



## **A STRUCTURAL FRAMEWORK FOR IMPLEMENTING SMART JUSTICE POLICY RECOMMENDATIONS IN SPOKANE COUNTY**

Presented to Spokane Regional Criminal Justice Commission July 8, 2013,  
by the Smart Justice Campaign Coalition

### **EXECUTIVE SUMMARY**

#### **Recommendations for Administrative Structure of Spokane Regional Criminal Justice System**

##### Objectives:

- Coordinated cooperative criminal justice system that will implement smart justice
- Structure that satisfies statutory mandates and has already received favorable reviews by stakeholders working directly in the system
- County wide executive and legislative representatives, along with citizen representatives, creating general criminal justice policy
- Executive level administrator who is charged with facilitating communication and cooperation
- Forum where those working directly in the system come together regularly to identify and solve problems and implement general Smart Justice policies
- Structure that respects the constitutional, statutory, and ethical obligations of the various stakeholders in the system
- Centralized departments/agencies that cross jurisdictional lines

##### Recommendations:

- 1) Board of County Commissioners adopt an ordinance that implements the state mandated Law & Justice Council [LJC]
- 2) Membership of the LJC be expanded to be truly regional and include all significant executive, legislative and agencies/department working directly in the system as well as citizens from communities that are disproportionately represented in the criminal justice system
- 3) LJC Executive Committee be formed that includes representatives from the executive and legislative bodies in Spokane County as well as citizens. This Committee would
  - appoint a Criminal Justice Administrator
  - develop general smart justice policy recommendations
  - review outcome reports
  - recommend necessary interlocal agreements
  - enter an MOU with WSU, Department of Criminal Justice & Criminology for data analysis & research
  - actively pursue sustainable funding sources
  - recommend and support legislative changes

4) LJC Coordinating Committee be formed that includes representatives from all of the criminal justice units that provide direct services in the criminal justice system. This Coordinating Committee would

- discuss problems and explore solutions
- ensure that the Criminal Justice Commission recommendations are implemented
- review outcome data to make sure are reducing recidivism, creating a safer community, reducing costs, eliminating institutional racism, reducing number of people with disabilities (cognitive, mental and/or physical) or drug/alcohol issues in our jail, and changing the psycho-social functioning of the offenders
- recommend to the Executive Committee necessary interlocal agreements and legislative changes, and identify funding needs

5) Criminal Justice Administrator -executive level professional to hold the centralized position of leadership and accountability for the region. The duties and responsibilities would include

- Supervising an Integrated Justice Information Technology Department
- Supervising a fund development coordinator/grant writer
- Supervising a training department
- Supervising Detention Services
- Supervise Pre-trial Services and Community Supervision (Probation)
- Coordinate and Facilitate regular meetings of LJC, Executive Committee and Coordinating Council

### **Recommendations on Regional Consolidation**

#### Objectives:

- Shift resources from pre-trial warehousing model to more effective and less costly community accountability model by substantially increasing the use of problem-solving courts.
- Coordinate robust pre-trial risk and need assessment under one management authority.
- Choose data driven effectiveness and efficiency over historical practice in consolidating criminal justice functions.
- Utilize interlocal agreements to minimize any current duplication of services.

#### Recommendations:

1) Courts - Increase participation in therapeutic courts; enter interlocal agreement for the unified adjudication of the 15% of misdemeanor offenders who are being prosecuted concurrently in District and Municipal Court; consider reducing the number of District Court Departments by two or designating three District Court Departments that are elected by and serve the City of Spokane boundaries in lieu of a separate Municipal Court.

2) Public Defense - Retain the current public defender model of separate departments in order to preserve the ability to manage legal conflicts.

3) Prosecution - all misdemeanor prosecutions should be consolidated into the City by interlocal agreement, with the County focusing on felony prosecutions.

4) Probation (Community Supervision) - enter interlocal agreement so that a person with misdemeanors pending in municipal and district courts has only one probation officer.

5) Pretrial Services - robust department needed that reports to Administrator

### **Recommendations for Facilities**

#### Objective:

- Facilities that support the implementation of smart justice throughout the system including law enforcement diversion, alternatives to incarceration and comprehensive re-entry services

#### Recommendations:

- 1) Construct a 24/7 Intake Unit
- 2) Construct a Community Corrections Center
- 3) Continue renovation of Jail but defer construction of new jail facility

### **Recommendations for Funding**

#### Objectives:

- Fund reforms that will create long term safer communities and lower costs by using current designated jail operating funds to expand Early Case Resolution, Electronic Home Monitoring, Problem Solving Courts and other community accountability models that reduce recidivism.
- Create a unified schedule of proportional cost-sharing for similarly situated offenders accessing similar criminal justice services that apply to all jurisdictions within the region.
- Create a unified and more effective system that will attract outside funding and voter support.

#### Recommendations:

- 1) Reallocation - Shift funds from jail costs to alternatives to incarceration.
- 2) Proportional Participation - Funding for misdemeanor criminal justice should be allocated by proportional participation by similarly situated offenders in each jurisdiction rather than by flat fee contract.
- 3) Short term sales tax - 1/10<sup>th</sup> (7.5 million/year) or 2/10<sup>th</sup> (\$15 million/year) of one percent sales tax for seven years in order to expedite criminal justice reform
- 4) Federal & State Grant Funding - essential to creating a sustainable funding structure. Administrator should employ a full time fund development coordinator/grant writer
- 5) Innovative funding sources - should be explored e.g., social impact bonds

## **Recommendations to End the Disproportionate Impact Based on Race and Ethnicity**

### Objectives:

- Set a goal of eliminating the disproportionate impact of our criminal justice system on people of color
- All criminal justice departments make a commitment to achieve racial equity
- Identify and use effective tools to achieve racial equity
- Fund culturally appropriate programs and support services for offenders

### Recommendations:

- 1) Recognize problem of racial disparity and commit to address it
- 2) Charge Law and Justice Council to end racial disparities
- 3) Use Racial Equity Toolkit
- 4) Fund culturally appropriate programs and support services for offenders
- 5) Charge Administrator with collecting race and ethnicity data and initiating a comprehensive, independent study of racial disparity in the Spokane criminal justice system
- 6) Produce Racial Impact Statements before adopting criminal justice policies
- 7) Ask the Washington State Minority and Justice Commission to include Spokane in their research on the problems experienced by racial and ethnic minorities