

This document is an extract of a larger publication.

civilgrandjury.org is a project of UnGovr.org, a US-based 501(c)(3) nonprofit dedicated to government transparency and public accountability.





**PARKING CITATION PAYMENT PROBLEMS WITH THE SHERIFF'S
OFFICE**

PARKING CITATION PAYMENT PROBLEMS WITH THE SHERIFF'S OFFICE

Not an Easy Way to Pay

SUMMARY

The Santa Barbara Sheriff's Office (SBSO) has been contracting its parking citation collection operation with a private firm since 1996. Monetary adjustments have been made over the years, but the contract itself has expired. Citizens who want to follow the rules and pay their parking citations online and on time have encountered payment problems.

Specifically, there is often a processing lag between the time the SBSO submits the citations to the vendor and the time the vendor enters them into the system for payment. This process should allow recipients of citations to go online to pay their fines as soon as possible within the statutory time frame.

Processing parking citations is understandably a low priority for the SBSO. The 2015 – 2016 Santa Barbara County Grand Jury (Jury) discovered that the contract between the Sheriff's Office and the vendor has not been renewed since June 2012. The Jury learned that parking citations are often slow to be electronically posted online causing delays in the ability to pay citations. The vendor has a computer system that automatically adds late fees, even for paid citations. Moreover, the Jury learned that monthly invoice reconciliations are not completed in a timely manner. Lastly, the Jury found that there has never been a formal review of the vendor's performance.

This system is broken and needs to be fixed.

INTRODUCTION

The Santa Barbara Sheriff's Office (SBSO) signed a three (3) year contract in 1996 with an outside vendor, in an amount not to exceed \$15,000 per year, to process parking citations. The contract, with occasional changes in the "not to exceed" amount, was renewed annually with the last renewal in June 2012; this renewal expired June 30, 2013. At that time the contract "not to exceed" amount was capped at \$40,000¹.

According to the California Vehicle Code, if the registered owner, by appearance or by mail, makes payment to the processing agency within 21 calendar days from the date of issuance of the citation or 14 calendar days after the mailing of the notice of delinquent parking violation, the

¹ Change Order CN13914, dated June 2012

PARKING CITATION PAYMENT PROBLEMS

parking penalty shall consist solely of the amount of the original penalty. Additional fees, assessments, or other charges shall not be added². Parking citations in the unincorporated areas of Santa Barbara County and in the those cities that contract with the SBSO are compiled and prepared for processing by SBSO staff. This preliminary processing appears to be efficient and done in a timely manner. After preliminary processing is completed by SBSO staff, the citations are sent electronically to the vendor, and then the processing uncertainty begins. Payment can be made either by check, mailed to the vendor, or online through the SBSO website. No payments for parking citations are accepted at the Sheriff's office and there is no opportunity to pay in cash. The ability to pay online is an important feature for those citations written to people passing through the area such as tourists, visitors, college students, and the well-intentioned citizen who wants to pay as soon and as easily as possible.

Parking citation fines can range from approximately \$35 to \$257. The vendor collects all monies from parking citation payments and is compensated per transaction. For example, according to a vendor invoice, for each manual parking citation processed, the vendor is paid \$1.38. For each administrative review response processed, the vendor is paid \$0.78, and it receives 35% of the collected fine for delinquent citations and out-of-state processing. The County receives all remaining money not accounted for through citation processing fees. Payment to the vendor is limited to \$40,000 per year. Table 1 summarizes the total amount of money collected, the amount retained by the vendor for processing fees, and the amount received by the County during fiscal years 2013-14 and 2014-15.

Table 1.
Parking Citation Revenue and Fees Paid

Fiscal Year	Total Collected	Amount Retained by Contractor*	Revenue Collected
2013-14	\$143,440	\$24,860	\$118,580
2014-15	\$108,510	\$21,520	\$86,990

*Not to exceed \$40,000

METHODOLOGY

The Santa Barbara County Grand Jury (Jury) examined the original contract and subsequent renewals between the County of Santa Barbara and the vendor. The monthly parking citation fees collected and deposit journal entries were reviewed. In addition, the Jury interviewed members of County staff and the SBSO. Attempts made by the Jury to contact the vendor were not successful.

² California Vehicle Code § 40207

PARKING CITATION PAYMENT PROBLEMS

OBSERVATIONS

Online Citation Payments

Parking citations can be paid online through a link on the SBSO website to the vendor's online payment company. This company specializes in collecting law enforcement fees via the internet, similar to a payment processor such as PayPal™.

The Jury learned from SBSO staff that they field phone calls on a daily basis from citation recipients unable to pay their fine online because no record of the citation can be found on the SBSO website link. The jury learned the vendor is not consistent in entering citation information into its database in a timely manner. In order to resolve this issue, the citizen must contact the SBSO staff who then need to manually check through their master citation list and follow up with the vendor to request a specific citation be entered. The vendor then enters this citation, usually within two to three days.

In this age of internet availability, to revert to a manual verification is both time consuming and cumbersome. In some cases, when the citation cannot be found online by a citizen, it misleads the citizen into thinking that the citation has been voided and that they do not need to take further action, thereby risking late payment penalty fees and referral to collections.

Citation Payments by Mail

Parking citations can be paid with a check sent by mail directly to the vendor. The Jury, through interviews and documentation, found that payments can remain unprocessed at the vendor's offices for days or weeks before the contractor processes the citation as paid. Even though checks have been mailed to the vendor within the statutory time, the Jury found they were not processed promptly and late fees were added. Attempts to resolve the issue of unprocessed checks involve an administrative review by a SBSO departmental supervisor, another manually intensive and cumbersome process. In the worst case scenario these paid but unprocessed citations can then be sent to a debt collection agency.

Along with the risk of a citizen's credit rating being affected which accompanies unpaid debt reporting to a collection agency, is the use of unnecessary SBSO staff hours and the risk to the reputation of the Sheriff's office.

Contract Renewal

The SBSO has attempted to renew the contract but has been unsuccessful due to a lack of response to a request for insurance documentation from the vendor. This failure is compounded by a lack of follow through from the SBSO to obtain this documentation.

Standard operating procedure within the SBSO is to transfer supervisory officers from one division to another. This is an ideal process when grooming staff to move up the ladder and gain the necessary experience needed for promotion. However, this procedure can wreak havoc on small divisions of low priority. SBSO personnel, who looked into renewing the contract with the outside vendor, were not able to complete the assignment before being transferred to another department.

PARKING CITATION PAYMENT PROBLEMS

No Option to Pay by Cash

Cash is not accepted for payment of parking citations. Some citizens within Santa Barbara County use cash for all their business transactions. However, there is no way for these citizens to pay in person or with cash. This would allow the transaction to be documented with a receipt.

Other Payment Processing Options

The Jury learned there are other companies that provide parking citation payment services throughout the country that the SBSO could explore.

Public Relations Issue

With law enforcement under ever increasing scrutiny throughout the country, this low priority function when performed inadequately can tarnish the department's reputation. Any contractor should be held accountable for its actions and the SBSO should ensure fulfillment of contract terms. The failure to correct problems in a timely manner creates a risk of adverse publicity for the SBSO. If someone's credit rating is adversely affected by this flawed process, it is likely that it will be reflected as a black mark on the SBSO for failure to properly manage the process and could expose the county to potential liability.

CONCLUSIONS

The 2015-16 Santa Barbara County Grand Jury found that the parking citation processing system used by the Santa Barbara County Sheriff's Department does not meet the need for timely processing of citations. The contract with the vendor has not been formally reviewed for performance compliance and expired in 2013. The out-of-date processing practices have resulted in late fees being assessed inappropriately. There is no ability to pay a citation in person or with cash.

This expired contract needs to be reviewed and potentially renewed. Performance compliance by the vendor needs to be performed by the SBSO. Citations need to be posted in a timely manner to allow individuals the maximum amount of time to pay before a late fee is added. Procedures and infrastructure need to be established to give individuals a cash payment option. Finally, the SBSO needs to consider conducting a survey to identify other vendors who could provide superior citation processing services.

FINDINGS AND RECOMMENDATIONS

Finding 1

No evidence could be found that a performance review of the contract was ever conducted.

Recommendation 1

That the Santa Barbara Sheriff's Office conduct regular performance reviews of the parking citation processing contract.

Finding 2

PARKING CITATION PAYMENT PROBLEMS

There is no option to pay in person or with cash.

Recommendation 2

That the Santa Barbara Sheriff's Office, in recognition of the need of some citizens to pay in cash, initiate a mechanism to pay in person or with cash.

Finding 3

Parking citations are not processed in a timely manner.

Recommendation 3

That the Santa Barbara Sheriff's Office develop procedures to ensure parking citations are processed in a timely manner.

Finding 4

Some citations were sent to a debt collection agency even though payment was made within statutory guidelines as required by *California Vehicle Code § 40207*.

Recommendation 4

That the Santa Barbara Sheriff's Office develop procedures to ensure that parking citations paid within statutory timelines are not sent to debt collection agencies.

Finding 5

The most recent annual contract renewal with the vendor, CN13914, expired June 30, 2013.

Recommendation 5

That the Santa Barbara Sheriff's Office enter into a new contract with a qualified vendor that will consistently process parking citations expeditiously.

REQUEST FOR RESPONSE

Pursuant to *California Penal Code Section 933 and 933.05*, the Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Santa Barbara County Sheriff - Coroner – 60 days

Findings 1, 2, 3, 4, and 5

Recommendations 1, 2, 3, 4, and 5

Santa Barbara County Board of Supervisors – No Response Required

PARKING CITATION PAYMENT PROBLEMS

This Page Intentionally Blank