

Woodson County Resolution 10-03

A RESOLUTION AUTHORIZING THE RECOUPMENT OF PER DIEM COUNTY JAIL PRISONER COSTS, AS PER K.S.A. 19-1930

NOW UPON THIS 4th day of March, 2010, the Board of County Commissioners of Woodson County, Kansas, is met in regular session with a quorum present, and

WHEREAS, K.S.A. 19-1930 provides that the Boards of County Commissioners are authorized to provide by resolution for the recoupment of per diem county jail prisoners costs from any inmate of the county jail who is incarcerated in the county jail pursuant to a sentence for the conviction of a crime in this state

WHEREAS the Woodson County Sheriff reports the per diem cost for inmates at the Woodson County Jail averages \$ 48.00 per inmate per day, using figures from calendar year 2009, and

WHEREAS the recoupment of such costs is permitted by law and in the interest of the taxpayers of Woodson County, Kansas,

NOW, THEREFORE, BE IT SO RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WOODSON COUNTY, KANSAS, THAT EVERY INMATE HOUSED IN THE WOODSON COUNTY JAIL AND CONVICTED OF A MISDEMEANOR OR FELONY AND WHO IS NOT SUBJECT TO THE PROVISIONS OF K.S.A. 19-1930(A), (B), OR (C), SHALL PAY THE SUM OF \$ 48.00 PER DAY FOR EACH AND EVERY DAY THAT INMATE IS INCARCERATED IN THE WOODSON COUNTY JAIL INCLUDING, BUT NOT LIMITED TO, ANY AND ALL DAYS WHICH ARE CREDITED TO THAT INMATE'S MISDEMEANOR OR FELONY SENTENCE. FURTHER, THAT SUCH PERDIEM AMOUNT SHALL BE CONSIDERED AS ADDITIONAL COST ASSESSED AS PART OF ANY CRIMINAL SENTENCE, WITH THE PERDIEM FEE TO BE COLLECTED AFTER RESTITUTION, DOCKET FEE, KBI FEE, BOOKING FEE, AND/OR FINES HAVE BEEN COLLECTED, BUT BEFORE COURT-APPOINTED ATTORNEY'S FEES OR BIDS FEES OR PROBATION FEES ARE RECOUPED. Further, that an inmate may request from the magistrate or district judge at sentencing a reduction or waiver of such amount in instances where payment would create undue hardship for the inmate. Further, that compromise or waiver of this per diem jail fee may be collected through the office of the clerk of the Woodson County District Court, or, in the alternative, by offset against any and all monies held by the Woodson County Sheriff on behalf of the inmate owing the per diem jail fee or by utilization of the state of Kansas offset program against said inmate to the county. Further that all monies collected pursuant to this resolution shall be remitted to the Woodson County Treasurer to be credited to the county general fund. Further, that this resolution shall apply only to those inmates who have been convicted in Woodson County District Court with the effective date of the inmate's obligation for payment of this per diem fee (i.e. the maturity date at which time this debt becomes extant) being the inmate's date of conviction and/or each and every day of incarceration thereafter.

BE IT FURTHER RESOLVED that this shall be published once in the official county newspaper and shall be in effect from and after its date of publication.

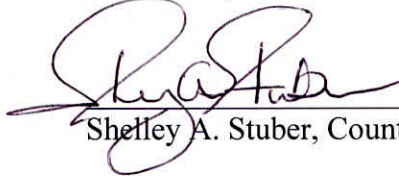
Adopted this 4th day of March 2010.

Board of Woodson County Commissioners

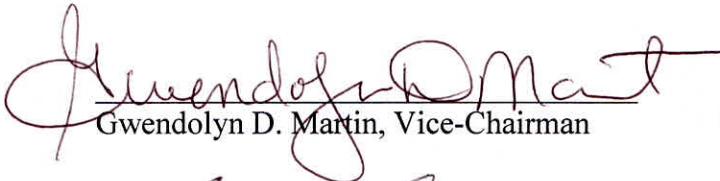


Karl D. Allen, Chairman

Attested by:

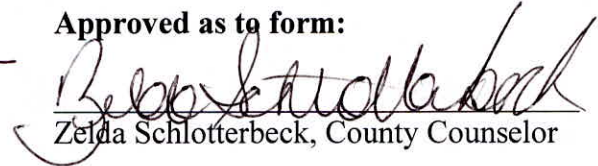


Shelley A. Stuber, County Clerk

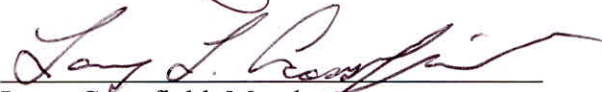


Gwendolyn D. Martin, Vice-Chairman

Approved as to form:



Zelda Schlotterbeck, County Counselor



Larry Crossfield, Member