Task Force Meeting Three

Spokane, Washington

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Vera Institute of Justice
Jail listening sessions

- Geiger
  - 12 men
  - 6 men and 4 women

- Downtown
  - 12 men
  - 12 women

- Overview
  - Local criminal justice system
  - Jail facilities and incarceration
  - Looking towards the future
Local criminal justice system
Law enforcement and arrest

- Policing is often not trauma-informed
- Police can be aggressive, particularly if someone has a conviction history
- Notion that police are driven by arrest quotas
Bail and pretrial release

- Higher bond amounts than in other communities; less OR

- Bond amounts are often unaffordable
  - “The courts are supposed to set bail at amounts that we can afford but they don’t do that, especially for repeat offenders.”

- Even when defendant has the funds to post bond, it can be difficult to gain access from jail
  - “I was living in housing for homeless veterans when I was arrested on a no-contact order. I was set a $5,000 bond. I had the funds to pay it, but I couldn’t get ahold of anyone who was able to access this money for me.”

- Prior FTAs, even if they are very old, drive up bond amounts
Bail and pretrial release

- Unaffordable bonds can serve as a punishment and worsen criminal justice outcomes
  - “We’re pretrial. When we are in held in jail, it’s like serving a sentence without having been sentenced.”
  - “If we were out pretrial, we would be offered better deals. Many plea to time-served. When people bond out or are ORed, they can fight their cases longer. You can still go to work, go to school, be productive. The courts take that into consideration for your sentence. If you’re out and go to court, you appear to be a normal person. When you go to court from jail, it’s assumed we’re terrible criminals.”
Drivers of failure-to-appear

- People forget
- Lack of bus passes and transportation options
- Many court dates across multiple courts (and in other counties) is confusing and burdensome
- Continuances and lengthy case processing times
- Distrust of the system
- Substance use
- Lack of ability to reschedule a court date in the event of something like a hospitalization
Public defense

- Public defense offices are under-staffed and under-resourced
  - “There are not enough public defenders. When there’s no public defender assigned, there are continuances and people stay in jail even longer.”
  - “I’ve been in jail a year and a half and am on my fourth public defender.”

- Some spoke highly of their attorneys
  - “I’m blessed this time with a good public defender.”
  - “I was assigned counsel for defense and they were awesome. They came out swinging to defend me.”

- Many face difficulties communicating with their attorneys from jail and feel that attorneys do not communicate regularly
Public defense

- Interest in more holistic defense
  - “When I was under Federal Pretrial Supervision, I was given a social worker as part of public defense. He said, ‘I’m here to help you with what you need to stay on the right path.’ He picked me up and gave me rides to interviews, buying me a cup of coffee on the way. His only job was to help me. I felt like he really cared. What would it take to get social workers in public defense offices here? Is this something we could fund?”
Charging

- Charging practices are harsher than what people have experienced in other jurisdictions
  - “In other counties, I was charged my charge and I could fight it. Here they over-charge you and then you plea to the original charge. It’s turning everyone into felons.”

- Many cases are charged as felonies when they could be charged as misdemeanors

- Additional charges drive up bail amounts and slow down case processing
  - “If I had my bond set on my original charge, I could have afforded it, but they piled on 13 bogus charges. I had to figure out how to pay bond on all of those charges even though they were eventually dropped.”
Plea deals

- People feel coerced into taking plea deals
  - “Even when we’re innocent, public defenders try to get us to sign plea deals.”
  - “I felt forced to not go to trial. They said they would give me more charges if I took my case to trial.”
  - “You get arrested on one charge. Then they add 4-5 other charges. If you took your case to trial, those charges would be dropped, but they use them to scare you into taking a plea.”

- Pretrial incarceration plays a part in this
  - “I took a plea on something I didn’t do because I wanted to get out of County.”
  - “Everyone is taking plea deals, which keeps people in the system. If everyone went to trial, they couldn’t keep us all in jail.”
Probation

- Revocations for relatively minor violations drive jail admissions
  - “You can go to jail after your first dirty UA, which isn’t realistic for an addict.”
  - “If you get put on probation and miss one appointment, you can end up going to jail many times for the same crime. Six months of probation can turn into a three year sentence.”

- Conditions can be burdensome
  - Supervision fees are expensive
  - Mandated classes can be expensive and difficult to get to
  - Can be supervised by 2 offices (2 officers, 2 sets of requirements, 2 courts)
  - Conditions can interfere with pro-social activities - “What employer will let you leave work three times a week to go to probation appointments?”
Probation

Desire for shift in probation to case-management model

- “Probation isn’t working; it’s hurting, not helping people to get back on track. They tell you what you need to do, but they don’t offer help to get what you need in the community in order to do it.”

- “Probation needs more resources. They should have people helping you find jobs and housing. Go out there with you. They should have bus passes to get to your probation officer because people need transportation assistance.”
Reentry

- Needs
  - Transitional housing - “You’re out on the street when you’re released. I was released without shoes in the middle of winter and couldn’t go home. I had to check myself into a veterans psych ward just to have a safe place to stay.”
  - Employment assistance
  - Help obtaining social security card and identification

- Lack of reentry services contribute to recidivism
  - “I was arrested in the summer and released in the middle of the winter in shorts and sneakers that were two sizes too small. I had to walk hours with no phone, no money. I stayed in jail to fight my case. I wanted to do good when I got out, but I had nothing and felt helpless. I eventually found a place I could stay if I offered the person small amounts of drugs. Having a gun made me feel safer.”
Jail facilities and incarceration
Jail incarceration: Downtown

- Jail is understaffed
- Lack of cultural competency about Native American heritage and other cultural groups
- Some good correctional officers work in the system
- Slow response to medical requests (Geiger, too)
- Staff need training on sensitivity and communication - “They think because we’re in here, we’re less than them”
- Loved ones who work 9-5 are unable to visit; no weekend visits
Jail incarceration: Geiger

▪ “There’s little lock-up time in Geiger and isn’t much to complain about here. It’s the legal system that’s the problem.”

▪ Positive feelings about programming, but it has become more limited:
  • Gardening and community service offered through work release
  • “Breaking Barriers and Financial Peace are awesome programs”
  • “Classes here have really helped, but they took away a lot of programs and we don’t know why. I got a lot out of anger/stress management and employment classes.”
  • Intensive outpatient program for addiction - “I think it will truly better my life.”
  • Would like programs for veterans with PTSD
Jail mental health

- Lack of mental health staff at Geiger
- Lack of privacy downtown
  - “I can’t talk to the therapist because the officer is right there.”
  - “It’s not a therapy session to talk on the balcony for five minutes.”
- Trauma from witnessing deaths in jail
- Need more medical equipment and medical staff
- Would like group sessions, especially for those in lock-down
Impacts of incarceration

▪ “I lost my housing, my job, and my family.”
▪ Increasing debt, including students loans and LFOs - “which means we will go back to nothing and may return to crime.”
▪ Loss contact with kids; visits are logistically difficult for families
▪ Pretrial detention makes it hard to research legal cases and locate evidence to support case - “I could be working on my legal case if I was out right now.”
▪ “There are a lot of nonprofits in the community to help us, but we have to be out of jail in order to use them.”
Looking toward the future
Ideas for improvement within jails

- List of community resources in pods with up-to-date phone numbers
- Outdoor space with fresh air and grass - “even being allowed to sit down in the grass would be a nice reprieve”
- Offer more classes, including for pretrial so people have the chance to demonstrate they’re working toward goals:
  - AA, NA, anger management, computer skills, GED, skill-building, resume writing, weekly religious services, programs for veterans
- On-site office for Bail Project
- Increase staffing to enable more out-of-cell time, including on weekends
- Expand work release program and ease eligibility
Ideas for improving community-based services and delivery

- Homeless shelters are always full; put money currently used into enforcement and deterrence into affordable housing.

- “Resources exist in the community, but you need to be able to get to them. People should be given stable housing for a few weeks so that you can find the resources you need. There are a lot of people here who want better lives, but we aren’t provided services to access the services we need. They have no chance.”

- Invest in clean and sober homes operated by Native tribes, support culturally-competent NA and AA programs.
Ideas for system-based reforms

- Establish in-patient drug treatment programs for pretrial people; options for people on simple possession charges
- Reduce simple possession from felony to misdemeanor
- Invest more in pretrial services
- Shift to system that presumes innocence during pretrial stage
- Establish jail alternatives for people with mental illness
- Rethink the criminalization of homelessness
- Increase funding and number of public defenders
- Reduce over-charging
- More oversight of law enforcement and correctional officers
- Shift probation to case-management model
Ideas about the future of Spokane’s jail facilities

- Build a new, more spacious jail

- “I don’t think they should put money into a bigger jail; the system will repeat the same mistakes.”

- “The solution is not to build a bigger jail. Instead, use those millions of dollar to hire more public defenders and judges. The main disease of the system is that cases last way too long. A bigger jail would increase this.”

- Develop jail alternatives for people with mental illness