



Day Reporting – An Alternative to Jail

What is Day Reporting? Day reporting is a program in which the court orders an offender to report to a facility each day in lieu of spending time in jail. Day reporting is an appropriate, affordable sanction for non-violent, low-level offenders who do not pose a danger to the public and therefore do not need to be incarcerated. The court can order day reporting *pre-trial* as an alternative to incarceration for chronic offenders with complex problems that underlie their criminal behavior and who often fail to appear for court hearings. Chronic offenders who live on the street and struggle with mental illness and/or drug and alcohol dependency are often not able to remember future court dates. Yet when such offenders fail to appear for court hearings, it is very costly to the criminal justice system. In addition to being a *pre-trial* alternative to jail, the court can also order day reporting as part of a person's *sentence*. A day reporting sentence provides a structured, supervised sanction for unlawful behavior, while linking the offender with services he or she needs to address the underlying causes of his/her behavior. The aim of day reporting is to support a person's efforts to become more accountable, despite the challenges presented by his/her life, while at the same time reducing the costs to the system.

What are Spokane City and County Doing Now? Spokane County Courts have utilized the services of the non-profit Friendship Diversion Services for day reporting for both pre-trial and post-adjudication offenders. In the mid to late 2000s the program was funded by the County at no charge to the offenders. The capacity was 100, but the highest number of participants was 43. The Bennett Report described the program as "woefully underutilized." Spokane County Corrections Needs Assessment Master Plan Draft, February 14, 2008, Chapter 4, p. 51. Due to the low utilization the subsidy was stopped and offenders are now required to pay \$5 - \$15 per day. Friendship Diversion's current contract is through the County Prosecutor's office. The City does not participate in this program. If the person is not released to work, the person spends the day at the office and receives employment assistance and referrals to other services for drug/alcohol problems, etc. In 2011, only 15 individuals were referred to Friendship Diversion Services for day reporting.

The City of Spokane previously operated a day reporting program in which participants received training on such topics as personal finance, budgeting, how to participate in the relicensing programs, GED, college enrollment, job interviewing, and resume writing. Community partners were recruited to provide course work. The maximum time for participation was 5 days. The day reporting program is seen as complementary to the community court which is awaiting implementation in Municipal Court. See also, "Community Court."

What are Other City and Counties Doing? Many other cities use day reporting as an alternative to incarceration and as a way to reduce "failures to appear" for court hearings. In Seattle, the Municipal Day Reporting Center (DRC) is housed in the on-site resource center associated with the Community Court (see Fact Sheet on Community Courts). King County Courts also have a day reporting program (CCAP) where offenders spend a full day in treatment and education classes. A significant

emphasis of CCAP is on offering the participant a chance to change his/her way of thinking (Cognitive Behavior Therapy) and on addressing mental health, chemical dependency and education and employment issues.

How do Day Reporting Programs function?

- Pre-Trial: The Seattle Municipal DRC was founded in 2006. It was developed to provide alternatives to jail for chronic offenders who often fail to appear for court hearings. In April 2012, the program had about 78 individuals who report daily to one of two court compliance officers from the Probation Department. Each week day, between 8 am and 4 pm, the individuals must physically report to the center. Some are court ordered to be screened for drug or alcohol use (about 20/day take a breathalyzer test). The compliance officers act much like a case manager, getting to know the offender, encouraging their attendance at court hearings, and linking them with needed social services. The structure of reporting each day is a critical step in assisting individuals who have become disconnected from society resolve pending criminal matters and address underlying problems. Clear expectations are set and the offender knows that if he/she fails to report, a warrant will be requested the next day. Those who successful complete the program spend on average 44 day in day reporting. In the CCAP program, the participant spends the entire day at the facility, in treatment or in education classes.
- Post-Adjudication: A judge may order day reporting as a part of a sentence. The sentence provides additional structure and supervision for the offender, and is often combined with drug and alcohol screening. It can also be used to support the offender until the person enters court-ordered treatment. In April 2012, the Seattle Municipal DRC had some 40 individuals on post-adjudication day reporting status.

How Can Spokane City and County Improve? Both the City and County should support robust pre and post-sentence day reporting programs. The County Consultant, David Bennett recommended that day reporting should be program-based so that the offender benefitted from the time spent in day reporting. Child care should be offered for those offenders who require that service to comply with day reporting requirements.

How will Spokane City and County Benefit by Implementing these Changes?

In 2004, 29.1% of the offenders in Seattle Municipal Court received alternative sentences like day reporting. By 2010, 44.1% received such alternative sentencing. If Spokane could duplicate these numbers the savings would be dramatic.

- Jail Cost Savings: In 2011, the Seattle DRC reported a net jail savings of \$1,133,880 for 1063 participants. Spokane could realize significant savings as well, as each day an offender is in jail costs the taxpayers \$120.
- Community Safety: Individuals who are supervised more closely because they are reporting daily are less likely to be involved in on-going criminal behavior. Thus, the expanded use of day reporting would make the Spokane community a safer place for us and our children.
- System Cost Savings: Failures to appear at court hearings are costly to the system. Court time is wasted, a warrant must be issued and processed, law enforcement must arrest and book the

individual, and another court hearing must be held. All of these expenses can be avoided through day reporting. In 2011, the Seattle DRC had 428 offenders successful complete the program, with 635 who were unsuccessful. The 40% completion rate translates into significant savings for the criminal justice system.

- Reduced Rate of Repeat Offenses. Individuals in day reporting are offered the opportunity to participate in treatment and education programs that can address the underlying causes of their criminal behavior. Research has shown that mental health treatment, drug and alcohol treatment and education and employment training are more effective in reducing criminal behavior than incarceration.

Links for More Information:

Watch a Video about Seattle's CCAP Program: You Tube: The Prosecutor's Post - CCAP, March 23, 2011, King County Prosecutor Dan Satterberg, interviewing Nate Caldwell, CCAP Director, and Virginia Bromley, CCAP Participant, <http://www.youtube.com/watch?v=Rb1ezxrZxt4&feature=email>

Sources of Information:

Janice Esterly, Seattle Municipal Probation, Court Compliance Officer for Day Reporting Program, Phone Interview April 20, 2012.

Rich Cook, Seattle Municipal Court Policy and Program Analyst, 206-684-0978.

- 2011 Day Reporting Highlights
- Seattle Municipal Court Programs, Addressing both Defendant Needs and Municipal Court Jail Populations (Powerpoint) slide 13.

Spokane County Corrections Needs Assessment Master Plan Draft, February 14, 2008, Chapter 4, pp. 45, 51-52,

[http://www.spokanecounty.org/data/countysheriff/jep/Needs%20Assessment%20\(5Mb\).pdf](http://www.spokanecounty.org/data/countysheriff/jep/Needs%20Assessment%20(5Mb).pdf).

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Friendship Diversion Services, Barbara Miller, Director, Phone Interview April 30, 2012, <http://www.friendshipdiversion.org/html/contact/contacts.html>,

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