


**JEFFERSON COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA REQUEST**

**TO:** Board of County Commissioners  
**FROM:** Philip Morley, County Administrator   
**DATE:** December 17, 2012  
**RE:** Potential Action on a Resolution in the Matter of the Use and Budget Administration of the Jefferson County Drug Fund, Fund 135

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**STATEMENT OF ISSUE:** The proposed Resolution directs the use and budget administration of the Jefferson County Drug Fund, Fund 135.

**ANALYSIS:** State law authorizes courts to impose assessments against persons convicted of drug offenses. Fund 135 was established in Jefferson County to receive these funds and expend them on drug investigation and prosecution and training and equipment related thereto.

It is estimated that Fund 135 will have an available fund balance of about \$100,000 at the end of 2012.

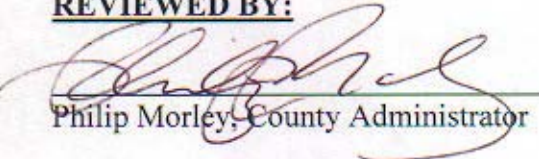
To support drug case investigation and/or prosecution costs by the County, the proposed Resolution: 1) establishes a Prosecutor's Reserve for eligible expenditures at the sole discretion of the Prosecuting Attorney; and 2) makes other funds in Fund 135 subject to regular budgeting only for eligible expenditures through appropriation by the County Commissioners.

For the 2013 Budget, this Resolution will allow the County Commissioners to allocate \$42,000 from Fund 135 fund balance to be used to pay for Sheriff Office costs related to drug investigations, specifically to partially fund a narcotics detective position that costs \$94,135 in 2013 for salary and benefits.. It will also allow the County Commissioners to appropriate \$15,000 in 2013 for the Prosecutor's Reserve.

**FISCAL IMPACT:** Funds are subject to appropriation.

**RECOMMENDATION:** Approve the proposed Resolution.

**REVIEWED BY:**

  
Philip Morley, County Administrator

12/13/12  
Date



**STATE OF WASHINGTON**  
**County of Jefferson**

**In the Matter of the Use and }  
Budget Administration of the }  
Jefferson County Drug Fund, }  
Fund 135 }**

**RESOLUTION NO. -12**

**WHEREAS**, the provisions of State law authorize courts to impose assessments against a person convicted of a drug offense; and,

**WHEREAS**, local courts require persons convicted of drug offenses to pay penalty assessments to the county drug fund; and,

**WHEREAS**, Jefferson County originally passed Resolution No. 65-74 creating a drug fund, and thereafter passed amendments to this resolution, namely Resolution No. 27-80, Resolution No. 55-86, and Resolution No. 88-97; and,

**WHEREAS**, it is advantageous to the citizens of Jefferson County to direct monies thus contributed by offenders be expended on costs related to drug investigations, drug prosecutions, and training and equipment related to drug investigation and prosecution; and,

**WHEREAS**, it is advantageous to allow the County Commissioners to annually budget a portion of the county drug fund as a Prosecutor's Reserve for use on eligible expenditures at the sole discretion of the Prosecuting Attorney while retaining adequate records for auditing purposes; and,

**WHEREAS**, it is advantageous to designate that all monies in the county drug fund that are not part of the Prosecutor's Reserve shall be subject to expenditure by budget appropriation by the County Commissioners for use on eligible expenditures;

**NOW, THEREFORE, BE IT RESOLVED**, that the Jefferson County Treasurer be directed to continue a special drug fund known as the "Jefferson County Drug Fund" as Fund Number 135-000-010; and monies collected from and contributed by offenders as assessed by a court directing that said sums be deposited in a county drug fund, shall be deposited in this fund to be used solely for costs related to drug investigation and prosecution, and for training and equipment related to drug investigation and prosecution.

**BE IT FURTHER RESOLVED**, the Board of County Commissioners shall annually allocate and budget from the Jefferson County Drug Fund a Prosecutor's Reserve that shall be available for eligible expenditures at the sole discretion of the Prosecuting Attorney. The Prosecuting Attorney, or his/her designee, shall be authorized to draw from the Prosecutor's Reserve such monies as are within the Prosecutor's Reserve for use in drug investigations, drug prosecutions, and training and equipment related to drug investigation and prosecution. Records regarding



monies drawn from the Prosecutor's Reserve shall be kept by the Office of the Prosecuting Attorney and shall include identification of the cases involved, if applicable, and an explanation of the expenditure. All such Prosecutor's Reserve records shall be available to the State Auditor for examination. Any unspent Prosecutor's Reserve funds from one year will roll over to be added to the next year's Prosecutor's Reserve allocation.

**BE IT FURTHER RESOLVED**, all monies in the Jefferson County Drug Fund that are not part of the Prosecutor's Reserve shall be subject to expenditure by budget appropriation by the Board of County Commissioners solely for costs related to drug investigation and prosecution, and for training and equipment related to drug investigation and prosecution.

**BE IT FINALLY RESOLVED**, Jefferson County Resolution No. 88-97, Resolution No. 55-86, Resolution No. 27-80, and Resolution No. 65-74 are hereby repealed and replaced by this Resolution.

**APPROVED AND ADOPTED** this 10<sup>th</sup> day of December, 2012.

**JEFFERSON COUNTY  
BOARD OF COMMISSIONERS**

SEAL

\_\_\_\_\_  
John Austin, Chair

ATTEST:

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Phil Johnson, Member

Raina Randall  
Deputy Clerk of the Board

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David Sullivan, Member