

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
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** 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 the Seattle Municipal Court; authorizing the Judges and Directors of the Seattle Municipal Court to accept a grant and execute related agreements; amending Ordinance 126490, which adopted the 2022 Budget; changing appropriations to various departments; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation:

In 2022, one-time grant funding was provided by the Washington State Legislature to the Washington State Administrative Office of the Court for disbursement to Courts throughout the state for the sole purpose of use in Therapeutic Courts and enhancement of services and two separate grants were funded by the Washington State Administrative Office of the Court, one in the amount of \$191,384 for the Therapeutic Court Coordinator and one in the amount of \$175,173 for Community Justice Counselor services that help connect participants in Community Court to vital community-based treatment and services. SMC welcomes this opportunity to expand the current Community Court model and invest in coordination and organization for all our therapeutic courts so that we can better serve participants as they seek treatment, stability, and a future outside the criminal justice system.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2022	2023	2022	2023
	\$366,557			
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2022	2023	2022	2023
	\$366,557			

Positions affected:	No. of Positions		Total FTE Change	
	2022	2023	2022	2023
	1.0	1.0	1.0	1.0

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?

No. This is one-time and temporary funding from a non-renewable grant. Funds are from the WA State Legislature and must be spent down by June 30, 2023.

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

Yes, we will lose the funding from this one-time grant that was directed by the Legislature to support the clients of Washington’s Therapeutic Courts (especially those who require additional support for treatment of addiction and mental health).

3.a. Appropriations

X This legislation adds, changes, or deletes appropriations.

Fund Name and Number	Dept	Budget Control Level Name/##*	2022 Appropriation Change	2023 Estimated Appropriation Change
00100	MC0	MC-3000	\$191,384	
00100	MC0	MC-3000	\$175,173	
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Is this change one-time or ongoing? One-time

3.b. Revenues/Reimbursements

X This legislation adds, changes, or deletes revenues or reimbursements. Yes, this legislation adds one-time grant revenue and off-setting expense to the general fund in 2022 with a carryforward to the first six months of 2023. This adds 1.0 FTE, term-limited SA1 to SMC to provide direct support services to clients in our Therapeutic Courts.

Anticipated Revenue/Reimbursement Resulting from This Legislation:

Fund Name and Number	Dept	Revenue Source	2022 Revenue	2023 Estimated Revenue
00100	MC0	334010 – State Grant	\$191,384	
00100	MC0	334010 – State Grant	\$175,173	
TOTAL			\$366,557	

Is this change one-time or ongoing? One-time Grant Funding

Revenue/Reimbursement Notes: SMC will submit monthly requests for reimbursement based on actual dollars spent. SMC will provide details of actual expense from the general ledger to the grant sponsor.

3.c. Positions

This legislation adds, changes, or deletes positions.

Position Notes: This funding will allow SMC to hire a 1.0 FTE grant-funded, term-limited, temporary position.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
No.
- b. **Is a public hearing required for this legislation?**
No.
- c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- d. **Does this legislation affect a piece of property?**
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?**

Seattle Municipal Court has adopted three guiding principles to shape the future of our court services. These include:

- Engage the community to guide court programs
- Eliminate disproportional impacts on Black, Indigenous, People of Color
- Collaborate with stakeholders to transform the system and improve outcomes

Seattle Community Court was created to specifically better serve individuals charged with non-violent misdemeanors who also have significant behavioral health, substance abuse, housing, or other social service needs. These individuals are disproportionately people of color. The goal of our programs is to provide an avenue for these individuals to access our court, resolve their cases, and provide a pathway to access meaningful community-based services quickly and effectively.

From the outset of the program, the Seattle Community Court team has been committed to tracking and analyzing demographic disproportionately data, at all stages of the program from referral to program entry to graduation. We do this to specifically ensure the program

is helping and not harming people of color. Our probation department (where counselors work on MHC and VTC) is in the process of revising policies and practices, including tracking more robust race/ethnicity data and evaluating program progress including race/ethnicity measures.

The team also relies on racial equity indicators to design and improve our program model. For example, the team did an analysis of the most racially disproportionate charges being filed at the court and took specific actions to ensure these were included in the program eligibility standards, so as not to exclude people from the opportunity of participating and getting their case dismissed.

In the City of Seattle, the Black population makes up about 7.3% of city residents (1) but black persons made up 29.8% (2) of those who were arrested as of September 2021. A recent report showed police stop black people and Native Americans at higher rates than white people in Seattle (3). Since we know people of color are entering the justice system at higher rates our goal is to address inequities at each point of the process where we have discretion, including program referral, opt-in, graduation and, in the future through the CJC role, sustained treatment engagement.

Currently, 27% of participants opting into Seattle Community Court identify as Black, Indigenous People of Color (BIPOC), while only 25% of SCC graduates are BIPOC. This data suggests two things. First, the program is fulfilling a tremendous need to better serve BIPOC court participants by providing a pathway for efficient charge resolution and service connection. Second, we are beginning to experience a small gap between BIPOC referrals and successful graduates. We believe a CJC position will provide additional support and engagement to really focus on individuals most in need of support, and in turn close racial equity gaps we have between program referral / participation and graduation / treatment engagement.

Footnotes:

1. U.S. Census Bureau QuickFacts: Seattle city, Washington
2. Arrest Dashboard - Police | seattle.gov
3. Report: Seattle police stop Black people, Native Americans at far higher rate than white people | The Seattle Times

f. Climate Change Implications

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

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.

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)?**

Seattle Municipal Court is dedicated to implementing programs, consistent with evidence-based practices, that strive to deliver the most effective services for the Seattle community. The TCC will provide programmatic support to our collaborative therapeutic courts that are already focused on evidence –based practices and long-term measurable goals. In addition to Mental Health (MHC) and Veterans Treatment Courts (VTC) and our Domestic Violence Intervention Program (DVIP) Seattle Community Court currently incorporates the following evidence-based components, also found in best practices for Drug Courts (1), Mental Health Courts (2), and Family Treatment Court (3) best practice standards:

- Focus on a target population/criterion: Seattle Community Court has clear eligibility and entry requirements and focuses specifically on individuals alleged to have committed low-level, non-violent misdemeanors, who typically have significant behavioral health and / or substance abuse needs.
- Ensuring equity and inclusion: Seattle Community Court is deeply committed to equity, inclusion, and using racial equity metrics to enhance program design and improve program outcomes.
- Roles and responsibilities of the Judge and Community Court Team:
The SCC judge and team work collaboratively in team meetings to define and fulfill clear roles and responsibilities. The team collectively adopted a shared program mission and vision and is guided by a policy and procedures manual, that is routinely and collaboratively updated. SCC Judge engages leaders and stakeholders in the development, implementation and ongoing operations of SCC. The SCC Team is committed to therapeutic responses to behavior including understanding the behavioral complexities of supporting participants through behavior change and addiction to sustainable recovery.
- Procedural Justice: Seattle Municipal Court has procedures in place to ensure confidentiality and safeguarding of health and legal information. For example, specific health and mental health information is not included in courtroom reporting. There are also processes for redacting and sealing this information. Another example of procedural justice is participant-informed choice of program opt-in and clear terms of participation, provision of legal counsel and positive legal outcomes (charges dismissed) for those individuals who successfully complete the program.
- Court Incentives and individualized modification of treatment: Each SCC participant receives individualized consideration and an individualized assessment. In addition to quick case resolution and charge dismissal, court incentives include the opportunity to receive a variety of social service benefits (i.e., transportation, telecommunication assistance).
- Referral and connection to evidence-based treatment for behavioral health, substance use, and community based social services (Including Medication Assisted Treatment):

Effective referral and connection to evidence-based treatment is a primary goal and program component of Seattle Community Court. However, we are currently lacking the expertise to fulfill this need. This is our primary goal in seeking funding for the CJC role.

- **Monitoring and Evaluation:** All SMC therapeutic courts are committed to ongoing program monitoring and using data to evaluate and improve service delivery.

Seattle Community Court tracks and reports on outcome data quarterly.

Goals include:

Pretrial Release: Reduce pretrial incarceration and incarceration for non-compliance.

Connection: Connect participants to meaningful social services (i.e., medically assisted treatment, behavioral health and addiction treatment, DSHS benefits, housing, transportation, telecommunications, case management assistance).

Community Service: Provide valuable service to local communities.

Already established SMC practices, along with individualized evidence-based connection support provided through a CJC and program coordination, best practice adherence and continuous program improvement through a TCC, will support the target population of our therapeutic courts toward stability in health and mental health.

Footnotes:

Adult Drug Court Best Practice Standards - NADCP.org

Mental Health Court Essential Elements (ojp.gov)

Family-Treatment-Court-Best-Practice-Standards_Final2.pdf (nadcp.org)

Summary Attachments:

- None.