

Transcript of the Nov 6th 2013

Public Hearing of the Spokane Regional Criminal Justice Commission

on Draft of “A Blueprint for Reform - Creating an efficient and effective regional criminal justice system”.

Commission Members:

Judge James Murphy, James McDevitt, and Phillip Wetzel

Times indicate when speakers appear on the video recording.

The video recording can be viewed at: www.spokanecounty.org/srcjc

00:00:00 - Jane Corn - Dean of Gonzaga Law School: Good Evening. Welcome to Gonzaga Law School, I'm Jane Corn and I'm the Dean here. We are honored to host this public hearing regarding the Blueprint for Reform drafted by the Spokane Regional Criminal Justice Commission. They have a huge job. They were tasked with conducting a comprehensive review of the entire Spokane regional criminal justice system by looking at the entire spectrum from pre-arrest, to incarceration, including alternatives to incarceration, re-entry and recidivism. They are to make specific recommendations to the City and County to address reduction of crime, the efficiency and effectiveness of the Criminal Justice System, the effective use of detention, and alternatives to detention and more, with the ultimate goal of putting in place a criminal justice system which is efficient effective and guarantees adherence to the mandates of the United States Constitution and the Constitution of the State of Washington. So thank you for having this public hearing here, and thank you all for attending.

Let me introduce the panel first tonight. First, the Commission Chair: the honorable James Murphy. Judge Murphy who is retired from the bench was a founding member of the judicial mediation group.

The Second commissioner tonight is Phillip Wetzel who worked for the Spokane County Prosecuting Attorney's Office, and is now in private practice and primarily represents accused persons.

And the third commissioner is Jim McDevitt, the former United States Attorney for the Eastern district of Washington and who is currently general counsel for the Spokane Airports. And I'm very pleased to say that all three are graduates of this law school.

Also on the panel tonight are Dr. Jacqueline van Wormer a WSU research partner. Karen Westberg, the Commission Assistant, and Lt. Mike Sparber, representing the Spokane Police Department.

I'd like to ask you now to please turn your cell phones off. And then please join me in welcoming them and thanking them for the work that they are doing. Thank you.

02:46 - Judge Murphy: I'd like to introduce Lt. Mike Sparber.

Lt. Sparber: So that I can set the “rules of the road” here. Ok, so first off thank you for coming out to hear the overview of the Blueprint for Reform and we’re asking that you reserve your comments, if you’ve filled out a comment form to speak, to this draft and the content that’s in it. Moving forward, how to make a difference and how to go forward. And we’re really not here tonight to engage in a debate over the content of this but to take your public testimony to help. This is a draft and they want your input as far as moving forward with it. Anyone that wanted to speak should have filled out one of these cards. You have 3 minutes to give your testimony, you’ll be called up by your name to give your testimony, and please limit it to the content of this.

03:48 - Judge Murphy: Thank you. I’ll be the timekeeper tonight. I want to point out that this is draft. This document is a draft. Your position is important to us. We have had 37 public hearings over the course of the last year where we went through the whole criminal justice system. We spoke with over 400 people in advance of preparing the report that is before you. This is an opportunity for those of you that we didn’t get to talk to, to say something that you may have regarding the content of this report. For those of you to whom we have chatted, with whom we have chatted, and have talked with, this is your opportunity to state your position on any recommendation that we made. I find that during this process we probably ingratiated ourselves to some people and we probably really irritated other people and to that extent, we tried to be as forthright as we could be based on all of the information that we were able to gather, and we would welcome your comments about the content. This will not be a dialog between the Commission and the members of this body here tonight, but it is an opportunity for us to hear what you have to say. We will then take the contents of the comments that we have tonight, we will revisit all of the certain recommendations that have been made to which you have addressed yourselves. Some we may rewrite, some we may improve, some we may detract from, and hopefully, within the next month a final draft will be presented to the Mayor and the County Commissioners for their decision on what they want to do with this process. We were promised at the outset, that this plan would not go on a shelf. There have been a number of studies done with the Criminal Justice System in Spokane County and there’s been some progress made as a result, for instance David Bennett’s reports. Other reports that just got put on a shelf. I’m confident that the promises that we were made, that the leaders of our community would give due deference to the report, and to the extent that they were able to implement it and felt it was wise to do so, that they will do so. So, let us begin, call the first hearing.

06:57 - Todd Ekloff: Good evening. My name is Todd Ekloff. I’m the minister at the Unitarian Universalist Church of Spokane and I’m active in the Smart Justice Campaign. I mostly want to spend my brief time by thanking you for your outstanding, thorough and perhaps most importantly, practical approach to making Criminal Justice less costly while making our community safer, and helping make people more productive contributing members of society. As you know, Smart Justice is a broad diverse coalition of 31 organizations, including my church, and I’ve been asked on its behalf to begin by telling each one of you: Jim McDevitt, Phillip Wetzel and honorable Jim Murphy, how much we appreciate your hard work, dedication and service to our community. I also want to especially thank our Spokane County Commissioners and Mayor Condon for recognizing how urgent and incredibly important the issue of Criminal Justice reform is to our community, and for your leadership and foresight in appointing

and assembling the Spokane Regional Criminal Justice Commission. To the Commission itself, we are extremely impressed and pleased with your Blueprint for Reform, and want to along with our County Commissioners, and Mayor know that we want to see this draft proposal go forward and become the basis for a more efficient and effective Criminal Justice system. As citizens of this community we congratulate you for your hard work, endless hours, and extraordinary commitment to listening to so many stakeholders throughout this long process. Your Blueprint shows that you genuinely did listen to us, and included many practical suggestions in your recommendations. Clearly you also examined genuine evidence-based practices by researching the work of David Bennett, working with various law schools and Universities, visiting other communities, and interviewing virtually every criminal justice office in our community. Your resulting landmark blueprint, which recommends embracing modern technology, cost-effective programs that are backed by data and research, updating our jail, monitoring systems and building a Community Corrections Center will put our community on the 'cutting-edge' of Criminal Justice.

In Section 4 which discusses the need and potential difficulties of consolidating some duplicative services, your blueprint states "Criminal Justice takes political courage, skill and, most importantly, time and strong leadership." These are true and inspiring words, making me think this might also be a good place to specifically define other problems requiring such courage and leadership. like having too many non-violent offenders in jail, the disproportionate impact of communities of color and upon those living with poverty or with mental illnesses, addictions and disabilities. The Smart Justice Coalition urges our elected officials to spend our tax dollars wisely, on fiscally responsible programs proven to reduce crime while keeping our communities healthy and strong. We want a system with sound alternatives to an incarceration -only approach, and reserves costly jail space for violent and high-risk offenders. Your landmark Blueprint can help us accomplish this and much more. So again, thank you for your own courage and leadership and commitment to our community and for your outstanding work. I applaud you.

10:50 - Breann Beggs: Hi I'm Breean Beggs and I'm also a volunteer with the Smart Justice Campaign and I'm on the steering committee. And we wanted to really commend you for three things. Your diligence and all the meetings and all that you listened to and read. It's a tremendous amount of effort that you went to. And secondly, the quality of your analysis, you really explained the system how it works and how it needs to be reconstructed to work better. Most importantly, for myself though I wanted to commend all three of you for your courage and speaking the truth. I think too often, in our criminal justice system when we're up against it, people aren't willing to speak the truth about what's not working and what needs to work and you all exhibited, I think, great courage thus far and I think it's going to be that courage that gets us to the next step. As you know, the Smart Justice Coalition was simply people two years ago who said that the system's not working, it must work better. We reached out to people inside the system and outside the system and looked at all the evidence and the science and we realized that we need to change things. That the way it's going, it's costing 70% of our budget, and nobody feels that safe. And we developed an idea that perhaps we have been asking the wrong questions in our criminal justice system. We need to ask "What actually creates public safety?" "How do you get people that are in the criminal justice system to stop behaving like criminals?" "How do you

take care of victims?” and “How do you do it cost-effectively?” And the proposals that you have come up with, the alternatives, the taking non-violent people out of the jail and putting them on electronic home monitoring, and using evidence-based practices. So that we’re confident as tax payers that the money we’re spending is reducing crime and is the way forward. And you detail that and I’m sure other people will commend you for specific programs. But that level of analysis means a lot to this community. And it especially does, because it comes from you, the group that was asked by the highest leaders in our government to come up with a plan. But now we almost have the plan, not quite final, but we almost have it. And now it comes to the last part of your report where you talked about courage. You said that “the failure of leadership, the City and County to create this process through the granting of authority to the Regional Justice Commission (RJC), will doom us to the status quo.” And we, in the community, want to honor your courage by simply promising you tonight that we will stand with you to insist that the plan goes forward, no matter how many meetings we have to go to, no matter how many phone calls, how many votes to fund it, and to work with people collaboratively to make it work. Because the truth that we found is the truth that you highlighted in your report: The people in the system are working really hard, and they really care. And we’re all looking for good outcomes. We just need to do it a little smarter with the kind of evidence-based practices that will make a difference. So we salute your courage and we will join you. Thank you.

14:28 - Pastor Alan Eschenbacher: Good Evening. I’m Pastor Alan Eschenbacher, tonight representing All Saints Lutheran Church as well as the Smart Justice Campaign. I appreciate your work on this very well done report, and the opportunity to provide feedback. I am involved in Smart Justice because a large number of the people that I work with every day are impacted by the criminal justice system. I’d like to focus my comments on mental health, and the training and encouragement for the community to be more involved in the ongoing support for people with mental illness. The Spokane Community Mental Health Chaplaincy is a dream and a passion of mine that started in 2010 when the Reverend Craig Grennibaum who was the chaplain at the very successful Seattle Mental Health Chaplaincy came to Spokane. The ideas and training that I learned, and that the chaplaincy uses are definitely things that would benefit Spokane and would fit nicely with the recommendations in your report. Specifically, recommendation 5.3 # 4 on expanding the Crisis Intervention Team program. I hear stories weekly from people on the street and in the community, about their interactions with law enforcement and the problems that they have with their illness. The Chaplaincy uses a local faith-based circle of care model that I think would fit great with the CIT program and in working with law enforcement to better help folks.

Education and volunteerism, I believe, is the best way to provide help and care for people after they leave jail or after they leave Mental Health Court, or some sort of treatment program. The key is to keep people out of the system after they’ve graduated from a program. Faith-based organizations are uniquely designed to help cope with problems, because mentally ill people definitely have a faith-based aspect of their illness. The criminal justice system in Spokane County is hard enough for most people to deal with, especially so for people with brain illness. I believe that the alternatives to incarceration that you have in your report are great, and that we as a community should do everything that we can to make sure a person’s illness does not hinder them from getting equal and fair treatment.

I laud your report, as a great step forward in dealing with the problems in the criminal justice system and I look forward to working with law enforcement and the criminal justice system with our chaplaincy in the future. Thank you.

17:56 - Judith Gilmore: Good evening. I'm Judith Gilmore. I'm here as Judith Gilmore, I'm also here on behalf of FULCRUM Institute Dispute Resolution Clinic. And, while some of what I'm going to say has already been said, all of you know me well enough to know that's not going to keep me from coming up here and talking some more so, I'm going to say it again. First, let me say... and you all know I've been around a while, so I've served on a few committees, commissions and boards. You all took on somewhat of a monumental task when you agreed to serve as Commissioners on this study. In my estimation, you have set the bar pretty high for such committees that may follow you in any such endeavor in the future. You have met with hundreds of individuals, and I know that because I went to most of your public meetings. And as someone who attended a great many of those, you undertook each of them with notable interest, unbiased consideration, and always with the utmost respect from those who were making their presentations to the commission. I believe the community owes you a great deal of gratitude for that. Your final report is direct, thorough and deserves the full attention of compliance from the City and County officials who authorized the study and charged each of you with the task of completing your review and submitting your recommendations.

Certainly of great interest to we at FULCRUM are your recommendations that every alternative sentencing opportunity be available to all appropriate offenders as identified by risk and need regardless of jurisdiction. For this, most certainly, is a recommendation which FULCRUM has proposed since recognizing how many incarcerated individuals have themselves stated to our staff repeatedly that they wish that they had had the opportunity for the educational classes, mentoring and/or employment assistance earlier in their lives. Many noting that they believe if they had any one of these, that they may not have ended up on the inside of an incarceration facility. For as you stated on page 49 of your recommendations; "jail is the least effective way to change behavior, and should be reserved for those individuals that are a true threat to public safety.

In closing, I would like to add that your recommendations in you report under resources and priorities, are certainly worth the consideration for funding the work that most certainly will need to be performed by community agencies and non-profit organizations who currently provide a tremendous aid and assistance to former offenders and could do the same, if not more, for individuals which would most likely defer them altogether from incarceration. Both the city and county officials surely know that they have a tremendous wealth of expertise in the many non-profit service agencies in our community. As the Commission and community have been promised, this report will not be put on a shelf. And I would be right behind Mr. Beggs, holding the sheets for signatures or banners or whatever it takes to make sure that your work is not put on a shelf, but rather is moved forward at great haste by the City and County elected's who put this together in the first place. Thank you very much.

21:57 - Bonnie Mager: Good evening. For the record, my name is Bonnie Mager. Thank you for holding this hearing and giving the community the opportunity to share suggestions and input. Thank you too, for producing what I consider to be a landmark report which when implemented, will go a long way

toward moving Spokane County toward transparent and effective Criminal Justice System. Like many citizens, I was naive about the complexity of the criminal justice system, but after my election in 2006, with the new jail being considered, by necessity criminal justice came front and center on my radar screen. I made it a top priority to get up to speed, including taking the same tour you took to the Hillsboro jail. That trip was a revelation to me as we were given the chance to a functioning smart justice system that focused on breaking the cycle of recidivism, and thereby not only restoring the offenders to productive lives, but also saving the ongoing cost of incarcerating people over and over again. You could say I came away from that trip a “convert” to this evidence-based approach to criminal justice. I commend Judge Moreno for all of her efforts in implementing pre-trial, and look for benefits already achieved by the juvenile, mental health, drug and other courts. I look forward to the implementation of a Community Corrections piece.

I appreciate very much that your report highlights the importance of implementing a complete, holistic system, then tracking and assessing outcomes as a precursor to any new jail discussions. I also appreciate that the report is well written and easy for a lay person to understand. That will go a long way toward educating our citizens on the benefits, both human and monetary of using risk assessments combined with alternatives to incarceration.

I definitely see the value in making the system accountable, as well as autonomous in order to be protected as much as possible from political whims, and commend your foresight in including a structure that is meant to insure those goals.

As I read the report, I'd like to make one recommendation; Any funds that my need to be raised in excess of what can be achieved through efficiencies, should be tightly defined, and clearly designated to support only the programs for which they are intended in order to shield them from the vagaries of time, or mission creep. I would also ask that some form of citizen oversight committee be included in the recommendations for future revenues, to insure public confidence.

As my time is running short, I would just like to thank you again for a truly landmark report and for all the time and effort that was extended by yourselves on behalf of our community. I look forward to the final report and to its implementation. Thank you.

25:40 - Kerri Rodkey: My name is Kerri Rodkey and I work for SNAP, Spokane's Community Action Agency. We actually serve about 10% of Spokane County's population, specifically the low income and vulnerable people, and many of them are ex-offenders. As we work with them coming out of incarceration, what we have found is they often didn't have much of a chance. What we heard a lot was a one day bus ticket and \$40 in their pocket. I'm sure that varied. But, for them to be able to live and work and eventually to thrive in that situation really felt hopeless to a lot of people. And so, as we at SNAP were engaged in our mission of trying to help people and to create opportunities for people to thrive, we began putting together partnerships with organizations like Work Source, FULCRIM Institute, Department of Corrections, Community Child Support, private businesses, homeless coalition, trying to put groups together that had resources and expertise that could help the situations. People who had access to housing, transportation, employment, volunteer mentors, and basic needs. Formed the Restart Program and also Reentry Housing Initiative. Got some funding from the US Department of

Labor who have years of experience in working on employment for ex-offenders. Had the opportunity through training and connections with other organizations around the country doing this work to learn what's working in those other areas. We've been doing this for about a year, and the early results are promising.

What I want to say is that I support and compliment your efforts to involve social service organizations and their partnerships in the solution, urge you to put greater emphasis on creating those connections pre-release. In supporting evidence-based community programs like Restart and Reentry housing initiative, because community support after release is essential to reducing recidivism. Thank you.

28:30 - Bart Hagen: Hi, my name is Bart Hagen, and I've been involved with the Smart Justice organization from the beginning. I would just urge you to remind the public that punishment doesn't work, either for children or for violators. I think that is really an important issue that people need to realize. We're not talking about consequences, consequences are different than punishment. I would say that after all we want to do; we want to protect the community from violent cases, obviously. But, as we go forward, I know that you've kept in your mind the idea that we're trying here to do the right thing - not the cheapest thing. And the solution is always going to be expensive and it's always going to be influenced by cost. And we really have to keep in the back of our minds the idea of empathy and caring about all these human beings that go through the system.

I would also like to really emphasize the idea that we want to try to prevent, as much as possible, a felony conviction. A felony conviction in this system is a life sentence. It stigmatizes a person for their entire life. I think that should be changed, but at the present time that is the case. And I think it should be avoided at all cost. It has a huge impact on job opportunity, and it stigmatizes the person for the rest of their lives.

I'm very much in favor of the pre-trial programs; I think they're very important. I think that the 24 hour clearing house idea of getting people into pre-trial circumstances as quickly as possible, and as a preventive measure of incarceration, very important! I think we need to keep people out of the system that leads them to jail, and that's what the pre-trial options do. I think all of the people that are involved have stories to tell, and issues to deal with. And we must be conscious of those issues, and those stories as we go forward.

I think we need to keep people safe in the community, but we also need to learn as much as possible from new the science that is available to us. Psychology, criminology needs to be front and center, but also the issue of neuroscience. We've learned so much about how the brain works and how the brain matures, and how that impacts the people that are victims of the criminal justice system. So, I would really urge you to try to proliferate, as much as you can, the issues of neuroscience and how the brain works as an explanation for some of the things that happen that involve the criminal justice system. So, with that in mind, try to do the very best you can about treating these people as human beings, and with empathy and caring. Thank you very much.

34:08 - Bill Moore: Good evening, thank you for the opportunity to talk. I'm Bill Moore, I have not been involved in this system at all, as of lately I've been made aware of what's going on. I did read your

report. It is wonderful. When I read it, it was like, "Of course! We're not doing this yet already?" It just seemed like a 'no-brainer', excuse me. It seemed so obvious, these are fantastic.

Anyway, I want to applaud you on the work that you've done, it was magnificent. Go for it. I will be behind you now. I've been involved in other steps. In fact my son is in jail right now, and a lot of what you've proposed will make a magnificent difference for him. He'll be out shortly. He's in because of a parole violation, a non-violent parole violation. Why is he in jail? And I think what you've written here will address that issue.

I should say, I'm not here to bad-mouth anybody in the system right now. I've had good contacts with the Detention people, the Police, with the courts. All great people who a great job. I think the system needs to be adjusted. I've been treated courteously. My son's been treated courteously in jail. He's well fed, in fact, he said he's not eating as much as he could because he's gaining weight. He gives it away to other inmates, so he's doing well. The one issue that I would like to see a little more emphasis on is mental health. He has a mental health issue and he has meds. When he was taken into custody it was made known the first day what medicine he needed to have. He, but he did not get it for six days. Which, turned out that it was okay, there wasn't a major issue. But for some it could be major and in terms of keeping fighting down and other issues in the jail. It seems like that needs to be addressed and there should be a goal. If there is a known medication, that should be acquired, like that day and then the other medical issues should be addressed, to make sure the physical health of the person in jail is contained because when I think of somebody in jail, that should be the safest place in the whole world. You know, you shouldn't have to worry about your physical being or your mental health. You're not in charge of it, somebody else is. So I applaud your report.

One other issue which I'd like to see addressed would be education. I've learned, through talks with my son and others at the jail that there are a lot of people learning how to read in jail. And right now all they do is they play cards. They talk to each other, they have discussions. But there's no education going on. You've got a trapped audience that could learn, a lot of them would like to learn, and they're not being given the opportunity. I'd like to see that somehow worked into the system so that that happens. City, County coordination. And then schooling after being out of jail, schooling to direct people who have been in jail to jobs that they can directly hire into, a coordination with the community colleges. Those are my recommendations. Thank you very much.

38:20 - Earl Blanchard: Good Evening members of the commission. My name is Earl Blanchard and I represent C.O.R.D. That is the Coalition of Responsible Disabled. We at C.O.R.D. would like to compliment you on the pretrial assessment decisions which will provide social services and drug treatment programs for the people that we have in there. We serve consumers with different disabilities. We ask that everyone be treated with respect, regardless of their abilities and/or differences. This must be addressed by the criminal justice system. We cannot discriminate against any group. We need to work together to facilitate positive and constructive changes in our justice system. Thank you.

39:30 - Liz Moore: Hi. My name is Liz Moore. I'm the director of the Peace and Justice Action League and we are a part of the Smart Justice Campaign. We care deeply about Criminal Justice reforms and your

recommendations because we believe in the principals of safety, accountability, healing and justice. And I want to thank you very much for your tremendous efforts and for the results that you've already produced.

I personally, and on behalf of the organization, applaud your recommendation 5.34 to expand crisis intervention training to the County, as well as to evaluate and strengthen the programs in the city. Ah, that was my Dad. And my brother was tackled by two deputies while in psychiatric crisis, which resulted in injuries to him and to the deputies. Two felony charges and jail time for him. And I think about how that could have gone differently if those deputies had had additional tools to work with through what they could have learned through Crisis Intervention training. Everyone in Spokane County deserves to have their loved-ones dealt with as human beings in psychiatric crisis, not as criminals in those moments. And I would love to see the final version of your report exclusively recognize that we need a whole network of properly funded resources to divert people with mental illness. I think it is in the, if you look for it, I think it's in the report, but I think calling it out explicitly is worth-while. We need that network of resources in addition to law enforcement training. We know from family experience that being incarcerated can severely worsen someone's mental state, and that that damage requires recovery and expense and time and is not in the interest of our community if that can be prevented through a diversion.

I was incredibly delighted to read your recommendation 5.12 that a disproportionate minority contact workgroup be established to "insure that all criminal justice departments make a commitment to achieve racial equity in our systems and to build a culturally appropriate programs and support services for offenders". You named the reality of racial disparity that exists in our criminal justice system that other bodies have chosen not to name or to acknowledge. And, it's exceptional and meaningful leadership on your part that is even more important because you are naming that it's the system's responsibility to achieve equity in outcomes.

I think that you would serve your recommendation well by calling out effective and available implementation tools that are currently in use, such as the racial equity toolkit used in Seattle, or the Racial Impact statements used in Oregon.

You began your overview by discussing how the offender is reintegrated into society after disciplinary or restorative action has been taken. I think there's a great deal of room to learn from restorative justice models. And I wish that we had included that topic when our campaign spoke to you. It's something that I am just barely learning about but that seems like a tremendously transformative model. And in the absence of restorative justice the default model is retribution. And although it's a very human urge, it is not a healthy basis for action or policy, or community building. And I wonder what pockets of excellence or just pockets of initial good results on restorative justice could be explored as models to <<unable to decipher>>.. as given us as basis for additional pilots.

But I want to end by lifting up your strong evidence-based statement that jail is the least effective way to change behavior. And again, to thank you for your really excellent work. Thank you.

43:42 - Mary Lou Johnson: My name is Mary Lou Johnson. I'm a volunteer attorney with the Smart Justice Campaign. I'm involved because my work in Federal Drug court taught me that people with addictions and long criminal histories can change if the system and the community provide the necessary evidence-based programs and support services. To offer that opportunity to change lives, reduce recidivism and create a safer community this region needed exactly what you provide: An independent and thorough examination of the whole system. But it also needed individuals courageous enough to be honest about what has to change. So I echo all of the "Thank-You"'s. You've given this community the opportunity to achieve excellence by drafting this landmark Blueprint for Reform.

Although I support all of the recommendations, I want to highlight in my time, two of them.

First, the administrative structure you've developed with an independent executive board and an administrator show us your understanding of the system and the hard truth, that without this structural change and increased collaboration within the County and the City, we are doomed to the status quo, which is ineffective, and a terrible waste of human and financial resources.

You also established work groups on four important issues. This structure shows your commitment to collaborative problem-solving on thorny issues. This is where the criminal justice professionals and the community can provide their expertise to develop creative solutions. Our current system of 'silos, which you recognized, make this collaboration very difficult. We need your system to encourage more 'pockets of excellence'. I think the joint effort with the community would be strengthened if the Public Community Section in 5.1(3) identified explicitly that the public and community would be involved on the executive and Law and Justice committees, and the work groups. We particularly would like to see people of color and those from the affected communities represented, as they bring the invaluable perspective.

The second topic is the report cards. You developed a terrific plan to insure that all units in the system are reporting on 'outcomes', not 'outputs' to measure success. You also appropriately extended the report cards to outside agencies that provide contract services. This is a clear necessity, because we cannot expect offenders to make major life change if the programs and services they participate in are ineffective. These criteria, I think, should also apply to community services that may not be contracted but to which offenders are referred. Those services too, must be evidence based.

Additional Smart Justice Campaign suggestions will be provided in writing. But thank you again for your visionary Blue Print.

47:20 - Doris King: Good evening commissioners. And thank you for being here tonight, and for your progressive thinking and your exemplary work on your Blueprint for Reform. I'm Doris Patriquis King, member of NAMI, the National Alliance on Mental Illness, and a volunteer for Smart Justice.

As a mother of an adult child with schizophrenia, I applaud you for your recommendations addressing the disparity of arrests for individuals with disabilities. Mental illness is definitely an equal opportunity disease and disability. Seven point seven million Americans are victims of severe mental illness. You have recognized that an evidence-based needs assessment prior to arrest are an essential and an appropriate response to misdemeanors committed by those persons that have disordered thinking and

disjointed perceptions. Hopefully, these evidence-based and compassionate alternatives to incarceration would happen at the pre-charge and pre-trial phase. Also, you acknowledge that specialty courts like Mental Health Court have to be strengthened, where treatment and outpatient commitment could be mandatory. Obviously there is significant mistrust between the mentally ill population and the City and County officials. Since mentally ill persons with distorted thinking have little insight into criminal justice, then I believe it is the duty of officials to have more insight into mental illness. We have to be the leaders who make smart judgments about how to make the community a healthier, safer place for all.

Incarceration is no solution to preventing the annoying, yet non-violent crimes committed by those persons who are severely mentally ill. Most non-violent crimes are a result of a brain diseases disordered thinking, and therefore disordered behavior. According to Dr. E. Fuller Tory, author of "Surviving Schizophrenia", 40% of any mentally ill population is unaware that they are ill. If such individuals are incarcerated, they are further traumatized and degraded by the ridicule and abuse by other inmates. This is cruel and unenlightened punishment and does not help the community. It breeds recidivism and places a burden on taxpayers. According to Dr. Tory, just 1% of mentally ill people are violent. While there is a correlation between mental illness and violence, the 1% of mentally ill people who are violent have drug abuse problems, have no awareness of their illness, are not medicated, and have a history of violent behavior. For the 99% of our citizens living with mental illness who are not violent, we must have alternatives to incarceration that offer hope and dignity. Please be the leaders in helping mentally ill citizens be part of a just, safer, healthier neighborhood in Spokane. Thank you.

51:05 - Jack Driscoll: Thank you. My name is Jack Driscoll. I'm the Chief Criminal Deputy for the County Prosecutors office. I first wanted to thank you for your time and effort. I know this was a huge task, a huge undertaking, with all on volunteer time on your part. We all appreciate the effort you put into this report and what you're doing for the community.

I wanted to address specifically the ECR component of your report. I've been involved in that since its inception, so I know quite a bit about it. Your recommendation 5.6 (3), that the Spokane County should commission an independent evaluation of the Spokane County Superior Court ECR Program, which I think is a great idea and I believe we are currently we're working with Washington State University to do just that. So there you go. You can check one off.

And in that you say that "to date it has not been independently evaluated, and it is essential that such an evaluation should be commissioned to provide information on the effectiveness of the program, and ways in which the program can be improved. Without a sophisticated independent evaluation, the degree to which the program is evidence-based cannot be assessed." So I think that's a good idea, that we base any decisions on how to change this program on evidence-based programs and an evaluation done. But then in 5.6 you boldly go and go ahead and suggest some changes nonetheless to the ECR program, and that's what I would ask is that instead of making recommendations for changes and improvement at this time. That you would wait until the evaluation is done so that any recommendations can be evidence-based. Because I've gone to a number of meetings where more often than not it ends up being anecdotal evidence about "something happened, and something this"

and I know you have talked to a bunch of people but what you're doing is talking to a bunch of people, and making some recommendations based on what they're saying instead of what an evaluation is gonna say. I'd rather any decisions get based on the evidence-based programs, rather than just what people are telling you, what their complaints might be.

53:10 - Judge Murphy: Jack I think that's really a point well taken. Throughout this report we dwell on evidence-based practices. And the fact that you have adopted evidence-based practices and you entered into an evaluation of your program which will reflect the effectiveness of the programs, I think means immediately that your suggestion is appropriate.

Jack: And just to tell you, the direction that we've come. I know Mike Sparber just left, but he can attest to it as well; when David Bennett first made these recommendations for changes the warrant rate was the highest it's ever seen in the community. The filing rates, things were getting filed late, and part of his suggestions were if you filed cases within 72 hours you were going to cut down the warrant rate, you're going to cut down the times people are in jail because the cases are filed sooner and when cases are filed sooner the evidence-based practices show that there's a consequence to the immediacy of the arrest that has a better impact on changing people's behaviors. Since we've adopted this, this year we've filed over 1000 cases in ECR in the first 10 months of the year and over 800 cases have resolved. So it's a fairly high rate that cases are resolving in ECR. Every month we get a report about how quickly we're filing cases. In the month of September we made a decision on 98% of the cases within 72 hours. When we started out we were probably in the teens, so there've been huge improvements, and hopefully the report will bear that out. I thank you for the opportunity to make comments.

55:20 - Judge Debra Hayes: Good Evening. I am Judge Debra Hayes. I am the presiding Judge for Spokane County District Court. I want to talk just a little bit about our therapeutic courts. I've heard a lot tonight about mental health and the impact it has on the criminal justice system. And it has been an absolute honor to work with the folks in our community, our partners in trying to address that issue in the criminal justice system and the collaborative court that we have with the city, the Mental Health Court, and I am pleased to be able to report to you today that there has been an independent evaluation done, it's out of Houston, and it will be in its final form shortly. And one of those wonderful things I'm going to report to you is that we had, just with rough figures, anticipated it would be about a 30 - 35 % recidivism rate, which would be an amazing thing because reports statistically, without any meaningful intervention the mentally ill have about a 68% recidivism rate. And we said about 30, and it came out just a little bit above 30% recidivism in Spokane County. And I think that that is a, it's a group effort, it's partnerships, and it's everybody working toward the same goal of helping the mentally ill find their way, find their way to those lives they can have. And I've been honored and pleased to be able to be a part of that, and the fact that we are offending recidivism in our mental health court. I also have been excited to be on the state level working towards reform with the mental health courts, and I think that it is one of those 'pockets of excellence' that perhaps didn't get the crown that it deserved, in my opinion.

57:10 - Judge Murphy: I would like to see the evaluation once it is completed. (?)

57:11 - Judge Hayes: We've also been able to show \$3 Million savings, just in jail days. Where that we have kept the mentally ill offenders out of jail. So we continue to work to serve that population and give them the dignity that they deserve and it's been a wonderful, wonderful honor for me to be able to serve for two and a half years in that court system.

We are at a very exciting and challenging times as a court. And we also have our therapeutic courts, which you're well aware of, which were presented on. We have a Probation department, who is cutting-edge. They are accessing funds outside the criminal justice system to meet the needs of offenders, the chronic DUI offenders who are now taking courses that are changing their lives as well. Our Vet Court is federally funded. We do not have to rely on the funds here locally because we have Federal funding. And with that comes and evaluation. There was one done last year and that will be a follow up of this year.

I also am concerned though, I think the report, there was a bit of information missing and that was in the area of domestic violence. I know we have some people here from the Y. We need to do better to addressing domestic violence problem here in Spokane. We need to look at ways that we can affect behavior. I don't know that anybody has a magic answer to that, but I do now that one part of the criminal justice system is for victims to be able to access the criminal justice system. And I did not see that in the report, as far as the victim involvement in the process. As they have a statutory right to be a part of the process and we have the responsibility in this community to do more in terms of domestic violence and how we are addressing that as a community.

I know that it's probably more of.. If you've read the report you're looking at me as the presiding judge of District Court, and there were some pretty harsh criticisms lobbed by you all against the District Court. And I have asked Judge Randy Brandt to talk a little bit more about that, to be able to maybe address some of those things. We as a District Court are working very hard to provide this community with a fair place to have their concerns addressed. We are the people's court, we have civil cases, we have criminal cases we have traffic infractions and we as a court, and every single judge and our greatest asset right there, a lot of our staff are here today, work tirelessly to improve the system and we look forward to working in a cooperative manner in making it an even better regional system than it is today. So if I have any time left I want to ...

1:00:07 - Judge Murphy: You don't

Judge Hayes: Judge Brandt, I told you I was gonna take Judge Brandt will be the incoming presiding Judge in January and so I kind of tasked him with doing some of the other overview. So thank you.

01:00:52 - Judge Randy Brandt: Good Evening Commissioners. Thank you for very much for the opportunity to speak. Thank you again I'm Randy Brandt, I'm the acting Presiding for the District court and the acting Elect for the 2014. I, and our bench certainly appreciate the huge efforts that this commission has gone through. We don't, we can't imagine the efforts it has taken, the time and the energy and the thought to come up with these conclusions. We recognize those efforts. And we also hope that you recognize that we may disagree with a couple of the items, the overall concept; no.

Judge Murphy: We're not surprised.

Judge Brandt: So, because we feel that we are one of the focal points of your review, we've read your report with some concern. Maybe not all the relevant facts have been taken into consideration which may have led to some incorrect, subjective conclusions. To us it appears that there are some major misconceptions regarding both the Spokane Municipal Court, and the Spokane County District Court.

We support the very laudable goal, but we're a little concerned about how it could be accomplished, because we have been trying for years to continually innovate and improve the system to accomplish exactly what you are trying to accomplish also. So it's always good to have the outside looking at us so we can look at ourselves. It's a poor woodsman that doesn't stop once in a while to sharpen his axe.

"The District Court has been in my opinion, labeled as lacking innovation, cooperation and effectiveness."

Let's talk about the cooperation: The District Court for several years has worked cooperatively to reduce costs with several other regional courts by providing visiting judges. We trade. It saves our community money. The District Court is in full cooperation with Spokane Municipal Court in a relicensing program under Judge Derr. Mental Health docket is another fully cooperated docket, and I preside over that docket. In recent weeks we've picked up about somewhere between 35 and 40 new referrals.

Historically, as you all know, the District Court objected to the separation of the courts. I believe that you'll find that our bench has always held that the separation, in part by the creating a major duplication of services, had the most detrimental impact on the efficient and effective regional criminal justice in our community. We felt, and feel that separation was not in the public interest. However, the decision was made, and we've cooperated with that decision. While the District Court has always been open to cooperation, we don't feel that we're met halfway. Your report indicates that it's clear that "The Municipal Court and all City agencies have been innovative, cooperative and effective.... This cannot be said about the District Court" reads the report. We feel that this is not accurate. Not supported by facts.

The following innovations by the Spokane County District Court cannot be overlooked or ignored:

- We share the goal, and have always shared the goal of making sure the public is safe with the high-end offenders. And we have continually looked for ways to keep low-end offenders out of jail with all kinds of alternatives to incarceration.
- The District Court was the first court to innovate the use of alcohol monitoring devices called SCRAM, for one, which was through our probation. One of the many alternatives to incarceration used daily by our court, keeping people out of jail and saving taxpayers countless dollars.
- The District Court was the first court to innovate the use of electronic warrants, as was recently acknowledged in the Spokesman Review. These include the electronic blood warrants used to expedite a judge using law enforcements need for an immediate warrant to preserve rapidly disappearing evidence.
- The computerized arraignments and first appearance dockets rely heavily on the Early Case Resolution program mentioned by the Prosecutor, Mr. Driscoll. The lions-share of cases that come into the arraignment docket are resolved at the arraignment docket, and I think the figure is 72 - 80 percent, somewhere in there.

- The District Court was the first to develop the DUI 'DIS' program, which later became the Intensive Supervised Therapeutic Court. That is one of the three therapeutic courts innovated by the District Court and are still maintained by our court. Substantial innovations.
- The District Court was the first to institute the Mental Health docket, which Judge Derr developed years ago, about 15 years ago. This is a monumental innovation with profound benefits to the community and savings to the taxpayers. Our mental health court is being contacted by other regional courts who are now setting up their mental health court. They're looking to us as the model. They want to know how we do what we do. How we keep people.. how we reduce recidivism so substantially. How we have reduced jail-day costs substantially. Huge innovation.
- The District Court is the innovator of the Veteran's Court. We have a retired Army Colonel, Judge Vance Peterson, who just last year returned from combat in Afghanistan, running that program. That is an unparalleled and substantial innovation to the community. Our Vets court is now being considered as an academy training court.
- District Court was first to provide counter mitigations for civil traffic infractions. That never happened before. The District Court was the innovator and the first court in the entire United States to go 100% E-mitigation. So people could get their fines reduced. Wouldn't have to even come to court. We are one of the first two in the state to have any mitigation issues. Judge you may recall that may have been during your tenure.
- The District Court has received two international awards for being in the top ten of courts websites for efficiently providing information about the court, and the public's access to justice. "International!" I think one of the other courts actually was in Korea and Ireland.
- The District Court was the leader in the initial use of the FTR Gold, that was a permanently stored digital recording system that reduced cost, like doing away with the cassette recordings.
- The District Court was an innovator in first utilizing the outside agencies for the accounts receivable collection of fines.
- As mentioned by Judge Hayes, the District Court is an innovator in the Domestic Violence court which was considered, and is considered a national model, in conjunction with the City court. After the separation that's changed. These and many other innovations all reflect our attempts to reduce recidivism and deal with the high priority in our mind and our actions to reduce jail costs.
- In Spokane County there is about 115,000 new cases filed each year according to the administrator of the courts. There's tens of thousands of carry-over cases by all three of the primary courts here. The District Court hears 58 to 59% of that, 115 thousand cases every year. That's about 60 thousand cases that eight judges address. The District court hears an additional 6,400 cases through cooperative contracts and agreements with other municipalities in an effort to reduce everyone's costs. The District Court is a volume court charged with hearing a vast majority of cases in Spokane County brought on by Law Enforcement and the Prosecutors. On an average, each of the eight District Court Judges efficiently hears in excess of 8,600 cases per year in addition to the carry-over cases. The balance of the 40%, roughly, the Municipal Court hears about 20% and Superior Court hears 21%. Of course, there's the different types of cases that each of these courts hears.

- District Court is the only court hearing small claims. And we also hear civil claims up to \$75, 000. in controversy which reduces the load, arguably, for the Superior Court in a small part.

01:10:34 - Judge Murphy: “Judge your time limit is up.”

Judge Brandt: I’m almost there. May I?

Judge Murphy: Yes

01:10:39 - Judge Brandt: We find the results to be unexpected and looked for testimony that supported the conclusions. The Municipal Court is new, but it took with it when it separated a foundational structure and a practice to support itself. To find that the Spokane Municipal Court is the innovator and the District Court lacks cooperation and innovation, is not supported in history. We feel that the report is somewhat unbalanced for both courts. To eliminate duplication is your goal, one of the stated goals. And it has always been ours, so we question how the funding will occur to feed the new RJC. I don’t know if it’s going to come from taxation or what. That’s another issue so. Thanks again, for all of your efforts.

Judge Murphy: Can you provide me with a copy of your points?

Judge Brandt: Oh of course.

Judge Murphy: I’d like to have it for our records.

Judge Brandt: You bet Judge, Thank you very much.

01:12:12 - Katee Ventura: Hello. My name is Katee Ventura. I’m a fourth year pharmacy student at WSU and I am one of the leaders for Health Equity Circle, an interdisciplinary student group on the downtown Riverpoint Campus, and a volunteer for Smart Justice. First, I would like to thank you for your work thus far and for the opportunity to speak to you today. As a healthcare provider I am an **advocate of evidence based practices**. I’m happy to see the changes you have asked for in your recommendations and I’d like to share with you my little sister Hailey’s story. At the age of 21 she was one of the youngest employees Costco Wholesale has ever promoted to manager. She loved children and dreamed of someday being a neonatal or pediatric nurse. As bright as my little sisters future was, unfortunately, she quickly became addicted to prescription pain medication. Although she sought help multiple times, her addiction slowly consumed her life. She received a felony for drug possession at one point and this made it extremely difficult for her to get a job and successfully become a contributing member of society. Currently she suffers from mental illness as well as addiction. She cycles in and out of jail and our family wonders if she will ever be able to receive the medical care and effective mental health and addiction treatment she so desperately needs to become a contributing member of our community once more.

This is why I am excited to see you have included a risk/need assessment by properly trained professionals in your recommendations, as well as, crisis intervention training, expansion of the adult drug court, the expansion of the newly formed co-occurring court and evidence based evaluations of all programs. I am also happy to see you have included the need to increase effective probation services, as well as, support services like housing, education and job training. I am hopeful that your

recommendations will be put into action so that we can stop recidivism in our community and increase the number of rehabilitated and contributing members in our community.

My husband, like most in our community, does not have a whole lot of criminal justice knowledge and when I spoke to him about criminal justice reform he asked me, "Well how would you feel if someone wronged you? Would you want them to be punished and go to jail?" My answer to that question was no. I would not want them to be punished with prison time or jail time when it greatly increases the chances of this person doing wrong to others in the future. This does not increase safety in our community and wastes tax dollars in the process. So I commend you on your recommendations and hope we can continue to raise public awareness and see these recommendations implemented. Thank you.

01:15:32 - Dom Felix: Hi. My voice will carry I hope, I know it's kind of quiet in the back. My name is Dom Felix. I want to thank you for your time and your energy. I'll be talking about drug court. I'm familiar with the criminal justice system. My experience comes from inside the bars. I spent nearly five years in prison for selling methamphetamines. I'm the first to admit that I was a mess, and I was spreading the disease. But, even though I struggled with addiction for my entire life, I didn't qualify for drug court because I'd been in trouble with the law before. Expanding the drug court program is a really great plan. It's really a no brainer. I like to think I'm a success story. I volunteer at FULCRUM, I do my intern work with the Peace and Justice action league of Spokane. I'm involved in the Smart Justice program, and I'm a social work student at Eastern Washington University. But my list of peers is really small. There's no felons lining up to speak at forums like this.

My criminal record will affect my employment opportunities for the rest of my life. That might be the real power of drug court. Offenders have an opportunity to keep their criminal record clean. This makes the transition into being a productive member of society much more likely. This program could be a powerful tool to cut costs and help people in need. I really want to thank you for recommending expanding this program.

01:17:50 - Doug Huigen: Hello. My name is Doug Huigen. I come representing myself but as a former director of the job resource center and we worked with ex-offenders for over 30 years, both under contracts with Employment Security Department and the State Department of Corrections. During that time we worked with hundreds, thousands of individuals, helping them make the transition from imprisonment to the community. I think one of the factors in our success was that we represented the community and not the judicial the enforcement system, which really is necessary and needs to be a highly qualified part of our society. But we also need people whose impact with offenders is not in any way a coercive relationship, but one in which we help them understand it's their accountability, their responsibility to discover that they can be accepted and function in the community. And I think that's an advantage, that if you don't wear the badge of authority and allow that person to claim the success in the behavior changes that they've realized that they must make.

We helped people find jobs, we helped people find resources in the community, we taught stress and anger management, not only locally, but state-wide through thirteen of those state corrections institutions, because they liked how we delivered that service, and many of those people in prison

have issues in which anger-management is part of the reason they're there. And I have no stake in any of these programs anymore. I've retired, but I sincerely believe that people that care, and people who have the ability to accept them in a non-judgmental way, are a key factor in helping offenders change. Thank you.

01:20:48 - Angela Vera-Webster: Good evening. My name is Angela Vera-Webster and I'm a volunteer with the Smart Justice Campaign. I'd like to begin first, by commending the commission on this historically significant draft. This blueprint is a model for intelligent, restorative justice that I hope will be adopted by more regions. I speak today because I have been affected by mass incarceration. Since the age of sixteen, I'm thirty-four now, half of my immediate family members have been incarcerated in a variety of juvenile detention centers, jails and prisons. My husband's family has suffered similarly. Every single member of his immediate family has been incarcerated. Each of our loved-ones had substance abuse or mental illness problems. Each was poor. And each have been victims of previous crimes. I can't communicate the sense of devastating shock it's been like to experience that, other than to say it's been hard. This devastation is compounded by social stigmas that demoralize even the most earnest individuals. Now, I also have some experience on the other side, having worked at the Santa Clara County Sheriff's office in California, and volunteered at the San Francisco Women's Jail. I've found that law enforcement agencies, cities and counties tend to function as family, and they're full of good and strong people who like the rest of us are fallible. Their work is often thankless, the hours are long, and even the most driven people succumb to burn-out. And that lends itself to a myriad of problems and dysfunction. What I appreciate about this draft is that it seeks to alleviate those dysfunctions by facilitating collaboration amongst multiple entities. Hopefully, this engenders a lighter more agile system that can respond more efficiently to needs.

My suggestion to the Commission is the inclusion of more ex-offenders in the process. Perhaps even the formation of an ex-offender reentry counsel. They have visceral first-hand knowledge of what the system looks and feels like from the inside. For those of us who've never served time only have a cerebral understanding. Their input could be incalculable, and the positive effect of treating them as valuable social leaders, rather than liabilities could have a gallivanting effect on the rest of this greater social family. Thank you.

01:23:40 - Andrea Kilgore: My name is Andrea Kilgore. I'm a graduate student with the Eastern Washington University school of social work. I have worked with many psychotic people and several of them have been charged with, I believe unfair sentences because of ??? crimes that they committed while they were in a psychotic episode. I would like to give the example of one particular guy who spit on a nurse at the hospital while he was being restrained and on his way to the psychiatric ward. He was charged with a felony assault on the health care worker and went to jail for about a year. I would like to affirm something that other people have said here tonight that when you go to jail and you have mental illness, it can take about a week for the meds to arrive. They special order them from back east instead of using a pharmacy here in town. I always wondered why there's not a pharmacy on site at the jail that could medicate people immediately. This person is a very nice guy and it's very sad and very unfortunate to see this happen to him. And he still to this day is distrustful of the criminal

justice system. He does not understand why he was sent to jail. He does not remember being sent. So, I am in support of the pretrial assessment intake center. I think it would be great if people received an evaluation and perhaps some sort of risk assessment so they could see whether or not this person actually is a hardened criminal that needs to go to jail and serve a year of time or if they just need to be in the hospital, which is where he ended up after he was released from jail. Based on his needs, because they realized how psychotic he really was. I also really support the Municipal Court Mental Health Diversion Court. The problem is that people with a felony are not eligible for that court. So if you are charged with a felony assault on a health care worker you are not eligible for mental health diversion. I would like to see a diversion court where people with felonies could ???. That is all that I have. Thank you.

01:25:54 - Judge Murphy: Ms. Kilgore I did want to point out that in our investigations, our public hearings we learned that the Spokane County Jail is the only jail that has a certified mental health treatment facility in the State of Washington and institutions.

I'm going to ask that we diminish the presentation of anecdotal information, that is personal experiences unless you tie it to our blueprint, so it's fine, I appreciate it builds a frame of reference for you, but at the same time, we've gone through 400 different individuals in preparing this report, and a lot of it was anecdotal information which is extremely useful to us in putting this together. But for this evening, our purpose in being here tonight is to hear comments regarding specific portions of this Blueprint for Reform. And so that's what I'm going to ask you to keep your comments to. So excuse me for interrupting your presentation.

01:27:17 - Loreli Kalua: My name is Loreli Kalua and I am here with Change for the Better. And first of all, I just want to say thank you for your willingness to hear everybody and your willingness for reform. I don't have a ton of experience personally with the criminal justice system. I've been on it from the side of helping youth and the juvenile system and a lot of that, and now with adults in the last nine months. And just to keep it short, sweet and to the point; it really is a whole person approach, and that's what you're looking at and that's absolutely.. thank you very much. Thank you for that. To have a person driven solution. The things that we have learned in regards to housing, especially the 'housing first' concept, we've personally helped them into housing and watched them personally implode because they weren't ready for it. We've personally hired and employed some of them and watched them implode because they weren't ready for it. They really, really need time to reintegrate, time to develop a positive, healthy, social environment. Time maybe, outside the city for housing, back into the city for serving the city and working as they reintegrate out of institutionalism. I would like to recommend that because I've watched it do the actually reverse to many of them so far in the last nine months. It does work for some if they're very, very self-motivated. The ones that still need supportive services, not so much. They need a lot of help, a lot of hand holding along the way as they reintegrate back into what they're doing. So, streamlining services to them, as opposed to making them run around to services. I really, really like that outlook that you have in your draft. So thank you very much for that. And pretty much just to wrap it up is definitely, some of the key elements, and they're being worked on, and I'm so excited, so all of you who're working on it thank you because we've just had

some exciting new changes coming down the wire, in regards to identification, that's a HUGE barrier. Being able to streamline that so that they can get into services. It's kind of this pathway: identification, insurance, qualification for services. Without the two in the beginning, they don't even qualify for services. They can't even obtain them. So, streamlining opportunities for identification is huge, and then insurance is the second one, then services are available. Thank you.

01:30:40 - Joseph Ackaret: Hi my name is Joseph Ackaret and I want to say thank you for your reform. Can everybody hear me? Ok. Um, I do have a name, but I also have a number that will follow me forever, 315110. I am a two strike felon. My biggest thing that I'm facing is housing. I can't get it. I've jumped through every single hoop for rapid rehousing program, for Salvation Army, everything. I don't qualify because I'm a violent felon. And the housing that you offer, I don't qualify because I don't have other services to help me. I don't qualify for those services. They're not open for a violent felon. And when I've noticed that people that do get into the housing, they go out and commit new crimes to keep that housing. They go out and continue repeating the cycle and it doesn't help them anywhere. I'm facing troubles of keeping my own son. He was born seven weeks, three days ago and taken from me because I didn't have anywhere to go. I couldn't find anywhere to go because I'm a felon. Can't get housing. No one will even look at me. And thanks because of Change for the Better, helping me and giving me the hand. I now have access to more services. I do appreciate you for all your guys' work and for the Police Department, for everything they do, for the Sheriff's Department, it's great. If it wasn't for them daily talking to me, being homeless, and out there on the streets doing the things I was, I wouldn't have thought twice about doing it next time. So I thank you and I appreciate it. Thank you.

01:33:06 - Ron Anderson: I'm Ron Anderson, the President of NAMI Spokane. A local affiliate of National Alliance on Mental Illness. I am a volunteer with Smart Justice Spokane and I serve on its executive board, and I am the father of a charming woman who lives in recovery with a severe case of schizophrenia. To explain why I'm here tonight I want to use our NAMI mission statement. It's short and simple: NAMI is dedicated to the eradication of mental illness, and to improving the lives of all who are affected by mental illness. The eradication of mental illness, Is that possible? Yes it is. Is there a cure? No. There's no cure yet. Is it preventable? Yes it is. And the most promising current research is directed toward establishing prevention systems that involve early detection, early diagnosis, early and appropriate treatment. Jail diversion programs for individuals with mental illnesses, (and there are many models being used successfully in other communities across our country) necessarily lead to expanded local mental health treatment programs. That's why we support Smart Justice, and why we support and praise the excellent work the Commission has done on this Blueprint for Reform.

Our county jails nationwide have become warehouses for a majority of our citizens who are unfortunate enough to have severe mental illnesses. That's because there is no place in our society, in our towns and cities, or in our hospitals for them. Current reports from Spokane's largest healthcare agencies clearly show that untreated mental illness, substance abuse and chemical dependency are the most prevalent risks to the overall health and, I might guess - public safety of our community. And no one is doing much yet, to improve this sad situation. So, while the implementation of the Commission's recommendations and use of Smart Justice policy may provide a model of efficiency and

effectiveness for criminal justice systems, it may also expand local mental health and substance abuse treatment delivery.

Now, to the report specifically, I'll touch on your recommendation for an expanded Crisis intervention Team Program across all law enforcement agencies in the county. A good idea that is long overdue. And thank you for that. The CIT program is celebrating its 25th anniversary, and has been adopted by more than 2500 communities across the country. Rigorous research has shown the CIT Memphis Model is an evidence-based best practice in common response to people with mental illness in crisis. And we know from the research that predictable, beneficial outcomes follow only when the inputs are consistent with the 'core elements of CIT.'

The CIT program is a model for communities because it is not just a one-time training to Band-Aid a problem, rather it builds partnerships that work to improve the systems that serve, or should serve, people living with mental illness. Successful CIT programs are often springboards for broader efforts, including advocacy by judges, chiefs and sheriffs in support of community mental health services; the expansion of mental health courts and other programs that use the power of the criminal justice system to get people treatment, not jail time; and efforts to reach out to schools and young families in the form of CIT for Youth. In all these cases, partnerships prove to be a powerful source for system change. Thanks for having me here and thanks for your work.

01:37:02 - Cly Evans: Hi. I'm Cly Evans. I'm affiliated with the Unitarian church, beat jails, and Smart Justice. I have very little to say that hasn't already been said, I'll say that but; I stand here as a 35 year veteran of adult corrections. I continue in that job today. The reason why I wanted to step up here is to endorse, confirm what seems to be commonly believed here, that confinement simply does nothing to help reduce crime or change people's lives around. I've dealt with literally tens of thousands of offenders in the last 35 years and it simply doesn't work as you folks, thankfully have recognized. And I so strongly endorse all of the suggestions of the plans to look for alternatives to incarceration. The Department of Corrections, and I'm not representing them, but The Department of Corrections through the budget crisis was forced to expedite some changes in how we define violators in the community. This is who I work with. We've gone from sanctions of 120, 180, even more days to a maximum of 30 days confinement and are aggressively adopting other programs similar to what you folks are talking about in your report. And I can tell you that I've seen them work already. I've seen offender's attitudes changing because they realize that the effort is to help them, not simply to lock them up every time they turn the wrong direction, so, I join everybody here in thanking you for the magnificent work you've done and looking forward to seeing more. Thank you.

01:39:00 - Julie Schaefer: Hello. Good evening. I cannot express how deeply grateful I am for the service you have given our community. I believe this report is a landmark and it will serve as a solid foundation for regional criminal justice. I, like others tonight, pledge on behalf of myself, The Center for Justice, and The Smart Justice Coalition that we will work tirelessly to see that these recommendations become reality. We understand that this will require a very long attention span. And I want you to know that we are committed to seeing this through. It will be vitally important that the public can track the city and county's progress in implementing the reform recommendations. To help

us do this work I would ask that the recommendations be broken down even more than they already are and organized into a detailed list or some sort of matrix. The report is very rich with crucial content and I fear that some of the recommendations will get lost if they are not more clearly called out. We'll provide more specifics via email about some of those examples. Ideally, this matrix would be posted on the new Criminal Justice Administrations web site. And the Administrator or the Regional Justice Commission would be tasked with checking off the to-do's as the items are completed. The Police Department completed a similar matrix on its web site in response to the Use of Force Commission's recommendation, and this tool has been vital to our oversight functions.

I am very grateful for all of the recommendations regarding expansion of alternatives and support services, particularly the Electronic Home Monitoring and Drug and Alcohol treatment. I would like to ask that the recommendations be explicitly clear that these services be accessible to all, regardless of the individual's ability to pay. It is important that programs be offered on a sliding-fee scale, with an option to retire the debt through community service or completion of treatment holes.

With regards to your attention to Driving with License Suspended, I greatly appreciate your support of those programs and expansion of those services. Just to clarify, the report does say that you recommend that the District Court create a diversion program and a relicensing program. Currently the Center for Justice's program and the city's program are able to pull tickets from District Court and put those on the payment plan. So we are and we go through Judge Derr and the County prosecutors, so those tickets are being pulled. The thing that's lacking, I believe, is the diversion aspect. So the District Court diverting DWLS 3rds to the relicensing programs that exist. So I don't know that it's necessary that another relicensing program be created that actually pulls the tickets, but just the diversion aspect. So getting those individuals that are in the District Court into the existing relicensing program. So, Thank you very much.

01:42:22 - Anne Martin: Hello. My name is Anne Martin. I am the director of Greater Spokane Progress, and we are a member of the Smart Justice Campaign Coalition.

I want to thank the Spokane Regional Criminal Justice Commission for all of your hard work to develop this comprehensive set of recommendations that will lead us to Smart Justice and create a thriving and healthy community.

I am very pleased that you have recommended the creation of a Disproportionate Minority Contact workgroup that would, "ensure all criminal justice departments make a commitment to achieving racial equity in our systems, and to building culturally appropriate programs and support services for offenders". This will help us take intentional steps to eliminate racial disparity in our criminal justice system.

Currently, Spokane County uses an outdated system of retribution that incarcerates too many non-violent people at a great cost to taxpayers and local families. About half of the inmates are in the Spokane County Jail for non-violent offenses. Equally disturbing is how jailing non-violent offenders disproportionately impacts people of color. In 2012, African Americans made up 1.7% of the population of Spokane County, but they accounted for 11% of our jail population.

I strongly support your recommendation to establish a Law Enforcement Assisted Diversion or LEAD program in Spokane to offer eligible individuals immediate access to community-based services instead of booking them into the Spokane County Jail. The Racial Disparity Project was involved in designing and implementing the LEAD program in Seattle following successful litigation on racially disproportionate

drug enforcement. LEAD has been successful in reducing racial disparity in arrests and incarceration. I would like to see the Disproportionate Minority Contact workgroup evaluate the use of LEAD in Spokane and to reduce racial disparities in our criminal justice system.

In order to achieve racial equity, we need to know if the policies or programs will benefit or impact people of color in our community. The City of Seattle Race and Social Justice Initiative works to eliminate institutionalized racism in City government and promotes multiculturalism and full participation by all residents. The RSJI created a Racial Equity Toolkit that is used by all departments in the City of Seattle. Similar to an Environmental Impact Statement, the Racial Equity Toolkit is used to conduct comprehensive reviews of all programs, policies and budgets to identify measurable outcomes to increase racial equity.

I would like to request that in your final recommendations you incorporate the use of the Racial Equity Toolkit by the Disproportionate Minority Contact work group, and use the Race and Social Justice Initiative as a resource.

Thank you for the opportunity to comment on your draft recommendations. And thank you for all of your work to create a Smart Justice system in Spokane.

01:45:26 - Judge Murphy: Anne, I would urge you to hold that thought about the Racial Equity Toolkit as a contribution to the workgroup. That would be an appropriate place to initiate the work that is involved in the administration of that sort of thing. So in addition to whatever you've asked us to do there's another level. (?) Ok?

Those are all the names, is there anybody we have missed?

01:48:41 - Terri Mayer: Ok My name is Terri Mayer. I am the executive director of Open Gate, which is a reentry program. We now have a resource center downtown Spokane, on Howard. We work with offenders. We started working about two and a half years ago. And we started working with the ??? and the people that are in prisons. Our programs actually started by guys in prisons. With my son being the one who first started it and he was sentenced 13 years ago by Judge Murphy. He thinks it's awesome that you're doing this. He feels that if he had the choice back then before he became serious violent, he may not be where he is today. So this program was based on need. The things that didn't happen when these people were sentenced. And since we opened our resource center, July 1st of this year, we also have a transitional house. We have housed, since July, 33 offenders, and we have worked with an additional 109 people walking through our center. Every single person that we work with has an ID. They have clothes, we have a clothing closet. They have personal care items. We refer them to other resources. We help them get their LFO's under check. Just to kind of give you a heads-up. My son has his child support put on hold, his student loads deferred, his ID is active, he just has to reinstate it when he gets out. I have his social security card, I have all of his clothes. He has everything that he had before he left and went to prison. He also had credit cards that I've kept payments on. He has almost a 600 credit score and he's in prison. And I think if the families got involved and that's what the Department of Corrections is looking at solutions to get the families involved before these guys are put into the prison system, as soon as they get to Shelton for classification. They think that that should make a difference and I believe that. And we do classes. We're looking in doing them at ABHS, we now are doing MRT, and Responsible Renter classes, and the ones that they need. And I just also wanted to

let you know that since this happened, I am on the Governor's Board for the Public Safety Review Panel, I'm the Consumer and Family Advocate. I'm also a member of the District counsel at Airway Heights Correction Center. And since we started our program, we have only had one person return to prison out of almost 400. And if the prison system can do this, we could bring this our here with the assistance of all of you, I think we can change the way things are done and make it a lot better. And, to let you know, we do this as volunteers. We don't get paid. Thank you.

01:50:48 - Toni Lodge: My name is Toni Lodge and I'm the executive director of the Native Project and the Native Health Clinic here in Spokane. I'm the administrator of one of the largest adolescent treatment programs in Spokane County. And I'm a member of one 220 tribes that live here in Spokane County. Not just the ones that I've listed. Thank you for letting us give an entry. I want to introduce three very specific addendums to the work that, I wish we had time for the Indian community, because it is the largest, that being my home community in Spokane County. I too am on the State of Washington's racial disproportionality advisory committee, appointed by the State Legislature. One of the evidence-based practices that we've been talking about in all kinds of rehabilitative services, it's not just the identification of racial disproportionality of the types and the methods of identifying it, but in this State we have a very definite lack of culturally specific relocation services. If you close your eyes, you cannot, I want you to think of the best, most well-known and largest African American drug and alcohol treatment center in the State of Washington. You cannot do it, because we do not have it. Or the Hispanic drug and alcohol treatment center, or the adult Native American drug and alcohol treatment center. Even if we have a racial disproportionality, a disproportionate minority contact advisory group, this is a community issue, developing evidence-based culturally appropriate rehabilitative services as a community that we do. One of the things that I think is really wonderful for me to read this is, I'm an old lady and that's good, and I'm an old lady and that's bad. In the 70's when I first started working, with the U S Department of Civil rights, you know the right wingers on Indian rights, as the honorable Judge Murphy knows, I got to hear those stories, like you did in the 70's. I got to see the legislation that came out of it like the Indian Child Welfare Act. And I know the work that we're talking about today is not going to be done in my life time, or anybody in this room over 50. This is a 30 to 40 year process to make the change that makes a big change. So, I think we have to look at it from birth to death. And one of the things, when I see those Spokesman Review articles, or the channel 2 news, those heinous crimes or those high-profile cases, those are adults that I knew as children in our treatment programs. And I know how they got there, and one of the most untalked about issue is the prenatal exposure to alcohol, drugs and tobacco. Offenders and any program, any of us in this room designed, cannot affect change in those people, or readily affect change. We have to figure it out what to do with them then. And that is a human rights issue for them.

And the other thing is; we're a schizophrenic society. You know, you should see the kids in our treatment program today. It is Christmas, because they think the legalization of marijuana means the free use. You know, we have people in jail in my community, the Indian community and many other communities so disproportionately represented because of a legal drug called alcohol. And now we're going to compound another issue of a legal drug called marijuana, so the kids think. How crazy is that when you walk onto Safe, as a community why aren't we doing something different? I walk into a

Safeway with my grandchildren and there's hard liquor sitting there. What was the last, what was the news two days ago? A kid shoves the alcohol down his pants and created a problem, a dangerous situation for Law Enforcement and himself. And ?? from that distance. You know, we all have to be on the same page, and again I do know it's going to be a very long process before we end, you know, we aren't going to be around to see the outcome. But I really commend you for starting the process. We get what we pay for, that was what I kept thinking as people were talking. We have to pay for big for big results. Thank you.

01:55:35 - Robert Downey: Good evening. My name is Robert Downey. I'm about to offer you a unique perspective. I'm 44 years old and I've spent over half of my life in prison. Most recently, I just did 15 years and I been out for about 3 ½ months. I had nothing when I was getting out of prison. My family is gone. All the friends that I did have, I don't want to have as friends anymore. They were a bad influence on me, I was a bad influence on them. I decided to change my life. I needed help doing that. Being from where I was from, I was socially atrophied. I didn't know where to turn to. I didn't know how to ask for help. And asking for help from authoritative people wasn't something that I was used to doing. Then I met Terry Mayer from Open Gate and she made everything easy for me. She offered help. I've never paid a bill in my life. I've never held a credit card. I've been a drain on society from day one. I don't want to be that person anymore, and Terri helped me with that. She got me into a Responsible Renters program. I'm in MRT. I'm going through the SNAP program where I have my own apartment for the first time in my life. I'm paying the bills. I'm trying to be the person that I need to be. Pardon me. Success is hard. It's really hard. But with the help that you give us and help us ask for help. If we can do that and make it easy to ask for the help and not be judgmental about it, that will help. It's helped me. I'm being as successful as I possibly can with what I have right now. Every day is a new success, because I'm out of prison. I'm out of jail. I'm doing what I need to do to be the person that I want to be. A lot of that is because of Terri Mayer. She's a pit bull. She doesn't let me slip. Whenever I feel lethargic she offers some other form of advice or a program that may help me. And thanks to her and the programs that are out there right now, I'm going to be a successful person. And hopefully, if you ever see me on the streets, honk, wave! That to me is my success, that I know that I'm doing that. Thank you.

01:59:29 - Dr. Nancy Street: My name is Dr. Nancy Street. I retired from Spokane Falls Community College teaching psychology and I volunteer in very many places including the Cheney School District, and the Peace and Justice Action League of Spokane. There's something that I think, I didn't read the report so I'm sorry that I may not be addressing the topic exactly but it does relate to this. And that is that the people who are incarcerated, we have had a number of people talk about being in prison and their family members being there. Well I have a son who is in prison in California. He's been there for four years. We've been waiting for a year for him to get out. The Criminal Justice System, from my experience, is pretty poor as far as their interacting with the families. And we know that families are really important. The contact with families, there's research that shows that people do better when they get out of prison when they have contact with families. But what happens? There are barriers that are set up day after day that prevent you from interacting with your children. And I think that that really needs to be looked into. First of all, a phone call sometimes once a month, \$75.00 for fifteen

minutes, and in the middle of it they say “this is a call from an inmate from California..bla..bla..bla” so they take up part of the phone call with their message. Now I know many of you are not used to this and so I think that it’s important for me to share this with you. You go to visit and you’re treated like a criminal yourself. When you go to visit you have to wear this, you have to wear that, you can’t have a bra with wire under it. You can’t wear this, you can’t wear that. They send you back. They treat you like a criminal. I think that all these things need to be looked into. If you go to the canteens, they charge for the little honey buns three dollars and fifty cents that you can get six for a dollar, so they charge the families a lot. They have poor food for the children if they come to visit their family all day. I could go on and on like that, I know I have to ah.. I know the time is up but I think that there really needs to be an effort to look into how the families can interact with the people that are incarcerated, whether they’re in jail or prison. Thank you.

02:02:23 - James McDevitt: Okay, I think that’s it. I think that the chair has given each of us the opportunity to say something. I just want to highlight a couple things. I’d like to first of all our WSU partners to stand, Jackie and anybody else here that claims to be from WSU. (applause) WSU’s got a wonderful relationship they’re very, very supportive, I hope it continues as this process moves forward. There’s a wealth of talent and information and a lot of the kind of skill that needs to be applied for the measurements, the metrics of as we say, ‘outcomes and not output’. I would say personally, of course I guess of the three of us I sit here representing the law enforcement wing. Don’t get me wrong, there are some people that need to be in prison and stay in prison, you’ll never dissuade me of that. But I do believe that what we’ve talked about here of alternatives to incarceration at the lower level, giving people chances, allowing people the opportunity to better themselves until such time as they prove that they are not capable of that, they’re a danger to themselves, they’re a danger to society. This has been very, very interesting, with Dutch Wetzel, Judge Murphy and myself from three different backgrounds. We had a lot of fun. We had an opportunity to listen to over 400 very dedicated members of the court, members of probation, members of law enforcement, people, as we’ve pointed out, pockets of excellence. Siloed, however and not speaking to each other and not working the way I would like to see it. But some very, very dedicated professionals, all of whom are trying to make this a much safer community and accomplish the kinds of things that a lot of these people, a lot of you folks have talked about. It’s been very educational for me. It took a lot of time. We’ve asked that they double our pay, which (laughter)... But I want to say thank, I want to thank all of you very much for what you gave us through the process, and what you’ve given us tonight.

02:04:48 - Phillip Wetzel: I agree with what Jim said. It was a whole lot harder, it was a whole lot more work that I thought it was going to be, but it was a whole lot more interesting than I thought it was going to be also. Dr. van Wormer wrote, or drafted the conclusion to our report, but we adopted it and believe in it, and I think it’s an excellent summary. New York City had experienced a tremendous drop in crime, and it was studied, and all kinds of social scientists tried to figure out what happened, how did they do it. And the answer wasn’t simple. The answer was that there were ‘a thousand small sanities’ that were implemented and followed up on. I think that’s essentially where we are right now; we have to try to implement a thousand small sanities.

02:05:55 - Judge Murphy: I want to thank everyone for attending tonight. I particularly want to thank those who spoke and shared their views of the product that has come out. I assure you we will take into consideration the comments that have been made, both pro and con, and work toward a finished product in the next month or so. We promised to get this out by the end of the year, and we will. As both Jim and Dutch have said, it was a fascinating experience, and I think that we all did learn a lot and here is hoping that we come up with a more efficient, and economical and successful criminal justice system as a result of this project. Thank you all very much.