

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: 10-20-2021	PREPARED BY: Jennifer Johnson
Meeting Date Requested: 10/26/21	PRESENTED BY: Shawn Sant
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda Brought Before the Board Time needed	
SUBJECT / ISSUE: Interlocal Agreement for prosecution of Franklin County criminal case in Benton County Veterans Court	
FISCAL IMPACT: \$10,000 (paid up front, but covers an 18 month term) - Full amount is within Prosecutor's 2021 budget.	
BACKGROUND: Benton County runs a therapeutic Veterans Court program for local Veterans as an alternative route through the criminal justice system for those charged with crimes who are mentally ill or who have co-occurring mental health and substance abuse disorders. Franklin County is currently prosecuting J.G., a Veteran, who would benefit from being involved in the program. Franklin County does not currently operate a Veterans Court. Benton County has agreed to accept J.G. into their program for a fee of \$10,000 which is to cover the 18 month program. If the defendant drops out or is terminated from the program before completion, Benton County will return a prorated fee equal to the number of remaining months.	
RECOMMENDATION: Approve the Resolution/ Interlocal Agreement	
COORDINATION: Shawn Sant for Franklin County Eric Andrews for Benton County	
ATTACHMENTS: (Documents you are submitting to the Board)\ ASR, Resolution, and Interlocal Agreement	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) Prosecuting Attorney's Office	

I certify the above information is accurate and complete.

 Jennifer Johnson, Chief Civil DPA

FRANKLIN COUNTY RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

***APPROVING INTERLOCAL AGREEMENT FOR PROSECUTION OF
FRANKLIN COUNTY CASE IN BENTON COUNTY VETERANS COURT***

WHEREAS, Chapter 39.34, RCW permits local government units to make the most efficient use of their powers by enabling them to cooperate with other localities and thereby to provide services and facilities in a manner that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, Benton County has a Veterans Court for the purpose of providing an alternative route through the criminal justice system for veterans charged with crimes who are mentally ill or who have co-occurring mental health and substance abuse disorders by entering them into the specialized Veterans Court program; and

WHEREAS, Franklin County does not currently have a Veterans Court Program but currently has a veteran Defendant identified as J.G.; and

WHEREAS, Both the Defendant and the community would benefit from the services offered by the Benton County Veterans Court; and

WHEREAS, judicial economy is best served by authorizing the designated prosecutor from the Benton County Prosecuting Attorney's Office to handle the prosecution of "Defendant" in Benton County veteran's court; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority for Franklin County and desires to enter into this agreement as being in the best interest of Franklin County;

NOW, THEREFORE, BE IT RESOLVED the Franklin County Board of Commissioners hereby approves the Interlocal Agreement, with Benton County for the prosecution of a Franklin County criminal case in Benton County Veterans Court.

APPROVED this 26th day of October 2021.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chair

Chair Pro Tem

Member

ATTEST:

Clerk to the Board

**INTERLOCAL AGREEMENT
FOR
PROSECUTION OF FRANKLIN COUNTY CASE
IN BENTON COUNTY VETERANS COURT**

This 2021 Interlocal Agreement (“Agreement”) for prosecution of a Franklin County case in Benton County Veterans Court is entered into by and between the County of FRANKLIN and the County of BENTON pursuant to the Interlocal Cooperation Act, Chapter 39.34 RCW.

WHEREAS, Chapter 39.34, RCW permits local government units to make the most efficient use of their powers by enabling them to cooperate with other localities and thereby to provide services and facilities in a manner that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, Benton County has determined to create and operate a veterans court for the purpose of providing an alternative route through the criminal justice system for veterans charged with crimes who are mentally ill or who have co-occurring mental health and substance abuse disorders by entering them into the specialized Veterans Court program; and

WHEREAS, Franklin County does not currently have a Veterans Court Program but currently has a veteran Defendant identified as J.G.; and

WHEREAS, Both the Defendant and the community would benefit from the services offered by the Benton County Veterans Court; and

WHEREAS judicial economy is best served by authorizing the designated prosecutor from the Benton County Prosecuting Attorney’s Office to handle the prosecution of “Defendant” in Benton County veteran’s court; and

WHEREAS, Franklin County shall pay Benton County the amount of \$10,000 (ten thousand dollars).

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and upon approval in accordance with RCW 39.34, the parties do hereby agree as follows:

I. TERMS OF AGREEMENT

1. Duration: This agreement is for the entry of a single Franklin County Defendant in Benton County Veterans Treatment court, the duration of which shall not exceed 18 months from J.G.’s entry into the program.
2. Termination: This agreement is terminated only upon graduation or revocation of Defendant from the program.

3. Payment: Franklin County shall pay Benton County the amount of \$10,000 (ten thousand dollars) for 18 months of service upon acceptance and entry of J.G. into the Veterans Court Program. If Defendant is revoked from the program prior to completion, Franklin County shall be reimbursed a pro-rated amount equal to the remaining number of months.

II. NOTICES

1. Written notice shall be directed to the parties as follows:

Benton County Prosecutor's Office
Andy Miller, Prosecuting Attorney
7122 W Okanogan Pl Bldg A
Kennewick, WA 99336-2359
509-735-3591
prosecuting@co.benton.wa.us

Franklin County Prosecutor's Office
Shawn Sant, Prosecuting Attorney
1016 N 4th Ave, Pasco, WA 99301
(509) 545-3543
ssant@co.franklin.wa.us

Benton County Commissioners Office
Matt Rasmussen, Assistant County
Administrator
7122 W Okanogan Pl Bldg A
Kennewick, WA 99336-2359
509-735-3591
matt.rasmussen@co.benton.wa.us

Franklin County Commissioners Office
Keith Johnson 1016 N 4th Ave, Pasco, WA
99301 (509) 545-3535
kjohnson@co.franklin.wa.us

III. **COSTS:** Franklin County will pay Benton County the amount of \$10,000 (ten thousand dollars) for prosecuting and defending the Franklin County Defendant J.G. case in Benton County Veterans Court.

Dated this _____ day of _____, 2021.

[Signature Pages to Follow]

***Board of County Commissioners
Of Franklin County***

CLINT DIDIER, Chairman

ROCKY MULLEN, Commissioner

BRAD PECK, Commissioner

Constituting the Board of County Commissioners
of Franklin County, Washington

Attest:

KARIN MILHAM, Clerk of the Board

Approved as to Form:



Jennifer Johnson, for
SHAWN P. SANT, Prosecuting Attorney

Board of County Commissioners

Of Benton County

JEROME DELVIN, Chairman

SHON SMALL, Commissioner

WILL MCKAY, Commissioner

Constituting the Board of County Commissioners
of Benton County, Washington.

Attest:

CAMI MCKENZIE, Clerk of the Board

Approved as to Form:



ERIC ANDREWS, Deputy Prosecuting Attorney