



# County of Monterey

Item No.

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: PAR 26-009

May 12, 2026

Introduced: 5/4/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Preliminary Analysis  
Report

- a. Receive a preliminary response to **Board Referral Number 2026.06 (Alejo)** regarding the proposed modification of Board of Supervisors Resolution 25-413 to allow discretion to the judges of the Monterey County Superior Court in imposing a \$15 fee pursuant to Penal Code Section 853.7a.; and
- b. Provide direction to staff.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Receive a preliminary response to **Board Referral Number 2026.06 (Alejo)** regarding the proposed modification of Board of Supervisors Resolution 25-413 to allow discretion to the judges of the Monterey County Superior Court in imposing a \$15 fee pursuant to Penal Code Section 853.7a.; and
- b. Provide direction to staff.

### SUMMARY/ PRELIMINARY ANALYSIS:

On April 14, 2026, Supervisor Luis Alejo submitted Board Referral No. 2026.06 requesting that the County evaluate potential amendments to Resolution No. 25-413 to allow judicial discretion in the imposition of a \$15 assessment authorized under Penal Code section 853.7a.

On October 28, 2025, the Board adopted Resolution No. 25-413, requiring the Monterey County Superior Court to impose a mandatory \$15 assessment on individuals who violate a written promise to appear or fail to comply with a court order, consistent with Penal Code section 853.7a.

Penal Code section 853.7a authorizes, but does not require, a county to adopt a resolution requiring courts to impose such an assessment. The statute provides that a county “may, by resolution,” require imposition of the fee, indicating that local discretion exists in how the assessment is implemented. Specifically, the statute states:

“§ 853.7a. Violations of promises to appear or specified court orders; assessments

- (a) In addition to the fees authorized or required by any other provision of law, a county may, by resolution of the board of supervisors, require the courts of that county to impose an assessment of fifteen dollars (\$15) upon every person who violates his or her written promise to appear or a lawfully granted continuance of his or her promise to appear in court or before a person authorized to receive a deposit of bail, or who otherwise fails to comply with any

valid court order for a violation of any provision of this code or local ordinance adopted pursuant to this code. This assessment shall apply whether or not a violation of Section 853.7 is concurrently charged or a warrant of arrest is issued pursuant to Section 853.8.

- (b) The clerk of the court shall deposit the amounts collected under this section in the county treasury. All money so deposited shall be used first for the development and operation of an automated county warrant system. If sufficient funds are available after appropriate expenditures to develop, modernize, and maintain the automated warrant system, a county may use the balance to fund a warrant service task force for the purpose of serving all bench warrants within the county.

As Supervisor Alejo's referral states, Presiding Judge Rafael Vazquez requested a modification of the resolution to allow Monterey Superior Court judges flexibility to waive the \$15 fee, presumably in the case of an indigent defendant or other special circumstances. This Board may amend the resolution and would simply need to direct County Counsel to come back at a future date with a proposed amendment.

OTHER AGENCY INVOLVEMENT:

Superior Court of California, and County Administrative Office.

FINANCING:

The Office of the Sheriff may lose an undetermined future amount of money for work on the County's warrant system. No additional cost is associated with receipt of this preliminary report.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

This item relates to the administration of justice and funding mechanisms supporting warrant enforcement systems.

- Well-Being and Quality of Life
- Sustainable Infrastructure for the Present and Future
- Safe and Resilient Communities
- Diverse and Thriving Economy

Prepared and Approved by: Susan K. Blich, County Counsel x5045

Attachments:

1. Referral No. 2026.06