

CLARK COUNTY STAFF REPORT

DEPARTMENT: County Manager's Office

DATE: September 20, 2022

REQUESTED ACTION:

In accordance with the Charter and the RCW, the County Manager's Office requests approval of a resolution to establish a county department of Jail Services.

Consent Hearing County Manager

BACKGROUND

The Clark County Jail and Work Center are a countywide service; and the mission of the Clark County Corrections Branch is to promote and maintain public safety through effective correctional and reentry practices. If approved, this will be the first step in the transition of management of the jail from Sheriff to the County Manager.

Pursuant to RCW 70.48.180, counties may acquire, build, operate and maintain

jails: "Counties may acquire, build, operate, and maintain holding, detention, special detention, and correctional facilities as defined in RCW 70.48.020 at any place designated by the county legislative authority within the territorial limits of the county. The facilities shall comply with chapter 70.4 RCW and the rules adopted thereunder."

Pursuant to RCW 70.48.090(4), the responsibility for the operation of a jail may be by the creation of a department of corrections or the chief law enforcement officer: "(4) A city or county primarily responsible for the operation of a jail or jails may create a department of corrections to be in charge of such jail and of all persons confined therein by law, subject to the authority of the governing unit. If such department is created, it shall have charge of jails and persons confined therein. If no such department of corrections is created, the chief law enforcement officer of the city or county primarily responsible for the operation of said jail shall have charge of the jail and of all persons confined therein."

Pursuant to Charter Section 1.3 Construction: "The powers of the county granted by this charter shall be liberally construed, and the specific statement of particular powers shall not be construed as limiting the general powers. Reference to the state constitution and general law in this charter shall be construed as a continuing reference to them as they may be amended from time to time. This charter and ordinances enacted hereunder shall supersede special and general laws which are inconsistent with the charter and ordinances to the extent permitted by the state constitution."

Pursuant to Charter 3.2 B (1) The county manager:

"B. Powers and Duties. The county manager shall be the county's chief executive officer and have all executive powers of the county which are not expressly vested in other elected officers by state law or this charter. The county manager shall have the power to:

1. Supervise all administrative departments established by this charter or created by the council."

COUNCIL POLICY IMPLICATIONS

None.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COMMUNITY OUTREACH

If approved, additional information will be forthcoming in the jail transition plan. Including external and internal communication plans.

BUDGET IMPLICATIONS

YES	NO	
		Action falls within existing budget capacity.
		Action falls within existing budget capacity but requires a change of purpose within existing appropriation
		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:

Council staff will post all staff reports to The Web. <https://www.clark.wa.gov/council-meetings>

Amber Emery
Deputy County Manager

APPROVED: _____
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: _____

SR# _____

APPROVED: _____
Kathleen Otto, County Manager

DATE: _____

BUDGET IMPACT ATTACHMENT

Part I: Narrative Explanation

I. A – Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information

Part II: Estimated Revenues

Fund #/Title	2022		2023		2024	
	Annual Budget		Annual Budget		Annual Budget	
	GF	Total	GF	Total	GF	Total
Total						

II. A – Describe the type of revenue (grant, fees, etc.)

Part III: Estimated Expenditures

III. A – Expenditures summed up

Fund #/Title	FTE's	2022		2023		2024	
		Annual Budget		Annual Budget		Annual Budget	
		GF	Total	GF	Total	GF	Total
Total							

III. B – Expenditure by object category

Fund #/Title	2022		2023		2024	
	Annual Budget		Annual Budget		Annual Budget	
	GF	Total	GF	Total	GF	Total
Salary/Benefits						
Contractual						
Supplies						
Travel						
Other controllables						
Capital Outlays						
Inter-fund Transfers						
Debt Service						
Total						

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RESOLUTION NO. 2022 - _____

A RESOLUTION relating to the creation of a county department of Jail Services.

WHEREAS, pursuant to RCW 70.48.090(4), "A city or county primarily responsible for the operation of a jail or jails may create a department of corrections to be in charge of such jail and of all persons confined therein by law, subject to the authority of the governing unit. If such department is created, it shall have charge of jails and persons confined therein. If no such department of corrections is created, the chief law enforcement officer of the city or county primarily responsible for the operation of said jail shall have charge of the jail and of all persons confined therein"; and

WHEREAS, the Clark County Council, as the county legislative authority and authority of the governing unit, has considered and formally approved the statutorily allowed option of creating a county department of Jail Services; and

WHEREAS, a decision on the matter was scheduled as part of the Clark County Council open, public meeting on September 20, 2022, for consideration to approve a new county department of Jail Services.

WHEREAS, subsequently the Council took the following actions, each by unanimous vote:

- 1) to approve the creation of the county department of Jail Services under the authority of the County Manager as allowed and provided by RCW 70.48.090 effective immediately;
- 2) to name the newly created department "Jail Services;"

25 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Clark County
26 Council that all actions taken on September 20, 2022, regarding the creation of the county
27 department of Jail Services, as referenced above, are hereby formalized as approved.

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ADOPTED on this _____ day of _____, 2022.

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30 Attest:

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33 _____
Clerk to the Council

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36 Approved as to Form Only:

37 ANTHONY GOLIK

38 Prosecuting Attorney

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41 By: _____

42 Leslie Lopez,

43 Deputy Prosecuting Attorney

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CLARK COUNTY COUNCIL
CLARK COUNTY, WASHINGTON

Karen Dill Bowerman, Chair

Temple Lentz, Councilor

Julie Olson, Councilor

Gary Medvigy, Councilor

Richard Rylander, Councilor