



Washington Association of
Prosecuting Attorneys
www.waprosecutors.org
(360) 753-2175



Washington Association of
Sheriffs and Police Chiefs
www.waspc.org
(360) 486-2380

April 9, 2009

Dear Representative:

The members of the Washington Association of Prosecuting Attorneys (WAPA) and the Washington Association of Sheriffs and Police Chiefs (WASPC) have worked with legislative budget writers and leadership in an effort to direct the criminal justice budgets in a direction that will do the *least harm*.

All of the proposed budget cuts to the criminal justice system will have an adverse impact on community safety; however, some will do more damage than others. **We are writing to urge you to direct the cuts in the least damaging way possible.**

Many proposed cuts to help balance the state budget have been drafted, reviewed, and to a certain extent agreed upon by our organizations, the Governor, the Senate, and the House. There is one substantial point of disagreement. This disagreement stems from whether to release prisoners early, and often without supervision versus setting the term of community custody at a specific length rather than as a range of months. In our view, the attached draft, which sets community custody length at 36 months for sexual offenders and serious violent offenders, and sets community custody length at 12 months for all others, does less harm to public safety than early outs.

The Governor's proposed budget and the House's proposed budget adopted this approach of limiting the length of the term of community custody. The Senate's proposed budget relies upon an assumption of early out for prison offenders. This early out is not necessary to reach the target budget reduction in the Department of Correction's budget.

We believe it was chosen to accomplish a different goal than balancing the budget, i.e. to close the McNeill Island prison. We are very concerned by the Senate's proposal to close McNeill Island. This reduction in prison capacity is the wrong step for Washington State. Washington currently ranks 44th in the nation for prison space. If the Legislature deems it is cost effective to close McNeill it should only be done AFTER replacement capacity is available.

In 2007 the Legislature passed comprehensive evidence based legislation to combat auto theft. We are pleased to report that your efforts have been very successful. Auto theft rates are down dramatically. This means fewer working families are adversely impacted by the loss of transportation. One piece of the legislation was the imposition of a \$10 surcharge on traffic infractions. This funding stream has financed the Washington Auto Theft Prevention Authority (WATPA). The Authority has used the bulk of the funding to support multi-agency auto theft task forces in Washington. The funding stream from the traffic infractions is estimated at \$13 million in the next biennium. Again WAPA and WASPC understand the need to trim budgets to save money. We have agreed to a cut to WATPA in excess of 30%. This will leave enough funding to keep the task forces working. Without the funding, the task forces will close and

police officers, deputy sheriffs, and prosecutors will lose their jobs. We urge you to keep the WATPA funding at \$9 million for the next biennium.

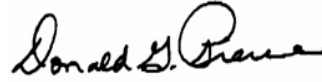
We have enclosed a brief summary of our proposals for the budget. Please contact either of us for additional information.

Sincerely,



Tom McBride, Executive Secretary
WA Assn. of Prosecuting Attorneys

Sincerely,



Donald G. Pierce, Executive Director
WA Assn. of Sheriffs and Police Chiefs



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Proposed Cuts to DOC Budget (suggested by WAPA and WASPC)

Continue biennial freeze and 1% Reduction	\$14.8 million
Eliminate one-half of the 07-09 funding for the Offender Re-entry Program	\$15.3 million
Early deportation of all non-citizen drug and property offenders. HB 2188	\$9.1 million
Implement early release for elderly or ill offenders who are chronically or terminally ill and over the age of 55 (non-violent, non-sex). HB 2194	\$1.5 million
Offer home detention instead of jail as an alternative sanction for community custody violators.	\$15 million
Reducing theft value limits SB 5225	\$9 million
Use Auto Theft Prevention funding to offset prison costs	\$1.8 million
Reduce community custody sentence lengths. HB 2325	\$27.2 million
Discontinue community supervision for additional offender risk levels C and D SB 5288	\$9.9 million
Eliminate supervision for misdemeanants. SB 5288	\$16.7 million
Total Savings	\$120.3 million



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COMMUNITY SAFETY IN TOUGH BUDGET TIMES

KEEP EFFECTIVE PROGRAMS

SEX OFFENDER ADDRESS VERIFICATION

Providing funding for local law enforcement officers to verify the addresses of sex offenders has been a very successful program. In the first 6 months of the program over 500 hundred sex offenders were not at their reported address. There were 244 prosecutions. The \$10 million budget allocation is necessary to maintain this program. Without funding local law enforcement and prosecutors will not be able to be as effective in holding sex offenders accountable.

AUTO THEFT AUTHORITY

The dedicated funding (traffic fine assessment) for auto theft prevention should be maintained. This funding has been used to form task forces across the state that have been very successful. Auto thefts have been impacted in a positive way. WASPC and WAPA support the one time diversion of \$4 million in the next biennium for gang intervention so long as the rest of the funding remains intact. This diversion leaves just under \$10 million in the next biennium for auto theft prevention. This is the minimum necessary to maintain the current task forces and avoid laying off police officers, deputy sheriffs and prosecutors.

DO THE LEAST HARM

MAINTAIN PRISON CAPACITY

At over 6.5 million in population, Washington State is the 13th largest state in the country. According to the recently released PEW study, Washington State's incarceration rate ranks 44th in the country. Correspondingly, when you add in how many offenders are under supervision in the community, Washington ranks 17th. Preserving our limited prison bed space is a public safety priority.

REDUCE SUPERVISION OF LOW RISK OFFENDERS

It should come as no surprise, that given our reliance on supervision versus incarceration, budget cuts targeting supervision do the least harm to public safety. Additionally, recent studies by the Washington State Institute for Public Policy show limited benefit to minimal supervision of low risk offenders.

SHORTEN SUPERVISION LENGTHS

Supervision is most effective when implemented immediately upon release from prison or jail. A moderate reduction in supervision length does not seriously impact public safety goals, as long as the remaining term of supervision involves frequent contact with offenders and aggressive intervention upon violation of conditions of supervision.