

## Spokane County No Cost Extension Request

### Safety and Justice Challenge

April 10, 2018

**Overview:** From the results of our mapping exercise, data review, feedback from the community and Law and Justice Council, we initially proposed four core strategies for Phase II of the Safety and Justice Challenge (SJC). Under Phase II we also committed to adopting a racial equity toolkit and to training staff to develop an understanding of Implicit Bias and how such biases impact criminal justice decision making.

One of our greatest strengths within the SJC work is the collaborative partnerships that we have built across various agencies. We have a strong “core team” that meets on a regular basis to review progress, challenges and to set strategic goals to move forward. We are cognizant of the need to meet the goals set forward in our original application, and therefore are continually in discussion (and review of processes and when available, data analyses), about what adjustments are necessary to meet our reduction target.

Through our technical assistance support via the Vera Institute of Justice, as well as other TA providers of the SJC network, we propose the following adjustments (which align to the attached budget) and request a no-cost extension in order to meet our originally stated goals.

#### **Risk/Needs/Responsivity system:**

While we are currently using the SAFER-lite (a hand-scored risk/needs pretrial tool), the Spokane SJC (SSJC) intends to go live with a software supported full version of the SAFER by August 2018. In March 2018, the SSJC has secured a commitment from the Administrative Office of the Courts to allow us access to their criminal history database on a weekly basis. This step will allow us to “auto populate” our software, and significantly reduce the amount of hand entry and calculation for pretrial staff. The extension of funds will allow us to complete this important step in the development process, by linking AOC and our software provider together for criminal history integration.

Through the no-cost extension we will continue to develop our SAFER-Pro. This probation risk/needs/responsivity tool will assist us with reducing case processing challenges on show cause cases. It will also require that probation supervise those cases that are high risk, while placing other cases on administrative caseloads. The intent is to reduce the number of technical violations brought before the court, and shifting the focus to a case management approach, rather than a violation model.

The funding to support these efforts is contained in the budget line item WSU contract of \$150,000.

### **Expansion of Pretrial Services:**

Under the no-cost extension, the Office of Pretrial Services will continue to provide pretrial evaluation, risk assessment and monitoring to all eligible clients. The focus of next eight months of operation will be on 1) developing a monitoring/supervision grid, based on risk/charge and 2) sustainability of positions post SJC.

These efforts will be supported with the funding amount of \$270,000 which is evidenced in the payroll and benefit line items. The proposed funding would allow the Office of Pretrial Services to provide the above service delivery until December 2018 and winding up of services in January of 2019.

### **Social Worker Services:**

The no-cost extension will allow the two Social Worker positions, one assigned to the District Court clients and one assigned to the Municipal Court, to continue to provide case management and clinical work which was previously not available to clients. The role and function of the social worker is to coordinate with court staff to identify individuals that are willing and eligible to be enrolled in services (during the pretrial stage), including mental health and substance abuse services, housing, gaining access to healthcare, and providing general support during the pretrial stage. The goal is to reduce FTA's and increase service involvement, in order to minimize court delays and the potential of return to jail. From November of 2017 to March 28, 2018, the social workers had worked with 73 individuals, and 69 agreed to engage in on-going case management.

These efforts will be support with the funding amounts of \$51,600 which is contained with the payroll and benefit line items and \$30,080 which is contained in the City/Social Worker IT Support line item. The total for the continuation of the Social Worker services for the eight-month period is \$81,680.

### **Diversions:**

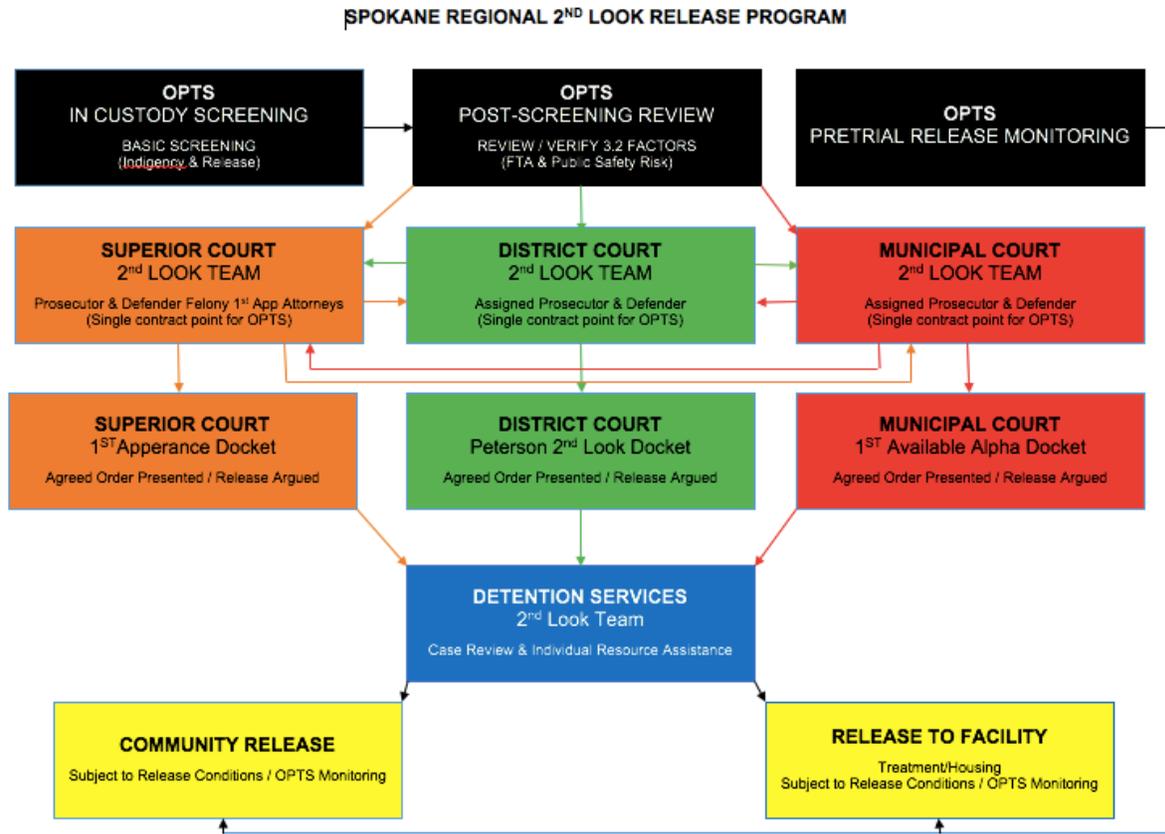
The Core Team has recently added law enforcement positions to the team, and representatives from the Spokane Police Department and Spokane County Sheriff's Department will be in attendance at the all-sites meeting. We intend to begin a dialogue and discussion about the potential of LE diversion before the point of arrest.

In addition, we will continue to divert individuals from the jail and into our mental health prosecutorial diversion program. This program launched 10/2016, and since that time over 873 individuals have been screened for possible placement. Of that population, 277 individuals have been released from jail, engaged in mental health services and have not been committed to the state hospital

### **Case Processing:**

*Bail Review Docket:* Through our recent on-site visit by the Vera Institute, the SSJC has recognized and committed to the creation of a "2<sup>nd</sup> Look Release Program." Over the next eight months, via the no-cost extension, we will continue to develop this process. Our current outline and draft of the

program, establishes three interdisciplinary review teams to continuously review people held in jail, pretrial, on bonds of \$5000 or less. The goal is to identify opportunities for bond reduction, release on recognizance, release to supervision and early case resolution. The model is as follows:



*Uptrust:* Through funds available under the no-cost extension, we will onboard the Uptrust text message-based communication tool. This company works with Public Defender database systems, and provides automated, yet personalized messages to clients and their support systems. With a significantly high FTA rate, the SSJC is focused on reducing unnecessary warrants that lead to high usage of jail. As is highlighted by Uptrust, the use of the service “is two-way in nature and humanizes the criminal justice system; if a client has an issue, they can respond to the reminder text and that response will be routed back to their attorney. By automating outreach, attorneys only need to spend time on clients who write back. Uptrust also uses text messages to connect clients to services that make getting to court easier.”

The total cost of the Uptrust installation and software is \$45,000 and is evidenced in the proposed budget.

*National Center for State Courts:* Analysis of jail data, through our “stress test” with JFA Forecasting, has highlighted the necessity of addressing our current case processing steps, and this drives up our average length of stay significantly. To cut down on unnecessary delays, yet provide due process, we intend to partner with the **National Center for State Courts (NCSC)** under the no-cost extension

so that we can develop a comprehensive plan to address criminal case flow management. The proposed outline has been provided by the NCSC:

The proposed cost for the NCSC contract which will develop a comprehensive plan is \$60,000 and is evidenced in the proposed budget.

1. **INITIAL PROJECT PLANNING CALL** – In this task, the 2 NCSC consultants would conduct a conference call with the Superior Court Criminal Division Judges, Court Administrator, and other relevant stakeholders such as prosecuting attorney, defense counsel, law enforcement, etc. The purpose of this call is to describe the project task plan; discuss data collection, including calendaring information, caseload data, jail data, ECR process description, statistical metrics, etc.; proposed schedules for on-site visits, and; other logistical matters as appropriate.
2. **PREPARATORY ANALYSIS** – The NCSC consultants will review and study all information provided in order to have a more complete understanding prior to the site visit.
3. **OBSERVATION & DATA GATHERING SITE VISIT** – The NCSC consultants will visit Spokane for a full week to observe various aspects of the criminal processes, gather any additional data if identified during Task 2 and, conduct individual or group interviews with; Superior Court Criminal Division judges, the Court Administrator and appropriate staff, OPTS staff, prosecution attorney(s), defense counsel, Sheriff's Office Jail/law enforcement personnel, and other individuals as appropriate.

**SUGGESTED SITE VISIT DATES: April 30 – May 4**

4. **DATA REVIEW & DISCUSSION DOCUMENT DELIVERABLE** – The consultants will review their observations and the additional information gathered during the site visit. They will compile their observations, identify areas for improvement and potential solutions and prepare a discussion document. This is anticipated to be in an outline format with sufficient text to ensure clarity. This deliverable will be submitted to the Superior Court and other stakeholders for review prior to commencement of Task 5.
5. **PRESENTATION & GROUP MEETING** - The consultants will return to Spokane to present the observations and potential solutions included in the Task 4 document, facilitate discussion of the issues, and fine-tune the proposals. As time allows, they will also discuss potential implementation considerations. The group should include the Superior Court Criminal Division judges, prosecutors, public defense, court administrator, and other appropriate stakeholders. The consultants will plan for additional observations and/or interviews as necessary. It is anticipated that this will require a 2 – 3-day visit.

**SUGGESTED SITE VISIT DATES: 2-3 days during week of June 11**

6. **PREPARE DRAFT REPORT** – Based on the research, observations and discussion conducted, the consultants will draft a report describing the criminal caseload management practices and procedures in the Superior Court, and any jail utilization issues, identify areas for improvement and proposed recommendations. This report will be submitted to the

Superior Court for review in draft form with an agreed upon review period, typically 10-14 days. After review, comments and suggested revisions would be submitted to the consultants either in written form or by telephone conference.

7. **PREPARE FINAL REPORT** - Considering the comments and suggested revisions, the consultants will prepare a final report for submission to the Superior Court.

**Additional Budget Items:**

In addition to the line items set forth above, the funding through the no-cost extension will be used to cover the following: monthly IT fees costs for both the City of Spokane and Spokane County in the amount of \$25,200 evidenced in the line item City IT support and \$56,000 contained in payroll and benefit budget line items; services of Dr. Jacquie vanWormer through 2018 in the amount of \$18,720 evidenced in the Professional Services budget line item; Implicit Bias Training in the amount of \$13,100 evidenced in the Professional Services budget line item and attendance at the mandatory MacArthur conference in Pittsburg evidenced by the budgeted amount of \$7,5000.