



City Council

Briefing of Olympia Municipal Community Court

Agenda Date: 7/19/2016
Agenda Item Number: 6.A
File Number: 16-0851

Type: information **Version:** 1 **Status:** Filed

Title

Briefing of Olympia Municipal Community Court

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Receive the information. Briefing only; no action requested.

Report

Issue:

Whether to receive a briefing from the Olympia Municipal Court on its recently launched Community Court.

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Presenter(s):

Scott Ahlf, Judge
Rocio Ferguson, City Prosecutor
Monica Schneider, Probation Services Supervisor
Diane Whaley, Public Defense Coordinator

Background and Analysis:

The Community Court is a therapeutic court held weekly in conjunction with the Wednesday arraignment calendar to provide a different approach to the legal problems that are resistant to the traditional court solutions.

Issues

Due to the increasing homeless population in the City, a large number of the filings in the court are for quality of life offenses within the downtown core-such as criminal trespass, theft, littering, marijuana possession, urinating in public and use of drug paraphernalia. Many of the defendants charged with these crimes often suffer from mental illness and/or chemical dependency. The court is seeing the same people charged with these crimes in and out of court on a constant basis-without getting the help they need to stop these re-occurring crimes. These individuals need direct access to service providers such as housing, chemical dependency treatment, mental health treatment, job resources, education resources, and health care/basic need resources. In Thurston County, one of the key complaints is that resources are spread out and they are spread thin. In the past, the court has addressed these crimes with a day of work crew and the case would close. Historically, these cases consisted of approximately 1/3 of the cases coming through the system here in Olympia. For 2016, Olympia is estimated to handle approximately 1,440 public defense criminal cases. For now, one public defense contractor is assigned to community court and she is contracted for 300 cases per year. In addition, the city is equipped with a second 300 count public defender to assist on that same calendar if needed. The city counts cases under the Indigent Standards as implemented by the Washington State Supreme Court.

Objectives

The three primary objectives for the Olympia Municipal Community Court are:

- 1) Breaking the cycle of low-level offending
- 2) Holding offenders accountable through visible restitution
- 3) Improving public trust in the justice system

Through a collaborative effort with local service providers, we can obtain immediate access to services for the defendant's by providing on-site links. Currently, Olympia Community Court is operating every Wednesday morning with on-site links here at the courthouse to housing, education, job, and health care resources. By individually assessing each defendant based on their needs, their court conditions are tailored to help give them a hand-up. Each on-site provider currently is given an opportunity to provide feedback on what is recommended as a next step as well. All of the information gathered by probation in the initial assessment and the feedback from the providers are used in the community court forum here in Olympia so that the Judge, Prosecutor, and Defense Attorney can all jointly have an open discussion on ways to help the individual. With the increased amount of information provided by the defendant, an increased level of educated decision making helps ensure the correct conditions are in place. Most importantly, the collaborative effort helps the court players guide the defendant to the best result possible in their case.

In Community Court, cases can either usually resolve as an infraction or via guilty plea with a deferred sentence to dismiss the case at the end of a probationary period. The defendant has incentive to comply. However, community court can also be used as a condition of a sentence or to mitigate a probation violation. The provider services can also be accessible to traditional defendant's moving through the Olympia Municipal Court system based on referral. If a defendant opts into the program, the length of time in community court could vary from 2 weeks to 12 months, with the current average length of time at 3 months.

Olympia Municipal Court “soft launched” on January 6th, 2016. Over the past 6 months, on-site providers have included SideWalk (housing link), Pacific Mountain Workforce Council (employment link), South Puget Sound Community College (education link), SeaMar (basic needs/health care link), and Intercity Transit (employment/transportation link). As of June 29th, 2016, Olympia Municipal Court has had 57 participants and 5 graduates. The top three crimes that have opted in have included: 1) 36% Driving While License Suspended in the Third Degree, 2) 32% Theft 3, and 8% Trespassing. The top 3 links in order of need that have occurred are: 1) 62% employment, 2) 60% basic needs, and 3) 57% housing.

On April 1st, 2016, the City of Olympia was informed that it was selected as 1 of 10 sites by the Center for Court Innovation to receive \$200,000 plus technical assistance over the course of two years from July 1st, 2016 through June 30th, 2018 from the Center for Court Innovation to implement/enhance the Olympia Municipal Community Court. The grant is funded by the U.S. Department of Justice’s Bureau of Justice Assistance. It will fund payment to our current service providers that have agreed to receive payment. In addition, it will fund the ability to add Northwest Resources ii as a drug and alcohol contractor link to provide drug and alcohol evaluations on-site; a SeaMar Mental Health contractor link to provide mental health evaluations on-site; and a SeaMar contracted case manager to assist in evaluating defendants needs and eligibility for community court, track community court client progress, and solicit additional providers to fulfill resource needs for community court.

The new additional service providers will start on-site in July and August of 2016. All current and new service providers will be housed in the old court services building and court will continue to operate out of courtroom 2 at the Criminal Justice Center. In addition, the grant will fund additional employee hours for data collection/resource coordination; 7 new computers/1 printer-copier; network wiring etc; payment towards sewage/gas/electricity for the provider site at the old court services building; security; office supplies; court signage; a community garden for defendant’s to work off community service hours; pro tem funds; and travel funds for educational opportunities for the community court core team.

Through the process of data collection, the City of Olympia will be able to track the impact that the current structure of community court has had on the Olympia Municipal Court justice system as a whole over time. Statistically, other community court jurisdictions have seen the positive impact this structure can have. Examples include reduced jail days served, higher percentage of sentence completion, increased community service compliance, and increased criminal justice approval ratings. Another potential positive impact is reduced recidivism. If this is achieved, combined with the assignment of an attorney of the day to the community court calendar, Olympia could see a reduced number of cases assigned to Olympia public defense contractors over time. This could have a positive economic impact given a changing public defense system with newly implemented Standards for Indigent Defense as of 1/1/15 in which public defenders are required to count cases and take no more than 400 misdemeanor cases/year. In Olympia, with an immediate link on-site to help and a collaborative effort to support each defendant in Community Court, together we can meet our objectives and potentially reap the reward of a positive impact on the Olympia Municipal justice system as a whole.

Attachments:

- Quick Facts
- Court Policy
- Needs Assessment Form
- Court Order
- Court Grant
- Project Goals
- Court Brochure

Provider Information