



# Albemarle County

## Legislation Details (With Text)

**File #:** 17-470      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/13/2017      **In control:** Board of Supervisors  
**On agenda:** 8/2/2017      **Final action:** 8/2/2017

**Title:** Implementation of Additional \$5.00 Court Fee. To receive comments on its intent to adopt an ordinance to add a \$5.00 fee to be assessed against defendants convicted of an offense in criminal or traffic cases in the Albemarle County General District or Circuit Courts. The fee will be used to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The ordinance would amend Albemarle County Code Chapter 1 ("General Provisions"), Section 1-119 ("Additional court costs") and is authorized by Virginia Code Section 17.1-279.1.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attach.A Proposed Ordinance, 2. Attach.B- Soft Cost Savings Analysis, 3. Attach.C- digiTicket Equip Cost Estimates

Date	Ver.	Action By	Action	Result
8/2/2017	1	Board of Supervisors	adopted	Pass

**AGENDA DATE:** 8/2/2017

**TITLE:**

Implementation of Additional \$5.00 Court Fee

**SUBJECT/PROPOSAL/REQUEST:** Public hearing to consider an ordinance amendment to collect an additional court fee in the amount of \$5.00 to fund an electronic summons system

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Walker, Kamptner, Farley, Lantz, Jenkins

**PRESENTER (S):** Major Gregory A. Jenkins

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Douglas C. Walker

**BACKGROUND:**

The 2014 session of the General Assembly enacted Virginia Code § 17.1-279.1, which authorizes localities to assess an additional sum not to exceed \$5.00 as part of the cost in each criminal or traffic case in the district or circuit courts located within its boundaries in which the defendant is convicted of a violation of any statute or ordinance.

The fee would be collected by the clerk of each court and remitted to the County's Director of Finance to be used solely to fund software, hardware, and associated equipment costs to implement and maintain an electronic summons system upon appropriation of those funds by the Board. Virginia Code § 17.1-279.1 also

authorizes localities to acquire electronic summons systems which have been shown to reduce transaction errors; protect the environment by reducing paper waste; increase the efficiency of data entry; and increase officer and citizen safety while stopped along the shoulder of the roadway. The processes and record keeping requirements for the electronic summons system have been formulated by the Virginia Supreme Court and the Virginia Department of Motor Vehicles.

In FY16, the Albemarle County Police Department (ACPD) began its implementation process of the New World records management system. The then-Chief of Police, Steve Sellers, authorized the purchase of 100 electronic summons systems (hardware) for use by ACPD officers in the field. Officer David Rhodes is working with Saltus Technologies, and its product, digiTicket Electronic Ticketing Solutions, to build out the electronic format of the electronic summons to be used by ACPD officers. The ACPD has started the installation process of hardware required for the electronic summons into its patrol vehicles. Once the formatting has been completed, the ACPD will transition to the use of an electronic summons for any traffic or criminal case in which a summons is issued.

**STRATEGIC PLAN:** Quality Government Operations: Ensure County government's ability to provide high quality services that achieves community priorities.

**DISCUSSION:**

ACPD officers currently issue a hand-written paper summons for citations, each of which takes an average of five to six minutes to hand write. This method increases the chances of an error in the data that is entered on the summons, and subsequently into the ACPD data base. With an electronic summons, the officer will scan the offender's driver's license, and the data will be populated automatically, eliminating the chance of error. The digital scanners will reduce the amount of time needed to complete each summons to approximately three minutes, allowing officers to resume their patrols. In addition, the reduced time that officers and violators spend on the side of the roadway reduces the risk of their being struck by a vehicle traveling along that roadway. In 2016, there were fifty-three traffic related officer fatalities across the country, of which fifteen were a result of the officer being struck while outside of his/her vehicle.

The electronic summons system improves the accuracy of data obtained regarding violations, improves the efficiency of officers, allowing them to be more proactive during their patrols, reduces the risk of injury or death of the officer or motorist stopped on the shoulder of the roadway, and improves the quality of information an officer can retrieve during an investigation.

**BUDGET IMPACT:**

The equipment to outfit 100 police vehicles, including the installation of the equipment and service for the first year, has already been purchased at a cost of \$105,000.00 as part of the County's contract with New World. The annual cost of \$2,000.00 for the special printing paper and \$12,000.00 for service and maintenance will be requested as part of the annual budget process, but is expected to be offset by the additional fees collected.

The equipment has a five-year service life, and together with installation, service and printing paper, has a five-year cost of \$175,000.00, or \$35,000.00 per year. This annual cost is expected to be offset by a savings of \$20,583.00 each year in police officer salary and benefits for time saved in issuing summons, which can be redirected to other duties. If the proposed ordinance is adopted and an additional \$5.00 fee is collected for all cases in which a criminal or traffic summons is issued, approximately \$200,000.00 would be assessed over a five-year period. However, only a portion of those cases will result in a conviction, so the \$200,000.00 estimate would be reduced accordingly. The courts do not track conviction rates through the Clerk's Offices, so staff is unable to obtain data on the number or percentage of convictions at this time.

The ACPD staff is still working with Saltus Technologies on the build out of the electronic format. However, adoption of the proposed ordinance (Attachment A) would implement the additional \$5.00 court fee, which would offset any budgetary expenses that might be accrued by the ACPD in the implementation and ongoing

maintenance of the electronic summons system.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached proposed ordinance (Attachment A).

**ATTACHMENTS:**

Attachment A - Proposed Ordinance

Attachment B - Soft Cost Savings Analysis

Attachment C - digiTicket Equipment Cost Estimates