

# Prosecuting Attorney

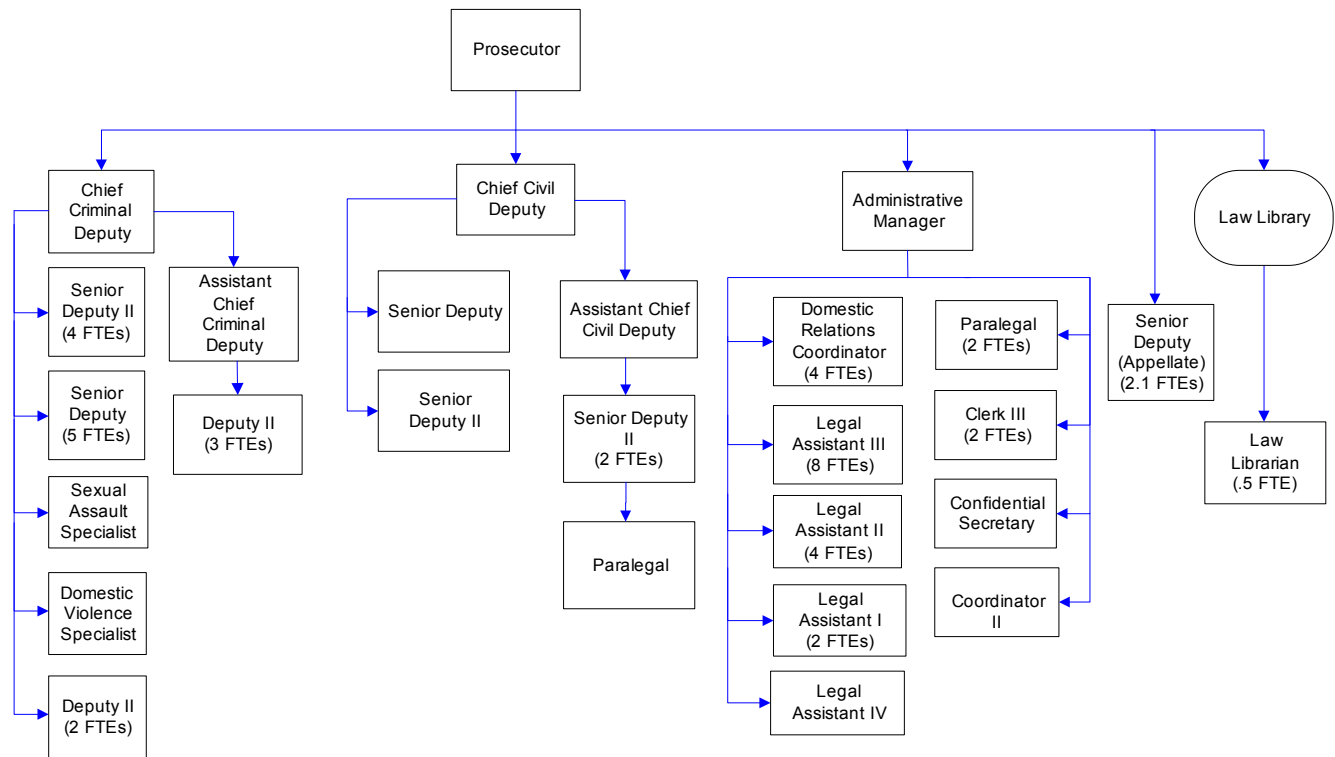
An elected official, the Prosecuting Attorney prosecutes criminal acts within the county, provides legal advice and legal services to county officials and staff, and represents and defends the county. The Prosecuting Attorney's Office also provides assistance to victims of crime, sexual abuse and domestic violence.

## FTE's for this department

Year	2005	2006	2007	*2008	*2009	*2010
FTE	52.60	52.60	54.60	54.60	54.60	54.60

\*budget

The chart below shows the organizational structure for 2009 only.



## Mission & Objectives

### Mission

#### Prosecuting Attorney

Provide just, equitable and high quality legal representation, effectively and efficiently, when prosecuting criminal actions, when advising or defending county officials or employees on civil matters that pertain to or affect the interests of the county and when carrying out statutorily mandated duties on behalf of the State of Washington.

Seek to ensure that justice is accomplished within the framework of the United States Constitution, the state constitution and the laws of this state. Provide services to victims and witnesses to ensure their fair treatment within the criminal justice system.

Identify, locate and compel the absent parents of children receiving state assistance to pay for the support of their children instead of the public. Assist in developing goals and objectives for the criminal justice system that assure delivery of services to the community that enhance public safety.

#### Law Library

Provide a fundamental level of current legal materials unavailable elsewhere in the county. Meet the legal research needs of the courts, the bar association, county employees, and the citizens of Whatcom County. To implement this mission, the library provides access to legal information sources in the most cost-effective manner through print or electronic means and through interlibrary loan.

### Objectives

- Expand the “Fast Track” case process, which has been very effective and continues to result in the expeditious handling of cases in the Superior Court Division. This program will continue to be utilized as a model to promote the handling of cases in a just, equitable fashion that also provides an early and fair resolution to a case. Currently, the average number of days from filing to disposition for a Superior Court felony case is 241. The 2009 goal for this overall average is 238 and for those cases strictly designated Fast Track, the goal is an average of 21 days.
- Maintain and use the following performance measures as a means to define sufficient staffing and funding levels:
  - Felony cases: 10 working days from receipt of incident report to a charging decision. In 2009 the goal is 22 days.
  - Juvenile Division: 7 working days from receipt of incident report to charging decision. In 2009 the goal is 25 days.
  - District Court Division: 180 days from filing to final disposition. In 2009 the goal is 185 days.

## Objectives continued

- Maintain sufficient staff to provide just, equitable and high quality legal representation on both the criminal and civil sides of the office. Staffing goals have remained the same for years and have only been met in the Juvenile Division. The goal continues to be having sufficient staff to meet the caseload standards per attorney that have been established for the criminal divisions, as follows:
  - Felony: 150 cases per attorney.
  - Juvenile: 350 cases per attorney.
  - District Court: 800 cases per attorney.The civil division staffing should be at a level that allows for thorough and high quality legal representation for Whatcom County.
- Identify and implement procedures that use technology to maximize efficiency and ensure production of consistent, high quality work product. Research, design and implement innovative technological solutions that improve efficiency in case processing. Complete the implementation of the Laserfiche RMS.
- Allocate sufficient departmental staff resources to ensure the success of the MIS data integration project.
- Expand the use of technology in the courtrooms for presentations of evidence to juries.

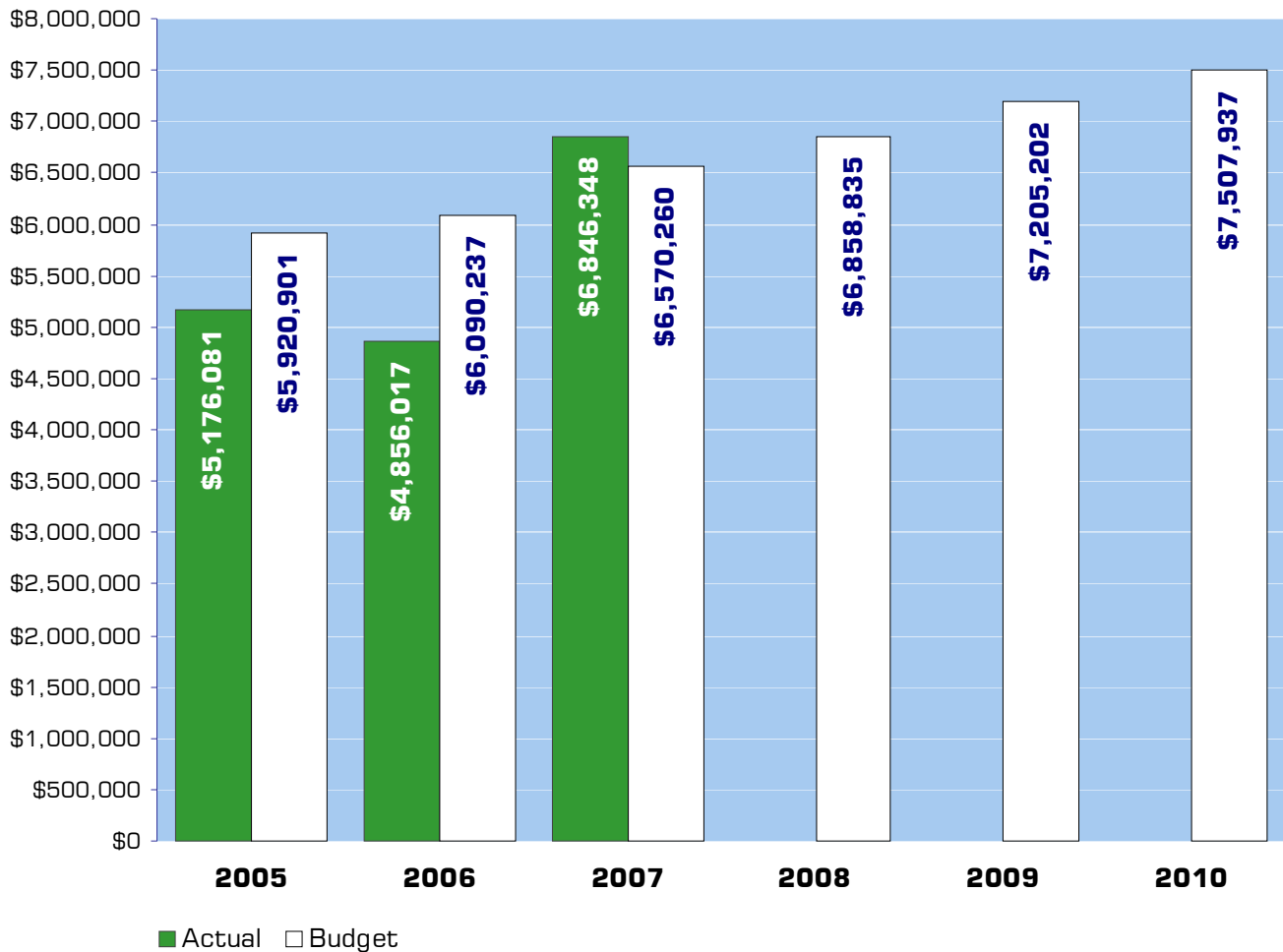
## Victim / Witness

- As a result of the reduction in staff in this unit, continue to provide as much support as possible to assist victims and witnesses throughout the litigation process, while focusing primarily on preparation for trial and the securing of restitution.

## Law Library

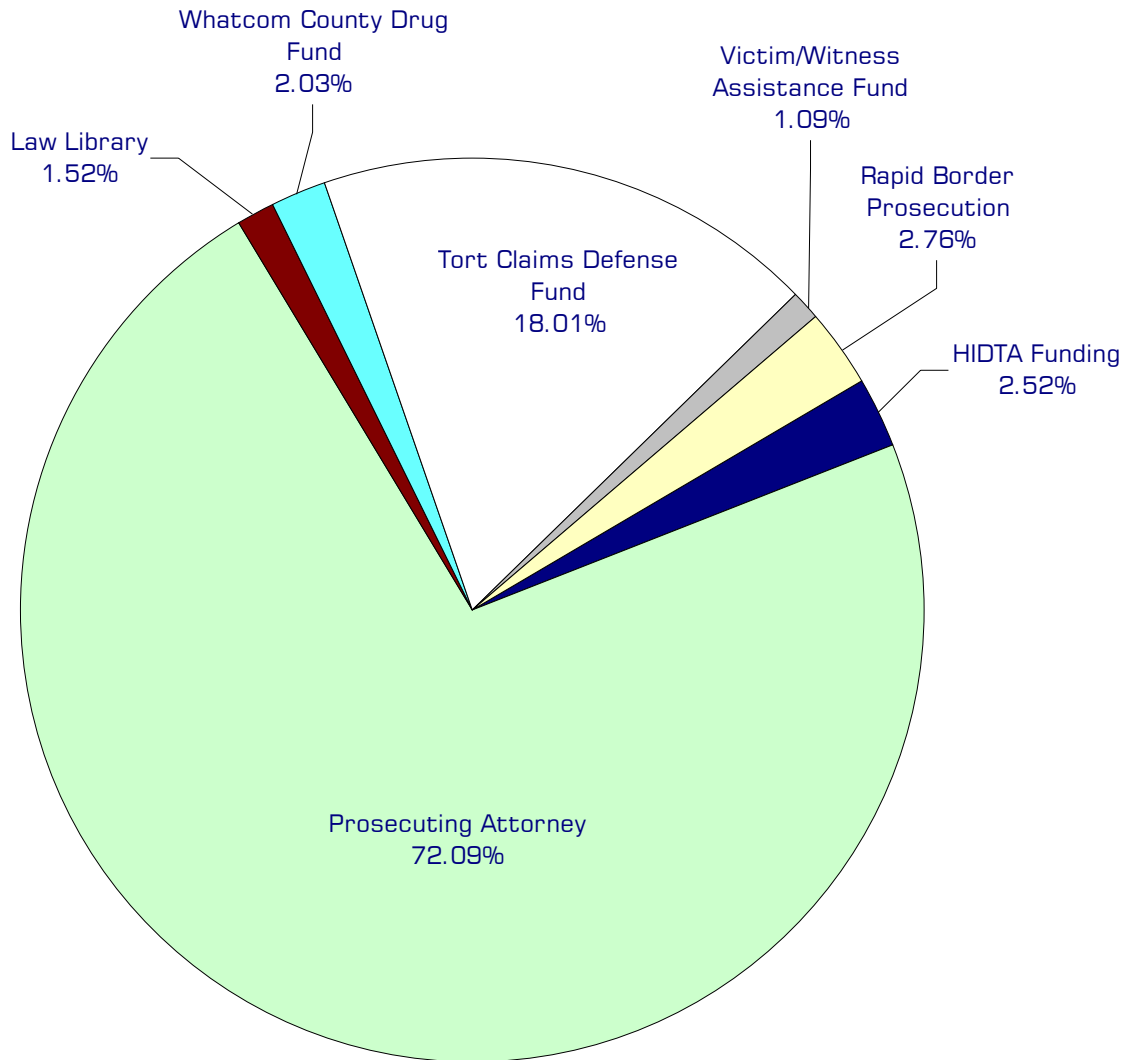
- Provide a fundamental level of current legal materials unavailable elsewhere in the county, to meet the legal research needs of the courts, the bar, county employees and citizens of Whatcom County.
- Provide access to legal information sources in the most cost-effective manner through print or electronic formats maintained in or accessed through the library and interlibrary loan.
- Participate in cooperative efforts with other public and academic libraries, community agencies, and other public institutions to improve public access to legal information.
- Evaluate and apply information technologies to maximize efficient and cost-effective access to legal research resources, and to facilitate management of the Law Library's information resources.
- Seek out additional funding sources and cost-saving measures to keep pace with rising costs of legal materials.

## Expenditure Trends



*NOTE: Capital expenditures and interfund operating transfers are not shown to more accurately reflect ongoing operational costs.*

## 2009-2010 Budget by Program



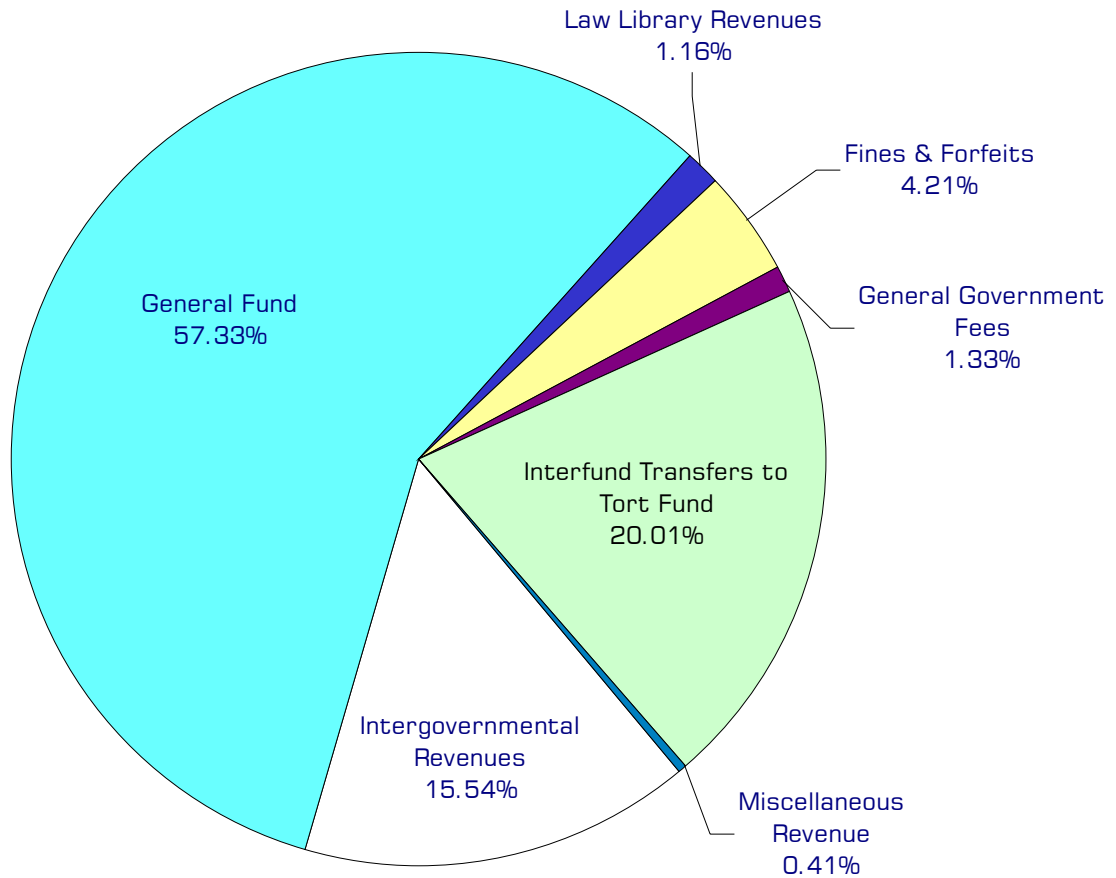
NOTE: Capital expenditures and interfund operating and residual equity transfers are not shown to more accurately reflect ongoing operational costs.

# Program Summary

	Actual 2005	Actual 2006	Actual 2007	Budget 2008	Budget 2009	Budget 2010
<b>OPERATIONS</b>						
<b>General Fund</b>						
2600 Pros Atty/Support Enforcmt	3,823,433	3,909,392	4,412,266	4,761,598	5,183,501	5,422,874
2625 PA-Rapid Border Prosecution	87,420	197,088	151,304	176,406	199,227	206,195
2630 Law Library	88,794	103,120	109,531	109,491	109,716	113,452
2640 PA-HIDTA Funding	147,832	152,454	164,849	172,423	179,292	190,802
<b>507 AS - General Liability</b>	<b>830,660</b>	<b>219,592</b>	<b>1,768,987</b>	<b>1,337,012</b>	<b>1,306,063</b>	<b>1,344,155</b>
<b>142 Victim/Witness Assist Fund</b>	<b>60,110</b>	<b>64,037</b>	<b>68,077</b>	<b>69,905</b>	<b>78,403</b>	<b>81,459</b>
<b>165 Whatcom Co. Drug Fund</b>	<b>137,832</b>	<b>210,334</b>	<b>171,334</b>	<b>232,000</b>	<b>149,000</b>	<b>149,000</b>
<i>Total Prosecuting Atty Operations</i>	<i>5,176,081</i>	<i>4,856,017</i>	<i>6,846,348</i>	<i>6,858,835</i>	<i>7,205,202</i>	<i>7,507,937</i>
<b>CAPITAL</b>						
<b>General Fund</b>						
<b>165 Whatcom Co. Drug Fund</b>	-	12,949	-	50,000	-	-
<i>Total Prosecuting Attorney Capital</i>	<i>-</i>	<i>12,949</i>	<i>-</i>	<i>50,000</i>	<i>-</i>	<i>-</i>
<b>TRANSFERS</b>						
<b>General Fund</b>						
2600 Pros. Atty/Support Enforcmt	1,500	-	31,057	-	-	-
<b>507 AS - General Liability</b>	<b>125,532</b>	<b>125,532</b>	<b>146,415</b>	<b>150,213</b>	<b>170,497</b>	<b>179,090</b>
<b>142 Victim/Witness Assist Fund</b>	<b>63,986</b>	<b>63,986</b>	<b>51,061</b>	<b>62,752</b>	<b>74,756</b>	<b>64,752</b>
<b>165 Whatcom Co. Drug Fund</b>	<b>440,472</b>	<b>484,907</b>	<b>516,228</b>	<b>537,467</b>	<b>511,967</b>	<b>511,967</b>
<i>Total Pros Attorney Transfers</i>	<i>631,490</i>	<i>674,425</i>	<i>744,761</i>	<i>750,432</i>	<i>757,220</i>	<i>755,809</i>
<b>TOTAL PROSECUTING ATTORNEY</b>	<b>5,807,571</b>	<b>5,543,391</b>	<b>7,591,109</b>	<b>7,659,267</b>	<b>7,962,422</b>	<b>8,263,746</b>
<i>Percent Change from Previous Year</i>	<i>-7.1%</i>	<i>-4.5%</i>	<i>36.9%</i>	<i>0.9%</i>	<i>4.0%</i>	<i>3.8%</i>

## 2009-2010 Funding Sources

	<b>2009</b>	<b>2010</b>
Intergovernmental Revenues	1,098,284	1,151,669
General Fund	4,042,816	4,257,429
Law Library Revenues	83,800	84,800
Fines & Forfeits	301,200	308,200
General Government Fees	96,150	96,400
Interfund Transfers to Tort Fund	1,413,230	1,483,892
Miscellaneous Revenue	40,000	19,000
*Fund Balance	129,722	106,547
<b>Total Funding</b>	<b>7,205,202</b>	<b>7,507,937</b>



\*Fund balance is not included in the above chart.

## Funding Sources continued

### Intergovernmental Revenues

The Prosecuting Attorney's Office receives various federal and state grants for specific operations. The federal government provides approximately \$820,000 annually for Child Support Enforcement and \$185,000 annually for drug traffic prosecution. Additionally, Washington State pays for one half of the Prosecuting Attorney's salary (RCW 36.17.020) and partially funds a Victim-Witness staff position.

### General Fund

Undedicated General Fund resources.

### Law Library Revenues

The Law Library receives fees on each District Court and Superior Court civil filing. The library also receives a small amount of donations.

### Fines & Forfeits

The Drug Fund receives revenue from fines and forfeits of drug related seized assets. The Victim/Witness Assistance Fund receives a portion of all fees, fines, and forfeits received by all municipalities in Whatcom County.

### General Government Fees

Fee revenues collected by District Court and Superior Court, which are dedicated to support the Victim/Witness Fund.

### Interfund Transfers to Tort Fund

Each county department contributes a set amount for tort claims. Reserves for tort claims are maintained in the Administrative Services Fund.

### Miscellaneous Revenues

Interest income received from investing Drug Fund cash accounts and miscellaneous revenues not otherwise classified.

### Fund Balance

Current year operations will result in a projected fund balance decrease in the Administrative Services - Tort Fund for liability insurance of \$63,330 in 2009 and \$39,353 in 2010. The Victim Witness fund balance projected decrease is \$15,681 in 2009 and \$8,483 in 2010. The Drug Fund balance should decrease by \$50,711 in 2009 and \$58,711 in 2010.

## Performance / Activity Measures

	Actual 2005	Actual 2006	Actual 2007	Projected 2008	Projected 2009	Projected 2010
Superior Court Cases- days to charging (goal is 10 or less)	18	18	22	24	22	22
Juvenile Cases- days to charging (goal is 7 or less)	62	68	57	49	25	25
District Court Cases - days to disposition (goal is 180 or less)	282	212	326	185	185	196
<i>Law Library</i>						
Virtual reference - online reference and website requests	n/a	n/a	n/a	5,000	5,500	6,000
Volumes	23,000	23,500	20,000	20,000	20,100	20,200
Subscriptions	30	30	30	30	15	15
Interlibrary loan requests	40	24	24	24	24	24
Attorney visits/emails/phonecalls	1,525	1,525	600	600	600	600
Non-attorney visits/emails/phonecalls	1,725	1,725	1,050	1,050	1,200	1,200
Requests for reference assistance and information	1,650	1,650	1,650	1,650	1,800	1,800
Usage of computer - times accessed	3,000	3,000	3,000	3,000	3,000	3,000
Library hours of staff present per week	20	20	20	20	20	20
<i>Tort Claims</i>						
General Liability - Claims against Whatcom County	59	43	62	50	53	53

# Expenditures Summary

	Actual 2005	Actual 2006	Actual 2007	Budget 2008	Budget 2009	Budget 2010
<b>GENERAL FUND</b>						
2600 Prosecuting Attorney						
Salaries & Wages	2,691,702	2,706,292	2,941,991	3,114,544	3,406,299	3,562,720
Benefits	717,487	792,648	953,132	1,111,881	1,191,880	1,262,553
Supplies	61,746	59,560	81,188	70,100	68,993	69,993
Other Services & Charges	352,498	350,892	435,955	465,073	516,329	527,608
Residual Equity/Operating Transf	1,500	-	31,057	-	-	-
<i>Total Prosecuting Attorney</i>	<i>3,824,933</i>	<i>3,909,392</i>	<i>4,443,323</i>	<i>4,761,598</i>	<i>5,183,501</i>	<i>5,422,874</i>
<i>Percent Change from Previous Year</i>	<i>7.9%</i>	<i>2.2%</i>	<i>13.7%</i>	<i>7.2%</i>	<i>8.9%</i>	<i>4.6%</i>
2625-2627 PA-Rapid Border Prosecution						
Salaries & Wages	68,594	153,718	115,707	130,860	149,160	153,564
Benefits	18,826	43,370	35,597	45,546	50,067	52,631
<i>Total Rapid Border Prosecution</i>	<i>87,420</i>	<i>197,088</i>	<i>151,304</i>	<i>176,406</i>	<i>199,227</i>	<i>206,195</i>
<i>Percent Change from Previous Year</i>	<i>0.0%</i>	<i>125.4%</i>	<i>-23.2%</i>	<i>16.6%</i>	<i>12.9%</i>	<i>3.5%</i>
2640 PA-HIDTA Funding						
Salaries & Wages	116,812	118,138	125,414	127,465	132,154	140,390
Benefits	31,020	34,316	39,435	44,958	47,138	50,412
<i>Total HIDTA Funding</i>	<i>147,832</i>	<i>152,454</i>	<i>164,849</i>	<i>172,423</i>	<i>179,292</i>	<i>190,802</i>
<i>Percent Change from Previous Year</i>	<i>9.3%</i>	<i>3.1%</i>	<i>8.1%</i>	<i>4.6%</i>	<i>4.0%</i>	<i>6.4%</i>
<b>LAW LIBRARY</b>						
2630 Law Library Operations						
Salaries & Wages	18,514	20,979	22,207	23,065	25,920	27,691
Benefits	5,335	12,338	13,930	15,400	16,303	17,413
Supplies	42,783	47,193	44,980	41,059	36,485	36,465
Other Services & Charges	22,162	22,610	28,414	29,967	31,008	31,883
<i>Total Law Library</i>	<i>88,794</i>	<i>103,120</i>	<i>109,531</i>	<i>109,491</i>	<i>109,716</i>	<i>113,452</i>
<i>Percent Change from Previous Year</i>	<i>6.7%</i>	<i>16.1%</i>	<i>6.2%</i>	<i>0.0%</i>	<i>0.2%</i>	<i>3.4%</i>
<i>Total General Fund</i>	<i>4,148,979</i>	<i>4,362,054</i>	<i>4,869,007</i>	<i>5,219,918</i>	<i>5,671,736</i>	<i>5,933,323</i>
<i>Percent Change from Previous Year</i>	<i>10.2%</i>	<i>5.1%</i>	<i>11.6%</i>	<i>7.2%</i>	<i>8.7%</i>	<i>4.6%</i>

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Expenditures Summary continued

	Actual 2005	Actual 2006	Actual 2007	Budget 2008	Budget 2009	Budget 2010
<b>507 ADMIN SERVICES - GENERAL LIABILITY</b>						
Other Services & Charges	830,660	219,592	1,768,987	1,337,012	1,306,063	1,344,155
Operating Transfers	125,532	125,532	146,415	150,213	170,497	179,090
<i>Total Adm Svcs - Gen'l Liability</i>	<u>956,192</u>	<u>345,124</u>	<u>1,915,402</u>	<u>1,487,225</u>	<u>1,476,560</u>	<u>1,523,245</u>
<i>Percent Change from Previous Year</i>	-46.7%	-63.9%	455.0%	-22.4%	-0.7%	3.2%
<b>142 VICTIM/ WITNESS FUND</b>						
Salaries & Wages	42,298	42,336	45,000	43,284	49,956	51,360
Benefits	12,998	14,565	16,758	18,426	19,701	21,090
Other Services & Charges	4,814	7,136	6,319	8,195	8,746	9,009
Operating Transfers	63,986	63,986	51,061	62,752	74,756	64,752
<i>Total Victim/Witness Fund</i>	<u>124,096</u>	<u>128,023</u>	<u>119,138</u>	<u>132,657</u>	<u>153,159</u>	<u>146,211</u>
<i>Percent Change from Previous Year</i>	6.2%	3.2%	-6.9%	11.3%	15.5%	-4.5%
<b>165 DRUG FUND</b>						
Supplies	19,287	38,501	35,491	50,000	19,000	19,000
Other Services & Charges	118,545	171,833	135,843	182,000	130,000	130,000
Capital Outlay	-	12,949	-	50,000	-	-
Operating Transfers	440,472	484,907	516,228	537,467	511,967	511,967
<i>Total Drug Fund</i>	<u>578,304</u>	<u>708,190</u>	<u>687,562</u>	<u>819,467</u>	<u>660,967</u>	<u>660,967</u>
<i>Percent Change from Previous Year</i>	-0.2%	22.5%	-2.9%	19.2%	-19.3%	0.0%
<b>TOTAL PROSECUTING ATTY</b>	<u>5,807,571</u>	<u>5,543,391</u>	<u>7,591,109</u>	<u>7,659,267</u>	<u>7,962,422</u>	<u>8,263,746</u>
<i>Percent Change from Previous Year</i>	-7.1%	-4.5%	36.9%	0.9%	4.0%	3.8%

## Services

### **Appellate Division**

Attorneys represent the interest of Washington State regarding proceedings required by the state Court of Appeals and the Supreme Court.

### **Civil Practice**

Provide legal counsel and representation to all county departments, the Executive's Office and the County Council.

### **Criminal Prosecution/Felony**

Represent the State of Washington in the prosecution of adults and remanded juveniles who commit felony offenses. Assists authorities in determining probable cause, obtaining search warrants, interpretation and application of the law, and case investigation issues.

### **Criminal Prosecution/Juvenile**

Represent the interests of the State of Washington in the adjudication of juvenile offenders who commit felony or misdemeanor criminal acts, excluding criminal traffic misdemeanors committed by offenders over the age of sixteen.

### **Criminal Prosecution/Misdemeanor & Criminal Traffic**

Represent the State of Washington in the prosecution of misdemeanor and criminal traffic offenses committed by adults and in criminal traffic matters committed by juveniles who are over the age of sixteen.

### **Paternity/Support Enforcement Unit**

Represent the interest of the child and Washington State in legal actions brought under RCW 26, to establish paternity and/or enforce the payment of child support in an effort to reduce public assistance expenditures.

### **Victim/Witness Unit**

Provide information, assistance and advocacy to victims or witnesses in order to facilitate prosecution efforts.

### **Law Library**

#### **Interlibrary Loan/Resource Sharing**

Provides access to legal research resources not available in this library or within Whatcom County.

#### **Law Library**

Provides effective access to legal research materials to support the legal research needs of the courts, the bar, county administration, and the public in Whatcom County.