

4/16/97

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Introduced By:

incarredo.DOC/jem

Proposed No.:

97-180

ORDINANCE NO. **12715**

AN ORDINANCE relating to the establishment of an incarceration cost recovery policy; and adding a new chapter to the King County Code entitled 2.73 Recovery of Incarceration Costs.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. NEW SECTION.

Recovery of Incarceration Costs. It shall be the policy of the county to recover the costs of incarcerating inmates to the full extent possible under state law. This policy is intended to guide all county agencies which are involved in the criminal justice system. The intent is to help offset the high cost to the citizens of King County of providing local incarceration facilities and programs. It is not the intent to neglect, or in any way circumvent, the protections provided under state law to an individual who a court has determined is or will be unable to pay costs.

For the purposes of this chapter, incarceration costs shall include any cost to King County that results from (1) incarcerating an individual in any county facility, including but not limited to a special detention facility or correctional facility; (2) an individual's participation in a community correction program; or (3) the provision of medical or dental services by the Jail Health Services Section.

1 Enactment of this policy shall include, but not be limited to, the following:

2 A. Special Detention Facilities. Any out-of-custody person who is court-ordered to serve
3 a 24 to 48 hour sentence at a county special detention facility shall be assessed fees to cover their
4 housing costs pursuant to RCW 70.48.210 (4), and RCW 70.48.380. The executive shall prepare a
5 fee schedule based on ability to pay and shall present this schedule by ordinance for council review
6 and approval.

7 B. Community Corrections Programs. Any individual sentenced to a county community
8 correction program shall be assessed fees to cover the cost of their participation as permitted under
9 RCW 70.48.210. The executive shall prepare a fee schedule based on ability to pay and shall
10 present this schedule by ordinance for council review and approval. Such community correction
11 programs shall include, but not be limited to, work release and electronic home detention.

12 C. Medical and Dental Service Costs. The county shall mitigate the cost of medical and
13 dental service provided by the jail health services section by maximizing third party reimbursement
14 and by, wherever applicable, assessing fees of inmates for medical or dental services. The
15 executive shall prepare a fee schedule based on ability to pay and shall present this schedule by
16 ordinance for council review and approval.

17 Under no circumstance shall necessary medical services be denied or delayed because of
18 disputes over fees for medical care or ability to pay.

19 SECTION 2. NEW SECTION.

20 King County and other local governments participating in the Regional Law, Safety
21 and Justice Committee desire to better understand the factors which contribute to the
22 growing jail population and associated costs. Therefore, a comprehensive study and
23 assessment of the jail misdemeanor population was jointly funded by King County,
24 Washington State, Seattle and the Suburban Cities Association, and initiated by Council
25 adoption of Ordinance 12474. The misdemeanor study will focus on identifying

1 inefficiencies and recommending strategies to better manage jail capacity and the efficient
2 use of criminal justice resources, and will emphasize those inmates jailed for Failure to
3 Appear (FTA) and Failure to Comply (FTC). The misdemeanor study will be managed by
4 the Office of Budget and Strategic Planning through an inter-jurisdictional oversight
5 committee. The final report, to be completed by October 1997, will be issued to the
6 Regional Law, Safety and Justice Committee and the King County Council. The County
7 Auditor's Office shall review the methodology, conclusions, and recommendations in the
8 misdemeanor population report.

9 As a second phase of the study of the jail's population, the Office of Budget and
10 Strategic Planning and the County Auditor's Office shall develop a scope of work for a
11 comprehensive assessment of the pre-and post-trial jail felon population that includes the
12 Prosecutor and the Courts. The County Executive shall transmit the scope of work,
13 schedule and an appropriation ordinance funding the study to the Council by July 15, 1997.
14 The study shall examine the nature of offenses resulting in jail time and shall review issues
15 which affect the size of the jail population and duration of jail stay, including, but not
16 limited to, length of time convicted felons remain in jail prior to transfer to the Department
17 of Corrections. The study shall recommend to the County Council and the Executive
18 specific strategies and alternatives which provide the best opportunity for reducing the jail
19 population and related costs. The County Auditor's Office shall review the methodology,
20 conclusions, and recommendations in the felon population report prior to presentation to
21 the Council.

1 SECTION 3. NEW SECTION.

2 No later than February 1, 2000, the county council shall analyze the results of the
3 ordinance, and prior to May 1, 2000, shall reenact this chapter with, or without modifications.

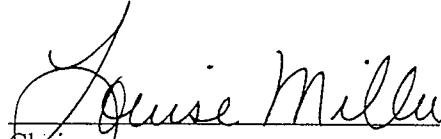
4 Unless reenacted by a vote of the county council, this ordinance shall expire on May 1, 2000.

5 INTRODUCED AND READ for the first time this 10th day of


6 March, 1997.

7 PASSED by a vote of 12 to 0 this 21st day of April, 1997.

8 KING COUNTY COUNCIL
9 KING COUNTY, WASHINGTON

10 
11 VICE Chair

12 ATTEST:

13 
14 Acting Clerk of the Council

15 APPROVED this 7 day of May, 1997

16 
17 King County Executive

18 Attachments: None