

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/01/2023 Weekly Agenda Date: 4/06/2023

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** James Loomis

**WORDING FOR AGENDA ITEM:**

Requesting that the partially funded Byrne Grant position be converted into a County fully funded position for FY 2024.

**ACTION REQUIRED:**

- |  |   |  |
|--|---|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/>   | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/> | Attachments <input type="checkbox"/>               |

**EXECUTIVE SUMMARY:**

The Byrne JAG Grant will not be renewed for FY 2024. This position is vital to our office. Currently the County already pays 82% of the salary and 100% of the benefits.

**BACKGROUND:**

This grant started back in July, 1996 with 75% grant funds and 25% County funds. Over the years that has dwindled down to 18% grant funds and 82% County funds. This position is vital to our office as this Attorney position also prosecutes more than drug crimes which this grant was formed to fund. The grant will not be renewed in FY 2024. This position handles around 220 cases a year.

**FINANCIAL IMPACT:**

\$19,095.65

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

We are asking that this position become a full time Attorney position funded 100% with County funds and put into the Adult County Attorney Budget.

**ACTION REQUIRED / PROPOSED MOTION:**

Approve a full time Assistant County Attorney position to replace the current position partially funded by the Byrne JAG Grant.

## FINE COLLECTIONS

The Fine Collections Division of the County Attorney's Office started in March 2015. There was a need for us to have a fine collections program to help people drive legally and get their fines/restitution paid.

Delinquent fines will suspend driving privileges, put a hold on a person's ability to renew the registration on their vehicle, and contempt proceedings can be initiated.

## PAYMENT PLANS:

A driver's license reinstatement plan: Certain fines, if delinquent, will suspend a person's driving privileges. This payment plan allows a person to make monthly payments and have their driving privileges reinstated, otherwise they would have to pay off all delinquent fines in full if not on this payment plan.

A regular payment plan: Any delinquent fine will put a hold on a person's ability to renew the registration on their vehicle, motorcycle, boat etc. This payment allows a person to make monthly payments and we provide a temporary lift on the hold so a person can renew their registration. This payment also allows for people to get discharge from probation early if all they have left is fines.

A payment plan for victim restitution: If a person does not pay on victim restitution owed, the county attorney's office can initiate contempt proceedings. A person can get on a payment plan to avoid this from happening. The person avoids going to jail and we collect restitution to go back the victims.

## CITY FINES:

Delinquent fines written under the city ordinances will also have the same consequences as State fines. Our payment plans will incorporate all City fines as well. The City of Sioux City and City of Sergeant Bluff are also benefitting from our collection efforts as they are getting their fines paid and no percentage comes to the county on these fines. The Cities get to keep it all.

## INSURANCE

People driving without vehicle insurance is a big problem in Sioux City. Anyone on a driver's license reinstatement plan with the county attorney's office is required to provide proof of valid insurance to stay on the plan. This is an unintended extra benefit for having a fine collections division.

## PERCENTAGE TO THE COUNTY

Woodbury County has a population over 100,000 people. The State set our threshold collection amount to be \$600,000 per fiscal year. That means our fine collections effort must collect at least that amount to have a fine collection program. We have been able to reach at least that amount since we started. We are now collecting over a million dollars each fiscal year. This amount does not include our collections for things we do not get credit for.

The county gets a percentage for collections of fines and court costs.

We also collect on victim restitution, jail fees, mandatory surcharges, and city fines. We do not get credit for these items and we do not get a percentage.

The percentage that the county gets for fines and court costs is 28%. The State keeps 72% until we hit the \$600,000 threshold (which usually occurs in January), at that time, the State keeps 68%, the county continues to get 28%, and the remaining 5% goes directly to the county attorney's office.

Since the start of the fine collections program, a significant number of people have been helped. They are driving legally and they are able to obtain jobs because they are able to drive. It's an incentive for people to try and pay off their fines and get out of the hole. Without county attorney payment plans, people can't pay off these fines and just go deeper and deeper into debt.

The extra benefits are that more people driving with proper insurance and the financial gain to the county.

We have managed with only one main person to date and we need more help. A county this size has 3-4 people working their fine collections division.

Total collected through May 2023 for this fiscal year is \$1,173,611.94. This total amount does NOT include anything collected for the month of June 2023.