

# **Fiscal Year 2020 Outcome Based Budget Overview**

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

**Jim J. Thomas**

**Prosecuting Attorney**

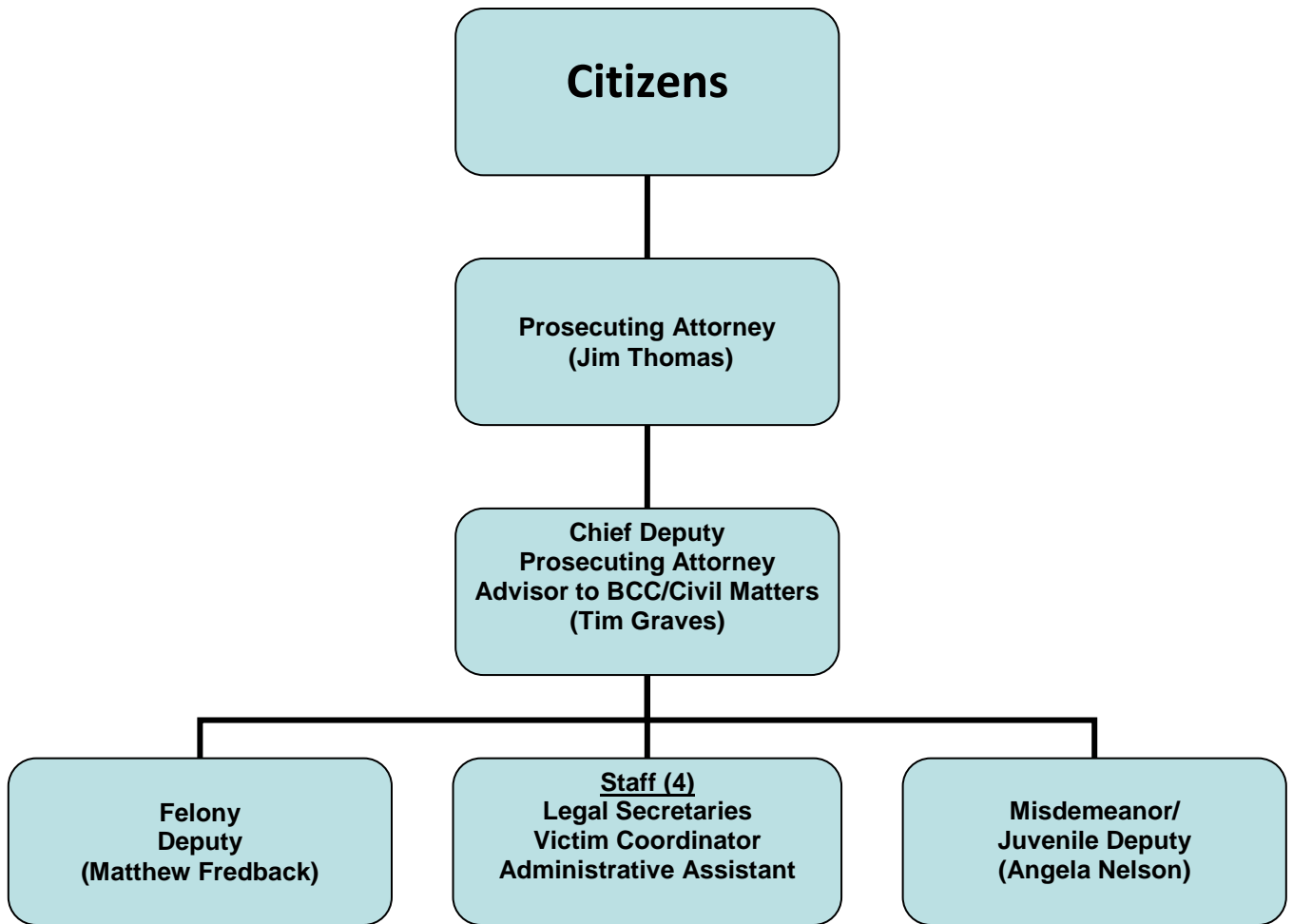
**Presented June 6, 2019**

# 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, 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 and effective.
- **Provide** training for employees and education for the public to be knowledgeable about the 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 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 Judicial System?**

Aligning ourselves with judicial and law enforcement partnerships we can 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.
- **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 that 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 Specific 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 have developed protocols for Eye-Witness Identification, Police Body Cams and Wrongful Convictions. These protocols are consistent with National Best Practices that reduce misidentification, erroneous convictions and provide transparency with police officers in the field.
-

## What are the Prosecutor's Goals and Performance Measures that will increase both Efficiency and Effectiveness 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 2018 Highlights)*
  - **Measure - output**
    - Developed collaborative partnerships as previously noted to implement programs to address sentencing alternatives that reduce costs and recidivism.
  
- **Goal 2 – Ensure compliance with statutes and ordinances that enhance the public health, safety and welfare of the community as a whole**
  - **Measure – activity -**
    - Providing sound legal guidance to officials who enact polices 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 2018 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.

## Measureables from FY-2017-2018 (Highlights)

- **Embezzlement/Theft Prosecutions**
  - Four cases with two tried to a jury.
  - Four separate convictions with four different defendants.
  - **\$546,871** in aggregate assessed against the defendants
  - Three defendants sentenced to prison and one defendant sentenced to County jail with extended probationary time.
  - Above includes former longtime BCSO/PAL/DARE deputy Chad Schiermeier who was convicted and sentenced to prison.
- **Narcotics Enforcement Team (NET)**
  - Strong presence in **Narcotics Enforcement Team (NET)** leading to significant drug trafficking prosecutions and civil forfeitures.
  - Partner with Idaho State Police, United States Attorney's Office and ATF in State and Federal investigations.
  - Over **\$650,000** in civil forfeiture funds awarded to BCSO NET as a result of targeted drug convictions and asset seizures.
  - Multiple convictions and investigations netting significant amount of Heroin, Opioids, Methamphetamine and Cocaine.
- **Officer Involved Shooting (OIS) Critical Task Force Investigation**
  - Headed four separate Ada County law enforcement officer involved shooting incidents including two suspect fatalities for Ada County Prosecuting Attorney's Office.

- **Internet Crimes Against Children (ICAC)**
  - State and Federal task force to collaborate to identify and prosecute purveyors of child pornography, sex traffickers and sexual predators
  - Several successful outcomes leading to convictions
  
- **Blaine County Drug Court**
  - Lead presence in Blaine County Drug Court addressing substance abuse issues that reduce incarceration and assist participants in developing life skills to lead productive lives.
  - Currently average **6-8 drug court participants** who meet once a week in court on Thursday afternoon.
  - **Graduation rate is in excess of 80%.**
  
- **Blaine County Underage Alcohol Compliance Task Force**
  - Addressing youth alcohol abuse Implementing strategies to reduce underage purchase/use of alcohol
    - Over 21 ID Program to educate bars and establishments who serve alcohol
    - Enforcing Social Host Ordinance
    - Shoulder Taps
  
- **Twin Falls Mental Health Court**
  - Participating in Twin Falls Mental Health Court for defendants who commit crimes while suffering from mental illness to provide an alternative to incarceration.
  
- **St. Luke's Mental Health Clinic.**
  - Actively working on updating **Mental Health Protocol** regarding hospital transports, juvenile commitments and making the process more efficient and less stressful on the proposed patient.

- **Prosecution Best Practices Committee**
  - Continue to engage in statewide **Conviction Integrity Unit** through affiliation with Idaho Prosecuting Attorneys Association **Best Practices Committee** to insure fairness and transparency in challenged convictions.
  
- **Restorative Justice Mediation**
  - Designed to address offender harm and victim suffering.
  - Several successful Restorative Justice Conferences which provided positive outcomes for the victims.
  
- **Juvenile/Non-Violent Offender Diversion Program**
  - Actively work with Misdemeanor/Juvenile Probation to identify low risk, non-violent offenders to complete intensive Diversion Program monitored by Blaine County Misdemeanor Probation in lieu of court proceedings
  
- **Restitution Recovery Program**
  - Recovered **\$357,882** from **\$749,637** to date for distribution to victims.
  
- **Civil Litigation and Land Use Issues**
  - Courthouse roof litigation required extensive oversight and discussion with outside counsel.
  - Camp Rainbow Gold, Idaho Power, Tidwell appeals to Commissioners.
  - Zoning Enforcement
    - Stream Alteration Permits
    - Building Code Changes
  - Handle Records Requests
  - Board of tax Appeals Indigent Appeals
  - Road Validation Issues (**may require outside counsel**)
  - Working with Commissioners on Multiple Ordinances
    - Elk Feeding, Property Tax Exemptions, ESAP Process, E-Bikes, Public Assembly



- Local Public Water Policy (In progress but must be done by Commissioner Schoen)
- Currently participating in class action suit in National Opioid Fraud Litigation against pharmaceutical companies for deceptive marketing strategies and advertisements.  
**(Approximately 30 hours to collect discovery materials for outside counsel)**
- Advising County Department heads and elected officials on an on-going daily basis.
- **Advisor Blaine County Tax Appeals**
  - Intermittent case by case request for advice on how to address problems that arise with faulty deeds and plat errors. Represent County in certain tax appeals.
- **Advisor Land, Water and Wildlife Levy Board**
  - Provide guidance to the commissioners and citizen LW&W Advisory Board
- **Community Prosecution Outreach**
  - Prosecutor presentations to Wood River High School, judging competitions at Silver Creek Alternative School and law enforcement trainings.

- **Additional Resources Requested for FY-2019**
- **Salaries "A" Budget – Increase salaries up to 6% to remain competitive and retain employees.**
- **Professional & Witness Fees (0704-000) – Maintain current amount of \$30,000 due to excessive expenditures pending on upcoming trials prior to fiscal year end.**
- **Contract and Legal - (0704-003) - Maintain current amount of \$30,000 due to excessive expenditures pending on upcoming trials prior to fiscal year end.**
- **Contractual Scanning Assistance to reduce storage requirements by eliminating thousands of files in multiple banker's boxes. Amount TBD**
- **Case Management Software – Amount TBD**
  - Options – Supreme Court/Odyssey Program (Nominal charge)
- **BCSO Cad System with a Prosecutor Module (Zuercher)**
- **Investigative Assistance – Supporting the addition of a BCSO Detective position in lieu of adding a FTE prosecution investigator. Position would allow flexible assistance to my office for complex crimes, investigations and trials.**

