




J.D. Raymond
Sheriff

OFFICE OF THE FRANKLIN COUNTY

SHERIFF

1016 N. 4th Ave D-201
Pasco, WA 99301
509-545-3501

TO: Franklin County Prosecutor- Shawn Sant
State Auditor's Office-Pat McCarthy
Washington State Attorney General-Bob Ferguson
Franklin County Auditor- Matt Beaton

FROM: Sheriff J.D. Raymond 

DATE: March 18, 2024

RE: Franklin County Officials Misconduct

This memorandum comes to you as a result of the malfeasance committed by the Board of Franklin County Commissioners during the regular meeting on March 13, 2024.

I will begin with a brief history of what has brought us to this point and then very clearly and specifically explain what needs to happen moving forward.

Over the span of the last several years I have observed commissioners violate open meeting laws, go into executive sessions where action is taken without announcing said decisions, and making "Board" decisions outside of an open public meeting, commonly referred to as "serial meetings." Additionally, I have witnessed singular commissioners make decisions individually without consensus of the whole board specifically dealing with the county's finances.

The abuse of executive sessions has not been limited to just the Board of Commissioners. I have observed the previous Franklin County Civil Service Commission call executive sessions in order to conceal applicants and test results from the Office of Sheriff, the public, and the applicant's themselves.

On several occasions I have been improperly ordered into executive sessions by the former Chairman of the Board Clint Didier to receive instruction from himself and his hand-picked Human Resources Manager on how to conduct myself as the Elected Sheriff of the County. This is improper and illegal interference within an independently elected Office.

Former-Chairman Didier has attempted to extort the Office of Sheriff by threatening to take control of Jail Operations unless I conformed to his desires including acquiescence to union demands. This was done even though the entire board had made it publicly clear that the Commissioners had no desire to take the operation of the jail from the Office of Sheriff.

regarding the operation and/or necessity of an independently elected office outside of the statutory audit function.

The board of Commissioners has allowed the Auditor to make unlawful deductions from the Sheriff's paycheck and disable purchasing cards in retaliation. Appeal to the Board of Commissioners has been intentionally and repeatedly denied by removal of meeting agenda items even though they are the sole authority to determine appropriations for the county (RCW 36.40.100). This is in violation of the process established by RCW 49.48 which allows an overpayment deduction only by court order or a determination by the EMPLOYER, proper notice, and an opportunity for a the employee to appeal. The Auditor is in no way the employer of the elected Sheriff. While it is arguable if even the Board of County Commissioners is the employer, they would be considered the most realistic employer for the purposes of determining whether an overpayment has occurred. Refusing to hear the matter is malfeasance.

As outlined, there is a significant attempt to interfere with the operations of the independently elected Office of Sheriff. The Washington State Constitution and laws of the state are fairly clear when it comes to authority of the county commission, the Auditor and Sheriff. The Auditor has the responsibility to prepare a budget, The Commissioners have the authority to approve the budget thereby creating appropriations to the various independently elected officials, including the Sheriff's Office, and the independently elected offices have the authority to spend within those appropriations (RCW 36.40.100). Additionally, the duty to audit claims by the Auditor requires that claims chargeable against the county "SHALL (Emphasis added) be presented to the board of county commissioners for their examination and allowance" (RCW 36.22.040).

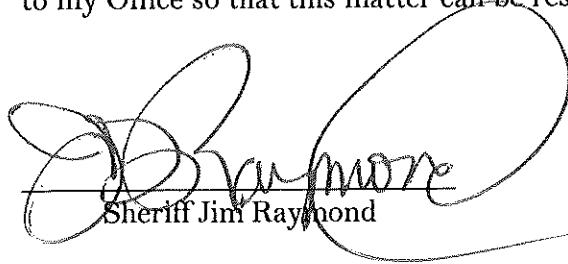
In November of 2023, a presentation was made to the Board of County Commissioners in open meeting regarding the need for a full-time Sheriff Deputy for the Courthouse. The presentation included the total cost to fund this position (\$232,854). During said presentation the estimated costs were broken down individually. This breakdown included \$52,896 in overtime and \$60,000 for a vehicle and related equipment). This issue was debated exhaustively throughout the 2024 Budget with active involvement by the Sheriff's Office. During this process these amounts never changed nor were they individually questioned by any of the commissioners. Ultimately, the Board of County Commissioners approved the entire \$232,854 as part of the 2024 General Expense Budget.

In 2024, the Sheriff's Office was notified by Auditor employee Tim Anderson that the Board of Commissioners decided to remove all capital expenditures from the Sheriff and Corrections budgets. He further stated that if the Sheriff's Office wanted to the funds to be transferred to the vehicle line, he would need board action (A resolution). The Sheriff's Office later discovered that the vehicle funds had been transferred to the "Overtime" line, a fund typically off limits to the affected Office. At no time did the commissioners make the decision to move this \$60,000 from the vehicle purchase to the overtime line in an open meeting nor was it requested by the Sheriff's Office. The purchase of a vehicle was made in good faith based on the entire \$232,854 being approved by the Commissioners with no dissent or objection.

A request to transfer the \$60,000 to the appropriate line was made to the Board on March 6th, 2024 (By resolution) so that the invoice for the vehicle could be properly paid. The Board continued the matter one week for further explanation. On March 13, 2024 the matter was again brought before the board with more than adequate background information. The board discussion regarding this matter quickly devolved and the resolution was never approved for lack of a vote.

The simple reality is the funds were approved and the vehicle has been purchased. The purchase was made under the full faith and security of an authorized purchase order. The county now has the obligation to pay a debt owed to a local business. The debt is owed, the funds are available (Appropriated), and the purchase is necessary and proper. The auditing function has been satisfied. The Sheriff's Office will be submitting this expense through the normal processing and directing it to the "Sheriff's Vehicles" line as that is proper. It is now the obligation of the Auditor to place the \$60,000 in that line to satisfy this expense of this vehicle and the remaining necessary equipment. It then becomes the obligation of the Board of County Commissioners to approve this expense so a local business is not harmed by the petty games that certain county officials wish to play. Failure on the part of the Auditor or Board to meet their obligation will almost certainly lead to litigation against the county, a tarnished relationship with a long-standing local business, and likely the need to purchase future vehicles outside of our community.

Should you have any further questions regarding this matter please do not hesitate to reach out to my Office so that this matter can be resolved expeditiously.



Sheriff Jim Raymond

Cc: Franklin County Administrator-Mike Gonzalez
Franklin County Board of Commissioners



McCurley Integrity Dealerships LLC

1325 N Autoplex Way
(509) 544-6269 | (509) 544-6263

INVOICE # 106

Date: 02/29/2024

BILL TO

Franklin County Sherriffs Office
1016 N 4th Ave D201
(509) 546-3353 | sbrunk@franklincountywa.gov

FOR

2024 Chev Silverado

ITEM DESCRIPTION	AMOUNT
2024 Chev Silverado	\$49,972.00
Title Fees	\$66.00
Sales Tax	\$4,358.51
Document Fees	\$50.00
Subtotal	\$54,446.51
Tax rate	
Additional costs	
TOTAL COST	\$54,446.51

Make all checks payable to McCurley Dealerships LLC

If you have any questions concerning this invoice, use the following contact information:
Taylor Hall | (509) 544-6269 | Taylor.Hall@mccurley.net

THANK YOU FOR YOUR BUSINESS!

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: 02/28/2024	PREPARED BY: Sheryl Brunk										
Meeting Date Requested: 03/06/2024	PRESENTED BY: Click here to enter text.										
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda Brought Before the Board Time needed											
SUBJECT: Approval to Intra-transfer from \$60,000.00 101520 1100 Overtime to 101520 642102 Sheriff Vehicles											
FISCAL IMPACT: \$0											
<p>BACKGROUND: The Sheriff's Office received approval for a Courthouse Deputy for a total amount of \$232,854, with a detailed breakdown as follows:</p> <table><tr><td>Pay and Benefits</td><td>\$102,225</td></tr><tr><td>Uniforms/duty Gear</td><td>\$1500</td></tr><tr><td>Vehicle/Equipment</td><td>\$60,000</td></tr><tr><td>Training</td><td>\$7,000</td></tr><tr><td>Overtime</td><td>\$52,896</td></tr></table> <p>\$116,498 was incorrectly allocated to the overtime budget instead of the correct amount of \$52,896. The request is to reallocate the original request of \$60,000 to the proper budget line for the purchase of the approved vehicle for the new position.</p>		Pay and Benefits	\$102,225	Uniforms/duty Gear	\$1500	Vehicle/Equipment	\$60,000	Training	\$7,000	Overtime	\$52,896
Pay and Benefits	\$102,225										
Uniforms/duty Gear	\$1500										
Vehicle/Equipment	\$60,000										
Training	\$7,000										
Overtime	\$52,896										
COORDINATION Sheriff Raymond, Undersheriff Monty Huber, Commander Conner, Captain Sheryl Brunk											
RECOMMENDATION: The Sheriff's Office recommends the Commissioners sign the accompanying resolution to allow the transfer.											
ATTACHMENTS: (Documents you are submitting to the Board) ASR –Resolution- PowerPoint Baliff Presentation											
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of party(s) that will need a pdf.) Original : Clerk of the Board, Sheriff Raymond, Tim Anderson, Sheryl Brunk											

I certify the above information is accurate and complete.

Name:

Title:

FRANKLIN COUNTY RESOLUTION _____

**BEFORE THE BOARD OF COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**

**INTERBUDGET TRANSFER OF \$60,000 FROM THE CURRENT
OVERTIME BUDGET 101520 – 1100 TO THE CURRENT EXPENSE
SHERIFF'S DEPARTMENT BUDGET LINE 101520 – 642102 SHERIFF
VEHICLES**

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and deems this to be in the best interest of the County; and

WHEREAS, the Sheriff's Department was approved for a Courthouse Deputy for a total amount of \$232,854, including expenses for a new vehicle budgeted at \$60,000; and

WHEREAS, \$116,498 was incorrectly allocated to the overtime budget instead of the correct amount of \$52,896. The request is to reallocate the original request of \$60,000 to the proper budget line for purchasing the approved vehicle for the new position.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approve the inter-budget transfer as outlined above.

APPROVED this _____ day of _____, 2024.

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**

Chair

Chair Pro Tem

Member

ATTEST:

Clerk to the Board

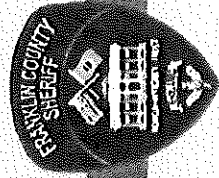
BAILIFF PRESENTATION

2024 Transitional Year Proposal

1 Law Enforcement Deputy	2024 Pay & Benefits	\$102,225
	Uniforms/Duty Gear	\$1500
	Vehicle/Equipment	\$60,000
	Training	\$7,000
Patrol Deputy Overtime	2024 Pay & Benefits	\$52,896
	2024 Total Cost	\$232,854

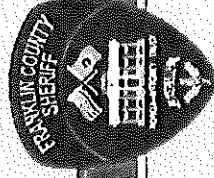
Courthouse Deputy

March 13th, 2024



Background

- On November 29th, Commander Conner provided the Commissioners with a detailed cost breakdown for supplying a Courthouse deputy, which included a vehicle and other equipment.
- Commissions approved the amount requested for the 2024 Budget
- \$60,000 of the approved funds were to be allocated for a patrol vehicle however this money was moved to the overtime budget item line for unknown reasons



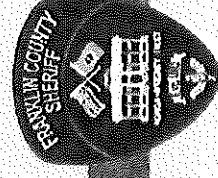
Cost Breakdown As Presented on Nov. 29th

1 Law Enforcement Deputy

2024 Pay & Benefits	\$102,225
Uniforms/Duty Gear	\$1500
Vehicle & Equipment	\$60,000
Training	\$7,000

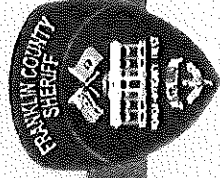
Patrol Deputy Overtime

2024 Pay & Benefits	\$52,896
2024 Total Cost	\$232,854



Fiscal Impact

This request pertains to a transfer of funds within the Sheriff's budget for the year 2024. The budget has already been approved and this transfer will not have any fiscal impact. This is simply to move those funds within the budget to where they are supposed to be.



Summary

- For numerous reasons including emergency response, detainee transports, collective bargain agreements, etc.. All law enforcement deputies have patrol vehicles.
- Funds for this vehicle were requested and were already approved during the 2024 Budgeting Process
- Said funds were administratively placed in the overtime budget even though the request specifically stated it was for a vehicle.
- Board action is necessary to move this money back to where it needs to be.



Jim Raymond

From: Jim Raymond
Sent: Friday, March 15, 2024 4:08 PM
To: Marcus Conner; Sheryl Brunk; Monty Huber; nonte@franklincountywa.gov
Subject: Fwd: Bailiff
Attachments: image002.png; image001.jpg; Bailiff presentation before the BOCC on 11/29

800 am in Shawns Office on Tuesday
Sent from my iPhone

Begin forwarded message:

From: Jim Raymond <jraymond@franklincountywa.gov>
Date: March 15, 2024 at 15:48:01 PDT
To: Shawn Sant <ssant@franklincountywa.gov>
Subject: Fwd: Bailiff

Sent from my iPhone

Begin forwarded message:

From: "Mike R. Gonzalez" <mrgonzalez@franklincountywa.gov>
Date: March 15, 2024 at 15:33:39 PDT
To: Jim Raymond <jraymond@franklincountywa.gov>
Subject: Bailiff

From: Tim Anderson <tanderson@franklincountywa.gov>
Sent: Friday, March 15, 2024 10:23 AM
To: Mike R. Gonzalez <mrgonzalez@franklincountywa.gov>; Steve Bauman <sbauman@franklincountywa.gov>; Rocky Mullen <rmullen@franklincountywa.gov>; Clint Didier <cdidier@franklincountywa.gov>
Cc: Daniel Stovern <dstovern@franklincountywa.gov>
Subject: Sheriff's Vehicle Request

Hi all.

It was brought to the Auditor's attention that there were concerns that the request for a vehicle purchase in the Sheriff's Office may proceed without budget authority. This email is to detail the background and current status. If the Sheriff does proceed, I think RCW 36.40.130 would apply, which states, "**Excess of expenditures, liability.** Expenditures made, liabilities incurred, or warrants issued in excess of any of the detailed budget appropriations or as revised by transfer as in RCW 36.40.100 or 36.40.120 provided shall not be a liability of the county, but the official making or incurring such expenditure or issuing such warrant shall be liable therefor personally and upon his or her official bond. The county auditor shall issue no warrant and the county commissioners shall approve no claim for any expenditure over the detailed

budget appropriations or as revised under the provisions of RCW 36.40.100 through 36.40.130, except upon an order of a court of competent jurisdiction, or for emergencies as hereinafter provided.”

The Sheriff’s Office discussed the bailiff situation before the budget workshops began. In this presentation, equipment (e.g., vehicle) was requested by the Sheriff’s Office. In the attached email from Marcus Conner, equipment was also mentioned. However, during the budget workshops, there were difficulties in getting the Current Expense budget balanced. At one point, an email was sent to departments to ask them to eliminate 3% of their budget. Most capital expenditure requests were removed and/or not included to balance the budget, including the Sheriff’s vehicles and other equipment. This was an intentional act by the Board due to budget concerns. The only capital items left in the budget were in the Information Services department, and these were scrutinized to include only the bare minimum of what we needed. To get capital requests added back in, departments had to make appeals. I recall discussions of the Bailiff situation during the budget workshops, including discussions of Deputy and overtime needs, but I don’t remember any discussion on vehicles or other equipment. I believe the Sheriff’s Office intended to get these capital requests approved, but the focus during the meetings was primarily on staffing. The vehicle and other capital/equipment needs could have been discussed more, especially since the Board of Commissioners mostly excluded capital items.

The direction I was given was to remove the Sheriff’s vehicles from the budget. I was adding capital items back in only upon specific direction to do so. In this case, the Board of Commissioners didn’t give me that direction. Also, during final budget balancing, the entire amount of the Sheriff’s Office’s request was included in the personnel section. There was no clarification on this issue during the workshops to say that these costs include a vehicle.

Also, the amount that was added to overtime is within the trend of spending in the Sheriff’s Office. In 2021 they spent \$111,356; 2022 was \$124,397; and 2023 was \$154,856. The current budget for 2024 is \$189,735. So, it isn’t unreasonable to think they will need this amount for overtime.

With the Current Expense budget as tight as it is right now, it is prudent to withhold capital spending until we know that taxes come in better than anticipated. For example, we balanced the Current Expense budget to include \$6.8 million in our “general” retail sales and use tax. If we come in at \$7.3 million, we could use some of that for capital spending. Even then, capital spending should be scrutinized due to our likely future budget deficits.

Thanks,
Tim Anderson
Director of Finance
Franklin County Auditor’s Office
(509) 545-3545

Budget constitutes appropriations—Transfers—Supplemental appropriations.

The estimates of expenditures itemized and classified as required in RCW 36.40.040 and as finally fixed and adopted in detail by the board of county commissioners shall constitute the appropriations for the county for the ensuing fiscal year; and every county official shall be limited in the making of expenditures or the incurring of liabilities to the amount of the detailed appropriation items or classes respectively: PROVIDED, That upon a resolution formally adopted by the board at a regular or special meeting and entered upon the minutes, transfers or revisions within departments, or supplemental appropriations to the budget from unanticipated federal or state funds may be made: PROVIDED FURTHER, That the board shall publish notice of the time and date of the meeting at which the supplemental appropriations resolution will be adopted, and the amount of the appropriation, once each week, for two consecutive weeks prior to the meeting in the official newspaper of the county.

[1985 c 469 § 48; 1973 c 97 § 1; 1969 ex.s. c 252 § 2; 1965 ex.s. c 19 § 1; 1963 c 4 § 36.40.100. Prior: 1945 c 201 § 1, part; 1943 c 66 § 1, part; 1927 c 301 § 1, part; 1923 c 164 § 5, part; Rem. Supp. 1945 § 3997-5, part.]

Duty to audit claims against county.

The county auditor shall audit all claims, demands, and accounts against the county which by law are chargeable to the county, except such cost or fee bills as are by law to be examined or approved by some other judicial tribunal or officer. Such claims as it is his or her duty to audit shall be presented to the board of county commissioners for their examination and allowance.

[2009 c 549 § 4024; 1963 c 4 § 36.22.040. Prior: 1893 c 119 § 1, part; Code 1881 § 2710, part; 1869 p 310 § 5, part; 1863 p 549 § 5, part; 1854 p 425 § 5, part; RRS § 4086, part.]

Sheryl Brunk

From: Sheryl Brunk
Sent: Tuesday, February 27, 2024 12:48 PM
To: Marcus Conner; Monty Huber
Subject: FW: Bailiff Deputy

From: Tim Anderson <tanderson@franklincountywa.gov>
Sent: Tuesday, February 27, 2024 11:39 AM
To: Sheryl Brunk <sbrunk@franklincountywa.gov>
Subject: RE: Bailiff Deputy

I regret to inform you that the Board of Commissioners decided to remove all capital expenditures from the Sheriff and Corrections budgets for 2024. This decision was made during the 2024 budget process. To get any budget added in for 2024, a request would need to be made to the Commissioners via Resolution.

Thanks,
Tim Anderson

From: Sheryl Brunk <sbrunk@franklincountywa.gov>
Sent: Tuesday, February 27, 2024 10:22 AM
To: Tim Anderson <tanderson@franklincountywa.gov>
Subject: Bailiff Deputy

Good Morning Tim,

I wanted to ask about the new Bailiff Deputy position for 2024. I understand that a new vehicle costing \$60,000 has been proposed for this position and now the Undersheriff has located a suitable vehicle for purchase. However, when reviewing the budget, it appears that there is no money allocated for capital expenditures. Could you please let me know if the budget will be updated to include this purchase or if there is another plan in place? Thanks!

Captain *Sheryl A. Brunk*
Administrative Operations
Franklin County Sheriff's Office
1016 N 4th, D201 Pasco WA 99301
sbrunk@franklincountywa.gov
(509) 545 3565



Jim Raymond

To: Shawn Sant
Cc: Daniel Stovern; Clint Didier; Rocky Mullen; Steve Bauman; Matt Beaton;
FCSOCommandStaff
Subject: See Attached

Prosecutor Sant,

The corruption and criminal behavior of public officials within Franklin County Government has reached all-time highs. "Official Misconduct" is going unchecked, while some county officials are embolden, by lack of being held accountable for their actions. Most of this corruption and or unlawful activity is coming from within the Board of County Commissioners, the Franklin County Auditor and his staff.

As you are aware, FCSO staff members consulted with you on March 19, 2024, concerning the purchasing of a patrol vehicle for a newly created court deputy. This deputy position was created and approved after lengthy discussions during normal budget hearings cycle. The position (Deputy Sheriff) of course requires the necessary training, equipment, vehicle, to conduct the job task. All which is necessary to protect the deputy safety and safety of the community in general. You of course heard from several law enforcement officers the truth about what is occurring. Along with the first hand witnessing of Commissioners actions, auditor actions and auditor employee actions.

Additionally, no one in this office has disobey the commissioners orders of no vehicle purchases in 2024. There are two line items concerning tax dollars for purchasing, maintenance, repairs, and reporting requirements attached to county roads. You will find that no cars have been purchased. The practice has been to purchase 4-6 replacement vehicles out of the two line items on an annual basis. Basic observation of budgets will indicate that no one has went out of the guidelines of purchasing vehicles.

The board of county Commissioners approved this position which included equipment, vehicle and training for the position. The funding approved was in excess of \$261,000 (?) for first years start-ups. Historical records and public open meetings records will clearly show the approvals for all the above.

What happens after my staff went out and purchased the singular vehicle of course is murky at best. However, what is apparent is the approval by the board of county commissioners occurred and they past the funding into my budget to handle.

There is prima-fascia evidence which indicates that Commissioner Didier, Auditor Beaton and his employee secreted the funding in the wrong line items within my budget to simply "Obstruct the Office of Sheriff". The actions (Official Misconduct) is retaliatory by the Board of County Commissioner towards Sheriff Jim Raymond because I practice my first amendment rights.

I'm demanding that a criminal review occur and a court order be sought-out by your office which orders the county to pay for the vehicle (already purchased), which by the way was purchased lawfully, procedurally, and within the boundaries of the law.

Clearly, you will see where commissioner(s) ordered Tim Anderson to offer them legal advice and what punitive actions the auditor's office would take towards the Office of Sheriff. Should be noted that Tim Anderson isn't a lawyer and county employees have no authority over the Office of Sheriff, nor does county commissioners. These actions are simply corruption developing within Franklin County.

Let me make it very clear Prosecutor Sant. There will be no seizing of my personal pay without DUE-PROCESSES this time around. At the end of the day, so long as year budgets balance, I'm doing nothing illegal. I'm required to present a bottom line budget, with expenditures equaling the same. Historically, over the past 9 years, I have returned excess tax dollars.

Most recently 1.3 million back to the general budget.



J.D. RAYMOND
SHERIFF

JRAYMOND@FRANKLINCOUNTYWA.GOV

FRANKLIN COUNTY SHERIFF'S OFFICE

BUSINESS: [509] 545-3560 FAX: [509] 546-5802

Cell: 509-851-9512

1016 N. 4TH AVE D201
PASCO, WA 99301

From: Sungard Workflow
Sent: Tuesday, March 19, 2024 4:55 PM
To: Jim Raymond; Sheryl Brunk; Tim Anderson; Tracey Boise
Subject: Cannot process, revision required

Rejected By: TANDERSON
Reason: There is no capital budget available.

Invoice Number	=	106	Batch ID =	OH0123770
Invoice Total	=	\$ 54446.51		
User Total	=	\$ 54446.51		
Entry Date	=	2/29/2024		
Vendor	=	V001149 - MCCURLEY INTEGRITY DEALERSHIPS		

Quantity	Description	Account (s)	Amount
1.00	As approved in the 2024 budget	101520-642102	\$54,446.51