

AGENDA
COMMITTEE OF THE WHOLE

Douglas G. Richardson, Chair
Dan Roach, Vice Chair
Joyce McDonald, Executive Pro Tem
Connie Ladenburg, Member
Jim McCune, Member
Rick Talbert, Member
Derek Young, Member

October 27, 2016

• **9:30 a.m.**

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Prosecuting Attorney – Mark Lindquist, Prosecutor
 - Prosecutor’s response to 2017 Budget questions
 - Prosecuting Attorney’s Organizational Chart
 - Letter from Prosecutor re: Requesting Funding and Additional FTE for Partially Grant Funded Position (Financial Fraud and Identify Theft Task Force)
5. Department of Assigned Counsel – Michael Kawamura, Director
 - DAC response to 2017 Budget questions
 - DAC response to 207 Budget questions numbers 6 and 7
6. Clerk of Superior Court – Kevin Stock
 - Clerk of Superior Court response to 2017 Budget questions
7. Councilmember discussion, questions, comments and other items regarding the proposed 2017 Pierce County Budget
8. Other Business
9. Adjournment

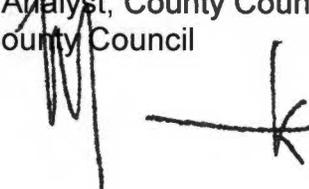
Pierce County



Memo

MARK LINDQUIST
Prosecuting Attorney

TO: Douglas Richardson, County Council Chair, District 6
Dan Roach, County Council Vice Chair, District 1
Joyce McDonald, Council Member, District 2
Jim McCune, Council Member, District 3
Connie Ladenburg, Council Member, District 4
Rick Talbert, Council Member, District 5
Derek Young, Council Member, District 7
Paul Bocchi, Senior Legislative Budget Analyst, County Council
Michael Transue, Budget Consultant, County Council

FROM: Mark Lindquist, Prosecuting Attorney 

Date: October 25, 2016

SUBJECT: 2017 Budget Questions – October 27, 2016, 9:30 a.m.

Below are the answers to your 2016 budget questions.

1) Please provide an organizational chart for your department.

Attached is an updated Prosecutor's Office Organizational Chart.

2) Please explain any major changes in your salaries and wages and personnel benefits line items.

The only major changes to our salaries, wages, and benefits line items are one attorney, one legal assistant, and one victim advocate. The attorney and legal assistant positions pertain to the Sheriff's Proactive Property Crimes Unit. The funding for these two positions was added to our budget in 2016 and will continue in 2017. The new victim advocate position is being funded by a grant.

Nearly 90% of our budget is salary and benefits and reflects COLAs and increases in benefit costs.

3) Provide data on your office's activities in conjunction with the property crimes unit in the Sheriff's Department. Provide information on number of cases brought to you by the unit, cases charged, convictions received and compare it to prior year's numbers.

To date, there have been 175 cases referred to our office by the Sheriff's Proactive Property Crimes Unit. Our office charged 122 or 70% of those cases. So far, we have received convictions in 45 of those cases, 4 have been dismissed, and the other 73 charged cases remain open at this time. As noted below, we need two deputy prosecutors to effectively handle the increase in cases.

This is the first year for the Sheriff's Proactive Property Crimes Unit, so a direct comparison to prior years cannot be made.

- 4) How will the two new positions for the prosecution of property crimes be utilized? How many more cases will be prosecuted using these new positions?**

To date, the Sheriff's Proactive Property Crimes Unit has referred 175 cases to our offices. We need two new positions in our property crimes unit so we can effectively prosecute these cases and to offer support to the Sheriff's Proactive Property Crimes Unit.

- 5) Describe the purpose of the new grant funded Crime Victim Advocate position? What are you hoping to accomplish with this new position? How large is the grant? How long is it for? Who is it from?**

The grant funding for the Crime Victim Advocate position comes through the Office of Crime Victim Advocacy at the Washington State Department of Commerce's Victim Witness Assistance Program. The grant is good for one year, but has historically been renewed each year.

The funding we received from this grant in prior years was insufficient to fund a full position and was used to pay overtime for existing staff. This year, additional funding was made available through the Victim Witness Assistance Program with the goal of providing funding for one full-time position. The amount of the funding for this year is \$74,793.00.

Previously, the limited funding was used to pay for overtime hours for our Crime Victim Advocates and was necessary to stay on top of their caseloads. In 2015, our advocates contacted 13,918 victims of crime and 19,951 witnesses. By adding the new grant funded position, the Crime Victim Advocates will be able to keep up with their caseloads without the need to work significant overtime hours.

- 6) In your presentation please discuss your October 7th request for full funding of a Deputy Prosecuting Attorney for the identity theft.**

We are requesting \$75,000 and the addition of a County Attorney 2 position to allow us to take advantage of \$75,000 in funding from the Financial Fraud and Identity Theft (FFIT) Task Force.

The FFIT Task Force is offering \$75,000 to fund half of an FTE for a Deputy

Prosecutor to handle cases coming from the FFIT Task Force. We do not currently have sufficient staff to be able to direct half of a deputy prosecutor's time to FFIT Task Force cases, and we do not have funding in our budget to cover the other half of the cost of an FTE. Therefore, to take advantage of the opportunity, which will benefit our Pierce County community, we need both \$75,000 and a County Attorney 2 position added to our budget.

Identity theft costs consumers and businesses billions of dollars and tops the list of consumer complaints reported to the FTC and other enforcement agencies every year. Identity theft has been on the rise in Washington State. According to 2015 FBI statistics, Washington now ranks number two in identity theft.

The FFIT Task Force takes aim at the most serious offenders. To qualify as a task force case, an offender must commit multiple offenses with multiple victims. As part of the task force, we would prosecute Pierce County crimes. Priority is given to cases with vulnerable victims, defendants who have gang involvement, large dollar losses, cases involving organized crime, and repeat offenders.

7) Describe your activities in the area of elder abuse. Include data on number of charges brought and convictions earned.

In late 2015, the Prosecutor's Office secured a \$370,985 grant from the Department of Justice to support a comprehensive approach to addressing elder abuse in Pierce County. The funding supports training for the Prosecutor's Office and partners as well as the development of a coordinated community response team to address elder abuse in Pierce County. We were one of only nine counties in the country to receive such a grant because we are leaders in both the prosecution and prevention of elder abuse.

In October of this year, our office was pleased to host the kickoff of the Pierce County Elder Abuse Project, funded by the Department of Justice grant. There were approximately 80 attendees at the kickoff, representing both the official partners and other organizations interested in preventing elder abuse, including local law firms, faith based organizations, and judges.

The project brings together nine official partner agencies in a coordinated community response team. These nine agencies include local law enforcement agencies, service providers, and prosecutors to enable quick responses to victim safety concerns, connect victims to vital services, preserve evidence, and apprehend the perpetrator if necessary. Our office and other partner agencies have received training that they will share with local law enforcement and victim service agencies on how to better identify and respond to elder abuse. The Prosecutor and Elder Abuse Unit also continue to give presentations on the topic of elder abuse to increase awareness in our community.

Since we began tracking elder abuse cases in 2011, we have seen a significant increase in the number of cases referred to our office. In 2011, we charged 19 cases,

and in 2015, we charged 68 cases, a 258% increase. We estimate similar numbers in 2016 based on cases received to date.

Since our office began tracking elder abuse cases in 2011, we have convicted 215 defendants. These defendants have been convicted of a total number of 499 felonies.

We have seen a number of major victories for the safety of elders. One of the most notable cases this year is the conviction of a caretaker for murder after his neglect caused the death of an elderly and vulnerable man in his care. Medical care professionals in that case called it one of the worst cases of neglect they had seen. Successful prosecutions of caregivers for neglect are rare, and this is the first time a caregiver was successfully tried for murder in Washington State.

8) Provide information on the number of anticipated retirements in 2017 and provide your estimate on annual turnover in the office.

We have six employees considering retirement in 2017. Our average annual turnover rate is 5%.

9) Additional information for consideration by the County Council.

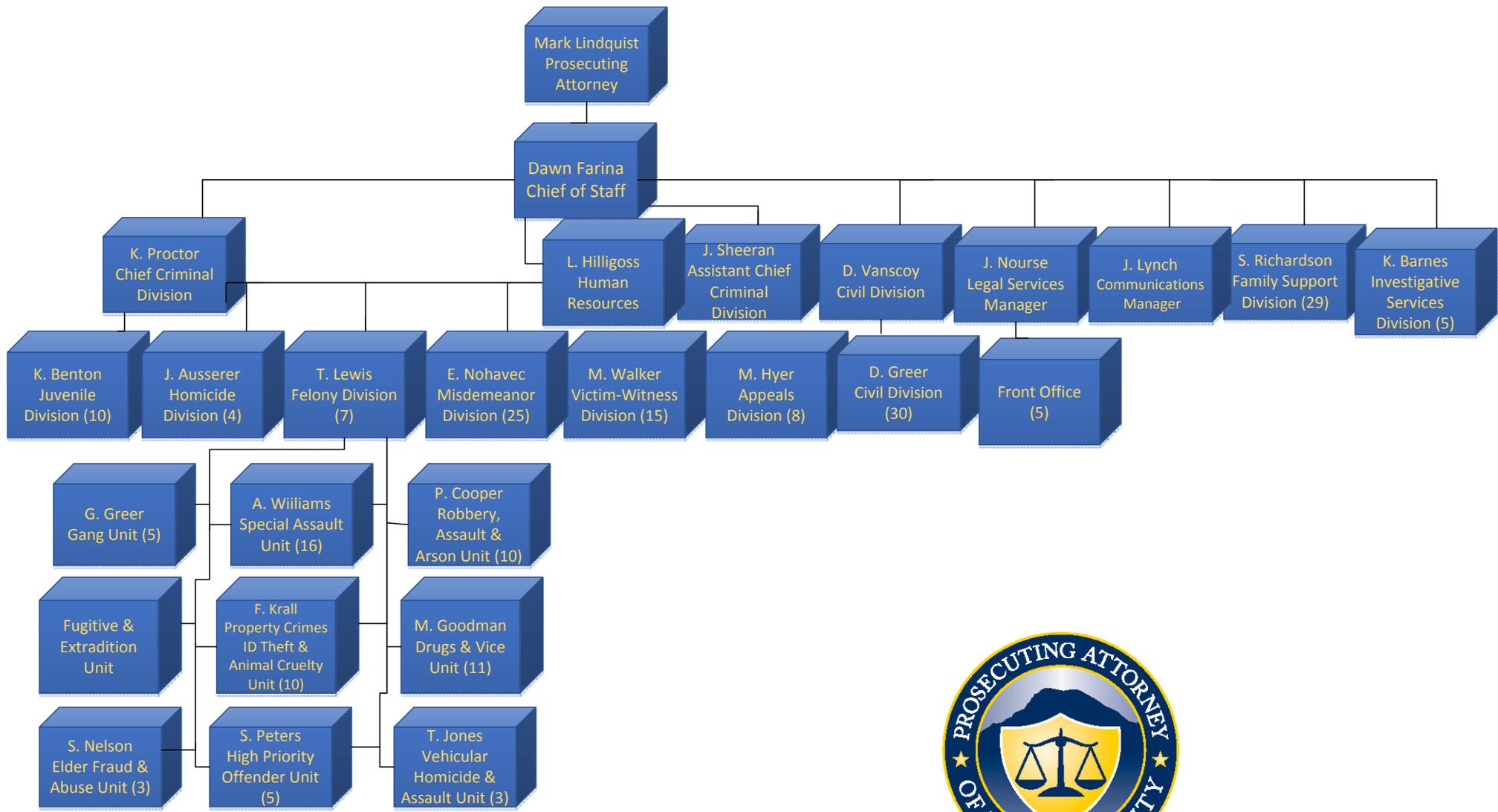
The High Priority Offender (HPO) Program focuses resources on the small percentage of criminals who cause a large percentage of the crimes. We are using data intelligence and modern technology to identify these high priority offenders.

466 offender have been activated into the program. These 466 offenders average 26 arrests, 10+ felony convictions, and more than three prior trips to prison. The average length of all felony sentences for high priority offenders is just over 50 months. This is nearly three times the average sentence length of 16.8 months as reported by the 2015 Washington State Statistical Summary of Adult Felony Sentencing Report.

Our office is increasing public safety by identifying High Priority Offenders early in the process and seeking high bail and longer prison sentences.

We are seeking one attorney for the HPO Unit and funding for this position in the amount of \$124,000 to continue and build on our successes in prosecuting these high priority offenders.

cc: Pat McCarthy, County Executive
Ron Klein, Deputy County Executive
Gary Robinson, Director, Budget and Finance Department
Jim Dickman, Budget Manager, Budget and Finance Department
Susan Long, Administrator, Research and Policy
Kate Kennedy, Administrative Council Assistant
Dawn Farina, Chief of Staff, Prosecutor's Office
John Nourse, Legal Services Manager
Cynthia Mauzey, Fiscal Manager, Prosecutor's Office
Lisa Hilligoss, Human Resources Manager



Pierce County

Memo

MARK LINDQUIST
Prosecuting Attorney



To: Douglas Richardson, County Council Chair, District 6
Dan Roach, County Council Vice Chair, District 1
Joyce McDonald, Councilmember, District 2
Jim McCune, Councilmember, District 3
Connie Ladenburg, Councilmember, District 4
Rick Talbert, Councilmember, District 5
Derek Young, Councilmember, District 7

From: Mark Lindquist, Prosecuting Attorney

Date: October 7, 2016

Re: Requesting Funding and Additional FTE for Partially Grant Funded Position
(Financial Fraud and Identity Theft Task Force)

The Pierce County Prosecutor's Office has been offered \$75,000 in grant funding and invited to participate in the Financial Fraud and Identity Theft (FFIT) Task Force. The \$75,000 would fund a .5 FTE for a Deputy Prosecuting Attorney (DPA) to prosecute task force cases. The Prosecutor's Office does not have the personnel to redirect half of a DPA to prosecute task force cases nor do we have the budget to fund the other half of a new FTE. Therefore, we are requesting both \$75,000 and the addition of one County Attorney 2 position to our current staffing level so that we may take advantage of this opportunity and hire the full-time County Attorney 2. The Pierce County Sheriff's Office previously received funding for one detective from the FFIT Task Force to handle these cases. Legislation funding the task force is effective through June of 2020.

Identity theft costs consumers and businesses billions of dollars and tops the list of consumer complaints reported to the FTC and other enforcement agencies every year. Identity theft has been on the rise in Washington State. According to 2015 FBI statistics, Washington now ranks number two in identity theft.

The task force takes aim at the most serious offenders. To qualify as a task force case, an offender must commit multiple offenses, with multiple victims, in multiple jurisdictions. As part of the task force, we'd prosecute Pierce County crimes. Priority is given to cases with vulnerable victims, defendants who have gang involvement, large dollar losses, cases involving organized crime, and repeat offenders.

TTIF Task Force
October 6, 2016
Page 2

There were 561 investigations conducted by the task force between July 1, 2014, and June 30, 2015, a 6% increase from the prior year. The task force charged 526 cases involving 1,623 counts, 35 more cases than the previous year, and obtained 447 convictions, an 11% increase from the prior year. The FFIT Task Force has been one of Washington State's best tools for combating the worst identity theft offenders.

Partnering with the FFIT Task Force is an important step to combat the ongoing epidemic of identity theft in Pierce County. In order to ensure we have the necessary resources to prosecute these cases that are harmful to our community, we request funding in the amount of \$75,000 and one County Attorney 2 position.

cc: Pat McCarthy, Pierce County Executive
Ron Klein, Deputy County Executive
Paul Bocchi, Senior Legislative Budget Analyst, County Council
Michael Transue, Budget Consultant, County Council
Dawn Farina, Chief of Staff, Prosecutor's Office
John Nourse, Legal Services Manager
Cindy Mauzey, Fiscal Manager, Prosecutor's Office
Lisa Hilligoss, Human Resources Manager, Prosecutor's Office



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October 20, 2016

TO: Paul Bocchi, Senior Legislative Budget Analyst, County Council
Michael Transue, Budget Consultant, County Council

FROM:  Michael Kawamura, Director, Pierce County Department of Assigned Counsel

SUBJECT: 2017 Budget Question Responses

In addition to a general presentation regarding DAC's 2017 Budget, Council has asked that I provide answers to the following questions. References to page numbers below are to the 2017 Preliminary Budget document.

1) Please provide an organizational chart for your department.

Attached, please find DAC's proposed 2017 organizational chart.

2) Please explain any major changes in your salaries and wages and personnel benefits line items.

For response to this question, DAC has defined "major change" to that which equates to those exceeding \$75,000. Lesser changes are primarily the result of (1) COLA, (2) lower step hires created by retirement and/or inter-office transfers, and (3) promotions.

The Preliminary Published Executive Budget includes DAC's supplemental request for the conversion of an extra-hire attorney in our Involuntary Commitment Unit to a County Attorney 1, and the reclassification of a County Attorney 1 in the District Court Unit to a County Attorney 2 in the Felony Unit.

Dependency Defense

The salary and wages are segregated in the 2017 budget to separate State Office of Public Defense (OPD) funding from General Fund. In 2016, the salaries and benefits were combined in the same Cost Center, but not broken out into the applicable Program. Additionally, a legal assistant was moved from the adult misdemeanor division into the dependency division.



Ledger Account	Cost Center	Program	2016	2017	2017 (if combined)
501100:Salaries & Wages	Dependency Defense	015E Juvenile Court - Dependency	1,191,310	781,710.00	1,263,970.00
502010:Benefits - Workers Compensation	Dependency Defense	015E Juvenile Court - Dependency	7,900	3,190.00	5,070.00
502020:Benefits - Medical Insurance	Dependency Defense	015E Juvenile Court - Dependency	181,900	131,230.00	208,590.00
502030:Benefits - Fica	Dependency Defense	015E Juvenile Court - Dependency	89,760	58,320.00	95,210.00
502040:Benefits - Retirement	Dependency Defense	015E Juvenile Court - Dependency	133,180	93,920.00	151,860.00
502060:Benefits - Life Insurance	Dependency Defense	015E Juvenile Court - Dependency	260.00	230.00	360.00
502070:Benefits - Dental Insurance	Dependency Defense	015E Juvenile Court - Dependency	20,340	13,330.00	21,360.00
501100:Salaries & Wages	Dependency Defense	GRANT-3-1675 416P	0.00	482,260.00	0.00
502010:Benefits - Workers Compensation	Dependency Defense	GRANT-3-1675 416P	0.00	1,880.00	0.00
502020:Benefits - Medical Insurance	Dependency Defense	GRANT-3-1675 416P	0.00	77,360.00	0.00
502030:Benefits - Fica	Dependency Defense	GRANT-3-1675 416P	0.00	36,890.00	0.00
502040:Benefits - Retirement	Dependency Defense	GRANT-3-1675 416P	0.00	57,940.00	0.00
502060:Benefits - Life Insurance	Dependency Defense	GRANT-3-1675 416P	0.00	130.00	0.00
502070:Benefits - Dental Insurance	Dependency Defense	GRANT-3-1675 416P	0.00	8,030.00	0.00

Similar accounting event for the Felony Defense Cost Center.

Ledger Account	Cost Center	Program	2016	2017	2017 (if combined)
501100:Salaries & Wages	Felony Defense	015J Superior Court Felony	3,799,010	3,680,850.00	3,965,780.00
501110:Wages - Extra Hire	Felony Defense	015J Superior Court Felony	10,920.00	10,920.00	10,920.00
502010:Benefits - Workers Compensation	Felony Defense	015J Superior Court Felony	24,570	13,920.00	15,150.00
502020:Benefits - Medical Insurance	Felony Defense	015J Superior Court Felony	525,300	533,370.00	582,760.00
502030:Benefits - Fica	Felony Defense	015J Superior Court Felony	284,960	274,030.00	295,830.00
502040:Benefits - Retirement	Felony Defense	015J Superior Court Felony	424,730	442,250.00	476,480.00
502060:Benefits - Life Insurance	Felony Defense	015J Superior Court Felony	790.00	940.00	1,030.00
502070:Benefits - Dental Insurance	Felony Defense	015J Superior Court Felony	61,130	56,130.00	61,430.00
502090:Benefits - Other	Felony Defense	015J Superior Court Felony	2,160.00	2,310.00	2,310.00
501100:Salaries & Wages	Felony Defense	015L State Public Defense	0.00	284,930.00	0.00
502010:Benefits - Workers Compensation	Felony Defense	015L State Public Defense	0.00	1,230.00	0.00
502020:Benefits - Medical Insurance	Felony Defense	015L State Public Defense	0.00	49,390.00	0.00
502030:Benefits - Fica	Felony Defense	015L State Public Defense	0.00	21,800.00	0.00
502040:Benefits - Retirement	Felony Defense	015L State Public Defense	0.00	34,230.00	0.00
502060:Benefits - Life Insurance	Felony Defense	015L State Public Defense	0.00	90.00	0.00
502070:Benefits - Dental Insurance	Felony Defense	015L State Public Defense	0.00	5,300.00	0.00

In summary, there are no significant changes in the salary/benefit ledger accounts aside from the supplemental requests as stated above.

3) Describe your fiscal year 2017 performance measures and how they differ from those from fiscal year 2016. Do you anticipate meeting you 2016 performance measures?

DAC's 2017 Performance Measures were created to highlight, emphasize and measure core functions which enhance the delivery of indigent defense services. In review, some of DAC's 2016 measures were best characterized as strategic projects versus performance measures.

Rather than insuring the provision of training, DAC's 2017 measures quantify the effectiveness of provided training by evaluating quantifiable case outcomes. Professional conduct violations include issues which are intuitive and issues related to competence and interactions with clients, the Court and Prosecutor. This is a measurement of the essence of our mandated responsibility, i.e. provide professional and effective representation.

In addition to focusing on cost savings due to a reduction in storage fees, DAC continues this measure as we refine our ability to eliminate countless staff hours to search, copy and pull paper files and use staff time for more productive true legal assistant functions. We are also attempting to increase staff access to all

electronically stored client case information. Immediate access to all client history greatly enhances the ability to provide effective representation. (For example, an attorney will be aware that a client was evaluated for mental health concerns 3 years ago, etc.)

Finally, the intern measure was created to prioritize efforts to attract new attorneys for DAC. As all departments are experiencing, succession planning is crucial for continued viability. This issue for DAC is significant due to the impact of no longer having a law school in Pierce County.

Yes, we anticipate meeting our 2016 measures.

4) Describe any new state or federal rules or regulations that are impacting your department fund.

Washington State has adopted hard case limits for appointed attorneys. As jurisdictions refine their systems, the demand for additional conflict panel defense counsel has increased for DAC. With discussion and consent of our Advisory Board, DAC has acted in a manner which has allowed us to maintain a viable delivery system by anticipating this increased demand and adjusting fee structures accordingly. This has budget impact.

Internally, the impacts are realized due to long-term absences, etc. as case capacity fluctuates.

Finally, case law outlines parameters regarding effective assistance of counsel. A number of cases indicate the lack of investigation and use of professional services as a basis for ineffective assistance of counsel and resulting reversal. This is highly relevant given the number of serious cases filed in Pierce County as well as the ever increasing number of clients with mental health concerns.

5) Describe any grant revenue your department fund has budgeted in fiscal year 2017.

2017 - Grant Revenue					
Grant/Entitlement	Budgeted	Cost Center	Business Unit	Grant	Program
334000:State Grants - SVP Contract	\$351,680	SVP Defense	51598P0 Civil Commitments -Sexual Predator	SVP-2016-2017	
334000:State Grants - Juvenile Rehabilitation Reimbursement	\$140	Delinquency Defense	51594P0 Juvenile Offender		015D Juvenile Court - Delinquency
334000:State Grants - Dependency Contract	\$645,850	Dependency Defense	51595P0 Juvenile Dependency and Termination of Parental Rights	PRP-2016-2017	
336000:State Entitlements And Impact Payments - DOC Reimbursement	\$1,000	Felony Defense	51592P0 Adult Felony		015J Superior Court Felony
336000:State Entitlements And Impact Payments - OPD Criminal/Contempt Allocation	\$734,780	General Indigent Defense	51591P0 General Indigent Defense		015L State Public Defense
Criminal Justice Fund - BJA Award					
JAG Grant	\$105,920 budgeted expenditure- \$73,680 funds currently available (may receive add'l w/in next grant)	JAG Defense	51592P0 Adult Felony	JAGX JAG10 JAG Grant	

SVP – Successfully obtained contract with State of Washington to provide

representation for Sexually Violent Predator cases.

Dependency & Criminal/Civil Contempt – Pierce County has been receiving this state allocation since 2005. The allocation is based upon compliance with the Indigent Defense Standards, County Population, and Case Filings.

Justice Assistance Grant (JAG) – Federal grant that provides attorney arraignment and other hearing coverage in Superior Court.

6) Describe any initiatives started and/or funded in the 2016 budget and whether or not they are contained in 2017 – why or why not.

Funding to provide representation to children involved in Dependency proceedings.

- In 2016, DAC was provided with \$50,000 to meet this directive (100% appointment of outside counsel). In order to continue, funding will be necessary for 2017.

Funding to absorb the impact of the Felony Property Crime Initiatives.

- In 2016, DAC was allocated \$75,000. As the emphasis continues, funding will be necessary in 2017.

Internal staffing adjustments addressed in responses to questions #7 and #8.

7) Give the reasons for the need for an additional FTE at Western State Hospital. The Workload Service Data (p. 213) does not contain any information on hearings at Western State. Please provide that data. What will you accomplish with this new FTE? When do you expect the individual to start?

Indigent Defense Standards adopted by the Washington Supreme Court prescribe a maximum caseload for a full time Involuntary Commitment defender not exceed 250 cases per year. Our workload data, attached, for 2016 projects cases and resulting caseload per the Pierce County case weighting model. A staff of 5.7 attorneys equates to 245 cases per attorney which remains excessive given the Standards refer to a full-time supervisor not having more than .5 caseload.

In order to meet current caseload, we have 5.7 attorneys (1 full-time supervisor, 3.7 FTE staff attorneys, 1 extra-hire attorney). The conversion of the current extra-hire position to an FTE position accomplishes:

- Compliance with County Human Resource policies regarding use of extra-hire.
- Closer compliance with caseload standards to avoid external scrutiny regarding standards compliance and case validity.

Finally, in essence, the position is necessary and ongoing.

- 8) Describe the shift of resources from the Misdemeanor Division to the Felony Division. What positions are being moved? What is the annual estimated dollar savings on outside attorneys? How is the decision made to use outside attorneys? Are they only used for felony cases?**

DAC requested that one County Attorney 1 position in District Court be converted to a County Attorney 2 position in the Adult Felony Unit. This modification is estimated to increase salary and benefit expenditures by less than \$10,000. This position would likely accept up to 120 felony cases and assume coverage duties which also requires consideration in determining attorney caseload.

The average cost of panel attorney representation on a class B or C felony is approximately \$800. Keeping 120 cases in-house results in anticipated savings of at least \$96,000. (Presumes minimum, no trials, etc.)

The decision making on cases assigned to outside counsel is determined by the following:

- Conflicts of Interest,
- Current availability of DAC staff to accept cases,
- Total filings and case complexity.

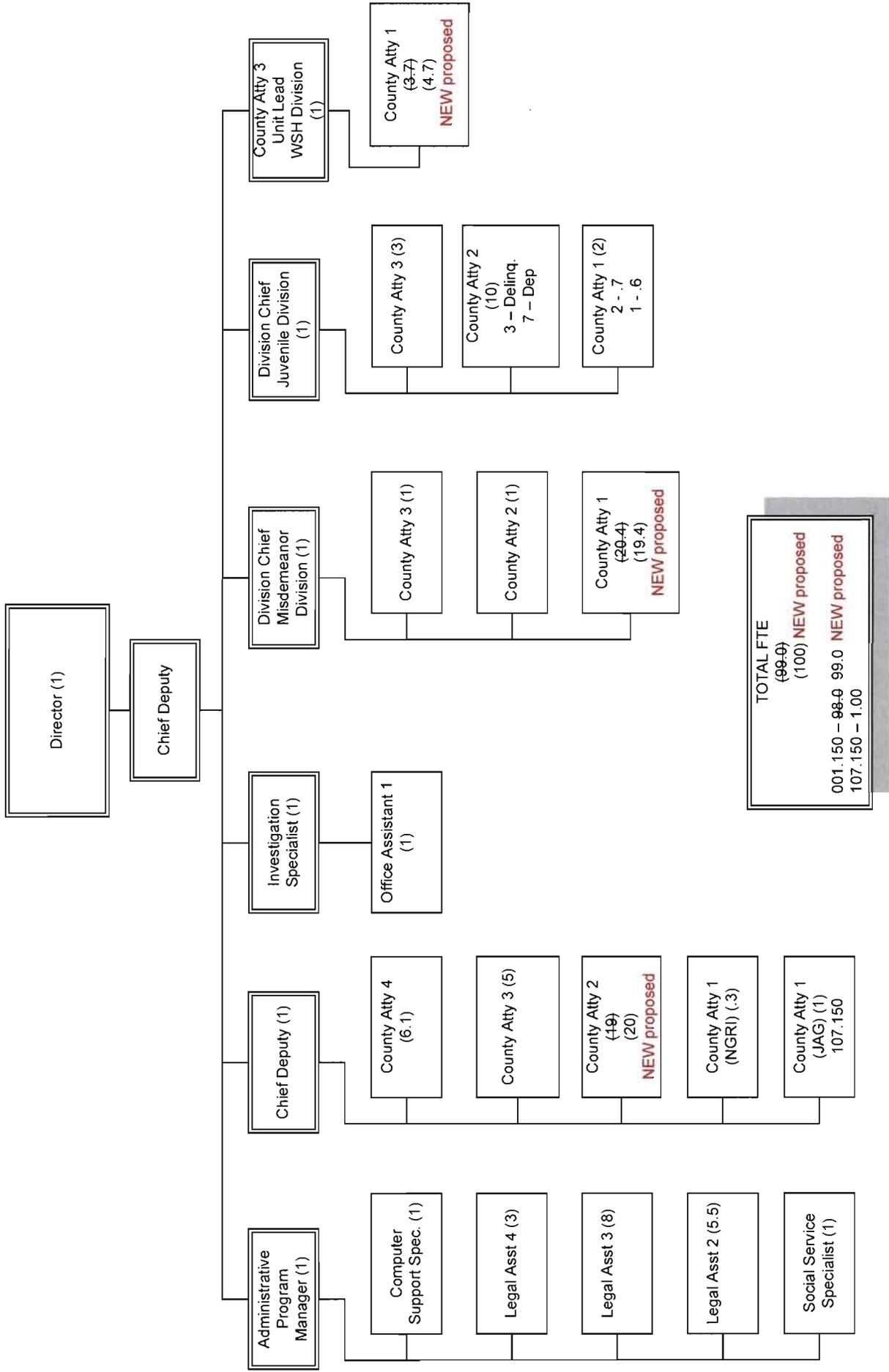
The process for assigning cases to outside counsel is used in all divisions within DAC for the same reasons stated above.

- 9) The Workload Service Data (p.213) shows increasing numbers Dependency Hearings. What is the impact of this on your department? In your opinion, what is the reason for this increase in hearings over the last several years?**

More cases increase the need for additional resources. Caseload maximums (80 open cases per FTE) exist in Dependency matters as well as criminal matters.

In my opinion, this "Region" (DSHS divides dependency obligations into Regions across the State) seems to favor termination of parental rights as compared to other regions. Historically, this outcome per capita is highest in Pierce County as compared to other regions. Once in the court system, legally mandated services are often delayed which increases the likelihood of termination. Other factors include variables such as the increased use and resulting impact of heroin consumption, etc.

Finally, when termination is a likely result, defense resources are used in greater amounts as the need to defend increases.



TOTAL FTE
 (89.0)
 (100) NEW proposed
 001.150 - 98.0 99.0 NEW proposed
 107.150 - 1.00

Preliminary Executive Budget – Proposed Staffing
 Pierce County Department of Assigned Counsel 2017

ITA SUMMARY SHEET OF CASES BY MONTH - 2016
 DAC ITA - Western State Hospital

Case Weight	14 Petition Count at .5	90 Successful to 14 Count at .5	90 Successful to Out-of- County Count at 1	90 Subsequent to M10.77 Dismissal Count at 1	180 Successful to 90 Count at 1	180 Subsequent F10.77 Dismissal Count at 1	180 Successful to 180 Count at 0.5	180 Juvenile Count at 1	180 LRA Extension Count at 0.5	LRA/CR Revocation Count at 0	180 Medication Count at 0	NGRI Medication Count at 1	Jury Trials Count at 1	Totals
JANUARY	62	38	1	4	22	7	61	0	3	2	9	0	0	209
FEBRUARY	54	27	0	6	20	8	72	0	4	3	7	0	2	203
MARCH	48	27	1	3	18	8	68	0	3	4	8	2	1	191
APRIL	68	20	0	7	26	12	85	0	7	6	12	0	2	245
MAY	50	31	0	8	18	8	89	0	10	4	6	2	0	226
JUNE	60	25	1	6	16	9	59	2	9	3	6	0	1	197
JULY	72	31	0	3	28	9	76	2	6	9	12	0	1	249
AUGUST	49	25	0	3	17	4	55	2	9	5	2	1	0	172
SEPTEMBER	56	20	0	2	28	8	67	0	10	4	12	0	0	207
OCTOBER														
NOVEMBER														
DECEMBER														
TOTAL	519	244	3	42	193	73	632	6	61	40	74	5	7	1899
TOTAL Weighted Cases	259.5	122	3	42	193	73	316	6	30.5	0	0	5	7	1057
Projected Weighted Cases Through End of Year	346	163	4	56	257	97	423	8	41	0	0	7	10	1412
King County Weighting System	519	0	3	42	193	73	632	6	61	0	74	5	7	1615
King County Projected Weighted Through End of Year	692	0	4	56	257	97	843	8	81	0	99	7	10	2154

From: [Michael Kawamura](#)
To: [Paul Bocchi](#); [Michael Transue](#); [Kate Kennedy](#)
Cc: [Al Rose](#); [Gary Robinson](#); [Anne Smith](#)
Subject: RE: 2017 Budget questions - Committee of the Whole, November 3, 2016 9:30 a.m.
Date: Tuesday, October 25, 2016 1:24:25 PM
Attachments: [DAC_2017.pdf](#)

Attached, please find DAC's 2017 Budget Question Responses. Per the instructions, we have only sent to the names identified below. Please advise if we should forward a copy to the Councilmembers directly.

[Property Crime Initiative, Question #6](#)

We attempted to obtain information as to actual case numbers and are awaiting a response.

[Workload Data, Question #7](#)

Caseload is determined by specific events. I would be happy to run through the data prior to the budget hearing if you desire.

We look forward to discussion on October 27, 2016.

Michael Kawamura, Director
Pierce County Assigned Counsel
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From: Kate Kennedy
Sent: Friday, October 14, 2016 3:29 PM
To: Michael Kawamura <mkawamu@co.pierce.wa.us>
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Subject: 2017 Budget questions - Committee of the Whole, November 3, 2016 9:30 a.m.

Please see attached 2017 Budget questions.

The Council has instituted paperless packets for the Committee of the Whole hearings. To facilitate this process email your responses to the 2017 Budget questions and any supporting information to:

Paul Bocchi pbocchi@co.pierce.wa.us

Michael Transue mtransu@co.pierce.wa.us

Kate Kennedy kkenned@co.pierce.wa.us

Please provide this information by 3:00 p.m. two days prior to your presentation.

Thank you, and if you have any questions please do not hesitate to call.



2017 Budget Questions – Pierce County Clerk’s Office - October 27, 2016, 9:30 a.m.

- 1) **Please provide an organizational chart for your department.**
 - Attached

- 2) **Please explain any major changes in your salaries and wages and personnel benefits line items.**
 - No major overall changes. Budget for Pretrial was increased for 2 employees by dissolving positions in the office. Net zero adjustment

- 3) **Describe your fiscal year 2017 performance measures and how they differ from those from fiscal year 2016. Do you anticipate meeting you 2016 performance measures?**
 - Our 2017 performance measures will for the most part be the same as 2016 with a focus on PreTrial Services.
 - We anticipate meeting our 2016 performance measures. Below I have provided the 2016 performance measures year-to-date as they relate to PreTrial Services. See answers to question #6 for details.

- 4) **Describe any new state or federal rules or regulations that are impacting your department fund.**
 - N/A

- 5) **Describe any grant revenue your department fund has budgeted in fiscal year 2017.**
 - State and Federal DSHS grant is yearly. See attached

- 6) **Describe the accomplishments and status of the pretrial release program. Provide data on number of people put through the program, and number of people currently in the program. How many individuals violated the terms of their release and were incarcerated prior to trial?**
 - 387 total referrals to Pretrial Services since Sept 2015 (through Oct 2016). Goal of 300 referrals for 2016.
 - 139 active participants (actively monitoring 100+ since July 2016).
 - 248 defendants have been closed from the program (including successful completion and noncompliant closure upon issuance of bench warrant)
 - 7 participants were incarcerated with new felony charges while actively monitored by Pretrial Services
 - 12 total participants have been sentenced to additional jail time (+1 participant sentenced to prison) at the completion/resolution of the case.
 - 17 participants’ cases have been completely dismissed





	Q4 2015	Q1 2016	Q2 2016	Q3 2016
Appearance Rate*	75%	61.1%	59.3%	55.4%
Cumulative Appearance Rate	82.6%	88.1%	89.7%	91.8%
Contact Rate	91.5%	93.2%	94.0%	92.4%
Safety Rate	97.2%	94.4%	95.7%	99.1%
Length of Stay	26.5 days	18.4 days	12.6 days	4.5 days

(*Appearance Rate - 1 missed hearing during monitored period resulting in issuance of bench warrant)

7) Detail the reason for the 71.6% increase in the costs of the pre-trial program (p. 217) in 2017 as compared to 2016.

- 2016 Budget only included 3 FTE in the PreTrial Services program. The two remaining positions that are currently in the 2017 budget were transferred from the Clerk’s General Division to the Pretrial Services Program to account for part of the increase in the budget. The remaining increase came from the addition of \$100,000 to professional services for funding the Electronic Home Monitoring program (EHM) with Friendship Diversion.

8) Give the details of the electronic monitoring program to be instituted in 2017. What will be the annual costs? How many people are anticipated to use the program in 2017? How will the individuals be selected? How will they differ from the ones in the current pre-trial release program? Are you using other entities experience to guide you in this process?

- 17 active participants enrolled in Electronic Home Monitoring (EHM).
- \$100,000/year will allow for minimum of 18.89 people to be actively monitored by EHM at any given time (\$14.50/day maximum cost).
- Individuals are selected based on a matrix modeled after Mesa County Colorado’s EBDM SMART Praxis - (risk assessment score and formal charge determine monitoring level).
- EHM is recommended for defendants who score at the high end of the risk assessment scale (for example: elevated due to combination of prior history of failure to appear and pending cases in other jurisdictions) or based on the pending charge (for example: a strike offense with minimal or no additional criminal history)
- Judicial Officers determine release decisions and make referrals for EHM.



2015 CLERK'S OFFICE

