

September 28, 2012

City decriminalizes four code violations

The Sunnyside City Council this past Monday voted unanimously to change the penalties on four code violations in the Sunnyside municipal code from misdemeanors to civil infractions.

The goal of the changes is to reduce the number of misdemeanor cases that are required to have a public defender in Sunnyside. As a result of a decision by the state Supreme Court, public defenders will soon be prohibited from taking more than 400 cases per year per attorney.

Giving background information to the council, attorney Douglas Garrison said as of Aug. 31, with four months left in the year, he had already been appointed to 422 cases.

The four code violations that will be decriminalized are failing to secure and maintain a residential rental housing license, violation of the fireworks prohibition, violation of the unnecessary noise prohibition and disorderly conduct.

Instead of a misdemeanor, each of the violations will become a civil infraction with a hefty fine instead of jail time.

The change will reduce the caseload of the public defenders by an estimated 300 cases a year.

One question brought up Monday was the decriminalization of disorderly conduct. Garrison noted that police would still have the flexibility to charge violators under state law, which will still be a misdemeanor.

Deputy Police Chief Phil Schenck gave the police view of the code changes, stating that the police were fine with all the changes proposed, including the change in the penalty for disorderly conduct.

"The issue that we had... looking at the disorderly conduct, this is a very significant tool for us on the abatement of gangs," said Deputy Police Chief Phil Schenck. "Already this year we've forwarded 142 summons for that...if we're still able to charge them as a misdemeanor through state code, we're fine."

After the assurance from the deputy chief, the council approved the changes.