



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 29, 2003

Motion 11695

Proposed No. 2003-0157.1

Sponsors Phillips and Hague

1 A MOTION approving a report on work crews from the
2 department of adult and juvenile detention as requested in
3 the 2003 Budget Ordinance, Ordinance 14517.

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 WHEREAS, the 2003 Budget Ordinance, Ordinance 14517 contained a proviso
7 requiring the executive to provide a report identifying plans to utilize work crews as an
8 alternative to secure detention and how such plans will incorporate the recommendations
9 from Motion 11425, and

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 WHEREAS, the executive has submitted a report that complies with the proviso
11 requirements to the satisfaction of the council;

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 NOW, THEREFORE, BE IT MOVED by the Council of King County:

Motion 11695

13 The report for plans to utilize work crews as an alternative to secure detention is
14 hereby approved.

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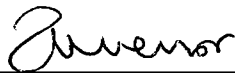
Motion 11695 was introduced on 4/7/2003 and passed by the Metropolitan King County Council on 4/28/2003, by the following vote:

Yes: 11 - Ms. Sullivan, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Gossett, Ms. Hague, Mr. Irons and Ms. Patterson
No: 0
Excused: 1 - Ms. Edmonds

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments A. Department of Adult and Juvenile Detention-Community Corrections Division-
Work Crew Report

11695



King County

Department of Adult and Juvenile Detention

Community Corrections Division

WORK CREW REPORT

January 31, 2003

BACKGROUND

The King County Council included a proviso in ordinance 14517, which reads as follows:

Of this appropriation, \$100,000 shall be expended or encumbered only after the council reviews and approves by motion the department of adult and juvenile detention's report identifying its plans to utilize work crews as an alternative to secure detention and how the department will incorporate the recommendations from Motion 11425. The report, at a minimum, shall describe the number and types of work crews that currently exist and that are planned, the types of offenders that are assigned to the crews, the types of work the crews are anticipated to complete and its estimates of the costs of the work crew program. The department should submit its report by February 1, 2003.

This report will briefly review the history of work crews in King County and respond to the budget proviso.

HISTORY

King County has had a long history of operating work crews. The Department of Adult and Juvenile Detention (DAJD) began a program in 1989, the Seattle and King County Department of Public Health, (SKCDPH) began a program in 1981, and the Department of Executive Services (DES) added a program in 2000. These programs are briefly reviewed below.

Department of Adult and Juvenile Detention, Work and Education Release (WER)

The WER work crew program began in 1989 initially as a community-service effort. The idea was to move inmates who were classified as minimum-custody from secure confinement to the work release center. Those who did not have jobs would be assigned to perform community service either in the facility or in the community. The in-house crews cleaned common and administrative areas, served meals and cleaned up the kitchen and serving areas. Some inmates were allowed to work out of the facility to provide manual labor, cleaning, and maintenance services to other King County departments. Staff from those departments supervised these inmates. Also, in 1989, WER provided inmates to the, then, Department of Construction and Facility Management for an outside work detail around certain county buildings.

In 1990, the Community Service Inmate Work Program, as it was called, operated with male and female WER and Electronic Home Detention (EHD) participants. Although the initial target of the work program was labor for both private and public sector organizations, working agreements were only established within the public sector. It was noted during 1991 that the outside work detail completed 23,541 hours of community service.

January 1, 1995¹, DAJD and the State Department of Corrections (DOC) entered into a memorandum of understanding to operate a work crew to perform community service. DAJD staff screened the inmates for participation, conducted orientation sessions for participating inmates, and monitored compliance. The DOC operated the day-to-day work program. This

¹ During the summer of 1995, paid inmate crews were dispatched to the Kingdome to complete cleaning duties after Mariners' games.

working arrangement became known as the Partnership Work Crew (PWC). It was projected that the daily average number of inmates participating in the PWC would be ten.

The goals of the PWC were to provide inmates with opportunities and experience through supervised community service, to provide a tangible service to the community, and to reduce the population of sentenced offenders held in secure detention. In calendar year 2001, the crew averaged 8,615 hours per month. The PWC was funded through current expense funds at an initial annual cost of \$45,000. The cost of the PWC has grown incrementally to \$85,000 annually.

Public Health, Seattle and King County, North Rehabilitation Facility (NRF)

NRF began operating revenue-generating work crews around 1990 with the implementation of the Metro Park & Ride lot maintenance crew. For the next 12 years, NRF was responsible for vegetation and litter removal and landscape maintenance at 10 designated Park & Ride lots, primarily in South King County. Prior to that, all inmate work crews from NRF were provided at no cost to the benefactor agency (Seattle Police Department., King County facilities, Kingdome cleanup, etc.).

In the mid-1990's, additional work crews from NRF were negotiated and implemented via intergovernmental contracts with the Cities of Shoreline (two crews) and Mercer Island. These crews removed unwanted vegetation and provided roadside and park landscape maintenance. In the late 1990's, the last work crew from NRF was negotiated and implemented in the Cities of Lake Forest Park and Kenmore (combined crew). Finally, NRF inmate work crews provided a valuable community service at Food Lifeline since NRF opened in 1981.

According to the Washington State Jail Industries Board in its 2001 Offender Work Report, NRF work crews provided a total of 23,500 hours of service to the community in 2001.

Department of Executive Services, Facilities Maintenance Division, Community Work Program (CWP)

In April 2000, a pilot phase of the jail sanction alternative known as the Community Work Program (CWP) was implemented in the Northeast District Court. Department of Executive Services' staff from the Capital Improvement Section of the Facilities Maintenance Division (FMD) developed and implemented this program in conjunction with the Office of the Presiding Judge of the District Court. This pilot project was the first King County program directed at reducing jail Average Daily Population (ADP) by providing a work crew as an alternative sanction. The other two work crew programs used in-custody offenders while this program served out-of-custody defendants. Judges participating in this program have the option of sentencing misdemeanants directly to the CWP as a sentenced alternative to incarceration. The only misdemeanor cases judges were asked to exclude were those that involved sex offenses. In December 2000, the pilot program was expanded into the Renton District Court.

One work crew initially accommodated CWP offender referrals. A second crew was added when the program was expanded to the Renton District Court. Program referrals gradually increased throughout 2001 and increased significantly in April 2002 when the CWP began participating in the District Court Relicensing Initiative, a pretrial diversion program.

In November 2002, four more work crews were added when the CWP assumed the four off-site work crew contracts that had previously been managed by NRF. When the additional crews were added, the sentenced-alternative element of the program was expanded to all District Courts.

The CWP recovers direct operating and administrative costs by charging for services provided by its crews.

NUMBER AND TYPE OF WORK CREWS

Close of 2002

At the close of calendar year 2002, there were two work crew programs in operation (Tables 1 and 2). FMD was running with six crews, four of which were picked up from NRF before it closed.² DAJD continued with its agreement to operate one crew under the Partnership Work Crew with the State Department of Corrections.

Table 1
DAJD, Work and Education Release

Contracting Organization	Type of Funding	Number of Crews	Average Crew Size	Months of Operation
Washington State Department of Corrections	Current Expense	1	10	12

Table 2
Department of Executive Services, FMD--(Community Work Program)

Contracting Organization	Type of Funding	Number of Crews	Average Crew Size	Months of Operation
Department of Natural Resources and Parks (Parks)	Capital Improvement Projects	1	10	12
Department of Executive Services, Facilities Maintenance Division	Enterprise	1	6-8	12
Department of Transportation, Transit Division, Metro (Park & Ride)	Enterprise	1	5	12
Lake Forest Park/Kenmore	Revenue	1	5	12
Mercer Island	Revenue	1	5	10
Shoreline	Revenue	1	5	10
North Highline Clean Up	Community Development	1	8	12

² FMD fulfilled the remainder of the 2002 work crew agreements that NRF had with Lake Forest Park/Kenmore, Mercer Island, Shoreline and DOT's Transit Division (Metro Park & Ride).

Work Crews Planned for 2003

On December 16, 2002, the King County Council passed ordinance 2002-0363 which established a Community Corrections Division within the Department of Adult and Juvenile Detention. In compliance with the ordinance, all work crew programs will be consolidated under the new division in 2003.

While a number of the current work crews will continue in 2003, it is anticipated that the program will be expanded by adding new crews throughout the year. The following tables outline the number of crews that are currently operating and the number of crews that are proposed or awaiting written agreements.

Table 3
DAJD, Community Corrections Division
Current Confirmed Work Crews

Contracting Organization	Type of Funding	Number of Crews	Average Crew Size	Months of Operation
Washington State Department of Corrections	Current expense	1	10	12
DES, Facilities Maintenance Division	Enterprise	1	8	12
DOT, Transit Division, Metro Park & Ride	Enterprise	1	5	12
Department of Natural Resources and Parks (Parks)	Capital Improvement Projects	1	10	12

* DAJD contracts with the State Department of Corrections

Table 4
DAJD, Community Corrections Division
Proposed but not confirmed

Contracting Organization	Type of Funding	Number of Crews	Average Crew Size	Months of Operation
DOT, Roads Division	Capital Improvement Projects	1	10	12
Lake Forest Park/Kenmore*	Revenue	1	5+	12
Mercer Island*	Revenue	1	5+	10
Shoreline	Revenue	1	5+	12
Department of Natural Resources	Capital Improvement Projects	1	10	6

*Awaiting written agreements

Through discussions with representatives from the Cities of Lake Forest Park and Mercer Island, verbal commitments have been made to continue the NRF agreement for the remainder of 2002 and sign a new agreement in 2003. The City of Shoreline has verbally accepted a crew, to complete the NRF agreement, for the remainder of 2002 but has not made a commitment for 2003. The Roads Division has the funding for a work crew but needs to determine the level of service (types of work and locations) and resolve any workforce issues before committing to a crew. DNR may have funding in its budget for partial crew but nothing has been decided at this time.

Work Crew Offender Population

Under the AJOMP and the Criminal Justice Council's Plan, the work crew program is targeted to reduce the jail population by 36 ADP. Currently, the DES Community Work Program receives misdemeanor offenders sentenced to the program by District Court, the District Court acting as certain cities' municipal courts and referrals from the District Court Relicensing Program. Those offenders sentenced to the program may represent jail-bed savings, although the reduction in jail beds is not necessarily a 1-to-1 savings. The Relicensing participants are deferred from prosecution and generally do not face jail time and do not have an immediate ADP impact.

During 2000, 232 offenders successfully completed CWP with sentences totaling more than 1,300 days while 60 offenders failed to complete the program. This represented a 79.5% completion rate. This compares very favorably with other out-of-custody work crew programs that generally report a 50% completion rate.

Table 5
2002 CWP Program Summary

	Number of Cases	Days Ordered	Days per Case	Range in Days
Direct Sentence Completions	627	2,975	4.74	1 to 120
Direct Sentence Failures	111	1,810	16.31	1 to 180
Total Direct Sentences	738	4,785	6.48	1 to 180
Completion Percentage	85.0%	62.2%	N/A	N/A
DWLS Completions*	374	925	2.47	1 to 17
Total Program Completions	1,001	3,865	3.86	N/A

*Note: DWLS non-completions are not tracked because persons may switch the method in which they discharge their obligations to the Court from CWP to other Court approved methods, such as fine payment or community service hours. CWP staff may not be informed of the change. By contrast, persons serving on a work crew as a direct sentence are tracked closely.

In 2002, 627 offenders completed sentences totaling more than 2,900 days while 111 offenders failed to complete their sentences, representing an 85% completion rate. Assuming judges used the CWP primarily as an alternative to jail sentences, daily jail ADP was potentially reduced by 3.5 beds. The potential ADP impact increased to 8 beds in 2002 after the CWP was fully implemented in the Northeast and Renton Courts.

TYPES OF WORK CREW ASSIGNMENTS

In general, CWP crews have completed work on capital projects that would have otherwise been performed by outside contractors. Major projects the program has completed include:

- Restoration of the Comet Lodge Cemetery on Beacon Hill;
- Bio-re-mediation work at the Duvall Landfill including planting and maintaining approximately 9,000 hybrid poplar tree cuttings;
- Installation and maintenance of landscape mitigation plantings at the Renton Waste Water Treatment Plant, as well as at Moss Lake and Cottage Lake Parks and along the Sammamish and Green River Trails;
- Participation in the North Highline clean-up initiative and other community assistance projects sponsored by Councilmember Pelz.

The work crews that are under contract with cities, work on roadways, surface water facilities, trails, facility access roads, drainage ditches and culverts. The types of assignments include such work as:

- Litter control;
- Removal of undesirable vegetation, light pruning, (small mower) mowing, edging, raking and leaf removal;
- Erosion control;
- Bark/mulch application;
- Hard surface sweeping; etc.

Response to Motion 11425

The King County Council passed motion 11425 on May 13, 2002. The motion requested that the King County Executive, in conjunction with the King County District Court, identify and examine possible areas for expansion of the court's work crew program to include program alternatives that could provide for certain maintenance services to temporarily closed parks. It further requested that the Executive and the District Court recommend to the Council as soon as possible, but no later than July 15, 2002, any proposals to address expansion of the work crew program that could provide such alternative services for parks maintenance.

Over the summer the staff from the Parks Division, the DAJD, the District Court and the Executive's Office examined the possibilities for using work crews in county parks. Also, Executive staff met with Parks Division management and Union representatives to discuss this

program. Due to layoffs within the park system, the union had concerns with replacing the staff with additional work crews. However, they did agree to increase the existing community service program by three times the participants currently assigned to the parks from the courts. These participants would not work in a work-crew setting but would be individually assigned to work with a Local 925 member in the parks.

It was concluded that, instead of a work crew program operated by DAJD, a structured community service program would be operated by the Parks Division. However, there were and are three issues that need to be addressed in order to have a successful program.

1. The likelihood of success is diminished if the distance to the work site is far and transportation is limited or nonexistent.
2. Public protection for park visitors must be foremost in decisions to place offenders into the program.
3. Scheduling work locations and reporting success or failure to the courts must be coordinated and timely.

Transportation

The issue of transportation is critical to getting a program started in the Parks Division. The further away the work sites and/or the further away the report times the less likely the success. During the discussions, the court needed a clear understanding of how transportation would be handled. They were not interested in supporting a program that requires the offenders to find their way to distant locations since that would encourage driving for people who are prohibited from driving. Without some type of organized transportation system, no-show and failure-to-comply rates were predicted to be high.

The Parks Division provided a guide that includes directions to each work site along with the bus routes that get closest to the site. They prepared the guide for the Probation Officers and Relicensing program staff to use when referring offenders to the program. The guide has information on the type of work-site activities, the type of clothing to wear, various reporting locations, directions, bus routes and the names and phone numbers of the district managers for each site. (See the attached guide.) The Parks Division, however, could not provide the actual transportation to the sites because it had returned its vans to the motor pool as a result of budget reductions.

Nonetheless, it was determined that direct transportation to the work sites is vital to increase the likelihood of success for those offenders referred from the Court. And, the Parks Division is the appropriate organization to provide such transportation. Thus, Parks should arrange to pick up individuals from selected Metro Park & Ride lots, take them to the park work sites and return them to the Park & Ride lots at the completion of the job.

Public Protection

There is a high level of concern about the types of offenders who end up on a Parks Division work detail where exposure to park patrons, particularly children, is highly likely. The

discussions with Parks Division and District Court personnel concluded that offenders with property crimes (theft, burglary), misdemeanor domestic violence, assault 4, minor substance abuse (marijuana) or driving with license suspended or revoked are appropriate.

Prohibited from participation are offenders charged with crimes against a person, i.e., assault 1-3, sex offenses, etc. Also, offenders with these types of crimes in their backgrounds in the last ten years are prohibited from participation. And finally, offenders with a known affiliation with gangs are also unacceptable, mainly for their own protection. This is highlighted in the Community Service Program Guide.

In order to ensure that the appropriate offenders are entered into the program, a system and personnel to screen and select individuals for the program are needed.

Scheduling and Tracking

It is agreed that what works with the work crew program, especially the Relicensing program, is to have a person in the courtroom who immediately orients and schedules the participants for work crew or community service. This same person can track the progress of the individuals on the program and report to the court when a participant succeeds or fails to complete the required number of days.

The Parks Division experienced severe budget reductions for 2003 and does not have anyone who can be dedicated to screening, scheduling or tracking the community service clients. Nor is it appropriate to train Parks Division staff to handle a task that is clearly a criminal-justice function. The expected role of the Parks Division is to transport participants to and from Park & Ride sites to the parks, assign the participants to work areas and supervise the work.

The District Court is the logical organization to schedule, track and report on the Parks Division's structured community service program. However, the Court does not have the capacity to fulfill this function. With the budget reductions in District Court, the clerks and probation offices are minimally staffed and have difficulty handling the normal court tasks and casework. In fact, they are currently overwhelmed and the Court is looking for concrete ways to help them now. Screening and orienting defendants is a full-time job as is scheduling, keeping track of work crew/community service cases and reporting to the court. Additional resources are required to support these functions.

Summary

In summary, the Parks Division's structured community service program requires the support of the District Court for screening potential participants, scheduling the work locations, tracking progress of the participants and reporting success and failures to the court. Given the staff shortages in the District Court, this will require two FTE to be added to the District Court Probation or the District Court Relicensing Program.

It also requires the creation of Exchange accounts for the mechanics of tracking and scheduling the participants and two laptop computers that can travel from multiple courts to link in the exchange system. In addition, the Parks Division must have its vans returned along with funding

to support their maintenance and operation. This will enable them to transport participants between Park & Ride lots and various Parks Division work sites.

Cost Estimates

The work crew program is a CX-funded operation that is intended to be revenue-backed with the exception of the agreement with the State DOC. One of the goals for the Community Work Program is to secure contracts or agreements that fully support the crews and King County's expenses for operating the crews.

DAJD and Budget Office staff have established an annual revenue requirement of \$133,622 to fully support one crew. Total revenue from CWP crews is projected to be approximately \$950,000 this year. This assumes the continuation of the three former NRF/city contract crews, in addition to the operation of four full-calendar-year county crews and one half-year county crew. Overhead will be re-calculated over the course of the year as contracts are being finalized.

The 2003 adopted work crew budget and the estimated costs of four additional crews are provided in Table 6. Since the new crews were not included in the 2003 budget, DAJD will request supplemental appropriation authority as the crews are confirmed.

Table 6
DAJD, Community Corrections Division
CWP Cost Estimates

Account	2003 Adopted (four crews)		Proposed Increase (four more crews)		Total Work Crew after Expansion	
	FTE	Budget	FTE	Estimate	FTE	Estimate
Supervisor	1				1	
Program Coordinator	1		1		2	
Crew Supervisor	4		4		8	
Clerical			1		1	
Salaries		273,040		242,852		515,892
Benefits		87,740		88,260		176,000
O&M/Equipment		89,192		157,580		246,772
	6	449,972	6	488,692	12	938,664

Additional program revenue could be obtained in the future by contracting with more county agencies and with other cities. This will be more likely if King County is able to lower crew costs by obtaining economies of scale through continued expansion of the program.

The CWP has already received inquiries from a couple of smaller cities in King County that are interested in exploring work crew agreements to augment their landscape maintenance programs along roads and right of ways. As indicated above, each additional contract for a crew will generate requests for additional appropriation authority during the year.