

Meeting Minutes
Law and Justice Council
Wednesday, February 22, 2023 – 12:00 p.m.
Benton County Justice Center

Present

Dave Neher – City of Richland Deputy Police Chief
Brigit Clary – City of Richland Police Chief
Dave Wheeler – Benton County Probation Manager
Eric Eisinger – Benton County Prosecutor
Ryan Brown – Benton County Deputy Prosecuting Attorney
Thomas Grego – West Richland Police Chief
Matt Rasmussen – Deputy County Administrator
Josie Delvin – Benton County Clerk
Chris Guerrero – Kennewick Police Chief
Tom Croskrey – Benton County Sheriff
Jon Law – Benton County Undersheriff
Jennifer Azure – Benton County District Court Judge
Diana Ruff – Superior Court Judge
Kevin Kennedy – Citizen Member
Jay Atwood – BCES Executive Director
Jerry Martin & Spouse – Community visitor
Pat Holten – Community visitor
Brian Ace – Citizen Member
John Trumbo – City of Kennewick Council Member

Called to order by Chief Guerrero at 12:00pm

Chief Guerrero discussed and thanked Katie Gillies for sending out the OPMA training and discussed that the historical information regarding the Law and Justice Council is important moving forward to ensure the Council is remaining intact and in order

Approval of Minutes:

- February 15, 2023 – approved, no issues

Chief Chris Guerrero asked to approve minutes. Sheriff Croskrey made a motion to approve the minutes, Citizen member Kevin Kennedy seconded.

Introductions

Chief Chris Guerrero discussed that moving forward the meeting will be more formal and they will be voting on decisions

New Business

Chief Chris Guerrero discussed that most of the meeting will be discussing the questions from the Commissioners.

Sheriff Croskrey asked for guidance from the Prosecutor if elected officials can answer these questions in this forum

Prosecuting Attorney Eric Eisinger stated the difference between advocating and as a function of being on this council is different

Deputy Prosecuting Attorney Ryan Brown stated that Commissioners can take a position on the tax so can't see where there would be an issue for this council

Chief Chris Guerrero began posing the Board of Commissioners Questions to the council:

- Should the Public Safety Sales Tax (PSST) be renewed?

Sheriff Croskrey made a motion that yes it should be renewed, Prosecuting Attorney Eric Eisinger seconded, motion carried unanimously

- What has the PSST revenue been utilized for since its inception and how has the region benefited?

Chief Chris Guerrero asks for a motion that the information is being sent to Deputy County Administrator, Matt Rasmussen by individual jurisdictions for Commissioners reviews

Chief Brigit Clary makes motion, Sheriff Croskrey seconded, motion carries unanimously

- What is the Councils recommendation on the tax rate?

Chief Chris Guerrero stated this discussion is purely a recommendation based on jurisdiction needs

Sheriff Croskrey recommends 3/10 as a motion, Chief Brigit Clary seconded, motion carries unanimously

- If the tax is renewed should there be a sunset and, if so, what should the time frame be?

Chief Chris Guerrero mentioned there was a good discussion previously on sunset vs. no sunset and we will continue that discussion

Chief Chris Guerrero discussed that Commissioner Alvarez mentioned sunset clause is what public wants and feedback about how the funds have been used

Citizen member Kevin Kennedy stated that word on the street is people want the sunset clause and posed the question, can we put it for 15 years, and then no sunset?

Deputy County Administrator Matt Rasmussen stated he is hearing the same thing and it may be better to focus on ensuring funds are spent wisely. Sunset clause would help prove we can do it right

Prosecuting Attorney Eric Eisinger stated 10-year sunset is the appropriate time frame, expectation that this creates some accountability and account for how it is used

Kennewick City Council member John Trumbo stated his position in the last meeting was 1/10 and no sunset and that this was only his own personal recommendation, sunsets are a salesman tool

Clerk Josie Delvin stated she was concerned about a sunset, doing a budget makes it concerning to lose employees, but understands that the public may want a sunset, recommends doing even years for budgeting concerns

Chief Brigit Clary stated a different perspective and that being concerned with input from citizens, is it from past people on the board or is it a different voter base. RPD has 12.5 employees at risk, if we educate the public can we get it to pass without sunset, we cannot go backwards in staffing.

Chief Chris Guerrero stated that a big selling point previously was the sunset

Citizen member Brian Ace said it did pass with the sunset clause, but would like to see it without the sunset clause, the sunset clause history does give it a good shot, maybe first year no sunset, try again with sunset

Citizen member Kevin Kennedy & Benton County District Court Judge Azure agreed that the therapeutic courts are a good selling point, many voters were on board with that previously

Chief Brigit Clary stated that we are in substantially different times that affected law enforcement and it's been an eventful ten years, important to be in touch with new voters and public opinion

Deputy Chief Dave Neher stated that it is important to remember the loss aversion theory, voting to keep what they have and asking voters if they are you happy with the current level of service

Sheriff Croskrey stated that we can show how the County has used the funds and agreed with no sunset so we can maintain or continue to enhance

Deputy Chief Dave Neher stated that media is our best friend in this circumstance

Sheriff Croskrey asked if is this something this group can even answer, law enforcement of course wants no sunset clause

Chief Brigit Clary stated that Yakima was able to get it to pass with no sunset

Deputy Chief Dave Neher stated if it doesn't pass in 2023, then in 2024 we can change to sunset

Clerk Josie Delvin stated the Commissioners are going to be going out and hiring company and asked if we can put it on the ballot sooner if we have a sunset than just two years in advance?

Deputy Prosecuting Attorney Ryan Brown stated he believed we can likely put it on whenever we want

Clerk Josie Delvin stated that without sunset clause they may not have to have a reserve for the wages

Deputy Prosecuting Attorney Ryan Brown stated that school districts do it often, if it fails, they rerun with something changed. Run it with sunset and then without if it doesn't pass

Chief Thomas Greggo – West Richland didn't support in PSST in 2014, but then ran the bond for their new building and got super majority

Kennewick City Council member John Trumbo stated best efforts should be put forth first, give voters exactly what you want. Ask for the money you need. You have people who know law enforcement needs the help.

Deputy County Administrator Matt Rasmussen stated that we take the PR piece out of it, Commissioners are on the PR side and asked that the Council approach it from a perspective of what does this Council believe the need is

Prosecuting Attorney Eric Eisinger stated that the need for the sales tax will not change

Chief Brigit Clary makes a motion to recommend no sunset purely from functionality standpoint, Sheriff Croskrey seconded, motion carries unanimously

Prosecuting Attorney Eric Eisinger made a motion that if there is a decision to have a sunset it be 10 years, Sheriff Croskrey seconded, motion carries unanimously

- Should costs related to Southeast Communications (SECOMM) and regional 911 be included as eligible uses of the tax? If so, who contributes to (SECOMM) and how much?

Chief Chris Guerrero stated that it hasn't traditionally been done and asked BCES Executive Director Jay Atwood for input.

BCES Executive Director Jay Atwood stated that it seems we have this PSST and huge amount of capital need for equipment and no funding and it doesn't make sense to not be able to use a portion of it

Deputy County Administrator Matt Rasmussen stated that the need is tremendous, lots of nuances, not insurmountable

Citizen member Brian Ace asked if someone could educate us on SECOMM, what jurisdictions participate, and what are the allocated needs?

BCES Executive Director Jay Atwood stated that the initial need is \$12-15 million

Sheriff Croskrey asked without PST, where would we fund it?

Deputy County Administrator Matt Rasmussen stated that either from grants or scrounge

Prosecuting Attorney Eric Eisinger stated that with forward thinking, he would support it

Chief Chris Guerrero asked for a motion to approve or deny SECOMM as eligible use of the tax.

Prosecuting Attorney Eric Eisinger made a motion to include SECOMM as an eligible use of the tax, Chief Brigit Clary seconded, motion carries unanimously

Public Comment

12:45pm, Chief Chris Guerrero opened the meeting for public comment

Pat Holten stated that 10 years ago was a different time and given circumstances, she believes the public would still be looking for increase in budgets and wants Benton County to deal with issues at hand. Believes the public is for 3/10.

Jerry Martin stated that there was discussion in the past of how to word the ballot measure, there is significant inflation currently and voters are going to be concerned with the cost and way of life. He stated that the motion to approve 3/10 percent and no sunset are serious considerations and need to consider that your ballot measure may not be approved

Sheriff Croskrey stated that he agrees with Jerry Martin's concerns but stated we cannot focus on marketing as a group, and we need to focus on the departments needs. Good to look at the fact that it's not a new tax, but a continuation. Reducing taxes is important, but it would be too much of a burden to diminish taxes.

Chief Chris Guerrero stated that everyone is concerned about it, but this body is looking at what the needs are, not what will get this across the finish line. Crime is not going away, we hope to suppress it, but when it does occur, and we use the funds for every part of the judicial system. Much bigger than just one little piece.

Chief Brigit Clary stated we must have somewhere to go if it does fail, no sunset and coming back with something to offer is a good strategy

Chief Chris Guerrero stated that he will draft the document for the Commissioners and bring it back to the council next week for approval and get it back to the Commissioners.

Other Business

Sheriff Croskrey brought up a house keeping discussion and asked if the Council would be okay switching the meeting to admin building 3rd floor. No issues were raised.

Meeting Adjourned at approximately 1:00pm