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September 18, 1986

INTRODUCED BY RON SIMS, PAUL BARDEN

PROPOSED NO. 86-539

ORDINANCE NO. 7796

AN ORDINANCE creating and providing for the operation of the King County Interlocal Drug Enforcement Account to facilitate the enforcement of certain laws and ordinances relating to controlled substances, and authorizing the county executive to enter into an interlocal agreement for administration and use of that account.

PREAMBLE:

The Legislature of the State of Washington has amended RCW 9.95.210 and RCW 9.92.060 to grant authority for courts to order as a condition of probation and suspended sentences the payment of contributions into a county or interlocal drug fund. In addition, the Legislature of the State of Washington has enacted RCW 9.94A.120(9)(c) authorizing the courts to require a defendant to contribute to a county or interlocal drug fund. Heretofore there has been no such drug enforcement fund in King County.

Each major law enforcement agency in King County has expressed its interest and desire for the creation and operation of an interlocal drug fund to consist of all contributions ordered paid by the judges of the King County Superior Court pursuant to law in drug-related prosecutions.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. INTERLOCAL AGREEMENT. The county executive is hereby authorized to enter into an interlocal agreement for administration and use of the King County Interlocal Drug Enforcement Account in substantially the form of Exhibit A attached hereto.

SECTION 2. INTERLOCAL DRUG ENFORCEMENT ACCOUNT ESTABLISHED.

If an interlocal agreement substantially in the form of Exhibit A hereto becomes effective and King County becomes a party to such an agreement, there is hereby created a special account to be known as the King County Interlocal Drug Enforcement Account,

1 to be reported within the Miscellaneous Trust Fund (County Fund
2 Number 698). This trust account may also be referred to as the
3 "King County Drug Enforcement Fund" or the "Drug Enforcement
4 Account." The Drug Enforcement Account shall be maintained as a
5 separate account or accounts in a lawful depository or
6 depositories within King County and may earn interest for its own
7 benefit and may pay any reasonable and necessary service charges.

8 SECTION 3. PURPOSE OF ACCOUNT. The purpose of the King
9 County Interlocal Drug Enforcement Account shall be limited to
10 activities aimed at facilitating enforcement of state statutes and
11 county or municipal ordinances relating to controlled substances.

12 SECTION 4. ADMINISTRATION OF ACCOUNT. The account estab-
13 lished by this ordinance shall be governed and administered as
14 provided in an interlocal agreement substantially in the form of
15 Exhibit A attached hereto, according to lawful accounting and
16 other principles consistent with the purpose of this ordinance and
17 the interlocal agreement. The King County prosecuting attorney or
18 a deputy shall serve as the auditing officer of the account. The
19 Drug Enforcement Account shall be subject to post audit by the
20 county auditor and the state auditor, and any other audit as
21 required by law. Within two years after the effective date of an
22 interlocal agreement substantially in the form of Exhibit A, the
23 council auditor shall perform an administrative and accounting
24 control review of the Drug Enforcement Account, but shall not have
25 authority, without the approval of the Board called for in the
26 interlocal agreement, to obtain information relating to ongoing
27 drug-related investigations.

28 SECTION 5. SOURCES OF MONIES FOR ACCOUNT. The account
29 established by this ordinance shall consist of all contributions
30 ordered by the Superior Court judges of King County in sentencing
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1 for drug-related convictions and shall be allowed to accumulate
2 from year to year if surpluses remain.

3 SECTION 6. DISBURSEMENTS FROM ACCOUNT - USE OF MONIES.

4 The Drug Enforcement Account shall not be subject to the
5 county's budget process but the Board called for in the interlocal
6 agreement shall report in writing annually to the council the
7 amount of contributions paid into the Account, the amount of
8 interest earned, the amounts disbursed to agencies, and any
9 amounts returned by agencies when not actually expended. Authori-
10 zation for disbursements shall be according to the interlocal
11 agreement, and may take place by such method of communication as
12 is convenient for the Board members and consistent with their
13 bylaws, but shall always be followed within a reasonable period of
14 time by a written memorandum of the approval.

15 SECTION 7. SEVERABILITY. Should any section, subsection,
16 subdivision, paragraph, sentence, clause, or phrase of this
17 ordinance or application thereof to any person or circumstance be
18 declared unconstitutional or invalid for any reason, such decision
19 shall not affect the validity of the remaining portions of this
20 ordinance, or its application to any other person or circumstance.

21 INTRODUCED AND READ for the first time this 15th day of

22 September, 1986.

23 PASSED this 22nd day of September, 1986.

24 KING COUNTY COUNCIL
25 KING COUNTY, WASHINGTON

26 Audrey Meyer
Chair

27 ATTEST:

28 Janet M. Quinn
Clerk of the Council

29 APPROVED this 1st day of October, 1986.

30 D. Dill
31 King County Executive