

## CLARK COUNTY STAFF REPORT

**DEPARTMENT:** District Court Corrections Division

**DATE:** May 30, 2017

**REQUESTED ACTION:**

Approve resolution to increase certain fees for services provided to criminal defendants and increase the rate for work program credit days towards legal financial obligation.

\_\_\_\_\_ Consent   ☒ Hearing   \_\_\_\_\_ County Manager

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**BACKGROUND**

This staff report is to ask that the attached resolution be approved to increase certain monthly program fees and increase the rate of credit offenders may earn toward their legal financial obligations.

In February 1999 a resolution was passed to set program fees that require offenders to bear some of the costs of programs used for their supervision and rehabilitation. In 2008 a resolution was approved to add new program fees and increase previously set program fees. The resolution now before the Board of County Councilors seeks to again increase certain the program fees, to include the Work Program Sign-Up fee and the Victim Panel Fee. These fees were not modified in the prior 2008 resolution. The requested increase in fees more accurately reflects the cost of administering the programs.

The current resolution also seeks to increase the amount of credit earnable by an offender per day of work on the work crews. Offenders determined to have no ability to pay are given the option to work off court fines and fees owed to the District Court. In 2008, a rate of credit of \$75 per day of work was approved by the Board. The rate of pay for work of similar nature has increased and so has the Washington minimum wage. The requested modification to the current credit rate is to align the work program credit with the Washington State minimum wage.

**COUNCIL POLICY IMPLICATIONS**

No council policy implications.

**ADMINISTRATIVE POLICY IMPLICATIONS**

No administrative policy implications.

**COMMUNITY OUTREACH**

This request is consistent with our existing policy and practices for charging fees for our services.

## BUDGET IMPLICATIONS

YES	NO	
Yes		Action falls within existing budget capacity.
	No	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
	No	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

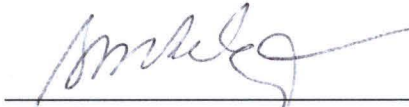
## BUDGET DETAILS


Local Fund Dollar Amount	
Grant Fund Dollar Amount	
Account	General fund
Company Name	


## DISTRIBUTION:

Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>

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Ela Selga  
District Court Administrator

  
Kelli Osler  
District Court Judge, Presiding

  
APPROVED:  
CLARK COUNTY, WASHINGTON  
BOARD OF COUNTY COUNCILORS

DATE: May 30, 2017

SR# \_\_\_\_\_



APPROVED: \_\_\_\_\_  
Mark McCauley, County Manager

DATE: \_\_\_\_\_

RESOLUTION NO. 2017-05-12

**A Resolution** adopting revised fees for Clark County District Court, Corrections Division.

**Whereas**, the Clark County District Court's Corrections Division is charged with the responsibility of supervising certain individuals within the Clark County criminal justice system; and

**Whereas**, a necessary part of supervision of criminal offenders includes alternatives to confinement that require educational programs to facilitate the supervision and rehabilitation of said offenders; and

**Whereas**, there is a need to develop additional and ongoing sources of funding to support those programs; and

**Whereas**, it is appropriate for the offender to bear some of the expense of making the programs available, and having the offender contribute to the expense of the programs increases the rehabilitative value of the programs; and

**Whereas**, it is the general policy of Clark County that the Board of County Councilors to adopt District Court fees at the level necessary to cover the expense of providing the programs; and

**Whereas**, the Board of County Councilors has considered the amount of fees set by the District Court as set forth below and has found the fees to be appropriate; and

**Whereas**, this matter was considered at a duly advertised public hearing after which the Board of County Councilors concluded that adoption of this resolution would further the public health, safety and welfare, no therefore:

**BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY COUNCILORS OF CLARK COUNTY, STATE OF WASHINGTON**, as follows:

Section 1. Repealer. The previously effective Clark County District Court Corrections Fees, contained in Resolution 2008-02-15, are hereby repealed.



Section 2. Fee Schedule.

The Clark County District Court and the Corrections Division thereof shall modify their assessment and collection of fees in accord with the table below:

1. Work Program sign-up fee:	\$40.00
2. Victim Panel Class :	\$75.00
3. Driving While Suspended Class sign-up fee:	\$75.00
4. Work Program Credit (toward LFO)	TBD*

\*hourly credit shall not be less than the minimum wage set by Washington State.

Section 3. Severability. If any section, sentence, clause, or phrase of this resolution should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the constitutionality of any other section, sentence, clause, or phrase of this resolution.


**BE IT FURTHER RESOLVED** that no part of this resolution is intended to contravene or limit any authority of the court to assess and collect fees under authority provided through statute or caselaw or court rule.

**ADOPTED** this 30<sup>th</sup> day of May, 2017.

Attest:

  
Clerk of the Board

**BOARD OF COUNTY COUNCILORS  
FOR CLARK COUNTY, WASHINGTON**

By   
Marc Boldt, Chair

**APPROVED AS TO FORM ONLY:**

  
Deputy Prosecuting Attorney

By \_\_\_\_\_  
Jeannie Stewart, Councilor

By \_\_\_\_\_  
Julie Olson, Councilor

By \_\_\_\_\_  
John Blom, Councilor

By \_\_\_\_\_  
Eileen Quiring, Councilor

