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Title: A MOTION establishing policy direction for addressing the King County fiscal crisis and requesting the courts, prosecutor, sheriff and all other agencies involved in the criminal justice system within King County to work together to identify efficiencies and possible reductions.

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Attachments: 1. Motion 11491.pdf, 2. 2002-0334 Power Point Presentation for 07-22-02 COW.ppt, 3. 2002-0334 Staff Report for 07-22-02 COW.doc, 4. 2002-0334 Staff Report for 07-29-02 COW.doc

Date	Ver.	Action By	Action	Result
7/29/2002	1	Committee of the Whole	Recommended Do Pass	Pass
7/29/2002	1	Metropolitan King County Council	Passed	Pass
7/22/2002	1	Metropolitan King County Council	Introduced and Referred	

Clerk 7/30/02

A MOTION establishing policy direction for addressing the King County fiscal crisis and requesting the courts, prosecutor, sheriff and all other agencies involved in the criminal justice system within King County to work together to identify efficiencies and possible reductions.

WHEREAS, King County has been a home rule county since the county charter was approved by the voters in 1969, and

WHEREAS, state law and the county charter establish three branches of county government: the legislative branch, with a thirteen-member elected county council; the executive branch, with an elected county executive; and the judicial branch, with a superior and district court, and with elected superior and district court judges, and

WHEREAS, the legislative branch is the policy making body and possesses powers to, among other things, adopt and enact ordinances, levy taxes, appropriate revenue and adopt budgets, and

WHEREAS, the executive branch is responsible for, among other things, operating county government, delivering county services and presenting an annual budget to the county council for review and approval, and

WHEREAS, the judicial branch is responsible for the administration of civil and criminal justice, and

WHEREAS, certain elements of county government are the responsibility of separately elected officials, including the assessor, 51 superior court judges, 26 district court judges, the prosecuting attorney and the sheriff, and

WHEREAS, King County's total 2002 budget of \$2.9 billion is supported by a variety of revenues, and

WHEREAS, most of these revenues - \$2.4 billion of the \$2.9 billion total - are expressly restricted by state law to the purposes for which they are collected, and

WHEREAS, the remaining revenues of \$500 million, which constitute the county's current expense (CX) fund, are the only funds available to fund many additional county services, and

WHEREAS, some of the services funded by the county's CX fund are required by the United States and Washington state constitutions, state law or the county charter, while others are not so required, and

WHEREAS, services required by state law consist largely of those services related to the criminal justice system, which is law enforcement, courts, adult and juvenile detention, prosecution and indigent defense, and some services related to public health, and

WHEREAS, services required by law also include government functions such as elections, property tax assessment and collection, the county executive and the county council, and

WHEREAS, the laws requiring particular services do not usually define the specific level of service that must be provided by the county, and

WHEREAS, services that are not required by the county charter or state law are parks and recreation, arts and landmark programs, health and human services and the governmental services that support the

operation of the government, such as payroll processing, computer and telephone support and personnel recruitment and selection, and

WHEREAS, 68% of the 2002 CX budget is devoted to the criminal justice system, followed by 18% for governmental services, 7% for public health and health and human services, 6% for parks and recreation and 1% for capital projects, and

WHEREAS, King County can no longer sustain its CX fund services at existing levels due to a severe and continuing fiscal shortfall, and

WHEREAS, the fiscal shortfall has been brought about by several factors, including:

- A. Annexations and incorporations that have reduced the county's sales tax revenues without substantially reducing its responsibilities;
- B. Increased demand for services;
- C. Increased cost of providing those services;
- D. Initiative-driven limits on taxes; and
- E. The current economic recession, and

WHEREAS, this fiscal crisis has required the county to reduce the CX fund budget by \$41 million in 2002, and will require the county to reduce the CX fund budget by \$50 million 2003, with additional reductions of \$30 million 2004 and another \$30 million in 2005, for a total of \$151 million over four years, and

WHEREAS, a deficit of this magnitude will require the county to resize CX-funded services and to make difficult choices among all of the services the county provides, and

WHEREAS, to comply with state law the council must adopt a balanced budget for 2003 by December 1, 2002, and

WHEREAS, parks and recreation, arts and landmark programs and health and human services are not required by law, but contribute significantly to the quality of life in the region, improve the business climate and the county's ability to attract and retain employers and provide family wage jobs, and are highly valued

services that many citizens have come to expect the county to provide, and

WHEREAS, the balance between services that are legally required and services that are not legally required involves policy decisions for the council to make when it considers the 2003 executive proposed budget and three-year CX fund financial plan, and

WHEREAS, if the budgets for the services that are not required by law (parks, health and human services, and arts) were reduced by 70% over the next three years, the county would save \$40 million, and

WHEREAS, if other expenditures for governmental functions and public health were reduced by 30% over the next three years, the county CX fund would save \$20 million, and

WHEREAS, even with this savings of \$60 million, other reductions totaling \$50 million will be necessary to make-up the \$110 million shortfall over the next three years and balance the budget, and

WHEREAS, to balance the CX budget over the next three years, the county must therefore look for ways to reduce costs in the criminal justice system, and

WHEREAS, the council must consider a variety of policy options for improvements and efficiencies in the criminal justice system that will reduce costs to help offset the three-year, \$110 million shortfall, and

WHEREAS, over the past several months, the executive, courts, prosecutor, sheriff, and all other agencies involved in the criminal justice system, under the leadership of the council's law, justice and human services committee, have undertaken innovative and thoughtful discussions about how their operations can be changed to achieve cost savings and still preserve public safety, and

WHEREAS, this effort will result in legislation establishing county criminal justice policy as identified in the ordinance enacting the Adult Justice Operational Master Plan, and requiring a plan to implement the policy and regular reporting on the progress of developing the plan, and

WHEREAS, the county is committed to protecting public safety and ensuring a just, fair, efficient, effective and functioning criminal justice system, and

WHEREAS, the council recognizes that improvements and efficiencies in the criminal justice system

must be jointly developed by the elected officials responsible for the separate elements of the system, and

WHEREAS, the council is leading by example such that in 2003, it will reduce its own expenditures by approximately \$2.2 million, or about 15%;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

1. The council will work with the executive to identify additional significant reductions to the budgets relating to governmental functions, including the budgets of the executive's office and the council.

2. The council requests the courts, prosecutor, sheriff, and all other agencies involved in the criminal justice system to prepare for the budget process this year and in the next two years by identifying policy and operational changes, developing proposals and identifying cost savings that will contribute to a balanced budget, and which will offset the \$110 million budget shortfall by as much as the \$50 million that may be required to balance the budget.

3. These proposals should be the result of collaborative discussions among the county executive, the prosecuting attorney, the sheriff, the presiding judge of the superior court and the presiding judge of the district court.

4. Proposals for reducing criminal justice system costs should consider the policy framework established in the ordinance enacting the Adult Justice Operational Master Plan, which requires system improvements and efficiencies, a policy for the use of secure detention, and expanding the use of alternative options and sanctions, including treatment services. The proposals should integrate existing treatment services with the criminal justice system to improve public safety.

5. These proposals should be submitted to the council by October 1, 2002, and should reflect a three-year phased implementation beginning in 2003. It is the council's intent that these proposals be developed in conjunction with the implementation plan required by the ordinance enacting the Adult Justice Operational Master Plan.

6. The council intends that the county continue to provide those human services that reduce

involvement in the criminal justice system or increase the efficiency and effectiveness of criminal justice interventions.

7. The council will consider these proposals as it reviews the 2003 executive proposed budget. The prosecuting attorney, the sheriff, the presiding judge of the superior court and the presiding judge of the district court will have ample opportunity to present their proposals, and to advise the council of the impacts their proposals will have on their ability to provide vital services.

8. Public hearings on the 2003 proposed budget will be held in multiple locations in the county.

9. The council recognizes that reductions deeper than those described above may be necessary in services that are *not* required by law, in order to allow the county to provide adequate levels of services that *are* required by law. However, given the county's fiscal situation, prudent planning requires the council to examine all possible

cost and service reductions before deciding on the steps necessary to achieve a balanced budget.