

TO: Public Health & Safety Committee
FROM: John Doan, City Administrator
DATE: November 8, 2022
SUBJECT: Interagency Reimbursement Agreement IAA23787 Between Washington State Administrative Office of the Court and the City of Tumwater

1) Recommended Action:

Staff suggests the Public Health and Safety Committee recommend to the City Council the approval of the Interagency Reimbursement Agreement IAA23787 Between Washington State Administrative Office of the Courts and the City of Tumwater related to implementation of the State v. Blake decision at their next Council meeting.

2) Background:

State v. Blake is a 2021 Washington State Supreme Court decision that ruled the felony drug possession law unconstitutional. Someone convicted of simple possession of a controlled substance under RCW 69.50.4013 (and its predecessor statutes) may be eligible to have their conviction vacated and a refund of any legal financial obligations (LFOs) paid on these cases. The Legislature has provided limited reimbursement opportunities to cities both for the LFOs and also any extraordinary costs associated with identification and resentencing. The proposed agreement would provide for that reimbursement from the State.

3) Policy Support:

VISION | MISSION | BELIEFS

Partnership | We work collaboratively with residents, businesses, and community organizations. We also actively partner with other jurisdictions to address regional, state, and even broader issues.

4) Alternatives:

☐ Do not authorize signature of the Agreement.

5) Fiscal Notes:

The financial exposure to the City for prosecution, court and public defense time is unknown, along with the exposure for refunding legal financial obligations for those convictions or sentences impacted by the Blake decision. This agreement would provide up to \$28,795 in reimbursement for extraordinary judicial, prosecutorial, or defense related costs and up to \$24,868 for reimbursement of paid legal and financial obligations. As these are pass-through funds, there is no need for a budget amendment.

6) Attachments:

A. Interagency Reimbursement Agreement IAA23787 Between Washington State Administrative Office of the Court and the City of Tumwater