

# Realigning Seattle's Criminal Legal System through a Public Health Approach:

The intersection between Community wisdom and evidence-based  
practices

Carlos D. Lugo



SEATTLE CITY COUNCIL  
**CENTRAL STAFF**

# What's the Approach?

## **Community/Institution engagement**

- Review of previous CJ-related engagements
- Compilation of Guiding Principles
- Convening of Community Taskforce on Criminal Legal System Realignment

## **Academic Analysis**

- Deep dive into academic research and evidence-based practices
- Conversations with academics and CJ practitioners
- Direct observation of CJ processes
- Survey of recommendations/best practices
- Research and analysis of other jurisdictions

# Methodology for Compiling Community's Guiding Principles

- Started with specific questions related to what public safety and accountability look like.
- Reviewed past 8 years of the City's CLS-related engagement reports, King County reports, and community-produced documents.
- Grouped answers responsive to the starting questions and identified recurring themes.

# Community Taskforce on Criminal Legal System Realignment

- Nine members from Seattle/Greater Seattle Area
- Direct lived experience with incarceration/supporting family through their experience with incarceration
- 24 weekly 2-hour sessions organized around three (3) different phases with City staff in a support role:
  - Phase 1 – Defining share values
  - Phase 2 – How does the system function? What are critiques of the system/alternatives currently being implemented?
  - Phase 3 – Recommendations and presentations to institutional partners

# Reimagining Public Safety based on the Risk-Need- Responsivity (RNR) Model

- Risk Principle
- Need Principle
- Responsivity Principle
  - General Responsivity
  - Specific Responsivity

# Misdemeanor Risk/Need Factors

- Previous criminal history (only static factor)
- Gang involvement (antisocial associates)
- Endorsement of attitudes supporting violence/manipulation
- Problems in familial/intimate relationships
- Lack of high school degree/GED
- Current unemployment
- Substance use disorder
- Homelessness/housing insecurity

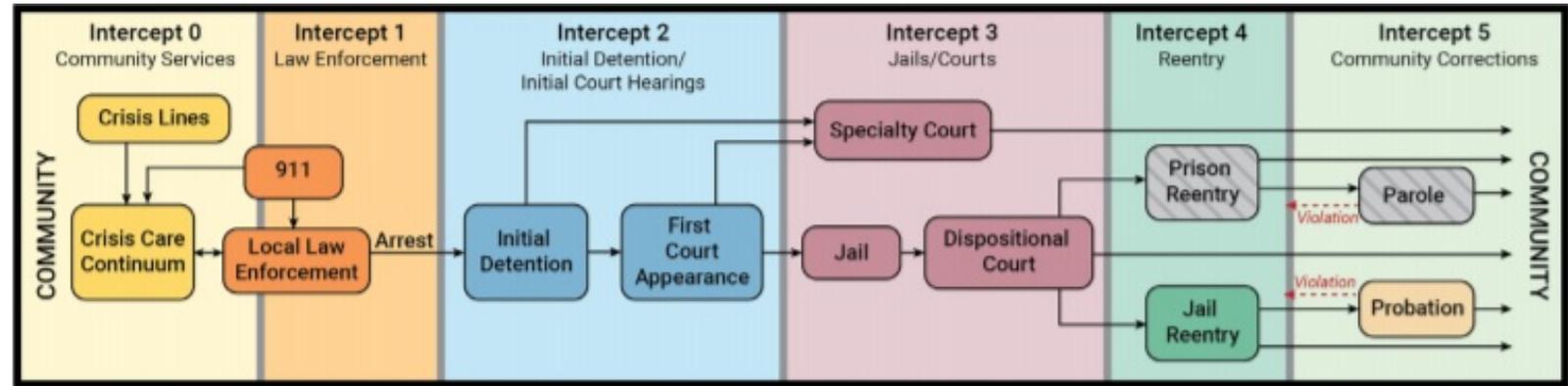
# How is RNR Different from Traditional CLS Responses

- In their core principles of RNR, the authors highlight that cognitive behavioral therapy and human services are more effective than correctional sanctions in reducing recidivism.
- “The typical legal and judicial principles of deterrence, restoration, just desert, and due process have little to do with the major risk/need factors...it is through human, clinical, and social services that the major causes of crime may be addressed.”
- Treatment is more effective in a community setting than in a carceral one.

# Public Health Model – Global Campaign for Violence Prevention (WHO)

- Define the problem through information collection and analysis.
- Establish why violence occurs using research to determine the causes, the factors that increase or decrease the risk of violence, and the factors that could be modified through interventions.
- Find out what works to prevent violence by designing, implementing and evaluating interventions.
- Implement interventions through different points in the system and monitor and evaluate impact on risk factors.

# Applying RNR & Public Health Principles through the Sequential Intercept Model (SIM)



## Intercept One

- Increase investments in non-police 911 alternatives such as Health One. City should also update its emergency dispatch protocols to expand the use of alternative responses.
- Change City laws and policing practices such that the Seattle Police Department (SPD) employs alternatives (such as issuing summonses) to arrests for misdemeanor crimes except for specific circumstances such as those crimes where State law mandates arrests (Domestic violence and Driving Under the Influence - DUI).

# Applying Public Health Principles through the Sequential Intercept Model (SIM)

## Intercept Two

- Establish and fund new programs that:
  - Promote community-based pretrial release; and
  - Eliminate the burden of cash bail on economically disadvantaged individuals in the pre-trial stage
- Expand diversion alternatives, preferably at the pre-filing stage to reduce costs and eliminate the creation of criminal records. Use validated risk/need assessments to match individuals with an appropriate level and type of support.
- Increase funding in social services and permanent supportive housing to bring diversion programs to scale and make diversion the norm in lieu of prosecution and incarceration.

# Applying Public Health Principles through the Sequential Intercept Model (SIM)

## Intercept Zero

- Continue negotiations with KC on reducing jail services spending in line with the reduction in arrests, pretrial detention, and punitive post-trial incarceration.
- Reinvest savings from reduced jail and court use in historically under resourced communities. In partnership with these communities through a participatory budgeting process, the City should focus its investments in programs that can reduce criminogenic needs and adverse childhood experiences (ACEs)
  - This includes childcare, health and mental health services, employment services, early education programs, affordable housing, etc.

# Criminal Justice Coordinating Council: Maintaining Alignment through Implementation

## Reconstitute the Criminal Justice Coordinating Council (CJCC) and expand beyond system actors

- Individuals with lived experience in the CLS
- Community-based organizations serving historically under-resourced communities
- Organizations with expertise in serving individuals experiencing homelessness, mental health and substance use disorders
- Non-profit organization that does substantial work in criminal justice (CJ)/civil rights
- Academic expert with extensive research experience in CJ

## Hire permanent staff to support CJCC

- Executive Director with extensive experience in CJ
- Data Analyst
- Administrative Assistant

Any Questions?

