

Court budget approved

Sanuel Creek County Water District

Santa Cruz County supervisors had the rare experience Friday of hearing a department head ask them to cut his budget even more than had been recommended by the county administrative officer.

That came about when Richard Kessell, the presiding judge of the county's Municipal Court system, told the board that the majority of the muni court judges wanted the pre-trial release program eliminated from their department.

County Administrative Officer George Newell had already recommended that the pre-trial program be sharply cut back, with 3½ full-time positions eliminated.

But Judge Kessell said

it was the belief of three of the four Municipal Court judges that the program ought to be dumped entirely, at a savings of \$120,000.

Ironically, one of the chief instigators of the pre-trial release program — also known as the OR (for released on "own recognizance") program — several years ago was Judge Kessell. The program was designed to help judges get information on what persons who had been arrested were "good risks" for OR release pending their trials.

Judge Kessel said the program, which cost \$60,000 when it was first set up, worked well for awhile, but that, particularly after a Supreme Court decision that man-

dated pre-trial release of prisoners under certain conditions, its utility declined, although its costs skyrocketed (to more than \$200,000 a year.)

The judge said that the passage in the June 8 election of Propositions 4 and 8 throws the whole matter into confusion since the interpretation of what those two initiatives will mean depends on what lawyer or judge you're talking to.

In any case, Kessell said, the decision on whether to grant bail or an OR release rests with the judge now and will if the formal OR program is eliminated.

With the presiding judge recommending a budget cut in his own department, it would

seem the supervisors would jump at the money-saving opportunity.

But some powerful support for retention of the OR program also surfaced. The lone Municipal Court judge who supports its retention, Richard McAdams, told the board that the program was also strongly supported by the two Superior Court judges who handle most of the criminal arraignments — Roland K. Hall and Chris Cottle.

Judge McAdams said he and the other supporters of retention of the program believe that to

have "a court presence in the process is critical."

Also supporting retention of the program was Bob Wandruff, the court administrator. But he delayed explaining his position until Tuesday, because the board decided not to make any decision on the OR issue until it takes up the budget of the sheriff's department, which, in its jail function, is also intimately involved in prisoner release.

Aside from the OR program, the board approved the recommended Municipal Court budget of a little over \$2 million.