

Proposal to defund the D.A.'s office in Lehigh County pulled

The Bethlehem Gadfly George Floyd killing October 20, 2020

 *Latest in a series of posts in the wake of the George Floyd murder* 

Gadfly keeping an eye on what's going on around us in regard to the "defunding" controversy. Around the time of our Community Engagement Initiative resolution there was talk of engaging discussions of how we do public safety early enough to perhaps engage change in the 2021 budget deliberations. Gadfly has heard nothing more about that and doesn't sense that anything will happen. But Lehigh County Commissioner David Harrington did propose a budget amendment to defund the D.A.'s office and redistribute the money in according to "holistic" ideas. Unsuccessfully.

Advocating defunding the Lehigh County D.A.:

Selections from Ettore Angelo, "Your View: It's time to reexamine Lehigh County's criminal justice spending." Morning Call, October 14, 2020.

Lehigh County taxpayers pay dearly for a criminal justice system that has exploded in growth and cost. Controller Mark Pinsley reports that in 2010, 39 cents of every dollar collected in local real estate taxes went to the courts and corrections budget. Excessive enough, right? Well, less than a decade later, the 2019 budget spent 69 cents of every dollar collected in local real estate taxes on this "criminal justice complex." The 2021 budget seeks yet more increases, most notably in the district attorney and corrections budgets.

With so many people in need, how can we justify increases to a bloated "criminal justice complex" budget? Commissioner David Harrington has presented amendments that call for a modest transfer of money from the district attorney and corrections — the punitive side of the budget — over to the Office of the Public Defender — the helping side of the budget. Chief Public Defender Kimberly Makoul has initiated "holistic defense"

in her office, with one social worker helping persons to connect with drug treatment, mental health treatment, housing assistance and the like. This should be expanded.

“Holistic defense” works. It works because it helps people. Harrington’s amendments would provide one additional social worker, one part-time attorney, and an interpreter to the public defender office. It would also provide a “reentry director” for the jail to help improve reentry services.

Tennessee established the “75% Rule,” dictating that the public defender’s budget be 75% of the district attorney’s budget, for a level playing field. Lehigh County’s public defender budget now is 39% of the district attorney’s budget. Harrington’s amendments take a step toward a budget that helps people, instead of caging them.

It’s time to try helping hands, not just handcuffs.

Proposal to defund submitted then pulled after stormy debate:

Selections from Stephen Althouse, “Lehigh County commissioners consider 2021 budget amendments.” Morning Call, October 15, 2020.

A second amendment on the evening’s agenda was pulled by sponsor Commissioner David Harrington. The proposed amendment would have restructured the county’s criminal justice system. Harrington’s proposal would have eliminated employees from various positions of Lehigh County’s correctional and criminal justice structure.

The bill would have cut nearly \$1 million from the district attorney’s office by laying off five high-level attorneys and two county detectives. The next area of cuts would have eliminated six correctional officer positions totaling about \$475,000 in salaries and benefits. Harrington’s proposal would also have eliminated a corrections officer position and a part-time employee in juvenile probation. The cuts totaled \$1.6 million.

Harrington would have redistributed the money by funding five lower-level attorneys for the district attorney’s office. The public defender’s office would have received funding for one full-time social worker, part-time interpreter services and a non-classified service attorney. The county jail would have received a new re-entry director. The community

corrections department, court administration, drug and alcohol, mental health and children and youth services budget lines also would have received more money under Harrington's amendment. Finally, the community and economic development budget would have allocated \$150,000 in grants to three categories – youth violence reduction, re-entry and jobs and homeless prevention. The proposed reallocation totaled about \$1.35 million, with the unassigned fund balance receiving the difference, roughly \$229,000.

“This didn't come out of left field, I think,” Harrington said in pulling the amendment. “...It's time to consider what we can do for the community and not what is best for an ideological sense...This will certainly not be the last time we ask for reform.” The amendment set off a marathon public comment session that lasted for several hours. This was followed by a vigorous and, at times, heated discussion by commissioners that lasted until Thursday morning.