



Legislation Text

File #: CB 120348, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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. WHEREAS, during the process to adopt the 2022 budget, the Council passed Council Budget Action (CBA)

SMC-003-A-001; and

WHEREAS, CBA SMC-003-A-001 placed a proviso on \$88,000 in the Seattle Municipal Court’s budget intended to fund subsidies for users of electronic home monitoring (EHM); and

WHEREAS, the proviso restricted expenditure of \$88,000 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; and

WHEREAS, the CBA also requested that the Court track, evaluate, and report on a quarterly basis demographic and usage information for those individuals placed on EHM; and

WHEREAS, in September 2021, the Community Task Force on Criminal Legal System Realignment issued a report that included recommendations regarding the use of EHM, stating that “[a]lthough EHM is generally thought of as an alternative to incarceration, electronic surveillance devices such as EHM have increasingly become an alternate form of incarceration, or ‘digital imprisonment’” and that “[t]he barriers created by EHM include challenges to keeping and finding employment, securing housing, supporting family activities, and participating in community activities”...; and

WHEREAS, the Council’s intent in having the baseline data and continuing tracking of data for comparison

was to help determine whether EHM is being used to expand the net of surveillance or if its continued use increased disparities; and

WHEREAS, the Court recently indicated that neither it nor the EHM service provider tracked the baseline data requested, though the Court is tracking the requested information starting in 2022; and

WHEREAS, without baseline data to submit, there is no way for the Court to submit the information needed to satisfy the proviso and allow expenditure; and

WHEREAS, the Council still believes that tracking this data is important to assess the usage and impacts of EHM, but also wants individuals in need of subsidies to have access to them; and

WHEREAS, the Court has exhausted its existing funding for subsidies, and without a proviso lift, will not be able to expend additional resources to provide further subsidies; and

WHEREAS, amending the proviso will allow such expenditure; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The proviso in Council Budget Action SMC-003-A-001 is amended as follows:

“Of the appropriation in the 2022 budget for the Seattle Municipal Court Court Compliance Budget Summary Level (BO-MC-4000), \$88,000 is appropriated solely for electronic home monitoring subsidies and may be spent for no other purpose. (~~Furthermore, none of the money so appropriated may be spent until the Seattle Municipal Court provides to the City Clerk baseline data from 2018–2021 regarding: the self-identified race, gender, and housing status of individuals who are placed on EHM; offenses where EHM is being used; at what stage in the criminal legal system EHM is being used (whether it is pre-trial vs. post-adjudication sentencing or probation); length of time EHM is being imposed and a comparison of length of time imposed with other forms of incarceration including secure detention; any additional conditions imposed when EHM is ordered; and the number of times EHM has been revoked and the basis for the revocation.)~~)”

Section 2. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its passage this ____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments: