

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Executive		5/21/96	<div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">RECEIVED</div> <div style="font-size: 1.5em; font-weight: bold; margin-top: 10px;">MAY 22 1996</div> <div style="font-size: 1.2em; font-weight: bold; margin-top: 10px;">WHATCOM COUNTY COUNCIL</div>	5/28/96	Introduction
Division Head:				6/11	Finance/Council
Dept. Head:					
Prosecutor:	DG	5/21/96			
Purchasing/Budget:	JE ¹⁰⁷ BB	5/21/96			
Executive:	PR	5-21			

SUBJECT:

1996 Supplemental Budget Request #4

ATTACHMENTS:

- Ordinance
- Background documentation
- Position Control Amendment

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #:	Should Clerk schedule a hearing? NO /X_/ YES /_/ Requested date:
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Supplemental Budget Ordinance No. 4 adds appropriation to the following budgets:

Current Expense:

The supplemental request for the Current Expense Fund, Prosecuting Attorney, appropriates \$50,738 from Current Expense fund balance, to hire professional staff to provide temporary and long-term assistance to the attorneys in the felony division, in light of increasing caseloads that include greater numbers of serious violent offense and aggravated murder cases presently pending trial.

This request includes funding for an additional full-time position: "Sexual Assault Specialist" to commence on June 1. Funding for this position is contingent upon and tied directly to availability of funds from the Victim Witness Fund.

Other Funds:

The supplemental request for the Victim Witness Fund appropriates \$25,030 from fund balance, to transfer to Current Expense to provide funding for above expenditure.

ORIGINATOR'S RECOMMENDED ACTION:

Pass

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1996 - 201 5/28/96: Introduced
6/11/96: Adopted 5-1, Imhof opposed Ordinance Number 96-024

Ordinance Number (this item only): *Ord. 96-024*

SPONSORED BY: Consent

PROPOSED BY: Executive

INTRODUCTION DATE: 5/28/96

ORDINANCE NO. 96-024

AMENDMENT NO. 4 TO THE 1996 BUDGET

WHEREAS, the 1996 budget was adopted November 28, 1995; and,

WHEREAS, changing circumstances require modifications to the approved 1996 budget;
and,

WHEREAS, those modifications have been assembled here for deliberation by the
Whatcom County Council.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the
1996 Whatcom County budget ordinance 95-065 is hereby amended by adding the following
amounts to the funds included therein:

Current Expense Fund:	
Prosecuting Attorney	<u>\$50,738</u>
Total Current Expense	\$50,738
Other Funds:	
Victim Witness Fund	<u>\$25,030</u>
Total Other Funds	\$25,030
Total Supplemental	<u>\$75,768</u>

ADOPTED this 11 day of June, 1996.

ATTEST:

Marina Mason
for Dana Brown-Davis, Council Clerk

APPROVED AS TO FORM:

Daniel L. Gibson
Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

L. Ward Nelson
for L. Ward Nelson, Chair

Approved Denied

Pete Kremen
Pete Kremen, Executive

Date: 6-12-96

WHATCOM COUNTY

Summary of the Supplemental Budget Ordinance No. 4

Department/Fund	Description	Amount	Source of Funds
Current Expense:			
Prosecuting Attorney	Hire temporary help; Hire Sexual Assault Specialist commencing June 1	\$17,958	Current Expense - <u>fund balance</u>
		\$25,030	Operating Transfer In, from Victim Witness Fund - <u>fund balance</u> (see below).
		\$7,750	Operating Transfer In, also from Victim Witness Fund
Total Current Expense		\$50,738	
Other Funds:			
Victim Witness Fund	Operating Transfer out- to Current Expense, Prosecutor's above	\$25,030	Victim Witness Fund Balance
Total Other Funds		\$25,030	
TOTAL SUPPLEMENTAL		<u>\$75,768</u>	

**WHATCOM COUNTY
BUDGET MODIFICATION REQUEST**

Department: Prosecuting Attorney

Requested By: Kathy Walker

The following budget modification is requested:

 X Budget Transfer *

 X Budget Supplemental **

SOURCE: (Accounts to transfer from or funding source for supplemental)

* 2600.6630.093	Professional Service/Sexual Assault	\$ 8,000.00
2600.8301.14200	Operating Transfer/ Vitim Witness	\$ 32,780.00
001.2910.1000	Fund Balance / Current Expense	\$ 17,958.00
		\$ 58,738.00

ACCOUNTS TO INCREASE:

2600.6110	Salaries	\$ 32,256.00
2600.6120	Extra Help	\$ 15,968.00
2600.6210	Retirement	\$ 2,558.00
2600.6230	Social Security	\$ 3,690.00
2600.6245	Medical	\$ 1,820.00
<u>2600.6255</u>	Other Health	\$ 1,372.00
2600.6269	Worker's Comp	\$ 333.00
2600.6269	Unemployment	\$ 241.00
2600.6510	Small Tools	\$ 500.00
		\$ 58,738.00

Please see attached explanation.

Authorized By: 

Department Head:  Date: 5/20/96

Executive's Office: _____ Date: _____

Date Posted: _____ By: _____

* Transfers affecting salaries and benefits or capital accounts must be authorized by the County Executive. Transfers affecting other objects do not need Executive office approval.

** Supplemental requests, if approved by the Executive, will be forwarded to the County Council for Authorization.

WHATCOM COUNTY PROSECUTING ATTORNEY

DAVID S. MCEACHRAN

Courthouse, 311 Grand Avenue
Bellingham, Washington 98225-4079
(206) 676-6784

Detail is provided below to support the information contained in the Budget Modification Request Form.

The primary motivator for seeking additional appropriation authority is the excessive caseloads per attorney within the department; specifically the felony division caseloads which are presently comprised of an increased number of serious violent offense and aggravated murder cases. The serious nature and the increased number of these type of cases is significantly impacting this department's ability to provide consistently effective prosecution. In order to better serve the citizens of Whatcom County and the interests of the State, it is essential that increased assistance be provided to the prosecutors assigned to the felony division of the office. Since the supplemental is being sought to provide assistance on a short term basis (three to four months), it was, therefore, essential that the components of the request maximize utilization of senior staff expertise and be ready for implementation upon approval of funding. Toward these ends funding for the following positions is being sought:

- (a) Rule 9 Attorney to be assigned to District Court
Three months at - \$1,600 per month.
- (b) Rule 9 Attorney to be assigned to the Appellate
Attorney - Six months at Range 18/E part-time at
\$1,342 per month.
- (c) Secretary II to provide general clerical
support to the legal secretaries assigned to the
felony division for four months part-time at \$779
per month.
- (d) To hire the Sexual Assault Specialist as a regular
full time employee commencing June 1 at a salary of
\$4,608 per month.

The Rule 9 assigned to District Court will allow for the assignment of a Senior Deputy to the felony division for three months. Presently, there are two applicants available to fill this position in May should funding be approved. The Rule 9 Attorney to be assigned to the Appellate Attorney will allow for assignment of a seasoned attorney, on a part-time basis, to the felony division. Making the Sexual Assault Specialist full-time will allow felony attorneys to shift more victim assessments and

interviews off their schedules, thereby, decreasing some of their workload.

Attached, as support for this request, is appendix A which should be reviewed to understand department's caseloads.

1988-1995 CASE COUNT STATISTICS
WHATCOM COUNTY PROSECUTING ATTORNEY

Year	Felony	Felony Prob.	Dist. Ct.	Juvie Ct.	Juvie Diver-sion	Alcohol Commits	Appeals	Total Filings	%	Avg. # Cases/Att/Yr
1988	560	109	3410	459	1013	NA	48	5599	17%	8 @ 699
1989	698	305	4297	598	729	11	33	6671	16%	8 @ 834
1990	751	375	4137	734	850	19	34	6900	3%	9 @ 767
1991	986	334	3645	911	867	33	31	6807	-1%	10 @ 680
1992	1135	320	3849	914	773	18	58	7067	3.8%	11 @ 642
1993	972	503	4147	927	1035	19	104	7707	9.8%	11 @ 700
1994	1007	330	4417	1013	1045	29	77	7918	4.8%	11 @ 712
1995*	1011	560	4747	977	923	28	82	8117	2.3%	11 @ 734

1. Felony category includes Mental Health Commitment Case Filings and Body Release Orders.

YR.	Crim. Felony	Mentals	Body Orders
1993	878	75	18
1994	934	66	7
1995	895	113	3

2. Felony Probation Violations represent counts filed.
3. Misdemeanor numbers do not include cases disposed of at arraignment.
4. Appeals reflect both Superior, District Court cases and as of 1993 Juvenile Court cases.
5. Prior to 1993, count under Juvenile Diversion represented # of cases sent to Diversion. 1993 forward, count represents # of defendants sent to Diversion.
6. Speculate that reduced caseload in 1991 and 1993 attributable to subzero temperatures in Jan/Feb. as have isolated decrease in cases filed to these 2 months.
7. Annual percentage increases are deceptive. It must be understood that 1995 total filings reflect a 45% increase over 1988 total filings.
8. 1995 lower diversion rate result of statutory change modifying eligibility criteria for case to be diverted.

* 1995 figures are unaudited actuals with the exception of Superior Court.

ATTACHMENT A
To ordinance titled: Amendment No. 4 to the 1996 Budget

The 1996 budget ordinance 95-065, exhibit C, is amended to reflect the additional authorized positions as set forth in the column "Suppl #96-4" below:

PROSECUTING ATTORNEY

	1996	Suppl # 96-4	Amended 1996
Victim Witness:			
Sexual Assault Specialist	0.0	*1.00	*1.00
Prosecuting Atty			
TOTAL	38.50	*1.00	39.50

This position is contingent upon and directly tied to available funding from the Victim Witness fund.