

# Benton County Office of Public Defense - Operational Policies

### Policy Description

BCOPD has a need to ensure that expenditures for travel incurred for experts, investigators, attorneys and witnesses are incurred in a cost effective manner, and also need to ensure that logistics for travel are arranged in an orderly fashion so as to provide the least amount of disruption to pending cases. Finally, since tax dollars are utilized to reimburse travelers for travel-related expenses, the need to maintain proper outward appearances is necessary so as to maintain the public confidence and support.

### Applicability

This policy applies to all travel by contract attorneys and investigators, out-of-town witnesses and retained experts, and to anyone else who seeks reimbursement for travel-related expenses from BCOPD.

### Procedures

As soon as an attorney of record or contracted investigator determines that travel will be necessary, either out-going or in-coming, such attorney, or contracted investigator (with the consent and approval of the attorney) shall prepare a proposed itinerary including all necessary travel modes and accommodation and shall forward same to BCOPD as a request for authorization in the same manner as specified for other requests for authorization.

Specific travel related costs will be approved as follows:

#### Air travel

1. All air travel shall be arranged through BCOPD's exclusive travel agency, Travel Leaders.
2. As soon as the need for air travel is determined, a request for authorization should be submitted by the attorney of record seeking approval for air travel.
3. Once approval has been granted, the party who will be traveling shall contact the Travel Leaders representative as directed in the authorization.
4. The Travel Leaders representative will make arrangements for travel and will email a proposed itinerary to the party who will be traveling, for approval. Once the party has approved the itinerary, then no changes will be allowed unless changes are forced by court proceedings. Upon approval by the traveling party and BCOPD, Travel Leaders will issue an E-ticket to the traveling party. No paper tickets will be issued.
5. If the attorney of record determines that the anticipated traveling party will no longer need to travel and makes this determination after tickets have been issued, then the attorney shall

contact Travel Leaders and BCOPD as soon as possible to try to cancel the tickets in time for a refund.

### **Travel by Personally Owned Vehicle**

1. Travel by personally owned vehicle shall be compensated at the then-prevailing federal GSA rate for mileage reimbursement. The distance calculation shall be based on the most direct route using highways or freeways, as shown in Google Maps or Mapquest.
2. Mileage reimbursement is limited by the amount it would otherwise cost to travel by air and utilize a rental vehicle. Exceptions to this rule requires **advance written approval** of the Public Defense Manager.
3. Proof of current automobile liability insurance, meeting state mandated minimums, is required before per diem will be paid for travel by personally owned vehicle. For ease of reimbursement, travelers who are under regularly contract may submit a photocopy of their current proof of insurance for inclusion in their contract file with BCOPD.
4. Parking is reimbursable with the provision of original detail receipts. Valet parking is only reimbursable if traveler can justify its use based on cost-benefit or risk-management basis.

### **Accommodations**

1. The cost for accommodations shall be limited to the GSA locally adjusted rate for accommodations, exclusive of taxes and fees. Most establishments will honor a “government rate” that is exactly the GSA allowed rate. The traveler is responsible for ensuring that the rate paid does not exceed the GSA allowed rate. Claims for compensation for amounts in excess of the allowed rate will be written down to the allowed rate and the traveler will be responsible for the difference.
2. For travelers coming to the Tri-Cities, accommodations **shall be booked through Travel Leaders**. This permits direct billing and greatly reduces the complexity of the process.
3. Travelers will be required to provide a major credit card to the hotel upon check-in. All incidentals will be charged to this credit card and are not reimbursable.

### **Meals and Incidentals**

1. The maximum reimbursement for meals and incidentals shall be limited by the locally adjusted rate promulgated by the federal GSA. Except for the case when partial day reimbursement is applicable (eg an expert travels to the Tri-Cities from Yakima first thing in the morning and returns to Yakima before dinner and is therefore only eligible for the breakfast and lunch portions of the maximum daily meals and incidentals) travelers are free to combine meals in any way he or she sees fit, so long as daily maximums are not exceeded.

2. For all travelers except witnesses, meals and incidentals are on a **reimbursement basis only**. In other words, the traveler must have actually spent the money and **must provide a receipt** in order to be reimbursed.
3. Receipts provided for reimbursement must be **original receipts** and may only reflect the reimburseable meal of **one person per receipt**. In other words, if more than one reimburseable meal consumer dines together, **separate receipts are required**.
4. BCOPD will not reimburse for services charges or late fees. Tips are limited to 15% and are included within the GSA specified maximum per meal or per day. Tips in excess of 15% are not reimburseable **even if the total including the tip is within GSA specified maximum per meal or per day reimbursement limits**.
5. BCOPD will not reimburse for the cost of alcoholic beverages. All requests for reimbursement for meals, **must include an itemized receipt** in order to show that no alcoholic beverages are included in the reimbursement request. Travelers are free to submit itemized receipts even including the cost of alcoholic beverages, so long as the cost of the alcoholic beverages are removed from the total amount requested.
6. For purposes of maintaining proper outward appearances, travelers are strongly encouraged not to dine, for purposes of reimburseable meals, at bars, taverns, or any other establishment where the public would generally be expected to disapprove of public dollars being spent at (including adult establishments). Remember that all expense reimbursements are subject to disclosure to the public, including news media, via the Washington Public Records Act.
7. For travel exceeding one day, reimbursement requests **must** be made in the form of an indexed, and itemized list, submitted together with clearly legible original receipts. Reimbursements that do not have an indexed and itemized list, or that do not have original receipts, or where receipts are not legible, will be returned unprocessed.

## Rental cars

1. For rental cars on out-bound travel (ie for use at a location other than the Tri-Cities) BCOPD will reimburse for the rental, and all other associated fees, for a vehicle in the “compact” class. If the particular trip or assignment requires a vehicle more expensive than one in the “compact” class, then **prior written authorization MUST be obtained**. Travelers are permitted to upgrade their rental with the understanding that the reimbursement will only be for the equivalent of a vehicle in the “compact” class. Travelers who are upgrading **are responsible for obtaining data from the rental agency about the price of a “compact” class vehicle including fees and tax, and submitting that with the claim for compensation**.
2. Travelers are free to purchase additional insurance or options including damage waivers and supplemental liability insurance. **However, the premiums associated with such insurance and/or options shall be the traveler's responsibility and shall not be subject to reimbursement from BCOPD.**

3. Rental cars for in-bound travel (ie for out of town travelers arriving at the Pasco airport) shall be arranged through BCOPD. BCOPD has an exclusive business arrangement with a local agency and all local vehicle rentals must be accomplished in this manner. In addition to specifying the need for a rental car, the traveler (or other person on the traveler's behalf) shall contact BCOPD no less than 7 days before the day when the rental vehicle is needed to make arrangements and confirm the itinerary for the vehicle rental.

### **Taxicabs**

1. Reimbursement for the cost of taxicabs will be provided when there is a legitimate need for such transportation (ie it would not be reasonable to expect the traveler to utilize a personally owned vehicle or no such vehicle is available). Travelers are never required to utilize public transportation over the services of a taxicab.

2. Reimbursement is limited to the generally prevailing taxicab or shuttle rate for the most direct route for the trip in question. Travelers are free to upgrade to more expensive forms of transportation such as town cars or limousines. **However, the amount of the reimbursement shall be limited to what it would have otherwise cost to travel by taxicab or shuttle. As with rental car upgrades, travelers are responsible for providing verifiable data about what it would have otherwise cost to utilize a taxicab or shuttle services for the travel.**

3. BCOPD will not reimburse travelers for tips that they elect to pay for transportation.

### **New Form of Authorizations**

Upon approval of a request for authorization that requests authorization to travel, an authorization to incur expenses will be provided. These authorizations will be identical in all respects to authorizations to incur expenses of any other sort except for that the fact that it will not list an amount for any travel related expenses associated with services that will be booked through Travel Leaders. Instead, it will simply list the approved services (eg "approved for air travel and local hotel as requested") and will direct the traveler to call Travel Leaders directly for booking. When Travel Leaders has booked the appropriate services and has provided expense numbers to this office, the authorization may be re-issued, mainly for Auditor's Office payment purposes, listing the expense of the booked services as "approved."