

# **Fiscal Year 2021 Outcome Based Budget Overview**

## **Blaine County Prosecuting Attorney's Office**

**Jim J. Thomas**

**Prosecuting Attorney**

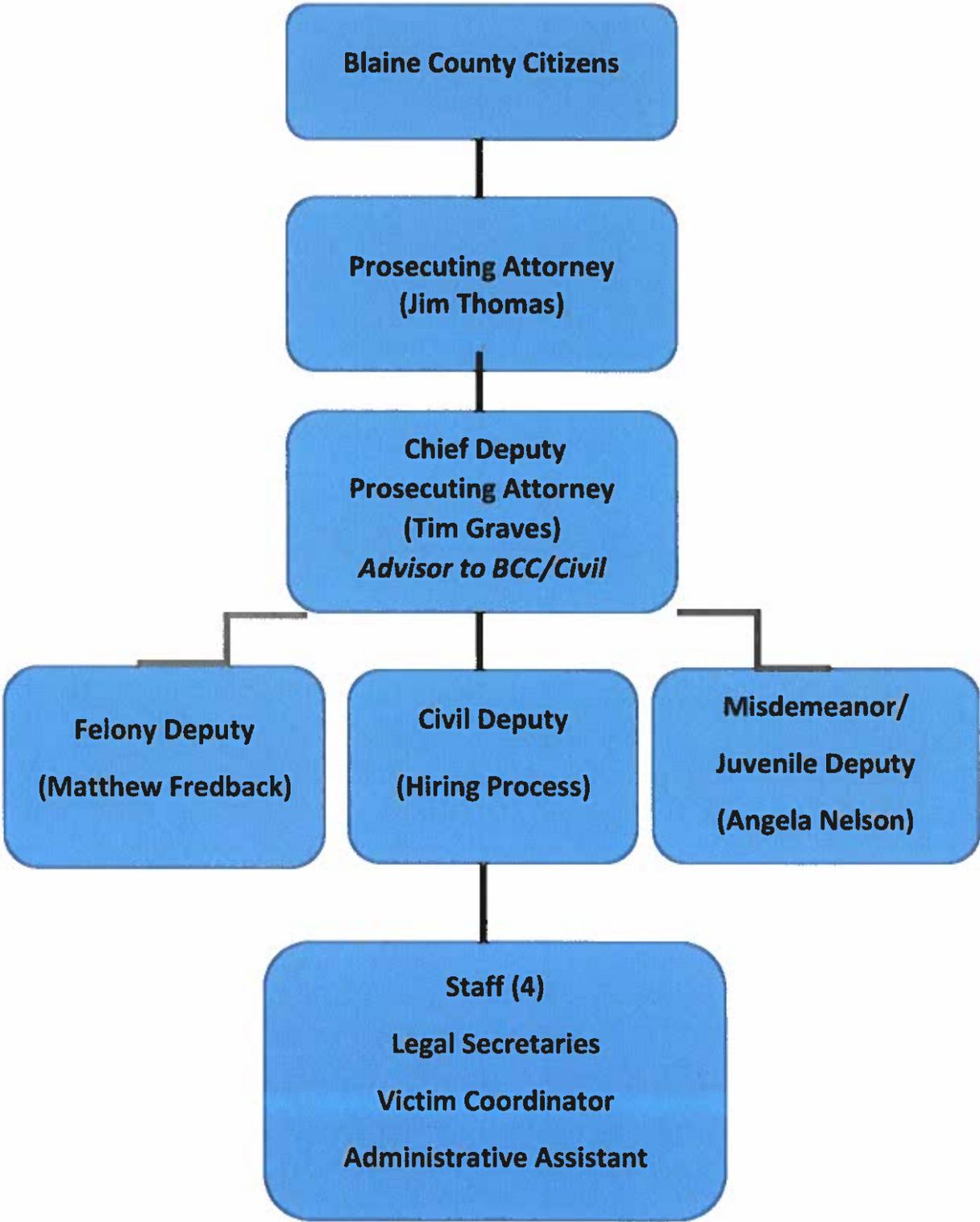
**Presented June 24, 2020**

## Our Mission

*The Blaine County Prosecuting Attorney's Office is dedicated to seeking justice while earning the public's trust.*

**In pursuit of this mission, the Prosecuting Attorney resolves to:**

- **Promote** a work environment that emphasizes high ethical standards, transparency, professionalism and competent legal representation.
- **Establish** an atmosphere of compassion, trust and mutual respect.
- **Maintain** public confidence by creating a day to day operation that is efficient, effective and transparent.
- **Provide** training for employees and education for the public to be knowledgeable about the equitable administration of justice.
- **Create** and maintain open communication to promote the best interests of the community.
- **Encourage** an environment that is positive and courteous among employees and members of the public.
- **Collaborate** with law enforcement and community groups to deter crime.
- **Ensure** the constitutional rights of victims are upheld with dedication to treating victims with dignity, respect and compassion.



## ***Outcome 1 – A Safe and Healthy Community***

### **What is the Prosecutor's Office doing to increase the efficiency and effectiveness of the Criminal Justice System?**

Aligning ourselves with judicial, law enforcement and community based partners to effectively reduce incarceration rates and work to decrease recidivism by providing resources to individuals within the criminal justice system.

- **Blaine County Drug Court** – Allows alternative to long-term incarceration, provides intensive supervision and monitoring for drug and alcohol use while providing support to the individual for up to eighteen (18) months.
  
- **Restorative Justice Programming** - Partnering with Blaine County Probation and the Magistrate Court to provide an avenue for victims to interact with offender in order to allow the offender to understand the harm done to the victims and how it impacted their lives.
  - **Successful Mediation of Sharps Canyon Fire (August 2018) \$9.5 MM restitution.**
  - **Resolution and Sentencing June 15, 2020**
  
- **Low Risk Offender Diversion** – Internal program shared with Blaine County Probation to allow certain non-violent first time offenders to circumvent the formal criminal justice system by entering into a Diversion-Contract. The contract requires intensive monitoring by probation which may require the defendant to complete, community service, pay restitution, avoid drugs and alcohol or complete certain education requirements in lieu of formally being charged with a crime.
  
- **Mental Health Court** – Provides mental health services to criminal defendants in lieu of incarceration.
  
- **Veterans Court** – Provides multiple services such as mental health, education, job training, etc. to veterans who suffer from the effects of combat and military experience which may have led to their criminality in lieu of incarceration.

- **Best Practices Committee** – As a member of the Idaho Prosecuting Attorneys Association Best Practices Committee we continue to develop protocols consistent with National Best Practices that reduce erroneous convictions and provide transparency with police officers in the field.
  
- **Community Prosecution Outreach**
  - Prosecutor presentations to Wood River High School, judging competitions at Silver Creek Alternative School.
  
- **Internet Crimes Against Children (ICAC)**
  - Active member of State and Federal task force to identify and prosecute purveyors of child pornography, sex traffickers and sexual predators.
  - Numerous successful outcomes leading to convictions.
  
- **Officer Involved Shooting (OIS) Critical Task Force Investigation**
  - Legal analysis as Conflict Attorney for Ada County Prosecutors Office reviewing Critical Incident Task Force investigation of Officer Involved Shootings.
  
- **St. Luke's Mental Health Clinic.**
  - Actively working with St. Luke's Hospital regarding transports, juvenile commitments and making the process more efficient and less stressful on the patient.

## What are the Prosecutor's Goals and Performance Measures that will increase both Efficiency, Effectiveness and Transparency of our role in the Judicial System?

- **Goal 1 – Ensure a safe and healthy community**
  - **Measure – activity -**
    - Hold offenders accountable in proportion to their degree of criminality.
    - *(See 2020 Highlights)*
  - **Measure - output**
    - Continue our collaborative partnerships to implement programs to address sentencing alternatives that reduce costs and recidivism.
  
- **Goal 2 – Ensure compliance with statutes and ordinances that enhance transparency, public health, safety and welfare of the community as a whole**
  - **Measure – activity -**
    - Providing sound legal guidance to officials who enact policies that enhance the public health, safety and welfare of the community as a whole.
  - **Measure – output -**
    - Promoted legal strategies that respect the county's heritage and natural resources yet recognizes the social-economic needs of the community.
    - *(See 2020 Highlights)*
  
- **Goal 3 – Provide a work-place environment that inspires and rewards exceptional employee performance**
  - **Measure – activity**
    - Promote excellence in the workplace.
  - **Measure – output**
    - Performance evaluations with rewards and feedback to employees.
    - Increased training and personal growth opportunities for each employee.

## Measurables from FY-2019-2020 (Highlights)

Despite the disruptions in court procedures as a result of COVID-19 we still logged some significant prosecution victories:

- **Embezzlement/Theft Prosecutions**
  - Continued successful prosecutions in embezzlement cases with significant awards of restitution assessed against defendants as a result of GUILTY verdicts or admissions of guilt.
  
- **Narcotics Enforcement Team (NET)**
  - Strong presence in **Narcotics Enforcement Team (NET)** leading to significant drug trafficking prosecutions and civil forfeitures.
  - Partnering with Idaho State Police, United States Attorney's Office and ATF in State and Federal ongoing drug investigations.
  
- **Blaine County Drug Court**
  - Currently **8-10** participants. Graduation rate in excess of **80%**
  
- **Restorative Justice Mediation**
  - Successful mediation in **Sharps Canyon Fire** that allowed a large group of affected private, state and federal stake holders to participate in obtaining restitution, input in sentencing outcomes and providing a platform to air their concerns, emotions and
  
- Significant number of cases diverted through **Diversions Contracts** through Blaine County Probation
  
- **See items in scope of Civil Prosecution**

## CIVIL PROSECUTION

- **COVID-19 Response.** Review, modify, and draft County Shelter in Place Ordinance on an emergency basis. Advise on open meeting, agenda and emergency meeting issues. Review disaster declarations, internal policies, contracts, and emergency orders. Attend meetings of the Board and local leadership groups.
- **Tidwell v Blaine County** – Continuing to defend lawsuit seeking to rescind use of County property for affordable housing. Trial in the fall of 2020.
- **Transmission Line - Idaho Power.** Advise of funding alternatives, participate in PUC discussions, Negotiate with Idaho Power on funding of underground transmission line.
- Road Issues – Oversee two separate validation processes - **Lee’s Gulch Road and Imperial Gulch Road.** Manage outside legal and consultants on Lee’s Gulch in developing and presenting historical evidence to the Board. Advise of process issues. Overseeing and manage outside legal litigation team in **Blaine County v. Flying Heart litigation**, coordinate discovery, attend hearings, participate in strategy and proposed settlement discussions.
- **Engh** Petition for Judicial Review – Advise Land Use and Clerk’s Office on preparation of record. Briefing and argument in Fall, 2020.
- **Tegan** Petition for Judicial Review – Advise of Scope of Request for Reconsideration, attend and advise at Reconsideration hearing.
- Land Use Appeals – **Cameron** (avalanche), **Marks** (Access) – Advise on process, attend hearings, advise on legal issues raised in appeals, consult with LUBS and Board, draft decision.
- Land Use Applications generally (PZ Commission and BCC).

- Area of City Impact Negotiations – Bellevue and Hailey. Advise LUBS, attend hearings, and continue discussions with city attorneys and staff.
- Zoning Enforcement
- Contract/Grant Review and Drafting
- Public Records Requests and Open Meetings Law Issues
- Assessor’s Office – Review deeds and assist in determining ownership. Review exemption requests against state code and case law. Attend Board of Tax Appeals.
- Indigent Appeals
- BCSO Civil – Advise on garnishments, writs of execution, safeguarding property, and auctions.
- Advise on County property management – auctions, transfers, leases. Draft leases, resolutions, and sale/transfer documents. Advise on process.
- Advise Treasurer on Tax Deed process and Public Administrator cases
- Probation – liability issues, waiver requests, policies and procedures.
- Ambulance Board, Fire Services Board, Cemetery Districts, Highway District creation, City police issues (Ketchum), Irrigation Districts, Groundwater Districts, School District Complaints, FMAA, Recreation District, Housing Authority, ARCH.
- Road and Bridge – road status, violations, permit process.
- Public purchasing and public works contracts
- Mental Health Boards
- Advise County Department heads and elected officials on an on-going daily basis.

## Additional Resources Requested for FY-2020-2021

- **Salaries "A" Budget – Maintain current salaries with COLA.**
- **\$5,268.00 Public Safety Software Module.** (Part of the comprehensive PSF/BCSO software program)
- **Continued funding of Civil Deputy Position**
  - **Grade 12 –\$78,900 range**
  - **Benefits Approximately \$35,000**
  - **Update and Justification**
    - **Began hiring process in late fall while space renovated**
    - **Interview process narrowed down two (2) candidates**
    - **Covid-19 put everything on hold in March 2020**
    - **Excess civil load as noted in Scope of Civil Work**
    - **Contract Reviews and additional administrative duties will increase after the first quarter of the year**
    - **Ongoing litigation will require more oversight to defending lawsuits and less time available for daily civil matters.**
- **Commissioners to be prepared to fund outside legal costs from General Budget and or Reserves.**
  - **Not realistic to fund in house litigation team due to complex nature of legal issues**
  - **Complex Legal Civil Litigation Team would require extensive staffing (2 attorneys and legal assistant)**
  - **Retaining Outside legal counsel allows County to obtain expert legal representation on specific issues on an As Needed Basis**
  - **Uncertainty of litigation occurrences which would be difficult to staff for**

**WORKSHEET FOR BUDGET YEAR 2021 BUDGET NUMBER 4  
 EXCLUDING INACTIVE ACCOUNTS AND ACCOUNTS WHERE ALL TOTALS ARE ZERO**

Fund: 0001 GENERAL FUND (CURRENT EXPENSE)  
 -07 PROSECUTING ATTORNEY

55% OF FISCAL YEAR ELAPSED

Account Number	----- Fiscal Year 2018 -----		----- Fiscal Year 2019 -----		----- Fiscal Year 2020 -----		----- Fiscal Year 2021 Budget #4 -----		
	Budget	Actual	Budget	Actual	Budget Amount	Actual & Pet As of 04/20/2020	Department Request Amt	Budg Officer Request Amt	Approved Budget Amt
0401-0000 SALARIES - OFFICER	134,688.00	134,492.33	138,834.00	138,677.71	143,026.00	76,852.74	54%	143,026	
0402-0000 SALARIES - CHIEF DEPUTY	123,739.00	127,214.09	131,274.00	131,126.68	133,900.00	72,668.10	54%	135,238	
0403-0000 SALARIES - MERIT	19,279.00		5,173.00		5,400.00				
0405-0000 SALARIES - DEPUTIES	188,106.00	196,166.21	202,536.00	205,302.93	294,328.00	115,834.87	39%	294,328	
0405-0008 SALARIES - LEGAL SEC/CRIM PARA	167,570.00	167,946.31	179,446.00	180,491.21	186,481.00	90,730.66	49%	186,481	
0409-0099 SALARIES - OVERTIME		1,762.52		1,048.61					
<b>TOTAL 'A' SALARIES</b>	<b>633,382.00</b>	<b>627,581.46</b>	<b>657,263.00</b>	<b>656,647.14</b>	<b>763,135.00</b>	<b>356,086.37</b>	<b>47%</b>		
0410-0000 RETIREMENT	74,312.00	71,042.28	78,346.00	75,123.54	91,200.00	42,516.88	47%		
0411-0000 FICA	49,540.00	44,111.11	50,895.00	45,829.22	58,400.00	25,002.44	43%		
0412-0000 LIFE INSURANCE	590.00	569.16	600.00	557.89	700.00	308.79	44%		
0413-0000 MEDICAL INSURANCE	118,044.00	108,210.84	122,000.00	119,979.12	139,167.00	63,312.29	45%		
0414-0000 DENTAL INSURANCE	3,600.00	3,596.16	3,600.00	3,596.16	4,100.00	1,926.02	47%		
0415-0000 STATE UNEMPLOYMENT	4,210.00	2,903.98	4,335.00	3,048.74	4,900.00	1,523.66	31%		
0416-0000 WORKER'S COMPENSATION INSUR.	1,299.00	713.00	1,210.00	756.00	1,400.00				
<b>TOTAL 'D' BENEFITS</b>	<b>251,595.00</b>	<b>231,146.53</b>	<b>260,986.00</b>	<b>248,890.67</b>	<b>299,867.00</b>	<b>134,590.08</b>	<b>45%</b>		

**BUDGET WORKSHEET ( EXPENSES )**

**WORKSHEET FOR BUDGET YEAR 2021 BUDGET NUMBER 4  
EXCLUDING INACTIVE ACCOUNTS AND ACCOUNTS WHERE ALL TOTALS ARE ZERO**

**Fund: 0001 GENERAL FUND (CURRENT EXPENSE)  
-07 PROSECUTING ATTORNEY**

**55% OF FISCAL YEAR ELAPSED**

Account Number	----- Fiscal Year 2018 -----		----- Fiscal Year 2019 -----		----- Fiscal Year 2020 -----		----- Fiscal Year 2021 Budget #4 -----	
	Budget	Actual	Budget	Actual	Budget Amount	Actual & Pct As of 04/20/2020	Request Amt	Budget Amt
0439-0000 TRAVEL - OTHER	4,500.00	2,768.30	4,500.00	3,451.02	4,500.00	2,363.29 53%	4,500	
0439-0001 PER DIEM (MEALS)	1,500.00	1,672.60	1,500.00	1,567.51	1,500.00	939.15 63%	1,500	
0440-0000 SUPPLIES - OFFICE	10,000.00	11,022.90	12,000.00	10,135.20	12,000.00	4,400.42 37%	12,000	
0489-0002 PROF SVC - INTERPRETING	3,000.00	60.00	3,000.00		3,000.00	423.00 14%	3,000	
0492-0000 REPAIRS/MAINT - OFFICE EQUIP	1,000.00	375.64	1,000.00	344.98	1,000.00		1,000	
0528-0000 DUES / MEMBERSHIPS	6,500.00	4,466.00	6,500.00	4,832.00	6,500.00	5,023.00 77%	6,500	
0536-0000 LAW LIBRARY	12,500.00	12,960.03	13,250.00	13,422.69	14,045.00	6,420.90 46%	14,882 (6% increase)	
0542-0000 POSTAGE	2,500.00	166.07	2,500.00	602.10	2,500.00	39.08 2%	2,500	
0559-0001 COMPUTER SOFTWARE			25,000.00					
0560-0000 EDUCATION- TUITION, REGISTR.	2,000.00		2,000.00		2,000.00		2,000	
0704-0000 PROFESSIONAL & WITNESS FEES	30,000.00	27,572.90	30,000.00	9,035.07	30,000.00	3,870.90 13%	30,000	
0704-0001 DESIGNATED EXAMINATIONS	20,000.00	12,272.70	20,000.00	20,917.50	20,000.00	11,173.92 56%	20,000	
0704-0003 CONTRACT/LEGAL	30,000.00	1,382.50	30,000.00	23,234.05	30,000.00	166,994.63 557%	30,000	
0706-0001 TRANSCRIPTS	3,000.00	4,519.80	3,000.00	1,784.25	3,000.00	1,186.00 40%	3,000	
<b>TOTAL 'B' EXPENSES</b>	<b>126,500.00</b>	<b>79,239.44</b>	<b>154,250.00</b>	<b>89,326.37</b>	<b>130,045.00</b>	<b>202,834.29 156%</b>	<b>130,882</b>	

**BUDGET WORKSHEET (EXPENSES)**

**WORKSHEET FOR BUDGET YEAR 2021 BUDGET NUMBER 4 EXCLUDING INACTIVE ACCOUNTS AND ACCOUNTS WHERE ALL TOTALS ARE ZERO**

Fund: 0001 GENERAL FUND (CURRENT EXPENSE)  
 -07 PROSECUTING ATTORNEY

55% OF FISCAL YEAR ELAPSED

Account Number	----- Fiscal Year 2018 -----		----- Fiscal Year 2019 -----		----- Fiscal Year 2020 -----		----- Fiscal Year 2021 Budget #4 -----		
	Budget	Actual	Budget	Actual	Budget Amount	Actual & Pet As of 04/20/2020	Department Request Amt	Budg Officer Request Amt	Approved Budget Amt
0899-0000 CAPITAL- OTHER					2,000.00	893.91	45%		

**TOTAL 'C' CAPITAL OUTLAY**

<b>DEPT TOTALS</b>	1,011,477.00	937,967.43	1,072,499.00	994,864.18	1,195,047.00	694,404.65	58%		
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Fund 1 Dept 7: Officer \_\_\_\_\_ Commissioner \_\_\_\_\_  
 Commissioner \_\_\_\_\_ Commissioner \_\_\_\_\_