

ANACORTES AMERICAN

City working on diversion program for low-risk offenders

Posted by Kimberly Jacobson | Nov 06, 2012

The Anacortes City Council Monday approved moving forward with a court diversion program and OK'd contract extensions with the city prosecutor and public defender.

The diversion program aims to fix the root cause of crimes, such as alcohol or drug issues, for some low-risk offenders. At the same time it would help lower the number of cases going through Anacortes Municipal Court.

The program comes as the city prepares for changes to the court system.

On June 15, the Washington Supreme Court adopted misdemeanor caseload standards for public defenders that go into effect Sept. 1. The standards limit the caseload for a full-time public defender to 300 or 400 misdemeanor cases per year.

The city's public defender currently has 600 to 700 cases a year.

When the new standards go into effect, the city is uncertain what impact there will be on public defense and the city budget, according to a memo.

Anacortes Municipal Court handles misdemeanors and gross misdemeanors along with traffic and non-traffic violations and parking tickets.

According to a city memo, the new standard doesn't take into account the experience of the attorney or the level of complexity of the cases.

At the Monday council meeting, it was also noted that there is no clear definition in the standard of what is considered a case — is one person with five charges a case or are each of those five charges considered a case?

"Cities are concerned that the new rule will simply cost more without resulting in higher quality public defense," the memo states.

On Monday night, the council approved a new diversion program it hopes will help ease the burden.

Under the program, the prosecuting attorney can offer the diversion program to some defendants with misdemeanor charges. People in the program must comply with all conditions, such as payment of restitution and completion of drug or alcohol evaluations and treatment.

City attorney Brad Furlong said the goal is to fix the root of the problem, such as substance abuse. It offers a solution other than a criminal conviction.

City prosecutor Craig Cammock said the idea is to offer the program to people who are not likely to be seen in the system again.

Cammock and city Finance Director Steve Hogle will work out a fee schedule for participants and bring it back to council for approval. Councilman Ryan Walters voted against the program after requesting the fee schedule before approving it.

The council also approved an extended contract with the city prosecutor. Cammock has served since 2010. The rate in 2013 will remain at \$5,500 per month.

As part of the contract, the city also authorized Pat Eason, who serves as the city of Mount Vernon's prosecutor, to cover some of the dockets.

The city prosecutor represents the city at hearings and is responsible for prosecution of jury and bench trials.

The council approved an extended contract with the public defender. Robert Jones has served as public defender since 2011. The rate in 2013 will remain at \$5,000 per month.

Walters voted against the public defender contract after requesting it include language about the new case limits.