

2009 - 2010 City Council Budget Action (SLI)

Approved

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Budget Action Title: Jail Capacity Study

Councilmembers: Clark; Licata; Rasmussen
Staff Analyst: Ben Noble

Budget Committee Vote:

<i>Date</i>	<i>Result</i>	<i>TB</i>	<i>SC</i>	<i>RC</i>	<i>JD</i>	<i>JG</i>	<i>BH</i>	<i>NL</i>	<i>RM</i>	<i>TR</i>
11/17/2008	Pass 5-4	N	Y	N	N	Y	N	Y	Y	Y

Statement of Legislative Intent:

As part of the City's work to identify regional solutions to jail capacity issues, the Council, in cooperation with the Mayor, will assess whether the City's use of jail beds can be reduced by adopting a more treatment-focused approach toward the enforcement of certain lower level drug offenses. Over the last ten years, there has been a 40% reduction in the average daily population of people in jail on Seattle misdemeanor charges. There are a variety of reasons for this, including the City's expansion of diversion and treatment models for its misdemeanant population and a reduction in crime, as reflected in the 28% drop in misdemeanor jail bookings. The success of City diversion programs raises the question of whether additional alternative models of enforcement that rely less on jails and more on alternative responses could reduce rates of incarceration, enhance, or at least not negatively impact, public safety and improve the long-term outcomes for offenders.

When combined with changes in King County's approach to felony prosecutions of these and other unrelated crimes, it is possible that a shift in the City's arrest policy toward lower level drug offenders could significantly affect the county-wide demand for jail services. In the context of the City's on-going work to identify regional solutions to jail capacity constraints, these potential changes need to be better understood.

The Council intends to conduct this assessment by working cooperatively to form a staff-level project team with representatives from the Municipal Court, the City Attorney's office, the Executive (specifically including staff from the Office of Policy and Management, the Finance Department, the Human Services Department and the Seattle Police Department), King County and others in the community who have knowledge of, or expertise in, drug enforcement and treatment, mental health and criminal justice matters.

The team will be tasked with reviewing questions such as:

- What reductions in jail demand can be reasonably forecast and what will it take to maintain these reductions for the long run if alternative responses to low-level drug offences are utilized, including, possibly, pre-arrest diversion programs?
- What types of alternatives, including drug dependency treatment and other services would be needed, and at what cost?
- Will there be negative impacts on public safety, and if so, what are they likely to be?

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- Can these alternatives to criminal prosecution of low-level drug offenses be established in such a manner as to ensure long-term changes in the demand for jail services?
- How will changes in King County’s approach to felony and/or misdemeanor prosecutions affect the forecast growth in the regional demand for jail services?
- What other jurisdictions have tried similar alternatives to incarceration and what has been their experience?

To ensure that the staff team has the information needed to address these questions and to fully assess what changes would be needed within the criminal justice system, what enhancements will be required in the network of support services, and what the potential impact on public safety, and the public perception of safety, will be, the project team will consult with the City’s Criminal Justice Committee, which includes the leadership of SPD, the Municipal Court, the City’s Attorney’s Office and the City’s contracted public defense services.

A final report, including specific policy recommendations, will be presented to the Council’s Public Safety, Human Services, and Education Committee by no later than July 1, 2009.

Responsible Council Committee(s): Public Safety, Human Services, and Education

Date Due to Council: July 1, 2009