TODAY’S AGENDA

• 9:00 – 9:05   Welcome
• 9:05 – 9:10   Overview of process
• 9:10 – 9:50   Overview of focus groups (Vera)
• 9:50 – 10:00  BREAK
• 10:05 – 11:35 Overview of committee work (targeted populations, investigations, and recommendations)
• 11:35 – 11:45 BREAK
• 11:45 – 12:15 Ranking and discussion of recommendations
• 12:15 – 12:30 Public Comment and Closing
• Three Phases
  • 1) Qualitative and Quantitative data gathering
     • Task Force Meetings
     • Town Halls
     • Meetings with Jail Staff
     • Focus Groups with Incarcerated Individuals
  • 2) Data Sharing, Collective Analysis, & Forecasting
  • 3) Recommendations
FOCUS GROUPS

- (See Vera’s Presentation)
SUBCOMMITTEES

Cost

• This Committee studies the average daily costs at the jail and identifies priority investments to be made across the criminal justice system and in the community.

Community Collaboration

• This Committee evaluates what resources currently exist in Spokane County, resource gaps, and how the Spokane region can increase collaboration and coordination among service providers and with the local government.

Rethinking Incarceration

• By studying other jurisdictions and best practices, this Committee identifies opportunities for improved outcomes across the criminal justice system.
I. TARGET POPULATIONS

II. TARGETED INVESTIGATIONS

III. TARGETED RECOMMENDATIONS
TARGET POPULATIONS
**PURPOSE OF PUNISHMENT VS. PURPOSE OF JAIL**

**Theories of punishment**
- Retribution (punitive)
- Rehabilitation
- Incapacitation
- Expiation
- Deterrence

**Function of a jail**
- Primarily holds Pre-trial individuals (not convicted, presumption of innocence)
  - See Court Rule 3.2 (Next slide)
- Sentenced for 1 year or less
- Maintain public safety
- **Who must we incarcerate to keep our community safe?**
- **Who should we release to keep our community safe?**
Presumption of release in non-capital cases

• Exceptions:
  1. Risk of failing to appear for court
     Supervised release; Restrictions on travel; Unsecured bond; Secured bond; Return to jail at certain times; Electronic Monitoring
  2. Showing likely danger that the individual will commit a violent crime or interfere with witnesses
     Limited communication, movement, possession of dangerous weapons/firearms; Supervised release with regular reporting; Unsecured bond; Secured bond
1. FAILURE TO APPEAR

- 17% of all bookings solely for an FTA
- 24% of all releases solely for FTA
- Average Length of Stay ~8 days

By Warrant Type - Booking and Releases May 18 to Apr 19

- Bookings: 17% (68% overall)
- Releases: 24%, 8.3 days (70%, 19.4 days overall)

New Charge  FTA Only  FTC Only  FTA and FTC Only  FTA and/or FTC + New Charge
2. FAILURE TO COMPLY

- 2% of all bookings solely for an FTC
- 4% of all releases solely for FTC
- Average Length of Stay ~20 days

By Warrant Type - Booking and Releases May 18 to Apr 19

- Bookings:
  - 2% (17% of total
  - 1% (12% of total

- Releases:
  - 4% (24%, 8.3 days)
  - 1% (1%, 23.2 days)
  - 1% (1%, 39.5 days)
3. BEHAVIORAL HEALTH

59% of people admitted to jail in 2018 had received mental or behavioral health treatment at any time.

21% of people admitted to jail faced Possession of a Controlled Substance as their highest charge.
4. CONTRACT BEDS

- State and Federal Contracts: $84/day
- Other Billing Agencies: $134/day
- Contract beds are 16% of Average Daily Population (ADP)
  - 59% of Hispanic population are brought to facility by federal or state agencies

Note: The leftmost bar represents the Total Current Population in Jail by Admitting Agency as of Apr2019. The other bars represent each race's population distribution by Admitting Agency. These bars do not show the distribution of total Population by Race which are: White 70%, Black 12%, Hispanic 8%, Native American 7%, Other (Asian and Pacific Islander) 3%. Admitting Agency “Others” consists of Police Departments from other jurisdictions including, but not limited to, Airway Heights and Cheney.
5. SENTENCED POPULATION

- Sentenced makes up 17% of the Average Daily Population (ADP).

Note: Individuals sentenced to a Felony and still awaiting transport to a DOC facility are included in the Sentenced Population.
6. MULTIPLE CHARGES

- Difference between Average Charges at Booking (4.2) and at Release (2)
  - Single charge more appropriate for release, whereas multiple charges are held (bringing down average of release)
- Different standards of evidence for arrest and prosecution
- Incentivize pleas
7. PRETRIAL POPULATION

- Pre-trial makes up 70% of the Average Daily Population (ADP)
8. LOW BONDS

- 10% held on a bond of $1000 or less
- Only 3% of all releases are due to posting of cash bonds (roughly the same across racial groups)
- Racial disparities across bond assessments

Note: The Bail Assessment Average by Race is calculated as Total Bond Amounts divided by Total Individuals in Jail with bond values. This calculation does not include individuals with no bond data such as hold and sentenced populations, and individuals with non-bondable offenses or where bond information is not entered into the system.

A judicial officer considers multiple factors, consistent with state law, when making a bail assessment, including but not limited to an individual's current charges, criminal history, failure to appear history, income, etc. The Bail Assessment Average is further influenced by the size of each race's population in the jail, especially when high maximum bond amounts are averaged across a small population. Comparing Bail Assessment Averages by Race is affected by these factors and is not a straightforward analysis.

“Other” Race contains Asians & Pacific Islanders.
8. ACCEPTABLE RISKS

- Released on Own Recognizance – by Spokane City Jail (OR-SCJ) – Bookings May 18 to Apr 19

<table>
<thead>
<tr>
<th>Number of Charges of ORSCJ (% of ORSCJ)</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
</tr>
<tr>
<td>Two</td>
</tr>
<tr>
<td>Three</td>
</tr>
<tr>
<td>Four</td>
</tr>
<tr>
<td>Five and more</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Top 10 Offenses of ORSCJ (% of ORSCJ)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theft/Contraband (Misd)</td>
</tr>
<tr>
<td>Other Driving Charges</td>
</tr>
<tr>
<td>Trespass</td>
</tr>
<tr>
<td>Assault (Misd)</td>
</tr>
<tr>
<td>Other Non Violent (Misd)</td>
</tr>
<tr>
<td>Criminal Mischief/Assist/Mistreat</td>
</tr>
<tr>
<td>Reckless Driving</td>
</tr>
<tr>
<td>Reckless Endangerment</td>
</tr>
<tr>
<td>Obstruction</td>
</tr>
<tr>
<td>False Reporting</td>
</tr>
<tr>
<td>Non Top 10 Charges</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Warrant Type of ORSCJ (% of ORSCJ)</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Charges</td>
</tr>
<tr>
<td>FTA Only</td>
</tr>
<tr>
<td>Others (FTC, FTA+FTC, FTA+New)</td>
</tr>
</tbody>
</table>
### Offense Total

<table>
<thead>
<tr>
<th>Offense</th>
<th>Total</th>
<th>White</th>
<th>Black</th>
<th>Native American</th>
<th>Hispanic</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>976</td>
<td>682</td>
<td>120</td>
<td>67</td>
<td>79</td>
<td>28</td>
</tr>
<tr>
<td>Felony</td>
<td>685</td>
<td>515</td>
<td>90</td>
<td>38</td>
<td>27</td>
<td>15</td>
</tr>
<tr>
<td>Serious Violent</td>
<td>80</td>
<td>51</td>
<td>18</td>
<td>4</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Violent</td>
<td>130</td>
<td>98</td>
<td>22</td>
<td>7</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Sex</td>
<td>40</td>
<td>30</td>
<td>8</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Drug</td>
<td>197</td>
<td>159</td>
<td>16</td>
<td>12</td>
<td>7</td>
<td>3</td>
</tr>
<tr>
<td>Non Violent</td>
<td>238</td>
<td>177</td>
<td>26</td>
<td>15</td>
<td>12</td>
<td>8</td>
</tr>
<tr>
<td>Gross Misdemeanor</td>
<td>146</td>
<td>103</td>
<td>14</td>
<td>14</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>Misdemeanor</td>
<td>12</td>
<td>10</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hold - Federal</td>
<td>116</td>
<td>42</td>
<td>12</td>
<td>14</td>
<td>43</td>
<td>5</td>
</tr>
<tr>
<td>Other</td>
<td>17</td>
<td>12</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>

**Number of People in Jail Facing Charges:**

- **447**

People in jail facing non-violent felonies, non-violent misdemeanors, or felony drug charges as their highest charge

**Note:**
### Highest Offenses by Court – Snapshot Apr19

<table>
<thead>
<tr>
<th>Superior Court Charges</th>
<th>%</th>
<th>District Court Charges</th>
<th>%</th>
<th>Municipal Court Charges</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highest Charge</td>
<td></td>
<td>Highest Charge</td>
<td></td>
<td>Highest Charge</td>
<td></td>
</tr>
<tr>
<td>Drug Offenses</td>
<td>23%</td>
<td>Driving Under Influence (Misd)</td>
<td>29%</td>
<td>Assault (Misd)</td>
<td>19%</td>
</tr>
<tr>
<td>Theft/Contraband</td>
<td>23%</td>
<td>Other Driving Charges</td>
<td>17%</td>
<td>Theft/Contraband (Misd)</td>
<td>17%</td>
</tr>
<tr>
<td>Burglary 2D</td>
<td>6%</td>
<td>Assault (Misd)</td>
<td>12%</td>
<td>Violation of Order/Stalking (Misd)</td>
<td>16%</td>
</tr>
<tr>
<td>Finance Fraud (ID/Counter/Txn/Extort)</td>
<td>5%</td>
<td>Violation of Order/Stalking (Misd)</td>
<td>11%</td>
<td>Trespass</td>
<td>9%</td>
</tr>
<tr>
<td>Assault 2D</td>
<td>4%</td>
<td>Theft/Contraband (Misd)</td>
<td>10%</td>
<td>Other Driving Charges</td>
<td>8%</td>
</tr>
<tr>
<td>Murder 1/2D</td>
<td>4%</td>
<td>Obstruction</td>
<td>4%</td>
<td>Harassment/Assist/Mistreat</td>
<td>6%</td>
</tr>
<tr>
<td>Other Nonviolent (Fel)</td>
<td>4%</td>
<td>Murder 1/2D*</td>
<td>2%</td>
<td>Others (Misd)</td>
<td>6%</td>
</tr>
<tr>
<td>Other Sex Charges (Fel)</td>
<td>3%</td>
<td>Reckless Driving</td>
<td>2%</td>
<td>Driving Under Influence (Misd)</td>
<td>5%</td>
</tr>
<tr>
<td>Unlawful Firearm/Bomb Threats</td>
<td>3%</td>
<td>False Reporting</td>
<td>2%</td>
<td>Obstruction</td>
<td>4%</td>
</tr>
<tr>
<td>Violation of Order/Stalking</td>
<td>3%</td>
<td>Reckless Endangerment</td>
<td>2%</td>
<td>Reckless Endangerment</td>
<td>3%</td>
</tr>
<tr>
<td>Assault 3/4D</td>
<td>3%</td>
<td>Harassment (Misd)</td>
<td>2%</td>
<td>Harassment (Misd)</td>
<td>2%</td>
</tr>
<tr>
<td>Harassment/Mischief/Ind Exposure</td>
<td>2%</td>
<td>Trespass</td>
<td>2%</td>
<td>Reckless Driving</td>
<td>2%</td>
</tr>
<tr>
<td>Other Superior Charges</td>
<td>16%</td>
<td>Other District Charges</td>
<td>5%</td>
<td>Other Municipal Charges</td>
<td>3%</td>
</tr>
</tbody>
</table>

Note: The District Court records with Murder 1/2D offenses consists of 6 cases that were released for adjudication in Superior Court.
Only 37 People facing misdemeanor charges in jail

## Misdemeanors by Highest Offenses and DV Flag – Snapshot Apr 19

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Domestic Violence Flag</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DV</td>
<td>not DV</td>
</tr>
<tr>
<td>Driving Under Influence (Misd)</td>
<td>61</td>
<td>61</td>
</tr>
<tr>
<td>Assault (Misd)</td>
<td>30</td>
<td>11</td>
</tr>
<tr>
<td>Violation of Order/Stalking (Misd)</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>Theft/Contraband (Misd)</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Other Driving Charges</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Trespass</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Harassment (Misd)</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Others (Misd)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Crim Mischief/Assist/Mistreat</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Reckless Endangerment</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Other Misdemeanors</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>37</strong></td>
<td><strong>121</strong></td>
</tr>
</tbody>
</table>
FREQUENT UTILIZERS

355 People released 3 or more times from jail solely for a misdemeanor

• 206 (58%) with at least an FTA/FTC
• 69 (19%) with at least a Domestic Violence related charges
• Total length of stay: 7,338 days
• Total cost to incarcerate: $983,292

36 People released 6 or more times from jail solely for a misdemeanor

• Total length of stay: 1,129 days
• Total cost to incarcerate: $151,286
TARGETED INVESTIGATIONS
Still investigating

- Community Correction Center models
- Criminal offenses to civil infractions
COMMUNITY COLLABORATION

Still investigating

- Partnership with STA and other transportation services
- Identifying transportation needs at booking
- Developing court date push notifications through HMIS
- Victim notification & Safety Planning
## VICTIM NOTIFICATION & SAFETY PLANNING

### Female Highest Offense with Domestic Violence (DV) Flag – Bookings May 18 to Apr 19

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Domestic Violence Flag</th>
<th>DV</th>
<th>not DV</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault (Misd)</td>
<td></td>
<td>9%</td>
<td>5%</td>
<td>14%</td>
</tr>
<tr>
<td>Drug Offenses</td>
<td></td>
<td>0%</td>
<td>13%</td>
<td>14%</td>
</tr>
<tr>
<td>Driving Under Influence (Misd)</td>
<td></td>
<td>0%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>Theft/Contraband (Misd)</td>
<td></td>
<td>0%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>Theft/Contraband (Felony)</td>
<td></td>
<td>0%</td>
<td>6%</td>
<td>6%</td>
</tr>
<tr>
<td>Other Driving Charges</td>
<td></td>
<td>0%</td>
<td>4%</td>
<td>4%</td>
</tr>
<tr>
<td>Trespass</td>
<td></td>
<td>0%</td>
<td>4%</td>
<td>4%</td>
</tr>
<tr>
<td>Violation of Order/Stalking (Misd)</td>
<td></td>
<td>1%</td>
<td>1%</td>
<td>2%</td>
</tr>
<tr>
<td>Other Nonviolent (Felony)</td>
<td></td>
<td>0%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>Reckless Driving</td>
<td></td>
<td>0%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>Non Top 10 Charges</td>
<td></td>
<td>2%</td>
<td>30%</td>
<td>32%</td>
</tr>
<tr>
<td><strong>All</strong></td>
<td></td>
<td>13%</td>
<td>87%</td>
<td>100%</td>
</tr>
</tbody>
</table>
Investigated

- Charge to agencies
  - $134 – partner agencies
  - $84 – contract agencies

Still Investigating

- Specific Costs
  - Booking cost: $298
  - Bonds less than $5,000
  - Frequent utilizers
COST TO HOLD LOW BONDS WITH FELONY

Total number of people: 82
Total Days spent in jail on a total bond $5000 or less: 1,938
Total Cost to incarcerate: $259,692
Total Amount of Bail Assessed: $74,731

$184,961

Snapshot: September 18, 2019
COST TO HOLD LOW BONDS W/ MISDEMEANOR

Total number of people: 57
Total Days spent in jail on a total bond $5000 or less: 565
Total Cost to incarcerate: $75,710
Total Amount of Bail Assessed: $48,728

$26,982

Snapshot: September 18, 2019
BAIL FUNDS

• Liberty Fund established with funding from New York City
  • Eligibility Criteria: Risk Assessment, bond amount, charge level
• City pays for Bail Fund Staff and Operations
  • Bail money is private/philanthropic donations
• 2018 Performance Measures
  • 87% made all court appearances
  • $370,000 posted by the Liberty Fund
    • $126,000 refunded to the Liberty Fund
  • $1.5 million saved by Liberty Fund for New York City
TARGETED RECOMMENDATIONS
• Advocate for Redesign of Summons
• Expand Court Date Reminders
• Support additional investments in community based behavioral health and housing services/resources.
4. VIOLATION/STATUTE CODE

5. VIOLATION/STATUTE CODE

RELATED # 2 OF 2  DATE ISSUED 04-15-19  TIME 1:30 PM

Mandatory Court Appearance  Appearance Date 04-24-19  Time 1:30 PM

Ticket Served on violator  Ticket Referred to Prosecutor  Booked

Criminal Citation
You are charged with the crime(s) described on this form. You must respond to the court below.

SPOKANE MUNICIPAL COURT
1100 WEST MALLON
SPOKANE WA 99260

Traffic citations may go on your driving record.

If you do not appear this may result in a warrant for your arrest and detention in jail. Also, if “Traffic” is checked you may lose your driver’s license or privilege.

I certify under penalty of perjury under the laws of the State of Washington that I have issued this on the date and at the location above, and I have probable cause to believe the above named person committed the above offense(s), and I am entering my authorized user id and password to authenticate it.

One of the following options applies:

MANDATORY APPEARANCE

1. If there is a date in the appearance date box you must appear in court at that date and time.
2. If there is a number in the appearance date box you must appear in court within the number of days indicated.
3. If the appearance date box is blank, the court will notify you in writing when to appear. If you do not receive a notice within fifteen (15) days please contact the court immediately.

When you appear, you will be advised of your constitutional rights and the possible penalties if you are convicted. You also may be asked to enter a plea of NOT GUILTY or GUILTY.

If RCW Listed Appears Below Please Read

RCW 46.61.502 Driving Under the Influence (DUI)
drive a motor vehicle and either: have a 0.08 or higher breath or blood alcohol concentration or THC concentration of 5.00 or higher within 2 hours after driving or be under the influence of or affected by liquor, marijuana, or any drug, or a combination of liquor, marijuana, and any drug.

RCW 46.20.342(1)(a) First Degree Driving While Suspended/Revoked (DWLS)
be an habitual traffic offender and drive a motor vehicle while an order of revocation issued under chapter 46.65 RCW prohibiting such operation is in effect.

RCW 46.20.342(1)(b) Second Degree Driving While Suspended/Revoked (DWLS)
drive a motor vehicle while an order of suspension or revocation prohibiting such operation is in effect, and not be eligible to reinstate the license or driving privilege.

RCW 46.20.342(1)(c) Third Degree Driving While Suspended/Revoked (DWLS)
drive a motor vehicle while the license or privilege to drive is suspended or revoked for (1) failure to furnish proof of satisfactory progress in a required alcoholism or drug treatment program; or (2) failure to furnish proof of financial responsibility pursuant to chapter 46.29 RCW; or (3) failure to comply with chapter 46.26 RCW relating to uninsured accidents; or (4) failure to respond to a notice of traffic infraction, failure to appear at a requested hearing, violation of a written promise to appear in court, or failure to comply with the terms of a notice of traffic infraction or citation; or (5) suspension or revocation in another state that would not result in suspension or revocation in this state; or (6) failure...
**CRIMINAL CITATION**

You are charged with the crime(s) described on this form. You must respond to the court below.

<table>
<thead>
<tr>
<th>Traffic citations may go on your driving record</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPOKANE MUNICIPAL COURT</td>
</tr>
<tr>
<td>1100 WEST MALLON</td>
</tr>
<tr>
<td>SPOKANE WA 99260</td>
</tr>
</tbody>
</table>

**Court Contact Info:**

Phone 1: (509)625-4400

**Mandatory Appearance**

- **DATE ISSUED**: 04-15-19
- **APPEARANCE DATE**: 04-24-19
- **TIME**: 1:30 PM

One of the following options applies:

**Mandatory Appearance**

1. If there is a date in the appearance date box you must appear in court at that date and time.
2. If there is a number in the appearance date box you must appear in court within the number of days indicated.
3. If the appearance date box is blank, the court will notify you in writing when to appear. If you do not receive a notice within fifteen (15) days, please contact the court immediately.

When you appear, you will be advised of your constitutional rights and the possible penalties if you are convicted. You also may be asked to enter a plea of NOT GUILTY or GUILTY.

**IF RCW LISTED APPEARS BELOW PLEASE READ**

History of the Law:

1. **RCW 46.61.502 Driving Under the Influence (DUI)**
   - Drive a motor vehicle and either: have a 0.08 or higher breath or blood alcohol concentration or THC concentration of 5.00 or higher within 2 hours after driving or be under the influence of or affected by liquor, marijuana, or any drug, or combination of liquor, marijuana, and any drug.
   - An habitual traffic offender and drive a motor vehicle while an order of revocation issued under chapter 46.65 RCW prohibiting such operation is in effect.

2. **RCW 46.20.342(1)(a) First Degree Driving While Suspended/Revoked (DWLS)**
   - An habitual traffic offender and drive a motor vehicle while an order of revocation issued under chapter 46.65 RCW prohibiting such operation is in effect.

3. **RCW 46.20.342(1)(b) Second Degree Driving While Suspended/Revoked (DWLS)**
   - Drive a motor vehicle while an order of suspension or revocation prohibiting such operation is in effect, and not be eligible to reinstate the license or driving privilege.

4. **RCW 46.20.342(1)(c) Third Degree Driving While Suspended/Revoked (DWLS)**
   - Drive a motor vehicle while the license or privilege to drive is suspended or revoked for (1) failure to finish proof of satisfactory progress in a required alcoholism or drug treatment program; or (2) failure to finish proof of financial responsibility pursuant to chapter 46.28 RCW; or (3) failure to comply with chapter 46.28 RCW relating to uninsured accidents; or (4) failure to respond to a notice of traffic infraction, failure to appear at a requested hearing, violation of a written promise to appear in court, or failure to comply with the terms of a notice of traffic infraction or citation; or (5) suspension or revocation in another state that would not result in suspension or revocation in this state; or (6) failure to respond to a notice of traffic infraction, failure to appear at a requested hearing, violation of a written promise to appear in court, or failure to comply with the terms of a notice of traffic infraction or citation; or (7) suspension or revocation in another state that would not result in suspension or revocation in this state.

**IF YOU DO NOT APPEAR this may result in a warrant for your arrest and detention in jail. Also, if "Traffic" is checked you may lose your driver's license/privilege.**

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, AND I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S), AND I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.
I. Develop suggested changes to submit to Sector

II. Submit letter of support from stakeholders for changes submitted to Sector

- SRLJC
- BOCC
- Courts
- Community leaders
EXPAND COURT DATE REMINDERS

What We Know

• Increase Court appearances 30-50%
• In NYC, Summons re-design + effective court date reminders avoided an estimated 20,800 arrest warrants in one year
• In Richmond, CA, Uptrust text reminders through Public Defender increased appearance rates from 80% to 96% (3.7% FTA)

What We Do

• Municipal Court – triggered upon first court appearance
• District Court – triggered upon first court appearance
• Spokane County Public Defenders – triggered upon assignment of counsel

Who We are Missing:

• Individuals booked and released from jail
  • Individuals posting bond
RECOMMENDATIONS

I. Continue efforts to implement Uptrust at jail booking
   • Reminders to all book and releases
   • Reminders to all who post bond or are later released by court order pre-trial

II. Recommend to BOCC ongoing investment in court date reminders
   • Estimates:
     • $20,000/year (Public Defender’s Office)
     • $10,000 one time integration/customization payment at jail booking
       • plus County IT Costs
     • $10,000/year at jail booking
SUPPORT ADDITIONAL COMMUNITY INVESTMENTS

• Stanford Study: A single non-profit in a community decreases the crime rate
  • Every 10 additional organizations focusing on crime and community life (per 100,000 residents) leads to a:
    • 9% reduction in the murder rate,
    • 6% reduction in the violent crime rate, and
    • 4% reduction in the property crime rate.

• NYC neighborhood investments
  • Infrastructure improvement, increased employment opportunities, increased community engagement
  • Decrease in all crime, including violent crime and property crime
RETHINKING INCARCERATION

- Implement Supervised Release programs, informed by the NYC model
- Expand bail review program currently operated by clinician in PreTrial Services
- Opportunity to resolve some cases at Warrantfest (e.g. community service)
- Coordinated Releases & Reach-ins
- Incentivized probation
SUPERVISED RELEASE

- NYC: Non-profits provide supervised release across the 5 Burroughs
- Released to supervised release in lieu of bond
- Assigned to Social Worker's caseload
  - Peer Supports are also used to help assist an individual upon release
- Hours of operation: 7am – 7pm (staggered shifts)
## SUPERVISED RELEASE: PERFORMANCE

### Performance

- 88% make all court appearances
- 93% of court appearances are attended
- 20% of participants are arrested while on release
- 8% of participants arrested for a felony while on release
- 3,300 people for first year
  - Now close to 5,000 people /year

### Cost

- $2,500/person
- Average length of participation: **3.5 months**
  - (In Spokane, a 3.5 month jail stay would cost roughly $25,200/person).
- Funded by general City Budget with seed money from litigation
OPTS: BAIL REVIEW PILOT

• Bond of $5,000 or less presenting with behavioral health history or symptoms reconsidered for release. If released, provide voluntary intensive case management services.
  • Assessments conducted: 19
  • September Caseload: 4
  • Successful completions: 8 (accessed treatment & case resolved)
    • 4/8 successful completions controlled substance (PCS ALOS: 26.8 days)
  • Cost Savings
    • 51 (days saved) \( \times \) 140 = $7,140

Recommendations
• Expand Bail Review to Municipal and District Courts
• Increase number of cases for Superior Court docket
WARRANTFEST - RESOLUTIONS

- Continue holding warrantfest and include opportunity to resolve case at the site
  - Minneapolis: Community service at the site

Recommendations
- Determine eligible charges for resolution
- Identify and offer community service opportunities at future sites*
COORDINATED RELEASE & REACH INS

Multiple examples, including (but not limited to):

- Multnomah County, OR
- Miami Dade, Fl
- Reentry Pilot Program in Spokane, WA
REACH-INS PRIOR TO RELEASE

Eligible individuals → Referred to Pathways Hub → Assigned to CHW

CHW meets with individual in jail and begins assessment/planning → release

Continues to provide services, planning, support until all needs completed
RECOMMENDATIONS

• Develop policies and procedures that facilitate the expansion of reach-ins prior to release
• Develop policies and procedures that facilitate coordinated releases
ICENTIVIZED PROBATION

• Earn compliance credits which reduces the length of supervision
• Instead of violating an individual due to a technical violation, the state reduces the number of credits earned (re-extending length of supervision)
• In one year after implementation, Louisiana saw 16% decrease in average length of probation
• Average caseload dropped from 149 in 2016 to 123 in 2018
• The average successful completion of the program reduced their community supervision time by an average of 14 months
RECOMMENDATIONS

• Incorporate incentivized probation model at Municipal and District Courts
• Expand use of peer support in community and across the justice system
• Curb overnight releases from jail
• Coordinated releases & Reach-ins (See Rethinking Incarceration Strategies)
• Trauma informed care training for courts
EXPAND PEER SUPPORT

**Services Provided by Peers**
- Individual peer support counseling
- Facilitating peer support group
- Wellness recovery action planning
- Recovery coaching
- MAT coaching
- Wellness coaching
- Systems navigation
- Peer advocacy
- Employment specialists

**Challenges**
- Personnel policies
- Recovery vs. recidivism
- Discrimination
- Compensation
- Need for specific and intensive supervision
RECOMMENDATIONS

Include voluntary peer services for individuals at:

• Pre-Trial Release
• Jail
• Throughout Reentry
LIMIT OVERNIGHT RELEASES

In Spokane
- Released between 8:00pm and 6:00am (May 2018 – April 2018)
  - Pre-trial releases: 3,737 released (29%)
  - All sentenced releases: 713 (25%)

In California & Texas
- California legislation (SB 42): A jail must provide individuals eligible for release overnight a safe waiting area (not in custody) until morning (2019).
- Harris County, Texas: After state legislation stalled, Harris County banned late night releases (2012).
  - Texas legislation: ending releases from jail (5:00pm – 6:00am) (2019).
RECOMMENDATIONS

• Avoid releases between 9:00pm and 6:00am whenever possible
• Create a safe waiting space for individuals upon release, including snacks and a charging station
• Develop policies to help individuals transition out of the waiting area after 6:00am
TRAUMA INFORMED TRAINING FOR COURTS

SAMHSA’s 6 key principles

• 1. Safety
• 2. Trustworthiness and Transparency
• 3. Peer support
• 4. Collaboration and mutuality
• 5. Empowerment, voice, and choice
• 6. Cultural, Historical, and Gender Issues

Recommendations

• Schedule and conduct trauma informed trainings for all three courts
• Consider grouping therapeutic courts
• Investigate expansion of Electronic Home Monitoring (sentenced)
**ELECTRONIC HOME MONITORING**

**State Requirements for Felonies**
- Sentenced for a minimum of 7 days
- No violent crime
- None of the following offenses:
  - Drug, sex, reckless burning, assault of a child in 3d degree, assault 3degree, unlawful imprisonment, harassment
  - NOTE: certain charges, like PCS or motor vehicle theft have additional requirements

**State Requirements Misdemeanors**
- Sentenced to a minimum of 7 days

**Detention Services Policy (non-exhaustive)**
- Basic offense conduct (criminal history and history of non-compliance)
- ASRA risk Score
- Home location and living situation
- No employment in adult or drug industry or no supervision

All participants required to take alcohol and drug UAs
- Second infraction → remove from program

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ELECTRONIC HOME MONITORING

Cost to participate
• $25 initiation fee (“hook up fee”)
• $4/day

Cost of operations (Sentinel)
• $3.30/day/device
• $1.25 day/device sitting in inventory
• July: $2400 for RF bracelets and $200 unused units + staffing (4 staff) + indirect

Cost Savings
• One year to incarcerate: ~51,100
• vs.
  One year of EHM: ~1,204.5 per device (does not include staffing costs)

Snapshot from September 17, 2019:
• Eligible population: 63 individuals meet most of legal requirements of EHM
• Enrolled individuals: 25
RECOMMENDATIONS

Lift Some Detention Services Restrictions

- Develop EHM opportunities for sentenced population that
  - 1) connect to housing or
  - 2) do not require housing
- Eliminate restriction against previous drug involvement
- Eliminate urinalysis testing
- Address obstacles related to employment
- Shift cost from individual to agency
| Failure to Appear | Failure to Comply | Behavioral Health | Sentenced | Contract Beds | Multiple Charges | Pre-Trial | Acceptable Risk |
|-------------------|-------------------|------------------|---------|...............|-----------------|----------|-----------------|
| Redesign of Summons | Expand use of peer supports | Invest in community based resources | Electronic home monitoring | Supervised release | Invest in community based resources | Supervised release | Invest in community based resources |
| Expand Court Date Reminders | Incentivized probation | Expand use of peer supports | Limit overnight releases | Expand Bail Review Pilot | Supervised release | Expand Bail Review Pilot | Supervised release |
| Expand use of peer supports | Limit overnight releases | Coordinated Release/Reach-ins | Coordinated release | | Expand Bail Review Pilot | | Expand Bail Review Pilot |
| Resolution at warrantfest | | Expand Bail Review Pilot | | | | | |
MAPPING ACTIVITY

- Green = Support
- Yellow = Like, but still have questions
- Red = Serious concerns
FEEDBACK
# Charge Hierarchy

## Felonies

<table>
<thead>
<tr>
<th>State Law</th>
<th>Charge Hierarchy</th>
<th>Charge Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Serious Violent Offenses</strong></td>
<td>1</td>
<td>Murder 1/2D</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Rape 1D</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Assault 1D</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Kidnap 1D</td>
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<tr>
<td></td>
<td>5</td>
<td>Explosives</td>
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<tr>
<td></td>
<td>6</td>
<td>Trafficking</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>Veh Homicide/Manslaughter 2D</td>
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<tr>
<td></td>
<td>8</td>
<td>Lead Organized Crime</td>
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<tr>
<td></td>
<td>9</td>
<td>Robbery</td>
</tr>
<tr>
<td></td>
<td>10</td>
<td>Assault 2D</td>
</tr>
<tr>
<td></td>
<td>11</td>
<td>Arson</td>
</tr>
<tr>
<td></td>
<td>12</td>
<td>Drive by shooting</td>
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<tr>
<td></td>
<td>13</td>
<td>Burglary 1D</td>
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<tr>
<td></td>
<td>14</td>
<td>Other Violent (Fel)</td>
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<td><strong>Violent Offenses</strong></td>
<td>15</td>
<td>Child Molestation</td>
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<td></td>
<td>16</td>
<td>Rape 2/3D</td>
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<td>17</td>
<td>Indecent Liberties</td>
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<td></td>
<td>18</td>
<td>Depiction Minor</td>
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<td>19</td>
<td>Other Sex Charges</td>
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<td><strong>Drug Offenses</strong></td>
<td>20</td>
<td>Drug Offenses</td>
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<th>State Law</th>
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<tbody>
<tr>
<td></td>
<td>21</td>
<td>Malicious Placement Explosives</td>
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<tr>
<td></td>
<td>22</td>
<td>Criminal Mistreatment</td>
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<tr>
<td></td>
<td>23</td>
<td>Hit &amp; Run</td>
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<td></td>
<td>24</td>
<td>Theft/Contraband</td>
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<td></td>
<td>25</td>
<td>Unlawful Firearm/Bomb Threats</td>
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<td>26</td>
<td>Promoting Prostitution</td>
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<td>27</td>
<td>Bribe/Intimidate/Perjury</td>
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<td>Violation of Order/Stalking</td>
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<td>29</td>
<td>Criminal Assistance/Misbehavior</td>
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<td>Assault 3/4D</td>
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<td>31</td>
<td>Burglary 2D</td>
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<td>32</td>
<td>Finance Fraud (ID/Counter/Txn/Extort)</td>
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<td>33</td>
<td>Harassment/Mischief/Ind Exposure</td>
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<td>34</td>
<td>Driving Under Influence</td>
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<tr>
<td></td>
<td>35</td>
<td>Other Nonviolent (Fel)</td>
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</tbody>
</table>

**Note:** The Washington State Adult Sentencing Guidelines’ “Offense Seriousness Level” is used to categorize and rank Felony offenses. The Felony Charges Hierarchy was reviewed and finalized by the County Public Defenders’ Office.
## Misdemeanor Charges Hierarchy

**Note:** The Misdemeanor Charges Hierarchy was reviewed and finalized by the City's Public Defender's and Prosecutor's offices.

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<tbody>
<tr>
<td>Nonviolent Offenses</td>
<td>36</td>
<td>Assault (Misd)</td>
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<tr>
<td></td>
<td>37</td>
<td>Driving Under Influence (Misd)</td>
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<td>38</td>
<td>Sex Related (Misd)</td>
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<td>39</td>
<td>Violation of Order/Stalking (Misd)</td>
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<td>40</td>
<td>Harassment (Misd)</td>
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<td>41</td>
<td>Reckless Endangerment</td>
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<tr>
<td></td>
<td>42</td>
<td>Firearm/Weapon (Misd)</td>
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<td></td>
<td>43</td>
<td>Theft/Contraband (Misd)</td>
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<td></td>
<td>44</td>
<td>Crim Mischief/Assist/Mistreat</td>
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<td></td>
<td>45</td>
<td>Controlled Sub (Drug/Alcohol)</td>
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<td>46</td>
<td>Trespass</td>
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<td>47</td>
<td>Finance Fraud (Misd)</td>
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<td>48</td>
<td>Reckless Driving</td>
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<td>Obstruction</td>
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<td>False Reporting</td>
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<td>Other Driving Charges</td>
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<td></td>
<td>52</td>
<td>Others (Misd)</td>
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