

# Agenda Summary Report (ASR)

## Franklin County Board of Commissioners

<b>DATE SUBMITTED:</b> 7/21/2023	<b>PREPARED BY:</b> Tiffany Runge, Superior Court
<b>Meeting Date Requested:</b> 8/08/2023	<b>PRESENTED BY:</b> Judge Joseph Burrowes, Superior Court
<b>ITEM:</b> (Select One)      Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board Time needed: 30 minutes	
<b>SUBJECT:</b> Adult Drug Court staffing discussion.	
<b>FISCAL IMPACT:</b> No fiscal impact.	
<b>BACKGROUND:</b> <p>The Benton &amp; Franklin Counties Adult Drug Court (ADC) has been in operation for 20 years. The ADC handles cases of substance-abusing offenders under the adult, juvenile, family and tribal justice systems. Our current ADC team consists of a Judge, Program Coordinator, 2 Case Managers, Defense Attorney, a Prosecuting Attorney from each county, 2 law enforcement officers and various treatment providers. Resolution 2022-968 / 2022-316 provides for a 70 person ADC program, with 50 participants allocated to Benton County and 20 participants allocated to Franklin County.</p>	
<b>RECOMMENDATION:</b> <p>Establishing a joint resolution as to Adult Drug Court.</p>	
<b>COORDINATION:</b> <p>Judge Joseph Burrowes, Superior Court Judge Matt Rasmussen, Benton County Deputy Administrator Mike Gonzalez, Franklin County Administrator</p>	
<b>ATTACHMENTS: (Documents you are submitting to the Board)</b> <p>None. Superior Court will have a Power Point Presentation for the Board.</p>	
<b>HANDLING / ROUTING:</b> <p>N/A</p>	

*I certify the above information is accurate and complete.*

  
Tiffany Runge, Superior Court Administrator



# Benton/Franklin County Drug Court

# History of Drug Court

- The Benton & Franklin Counties Adult Drug court has been in operation for 20 years. We have graduated 342 people from the program as of July 20, 2023.
- Drug courts are judicially supervised court dockets that handle the cases of substance-abusing offenders under the adult, juvenile, family and tribal justice systems.
- Adult Drug Court team consists of a Judge, Program Coordinator, two Case Managers, a Defense Attorney, a Prosecuting Attorney from Benton County, a Prosecuting Attorney from Franklin County, two law enforcement officers, and various treatment providers.
- 88.70 percent of our graduates did not reoffend their first year out of the program. 60.12 percent of our graduates did not get any new felonies since graduating.

# Current Participation

According to the Joint Resolutions, (Benton County 2019-141 and Franklin 2019-042) the program is limited to 50 participants for Benton County and 20 participants for Franklin County.

## 1. Benton County.

• Active participants in the Program	48
• Participants waiting for approval into the program	8
• Additional participants to be transferred to the wait list	<u>19</u>
Total	75

## 1. Franklin County.

• Active participants in the program	10
• Participants waiting for approval into the program	0
• Additional participants to be transferred to the wait list	<u>0</u>
Total	10

- Total number of participants           85
- Note: 13 additional cases are on bench warrant status which are not include in the total. Overall total is 98.

# Current Staffing

## 1. Staffing.

- Benton County Prosecutors Office.  
One (1) Prosecutor to handle 85 cases.
- Franklin County Prosecutors Office.  
No Prosecutor assigned to the program. The Benton County Prosecutor is currently handling all Franklin County cases until July 31, 2023.
- Office of Public Defense  
One (1) Attorney
- Drug Court.
  - One (1) Program Coordinator – Marshal Pickett. Currently handling 30 cases.
  - One (1) Case Manager – Vacant.
  - One (1) Case Manager/Secretary – Currently handling 30 cases.
- **Note:** Best practices recommends case management should not exceed 30 participants per Case Manager. Based upon the staffing levels, Drug Court should only have 60 participants.

# Current Limitations

1. Franklin County needs to assign a dedicated Prosecutor.
2. Franklin County is not fully utilizing Drug Court.
3. Benton County needs to increase the number of participants to Drug Court.
4. Increase staff salaries to maintain continuity.
5. Increase funding for the Office of Public Defense.
6. Establish a specific treatment agency for Drug Court.
7. Establish funding for a safe housing program; i.e. Oxford Housing.
8. Increase funding to facilitate UA testing on holidays and weekends.
9. Increase funding to supervise participants by way of Electronic Home Monitoring (EHM), Scram Bracelets and GPS monitoring.
10. Secure funding for incentive awards for Drug Court participants.

# Potential Options

## Option 1

Franklin County assigns a Prosecutor to Drug Court. Reduce participant numbers to reflect case caps, i.e. 50 for Benton County and 20 for Franklin County. Drug Court would not accept any additional cases from Benton County until the numbers are reduced by way of graduations or removal from Drug Court. This could take 6 to 12 months given we only graduate between 5 to 8 participants per year.

In the next budget cycle, request increased funding for staffing and salaries: one (1) new Case Manager and one (1) new Secretary to be compliant with the best practice standards in case management. In addition, increase the number of participants for Benton County and consider reducing the number of participants for Franklin County.

Note: If Franklin County does not assign a Prosecutor to Drug Court, all Franklin County cases should be removed from Drug Court and resigned to the Criminal Docket for disposition.

# Potential Options

## Option 2

Reassign (transfer venue) Franklin County cases (10 total) to Benton County Superior Court. Benton County would then need to determine the costs for handling cases for Franklin County and enter into an interlocal agreement.

For example, the Interlocal Agreement between the Counties for Benton County District Court to handle 4 (four) Franklin County defendants in Veterans Court. Franklin County pays Benton County \$32,000.00 per year for 4 (four) participants. The agreement lasts until June 30, 2028.



# Questions?