

RECORD OF THE PROCEEDINGS**OKANOGAN COUNTY****JANUARY 22, 2020**

The Okanogan County Board of Commissioners met in regular session at 123 5th Avenue North, Okanogan, Washington on January 22, 2020, with Chairman, Commissioner Jim DeTro; Vice Chairman, Commissioner Andy Hover and Laleña Johns, Clerk of the Board, present.

Discussion CJTA City Billings-City Mayors, Prosecutor, and Representatives

Commissioner Chris Branch; Member, was absent due to attending an ACH meeting in Wenatchee on the integration of medical and mental healthcare.

The Pledge of Allegiance was recited.

A sign in sheet at the door was utilized by most attendees.

Jon Neal – Mayor, Oroville
Todd McDaniel – City Administrator, Omak
Soo Ing Moody – Mayor, Twisp
Officer Ty Sheehan – Twisp PD
Wayne Turner – Mayor Pro Tem, Okanogan
Deputy Ken Bajima – Winthrop Marshal's Office
Sally Ranzau – Mayor, Winthrop
Chief Marcos Ruiz – Brewster PD
Clerk/Treasurer Misty Ruiz-Brewster
Chief Paul Bowden – Coulee Dam PD
Arian Noma – Prosecutor
Arthur Smyth – Mayor, Brewster
Aaron Culp – Undersheriff
Chief Jeff Koplín – Omak PD
Clerk/Treasurer Craig Attwood-Okanogan

Roll call of those Present were: Tanya Craig, County Risk Manager, Arian Noma, County Prosecutor, and Mayor of Coulee Dam Bob Poch

Ms. Craig explained the purpose of the meeting. Working closely with Clerk Treasurers on the Jail billings for criminal justice public defense costs and increased costs.

Rising costs or unanticipated costs, these rates are based on the number of inmates in the jail we have variable and fixed costs. Where do the issues lie with the cities, what is the trend and what can be expected?

Brewster Police said there are many empty beds that could be used to mitigate the costs. Ms. Craig said when the county was contracting with other cities we had more filled beds. We were having a lot higher inmate days, but some of those contracts were terminated. Finding a happy medium has been a struggle. Douglas County pays for a certain number of beds even if they are not filled. They also contribute funds to help with repairs and amenity purchases. We have seen the decline of inmates and not with our formula basis, we still have hard costs. We cannot just lay off five guys when the population is low then rehire again when populations are up.

Commissioner Hover continued, he said an indicator was that we had five openings in the jail. If we have a huge amount of turn over and we didn't see the overtime spike we would then see that as an

indicator we were overstaffed. We are not overstaffed and that is one of the biggest costs. Ms. Craig said the Public Defender Contractor has not had an increase in six years.

Misty Brewster Treasurer asked if the county could look at the way Grant County is basing their billings on. Commissioner DeTro explained the benefits of having trustees that provide additional help at the land fill and the fairgrounds.

Mayor Moody said the trend went down last year, and what is contributing to that. It really affects the city budgets if the trend is to stay the same, how will cities anticipate the costs if there isn't consistency.

Commissioner Hover asked the Prosecutor if he sees why the incarcerations are going down. Arian Noma said his department cannot control the trend. He doesn't know that there is a trend because he's only been here one year. He explained when he first started working for the county he was a defense attorney. He is now the elected prosecutor. He explained the process and what his goal is. He is to get the felonies out with a quick trial and out of here and many of those felonies end up elsewhere. 10.77 prohibits him from addressing certain lower level offenses. There are civil remedies the cities could use for recidivism of people who continue to commit misdemeanors crimes only to be released the next day. There was a lot of death last year, seven deaths, and they are not easy cases. He is trying to get the higher level criminals out of the jail. Lower level crimes, they can prosecute, and they will, but we have a court that is looking the other way when it comes to reform.

Brewster Police asked why then are there empty beds. The trend we see is the low population in the jail. Noma said he could ask the court for higher bails, but the risk to hold the people on high bails, should not be counted on. Brewster Police said they are not here to keep people in the beds longer, we are here to address why there are empty beds to begin with.

The public defender is always complaining to him about their costs going up. When felonies are dropped to misdemeanor by the prosecutor then cities pick up that cost. Mr. Noma explained why cases are negotiated. Commissioner Hover isn't sure about the cities financial calculations is the cost being negated by the number of inmate days. Tanya said the bookings are relatively the same and the same number of arrests are being made, but there are less inmate days which increases the daily rates for everyone.

Misty Brewster said the increase went from \$176 to \$326 in one year.

Commissioner Hover said the Prosecutor had come to the commissioners and asked for raises for his attorneys, but the commissioners said no. We are seeing a rise in costs. As a group how to we mitigate the costs for both the cities and the county.

Mayor Moody asked if the Criminal Justice Sales Tax would help with this situation. The cities cannot budget very well if the basis is inconsistent. If we are in a new trend can they expect it to carry over now year to year. It is a guessing game, but how can we work together to address the new trend to identify whether housing arranges go elsewhere. Commissioner Hover explained the focus is to keep kids out of juvenile hall. Those programs cost money and adding staff to administer the programs costs anywhere from \$80,000 to \$100,000. Commissioner DeTro said we need to lobby Olympia to come up with a program to take marijuana revenue that goes to the West side in the tune of \$600 million dollars and we get less than \$55,000. He encouraged the cities to speak to their legislators.

Commissioner Hover calculated an approximate cost based on incarceration bed days in 2018 of 4500 would be \$85 per day bed rate. Fleet, maintenance, and kitchen costs are not being calculated into that number. He wants to look at and explore contract language. He then described jurisdiction charges that the county is not charging. We have to figure out where the treasurer and auditor office is having issue that issue is not on the streets like police are. More staff in the Sheriff's office isn't going

to affect the costs. He said he negotiated all the labor contracts at the county and there still will be things fluctuating that create impacts. The county utilizes trustees, but none wish to work, they'd rather sit in jail. The county used to utilize trustees but because the inmates don't want to work the county is looking for inmates who are willing to be trustees.

Cities pass their budgets in December. If there is a heads up that would be helpful to know if the trend is expected to change on way or the other.

Commissioner Hover discussed locking in a rate base on last year's numbers. It should be based on previous year costs and revenues, a number is then set, the info provided to cities and cities can budget for it. It would help stabilize the expected costs. Misti said these costs are 1/8 of her budget. Her staff waits till the end of the year to spend on anything until they know what the incarceration charges end up being.

Todd McDaniel we need to share in the risk and share in the reward. It needs to be a smaller group to come up with the plan that makes sense. It is about 10% of his budget. The way we do it now is fair, but cumbersome and he thinks there is a better way to do it.

Misti said there is also the medical costs, but appreciates the county brining someone on staff to mitigate those costs.

Ms. Craig said WDFW and state patrol do not get charged. It is mainly FW and they have quite a few. She has to break out charges for each agency and then she only bills certain agencies. Some arrested may have 17 agencies involved, so all those have to be broken out.

Mayor Moody said the billings are really painful to work through. Commissioner Hover said if the county came up with an annual rate then the county could send bills more frequently that would help cities budget better. Going through six months of incarcerations is much harder to calculate then two months of incarcerations.

Misti discussed Capital Improvement charges saying that the jail was at end of life and when it gets there what can be expected. Many areas like Booking have not been upgraded. It is more than just throwing in more beds as it affects other area capacity.

Mayor Moody asked if the rates would increase this year, Ms. Craig said no. The 2019 total jail revenue generated was reviewed from all sources then the expenses were reviewed.

Undersheriff Culp explained the contract in place with the cities for this service have expired in 2003. Commissioner Hover said the cities have a number for daily rate but it isn't a fixed number. The variation is proportional but the cost is not. If there was a fixed cost the county relays in October, would it not help. Yes, it would. Mayor Moody said the more tools available to everyone the better.

Medical costs are not included in the contracts. Commissioner Hover would like to work on recalculating a rate that will be used that would be based on first and second half of 2019. We have been contacted by outside cities who need to house inmates, so we'll continue to work on that which should drive costs down. Commissioner Hover explained how the Douglas County inmate housing contract was negotiated and what it includes. They additionally pay into a fund to be used for capital improvements to the jail.

A contract for housing CCT inmates is on the table with the tribe right now, so if that is approved, bed use will likely increase.

The board adjourned at 10:40 a.m.