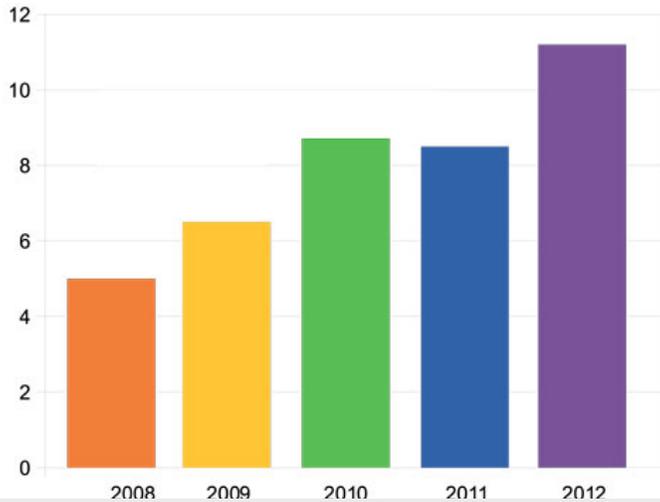


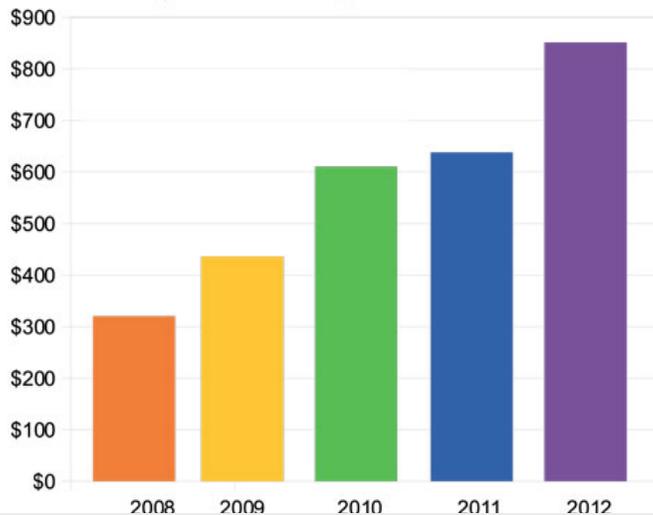
## State sets county against city

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### City of Port Angeles Jail Days Per Case



### City of Port Angeles Cost Per Case



*(Editor's note: This is the second in a two-part series on the financial difficulties facing the law and justice communities in Clallam County.)* [See October 17, 2012 News Clips]

The debate over funding for the county's law and justice efforts has spilled over into the cities.

Sequim Police Chief Bill Dickinson agreed there is a problem. "I don't think the public is aware the prosecutor is declining a gross number of cases."

Dickinson pointed out that only the county can prosecute felonies. When the county declines to take on a case, the city must prosecute the case as a misdemeanor.

As a result, Dickinson said, "felonies are being committed daily and not being prosecuted."

Sequim City Attorney Craig Ritchie echoed Dickinson's comments, saying, "A lot of the cases that are referred as felonies — usually because they are felonies — are declined on the basis of insufficient funds."

As an example, he said a recent possession of heroin case was sent back to the city with a comment from the prosecutor's office that it didn't involve a quantity sufficient to justify prosecution as a felony.

The city is limited to trying misdemeanors, "but there is no misdemeanor possession of heroin," Ritchie said. "So we had to come up with a poor excuse for a misdemeanor, which is called possession of paraphernalia."

"So if they have a baggie with some residue, that's what we're charging them with. That's all we can do."

"And then, because it's our case, we pay the court costs. We pay the prosecutor. We pay the county for the District Court. Because it's not a felony, we can't send them to prison."

"And guess what, we pay the county for the jail!"

Ritchie noted that Sequim citizens already pay the same taxes as county residents. Paying for the city's court cases is additional.

## **Making a decision**

The Clallam County Law and Justice Council, which is made up of representatives from both the county and the cities, last met nine months ago. Clallam County Sheriff Bill Benedict said when the subject of a county law and justice tax came up the representatives of the cities declined to support it, saying they lacked the authority to encumber their cities. "That was frustrating because they could have voted to support it," Benedict said. "It appeared that everyone would abstain — so what message could we give the commissioners?"

Benedict considered making a pitch to the city councils but decided it wasn't appropriate for someone in his position.

Benedict said the cities also declined to support the tax until they knew "every detail of every dime." He said that was further frustrating.

"When I supported Sequim's (proposed tax) for their public safety building, I didn't know where every dime was going."

Dickinson noted that under state law just one-third of a law and justice tax is required to go to criminal justice and fire protection. He said he could support a tax if the county clearly defines where the revenues will go.

"If they just want more taxes," Dickinson said. "I wouldn't."

Sequim Mayor Ken Hays said, "I know that public safety is getting increasingly more costly, but they need to guarantee it all goes to public safety. People get frustrated when they tighten up their belts and then find out it's not going for the agency or item it's supposed to be going to."

Both Dickinson and Sequim City Councilor Ted Miller said they are concerned that the failure to prosecute felonies as felonies could encourage more criminal activity.

"What if the city gets a reputation as a place where criminals can act with impunity?" Miller asked.

"Nobody wants a tax, including me. But with the law and justice tax, the prosecutor's office could hire two or three more prosecutors. The problem goes away," he said.