

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
Mayor’s Office	Natalie Walton-Anderson	Linda Taylor-Manning

1. BILL SUMMARY

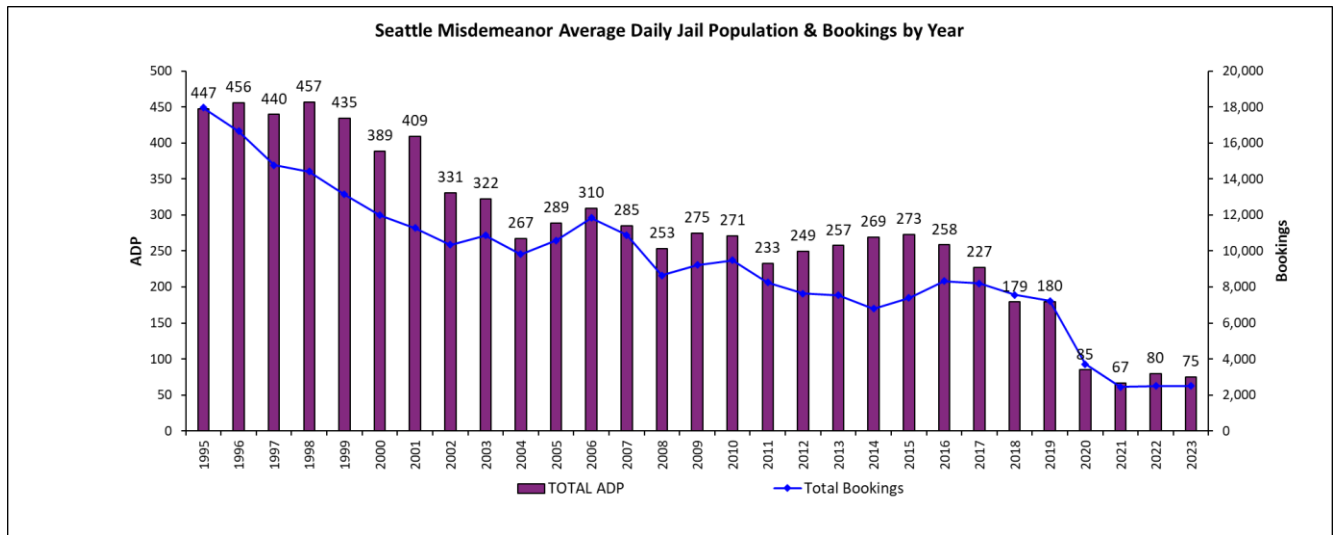
Legislation Title: AN ORDINANCE relating to jail services; authorizing the Mayor to execute an Interlocal Agreement with South Correctional Entity for the provision of jail services; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation:

The City of Seattle currently has an Interlocal Agreement (ILA) with King County (KC) to house all inmates with misdemeanor charges from Seattle Municipal Court (SMC) in KC’s jail facilities. The term of the ILA is from January 2012 to December 2030.

Beginning in 2020, there was a significant decline in the City’s access to the KC jail for misdemeanants. This was in response to a March 2020 Executive Order issued by the County Executive that sought to reduce the jail population due to the COVID emergency.

The below chart shows the resultant steep decline in the City’s use of KC jail beds where the average daily population (ADP) dropped to 77 ADP on average from 2020-2023.



The March 2020 Executive Order limited misdemeanor bookings to the following:

- 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.

The booking restrictions were loosened slightly in February 2022 and remain in place. The City’s ADP remains well below pre-COVID levels due to continued booking restrictions and results in the City lacking sufficient misdemeanor jail beds.

Given the ongoing booking restrictions, the City is interested in the use of available misdemeanor jail beds at other appropriate facilities to supplement its existing KC jail beds.

The City intends to enter into a pilot program to house misdemeanor detainees at the SCORE facility, will continuously assess the effectiveness of this program, and reserves the right to terminate this program if it does not meet the needs of the City.

The City will develop clear policies to define which crime types qualify an individual for booking at SCORE as part pilot program under the ILA. Generally, SCORE will be used for those who are medically cleared to be booked, have been arrested for offenses that fall outside of the current King County jail booking restrictions but that still have significant impact to the community, and are unlikely to be subject to additional in-custody criminal proceedings after their preliminary hearing/arraignment.

This bill would authorize the Mayor to execute an agreement with SCORE for use of at least 20 beds.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? Yes No

Expenditure Change (\$);	2024	2025 est.	2026 est.	2027 est.	2028 est.
General Fund		\$1,839,550	\$1,913,132	\$1,989,658	\$2,069,244
Expenditure Change (\$);	2024	2025 est.	2026 est.	2027 est.	2028 est.
Other Funds					

Revenue Change (\$);	2024	2025 est.	2026 est.	2027 est.	2028 est.
General Fund					
Revenue Change (\$);	2024	2025 est.	2026 est.	2027 est.	2028 est.
Other Funds					

Number of Positions	2024	2025 est.	2026 est.	2027 est.	2028 est.
	0	0	0	0	0

Total FTE Change	2024	2025 est.	2026 est.	2027 est.	2028 est.
	0	0	0	0	0

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

There is potential for additional financial impacts such as Seattle Police Department (SPD) staffing costs related to transportation to and from SCORE for hearings. Operational decisions around whether this will be during an officer’s normal schedule, overtime or with a different staff team are still being determined. A rough estimate would be an annual on-going cost of \$262K assuming two officers making two trips to SCORE for six days per week.

Additionally, there may be one-time costs associated with establishing a new technology data bridge between the jail facility client database and the Seattle Municipal Court (SMC)’s system; these costs are estimated to be around \$150k-\$300k in one-time appropriation.

The City contracts with King County Department of Public Defense (KC-DPD) to provide public defense services through an ILA for misdemeanants in Seattle Municipal Court. Attorney travel to SCORE may increase KC-DPD hours on those cases, though this should be minimal given most clients will be released within 24 to 48 hours after arrest.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

The current 2024 Adopted Budget appropriation for Jail Services is \$22.4 million. An anticipated underspend in the Department of Finance and Administrative Services’ Jail Services Budget Summary Level is expected to cover the cost of the 2024 SCORE jail bed estimated to be a total of \$600,000 on the assumption of 20 ADP for September through December.

Please describe any financial costs or other impacts of *not* implementing the legislation.

The impact of not implementing the ILA with SCORE for jail services results in continuing public safety concerns. Without the ability to acquire more bed space to offset the current booking and bed limitations at the King County Jail, law enforcement will lose the ability to utilize jail for individuals who continue to engage in repeated and harmful criminal behavior despite significant efforts to use other alternatives. Without an immediate ability for law enforcement to respond and disrupt the harmful impacts crime can have on our property and injury victims, we leave the community no option for respite for repeated criminal behavior.

4. OTHER IMPLICATIONS

a. Please describe how this legislation may affect any departments besides the originating department.

The Executive launched a criminal justice stakeholder process in June to explore operational issues associated with searching for jail services. These meetings consisted of City departments such as the Mayor’s Office, Seattle Police Department (SPD), Seattle Municipal Court (SMC), City Attorney’s Office, the Office for Civil Rights, and the City Budget Office. It also included other important stakeholders such as the KC Department of Public Defense (KC-DPD), Purpose. Dignity. Action (PDA), and We Deliver Care. This engagement process daylighted potential effects to departments that are highlighted below.

SPD will have to update its current booking policy and procedures to include an additional jail facility. SPD will need to establish a protocol with SCORE on the transfer of inmates and reporting requirements. Additionally, SPD will have to temporarily support transporting people to and from SCORE for any potential court hearings. The Seattle Municipal Court (SMC) will need to develop operational procedures when sentencing inmates to SCORE and will have to take on additional appointments to their hearing calendar. Additionally, the Seattle Information Technology department (SeattleIT) and SMC will need to build an additional data exchange with SCORE to share booking information.

b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.
No.

c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.

The ability to utilize the jail for misdemeanor bookings is not a new process for the city and has historically been utilized as one of many tools when upstream approaches and community-based interventions have been unsuccessful.

ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.

N/A

iii. What is the Language Access Plan for any communications to the public?

N/A

d. Climate Change Implications

- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

N/A

- ii. 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.**

N/A

- e. 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)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A

5. CHECKLIST

- Is a public hearing required?
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?

6. ATTACHMENTS

Summary Attachments: None.