

# 2022 Seattle City Council Budget Action

Council Budget Action: Agenda

Tab	Action	Option	Version
SMC	003	A	001

**Budget Action Title:** Proviso \$88,000 GF in SMC for electronic home monitoring and request reporting on its use

Ongoing: Yes Has Budget Proviso: Yes

Has CIP Amendment: No Has Attachment: No

Primary Sponsor: Tammy Morales

Council Members:

Staff Analyst: Asha Venkataraman

Council Bill or Resolution:

Date		Total	LH	TM	KS	AP	DJ	DS	AL	BC	LG
	Yes	0									
	No	0									
	Abstain	0									
	Absent	0									

**Budget Action Description:**

This Council Budget Action (CBA) would impose a proviso on the Seattle Municipal Court (SMC) that restricts expenditure of \$88,000 for electronic home monitoring (EHM) subsidies until SMC provides to the Public Safety and Human Services Committee or its successor baseline data on its use. This CBA would also request that SMC provide quarterly reports to the Public Safety and Human Services Committee, or its successor, regarding the use of EHM.

In September 2021, the Community Task Force on Criminal Legal System Realignment issued its report, which included recommendations regarding the use of EHM. It stated that "[a]lthough EHM is generally thought of as an alternative to incarceration, electronic surveillance devices such as EHM have increasingly become an alternate form of incarceration, or 'digital imprisonment'." It also stated that "[t]he barriers created by EHM include challenges to keeping and finding employment, securing housing, supporting family activities, and participating in community activities."

Prior to the expending these funds on additional subsidized EHM slots, this proviso would require that SMC provide the following baseline data from 2018-2021 to understand current usage of EHM for misdemeanor defendants:

1. If available, the self-identified race, gender, and housing status of individuals who are placed on EHM;
2. Offenses where EHM is being used;
3. At what stage of the criminal legal system EHM is being used (pre-trial vs. post-adjudication sentencing or probation);
4. The length of time EHM is being imposed and comparison of length of time imposed with other forms of incarceration including secure detention;

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5. Any additional conditions imposed when EHM is ordered; and
6. The number of times EHM has been revoked and the basis for the revocation.

To help determine whether EHM is being used to expand the net of surveillance or increase disparities, the Council requests that SMC track, evaluate and report the following data on a quarterly basis:

1. The self-identified race and gender, and housing status, of individuals who are placed on EHM;
2. Offenses where EHM is being used;
3. At what stage of the criminal legal system EHM is being used (pre-trial vs. post-adjudication sentencing or probation);
4. The length of time EHM is being imposed and a comparison of length of time imposed with other forms of incarceration including secure detention;
5. Any additional conditions imposed when EHM is ordered; and
6. The number of times EHM has been revoked and the basis for the revocation.

This CBA would impose the following proviso:

"Of the appropriation in the 2022 budget for the Seattle Municipal Court Court Compliance Budget Summary Level (BO-MC-4000), \$88,000 is appropriated solely for electronic home monitoring subsidies and may be spent for no other purpose. Furthermore, none of the money so appropriated may be spent until the Seattle Municipal Court provides to the City Clerk baseline data from 2018-2021 regarding: the self-identified race, gender, and housing status of individuals who are placed on EHM; offenses where EHM is being used; at what stage in the criminal legal system EHM is being used (whether it is pre-trial vs. post-adjudication sentencing or probation); length of time EHM is being imposed and a comparison of length of time imposed with other forms of incarceration including secure detention; any additional conditions imposed when EHM is ordered; and the number of times EHM has been revoked and the basis for the revocation."