for continuance by 12-31-25.

**Board Action**

10/6/92 (3)  
09/27/05 (1)  
11/8/11 (2)  
12/11/18 (06)

**CAO Reference**

1. DCAO Public Safety Group
2. Deputy Chief Administrative Officer/Auditor & Controller
3. Department of General Services

