

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
LEG	Venkataraman/4-5382	

* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to appropriations for the Seattle Municipal Court; amending a proviso imposed by Ordinance 126490, which adopted the 2022 Budget; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation: The 2022 Adopted Budget included Council Budget Action (CBA) SMC-003-A-001, which placed a proviso on \$88,000 in the Seattle Municipal Court's budget intended to fund subsidies for users of electronic home monitoring (EHM). The proviso restricted expenditure of those funds until the Court provided to the Public Safety and Human Services Committee or its successor baseline data from 2018-2021 to understand current usage of EHM for misdemeanor defendants. The Court recently indicated that neither it nor the EHM service provider have the historical baseline data, though the Court is tracking the requested information starting in 2022. Without this information, there is no mechanism for the Court to trigger the proviso lift and expend the \$88,000. In addition, the Court has exhausted its existing funding for subsidies and cannot expend any more on subsidies unless the proviso is lifted. The legislation would amend the proviso to allow the Court to spend the \$88,000 without further data submission.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes ___ No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

If so, describe the nature of the impacts. This could include increased operating and maintenance costs, for example.

No

Are there financial costs or other impacts of *not* implementing the legislation?

Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

If the Court cannot subsidize EHM spots for indigent defendants and these defendants cannot afford EHM without a subsidy, the Court can either release the individual or incarcerate

them. Incarceration may be more expensive than release or EHM and increase the number of beds used at the jail, for which the City pays a contract to use.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.).

It affects the Seattle Municipal Court, allowing them to expend the funds currently under proviso.

b. Is a public hearing required for this legislation?

If yes, what public hearings have been held to date, and/or what public hearings are planned/required in the future?

No

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.

No

d. Does this legislation affect a piece of property?

If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.

No

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

If yes, please explain how this legislation may impact vulnerable or historically disadvantaged communities. Using the racial equity toolkit is one way to help determine the legislation's impact on certain communities. If any aspect of the legislation involves communication or outreach to the public, please describe the plan for communicating with non-English speakers.

There are a high percentage of individuals with cases at the Court who are indigent, and a number are Black, Indigenous, or from other communities of color overrepresented in the criminal legal system. Where EHM or incarceration is required by law and release is not an option, subsidizing an individual's ability to use EHM rather than incarcerating them because they cannot afford EHM could decrease the racial disproportionality present at the jail (though not necessarily disproportionality present in surveillance through the criminal legal system as a whole).

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

Please provide a qualitative response, considering net impacts. Are there potential carbon emissions impacts of not implementing the proposed legislation? Discuss any potential intersections of carbon emissions impacts and race and social justice impacts, if not previously described in Section 4.e.

No

- 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

Describe the potential climate resiliency impacts of implementing or not implementing the proposed legislation. Discuss any potential intersections of climate resiliency and race and social justice impacts, if not previously described in Section 4e.

No

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?**

This answer should highlight measurable outputs and outcomes.

NA

Summary Attachments: