



SEATTLE CITY COUNCIL  
**CENTRAL STAFF**

# **Council Bill 120825: Interlocal Agreement for Jail Services.**

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PUBLIC SAFETY COMMITTEE

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# Background

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- Seattle's use of Misdemeanant Jail Services declined from a high of 273 ADP in the decade preceding the pandemic to 75 ADP in 2023.
- King County 2020 Executive Order establishes KCJ Misdemeanor Booking Restrictions:
  - Misdemeanor assaults;
  - Violations of no contact or protection orders;
  - Driving under the influence (DUIs);
  - Sex crimes; or
  - Other charges presenting a serious public safety concern.

# Proposed Use of SCORE

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- CB 120825 would authorize the Mayor to execute an agreement with SCORE to house 20 misdemeanor detainees with flexibility for future changes.
- CB 120825 contains several recitals that specify:
  - The City's need for jail space as a necessary tool for a functioning criminal legal system;
  - The Mayor's stakeholder workgroup process, used to identify operational and policy issues with jail services at SCORE; and
  - The Executive's intended use for the jail.

# South Correctional Entity (SCORE)

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- In 2009 the cities of Auburn, Burien, Des Moines, Federal Way, Renton, SeaTac, and Tukwila joined together to build a new jail. They also established an independent governmental agency, the South Correctional Entity or SCORE, to operate the jail.
- SCORE an 802-bed facility, including a 29-bed observational facility. The jail has a Medication for Opioid Use Disorder (MOUD) Program, a Trueblood Pilot Program, 24/7 Nursing Care, 40-hour per week Doctor with after-hour on-call services, 2 Embedded Western State Hospital Psychologists, and can provide jail release services.

# Intended Use for SCORE

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- SCORE will house misdemeanor detainees for 24-48 hours, a period that corresponds to Washington State Court Rules requiring that persons who are arrested receive a judicial determination of probable cause no later than 48 hours following the arrest. Mayor's Office assumes most detainees would be released by a judge with bail and/or pretrial conditions.
- Detainees would be transferred from SCORE to Seattle for their First Appearance, receive in-person DPD counsel prior to and during the hearing, then transferred back to SCORE for release processing or to await further hearings.

# Target Population for SCORE

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- The Executive has indicated that SPD will take to SCORE only those misdemeanor arrestees who fit specific criteria. Such persons would be:
  - Arrested for a misdemeanor crime that warrants detention under specific public safety or other conditions outlined in SPD Policy Manual 11.040.3, which requires officers to complete an Arrest Screening Supplement report that notes the reasons that they believe a person should be incarcerated;
  - would be refused at the KJC due to booking restrictions (see above); and
  - is unlikely to be released by an SMC PR (Personal Recognizance) Screener, who makes a case-by-case determination of whether an individual poses a flight risk, danger to the community or is otherwise suitable for release based on past practice related to SMC proposed policy GAO 2020-12.

# Current Operational Issues

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- The Executive has indicated that it will not begin using SCORE until it has addressed a number of logistical and policy issues raised by the stakeholder workgroup. More significant issues include:
  - Development of clear SPD policies on which crimes and detainees may be booked at SCORE; generally, arrestees who are medically and psychologically cleared to be booked, but that still may present significant public safety impacts to the community.
  - Transport to/from SCORE and the King County Jail (KCJ) or Seattle Justice Center (SJC);
  - Detainee holding cell use at KCJ or SJC;
  - Data exchanges between SCORE, SMC and SPD.

# Fiscal Issues

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- The 2024 Adopted Budget appropriation for Jail Services is \$22.4 million. The Executive indicates that an anticipated underspend in the Jail Services budget is expected to cover the cost of the 2024 SCORE jail bed contract, which is estimated not to exceed \$600K for use in September through December.
- Starting in 2025, the annual cost for jail services is estimated at \$2.0 million per year. The Executive is working to better assess cost variables that may include:
  - \$262,000 estimate for overtime costs for SPD transport to/from SCORE (\$105 per OT hour);
  - \$150-\$300 estimate for costs associated with additional technology infrastructure;
  - TBD – SMC Staffing costs that could include short-term administrative support and longer-term Marshall support; and
  - TBD - Facility costs for holding cells at SJC or KCJ, or costs associated with video hearings.



# Options for Council Consideration:

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1. The Council could hold CB 120825 until the Mayor's Office presents solutions to the operational and policy issues that have been identified by workgroup members;
2. Prior to passing CB 120825, the Council could adopt/ incorporate amendatory language that requires the Executive to report on solutions to operational or policy issues; either as a condition of implementation, or as a prerequisite for implementation (legal review pending); or
3. Council could pass CB 120825 without amendment.

# Questions?