SEATTLE MUNICIPAL COURT
Probation Evolution
2022 Update

Willie Gregory, Presiding Judge
Carol Bell, Programs & Services Manager

April 2022

Seattle Municipal Court Overview

Mission: Provide a forum to resolve alleged violations of the law in a respectful, independent and impartial manner

- Judicial branch of City government

- Handles all misdemeanor/gross misdemeanor crimes and civil infractions under the Seattle Municipal Code and certain RCW Statutes

- Processes thousands of criminal cases and hundreds of thousands of vehicle infractions every year

Organizational Values

SERVICE

FAIRNESS

EQUITY AND INCLUSION

EXCELLENCE

INNOVATION

INTEGRITY

What is Probation at SMC?

- Post-adjudication case management

- Judges order obligations at sentencing
  - Ex: substance use disorder treatment, domestic violence intervention, mental health treatment and case management

- Probation counselors support clients to complete obligations

- Goals: supporting client's success on probation, accomplishment of individualized goals, and transition out of the criminal legal system

Why Probation Evolution

Project Goal

"Transform our Programs and Services division by stepping away from traditional incarcerative, reactionary approaches to misdemeanant supervision, toward one that is **hopeful, equitable, and supportive of client success and growth**."

Program Assessments

- **The Vera Institute of Justice**: *Report to Seattle Municipal Court Probation Services on Strategies for Improving Policies and Practices* (2020)
- **Seattle Office of the City Auditor**: *Assessment of Seattle Municipal Court Probation Racial and Ethnic Proportionality* (2021)

  Seattle.gov/courts/probation evolution

What's Changed?

Focused on high-risk case types. Most clients on probation are referred for DUI, DV or Mental Health Court.

Discontinued practice of criminal record checks on clients not referred to probation/clients no longer obligated to conditions of probation (except in some DUI cases where required). As of early 2021, resulted in 1,640 fewer cases on records checks

Eliminated discretionary probation fees in September 2020

Implemented a case closure policy directing counselors to administratively remove clients from probation when court-ordered conditions are met. After policy was implemented, # of clients on active supervision by reduced by 16%

Began collecting **client-reported race and ethnicity data** to better understand outcomes for different groups and address disproportionate impacts

Implemented a **client exit survey**

2022 So Far

✓ Hired Probation Evolution Project Manager/Organizational Change Manager

✓ Developed project schedule for completing all Probation Evolution tasks by end of Q2 2023

✓ Arranged division wide training on Trauma Responsive Care, Harm Reduction and Motivational Interviewing (Coming in June and July 2022)

✓ Implemented Presiding Judge Gregory's decision to eliminate use of risk assessment tools for determining a probation client's reporting frequency

✓ Hired Community Outreach and Engagement Strategic Advisor

✓ Welcomed Community Resource Center Systems Navigator

Eliminated Risk Assessment Tools in Probation

- Effective March 21, 2022, Probation Services eliminated use of risk assessment tools

- Risk assessment tools are used to avoid human bias, however, tools often include questions that perpetuate bias towards people of color

- Previous tool was found to be failing to differentiate between risk levels
  - Classifying 93 percent of people under SMC probation supervision as posing high risk
  - Had especially adverse effects on Black/African American and American Indian/Alaska Native clients

Developing New Classification System

Interim policy: all new probation clients required to report once per month (currently by phone/video)

Now working to develop standardized classification system, as required by State Court Rule ARLJ 11.2

- Developing in partnership with community members and system partners
- Racial Equity Toolkit will be completed as part of the system design process

Target date for new classification system:

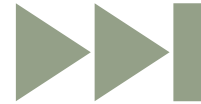**June 2022**

What is our project plan?

Now

Engage the community to design a new classification system.

Uncover and mitigate unintended impacts to at risk communities with a RET.

Modify in-take policies, processes, internal controls, & tools for the classification system.

Train staff on implicit bias and the new classification system.

Next

Engage community to design meaningful, fair, and impartial client interaction expectations.

Change supervision so that accomplishments inform the frequency and type of contact.

Uncover and mitigate unintended impacts on at risk communities with a RET.

Modify policies, processes, internal controls, & tools with the updated supervision model.

Train staff on client interactions expectations and the updated supervision model.

Later

Engage community to design positive reinforcement and incentives to encourage clients to achieve prosocial goals.

Change supervision so that accomplishments inform the duration of probation.

Uncover and mitigate unintended impacts on at risk communities with a RET.

Modify policies, processes, internal controls, & tools with the updated supervision model.

Train staff on prosocial activity interactions and the updated supervision model.

Questions