

SUMMARY: NON-CAPITAL ALTERNATIVES CHAPTER

After analyzing historical workload trends and projecting future workloads through the year 2010, each agency computed their potential increases in the number of staff, space and equipment needs.

Each agency was required to examine their current operations in terms of staff, space and equipment requirements, and estimate future needs based on assumptions regarding the impact of new programs or policies, new technologies and/or improved operational efficiencies.

Most reductions in future agency requirements have been identified as non-capital alternatives. However, some of the programs and alternatives outlined in this chapter would in fact require some capital improvements or new/additional office space. Any program which could be developed in the future and would not be accommodated in any current criminal justice building is addressed in this chapter.

Although each agency addressed non-capital alternatives in slightly different ways all were directed to provide:

- * A list of program alternatives specific to their operation.
- * A short description of each alternative
- * A brief analysis of the positive or negative impacts generated by the alternative
- * A discussion of what would be required to implement the alternative
- * Costs for staffing, equipment, space etc.
- * An assessment as to whether or not the alternative was feasible to implement
- * An estimate of Implementation time requirements

Most of the Criminal Justice agencies (other than the Department of Adult Detention) concentrated on automation, implementing new technologies and developing potential operational efficiencies. With minor exception, most agencies considered the majority of the proposed non-capital alternatives to be impractical or more likely to be feasible in Phase II (after the year 2000). A number of potential non-capital alternatives, particularly those involving new technologies were under going testing or subject to current research, the results of which were not final nor considered reliable at this time.

The largest section in this non-capital alternatives chapter relates to the Department of Adult Detention. The main focus of their research was to find ways of reducing the total number of detention beds requiring construction.

Adult Detention's non-capital research section includes an overview and recommendation section first, followed by descriptions of 17 alternatives and estimates of the potential reduction in detention beds required to address future population levels. This is followed by a proposed program plan which further details recommended non-capital alternatives and including cost estimates and implementation information required for the recommended alternatives.

Since 1986 the Department of Adult Detention has developed and implemented a considerable number of non-capital program alternatives to detention, strived for operational efficiencies and maximized use of it's current detention space in an effort to minimize the need for additional detention bed spaces. For additional information regarding existing non-capital programs please consult the Department of Adult Detention's 1990 Operational Masterplan.

The Department of Adult Detention's Non-Capital Alternatives section addresses new programs, significant expansions to existing programs or major changes in policy's which effect use of current programs. Please consult the summary portion of their non-capital section for specific recommendations and net reductions to the potential number of detention beds which will be required through the year 2010.

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AGENCY NAME: Superior Court

DATE: 1/11/91

OPTION: #1 Expanded use of video courtrooms

The Superior Court currently utilizes three video courtrooms and will have five more courtrooms converted for video use in early 1991. Video courtrooms are equipped with audio-visual equipment to record proceedings in lieu of using court reports.

POSITIVE ISSUES ASSOCIATED WITH OPTION:

Reliance on video cassettes reduces costs associated with court reporter availability at proceedings which won't be appealed.

The process of providing a typed transcript from video tape is cost neutral.

Increased records management procedures costs may be offset by revenues collection for the service.

Reduce costs associated with stenographic equipment.

Fewer courtroom staff increases flexibility and reduces administrative scheduling.

Judges may work in chambers while monitoring the courtroom during the reading of administrative records into the record.

Use of instant replay.

Expand program to develop video arraignments, expand program to offer video training programs for judges.

Cost per courtroom: \$25,223/year versus \$59,483/year for court reporter. (See attachment 1).

Video tape shelf life is approximately 20 years.

NEGATIVE ISSUES ASSOCIATED WITH OPTION:

Additional cost and inconvenience to the county, the bar and litigants.

Appeals require that tape be transcribed.

Cost of equipment, retrofitting existing courtroom to accommodate equipment.

Cost of training judges to operate equipment, cost of training court clerks to monitor log while simultaneously noting minute entries.

OPTION #1 - Page 2

Increase court clerk salaries 5% to acknowledge enhanced responsibilities.

Microphones limit speakers from moving freely in courtroom.

Superfluous noises may distract cameras or microphones.

Monitor must be watched so as to avoid a "jumpy tape," one in which the camera frequently changes direction or a party dominates the tape using constant noise "to avoid filming an unfavorable witness."

Equipment failure could result in a mistrial.

Conflict of interest. The judge may be an issue on appeal, therefore, should not also manage the court record.

Court must issue "Protective Orders" to limit public access to record if necessary.

Appellate attorneys still need to get transcripts--reviews of tapes are more time consuming, information is easier to locate on transcript. The cost would be passed on to the county by the State (1988 - 500 appeals, cost an average of \$100 per transcript).

Video tapes must be reviewed by records management every 5 years to detect deterioration. There is no staff available to accomplish this.

Use of video equipment reduces the courtroom spectator area by 50%.

Feasibility: Video courtrooms already exist in a few civil courtrooms as part of a pilot study. They have proven so successful, that additional civil courtrooms will be converted to video in 1991.

Timelines: Retrofitting an existing courtroom to accommodate video equipment takes a maximum of ten days. It is recommended that space planning incorporate video equipment needs during the programming for any new facility(ies).

Attachment I
Option 1

Superior Court

Cost/Benefit of Video Recording When Transcription is
Prepared Outside of County Service

October, 1990 Estimate

ITEM	COURT REPORTERS	VIDEO
Court Reporter Salary	\$40,080	\$ 0
Court Reporter Benefits	8,016	0
Court Reporter Vac. Cover	5,000	0
Courtroom Clerk 5% Incr.	0	1,160
Equipment (Amrtz. 5 yrs.)	0	12,138
Furniture (Amrtz. 10 yrs.)	100	0
Office Space	955	0
Equipment Maint. Contract	0	2,400
Video Tapes	0	2,427
Office Supplies	500	100
Clerk's Staff	2,768	3,890
Court Admin. Staff	<u>2,064</u>	<u>3,108</u>
	\$59,483	\$25,223

Superior Court

Video Arraignments in Kitsap and Pierce Counties

One of the policy questions the Superior Court is addressing concerns the future use of video arraignments in regional justice centers in the suburban areas of King County. The Court does not currently utilize video equipment at the time of criminal arraignments, but the recommendation has been made to study it's application for the purpose of decreasing prisoner transportation, judicial staffing, and space needs.

Two nearby court systems use video arraignment technology. Kitsap and Pierce Counties piggybacked their bids for the purchase of a system from Court Vision Communications. (Court Vision Communication of Thousand Oaks, California, worked with the Court in San Bernardino County California in 1980 to develop the video arraignment system used now in Kitsap and Pierce Counties.)

Pierce County District Court

Mark Shannon, the District Court Operations Manager, provided the following information concerning Pierce County's installation of video equipment.

Their system has been in operation for a year and a half, and is used by one courtroom in Tacoma. Attorneys for the prosecution and defense are present during the arraignment proceedings. Their system was altered to accommodate the presence of the attorneys,

rather than to follow San Bernardino's in which no attorneys are present.

Mark described the system as being very simple to use, and in the year and a half that it has been in operation, there have been no problems. There is a quarterly maintenance agreement.

Two issues of concern to the Court were: getting approval for the system from the Public Defense; and the establishment of local rules of court. Mark strongly suggested that all concerns of the Public Defense be addressed during the early planning phase of the system. Because the State of Idaho had already initiated video arraignments, Mark revised their state court rule to establish the Pierce County local rules governing video arraignments. Work has been initiated at the Washington State Court Rule level, but it is not expected to be completed until July 1991.

Pierce County has experienced the following positive benefits:

- a. Shorter jail stays of prisoners.
- b. Prisoners don't have to be shackled, nor are they paraded around in public facilities.
- c. Defendants may review the video within 24 hours.
- d. The County saves the cost of one transportation officer per day.
- e. Because they got the private bar, the prosecutors' office, the court, jail administration and the judges to

agree to the concept, they expect few challenges to the system in the future.

Kitsap County

Kathy Johnston, the Bremerton Municipal Court Administrator, offered the following information concerning their new system.

Their system has only been up since October 9, 1990. She solved the problem of the Public Defense's concerns by introducing the concept at one of their regularly scheduled meetings. She solicited their concerns and then addressed them at a subsequent meeting. At the second meeting, Kathy also showed video tapes of the San Bernardino and Reno, Nevada systems.

The Court received a National Correction Board Grant to fund the system. They are also happy with the system, which is used in one courtroom. The vendor has been very responsive to their requests for assistance, and Kathy recommends Court Vision Communication over U.S. West, their closest competitor.

Attorneys are present at arraignment, and there is a small defense attorney room available out of the courtroom for confidential communication. The local court rules were changed to accommodate video arraignments.

January 10, 1991

VIDEO ARRAIGNMENT COST

In addition to the cost of preparing a criminal courtroom for video arraignments, at an approximate cost of \$25,223 as noted in Attachment I, the following detail is provided by Jefferson Audio Video Systems of Louisville, Kentucky as an estimate for the holding cell equipment.

HOLDING CELL OPTION

The Holding Cell Option is to provide for arraignment from the jail. This feature will greatly reduce the cost and time involved for transportation of prisoners as well as security for the prisoners. The pricing as shown is for a jail cell housed within easy access of the courtroom. The price is for a 500 foot cable run, with an easily accessible cable path. Complications for cable installations or for remote sight systems would be independently quoted.

1	CM-1600	Pelco Wall Mount with Pantilt.
1	JAV-C1	JAVS CCD Color Camera
1	VCL-08S	8mm lens or zoom lens as required
1	PVM-1910	Sony Monitor
1	PCC-165	Microphones including plexiglass mounting as needed
2	HEC-1000	Hum Eliminators
1	SW-300	Switch Hardware
1	VSW-12	Video Switcher
1	WM-100	Monitor Mount
1	Lot	Wiring Hardware & Installation
	SUBTOTAL	\$5695.70

AGENCY NAME: Superior Court

OPTION: #2 - Jury + System

A 67% increase in demand for jury trials since 1988 and the new record keeping requirements for State Industrial Insurance payments for jurors has overwhelmed the court's ability to manage the jury system effectively.

The purpose of the Jury + System is to automate the operation as a cost effective response to the increased workload.

POSITIVE ISSUES ASSOCIATED WITH OPTION:

- A 1990 study of other automated systems found Jury + to be more flexible and at a higher level of automation.
- It was also reported to work well in response to the need of other courts where it was installed.
- The vendor, Unicorn Systems Co., provides prompt and helpful service.
- The program received an award from the National Association for Counties in 1990.
- The program can better predict future juror needs which reduces court costs.
- An automated system will stabilize the need for staff, office space, and document storage spaces. Additional staff would be necessary for multiple facility locations, whether the jury operation is automated or not.

NEGATIVE ISSUES ASSOCIATED WITH OPTION:

- The system will cost \$72,458, and there is a 15% annual charge (\$5,250) each year as required for a software licensing fee. Extra help staff hours could be purchased as an alternative to the system fees.
- One user noted that there should be increased enhancement capabilities and flexibility of the system.
- Reports are indexed by date and locating a particular report can be cumbersome.
- If a local hardware vendor is considered, it is important to have immediate on-site repair or replacement services available. Juror services are a critical court operation.

OPTION: #2 - Page 2

Feasibility - Use of 1990 vacancy savings and jury system enhancements proposed in the 1991 budget could pay for the system.

Timeline: - Install in 1991.

AGENCY NAME:

OPTION: #3 - Automated Accounts Payable

It is the intent of the Automated Accounts Payable system to replace the inefficient manual system.

POSITIVE ISSUES ASSOCIATED WITH OPTION:

- Stabilize growth of the workload.
- Stabilize need to add staff and document storage spaces.
- Will be used by all county departments eventually. It will, therefore, increase communications resulting in a decrease of errors and time necessary to process payments in the current manual system.

NEGATIVE ISSUES ASSOCIATED WITH OPTION:

- Cost is \$20,000, approximately. Not enough is known to provide any more information at this time for a cost/benefit analysis.

Feasibility: Funding is requested for 1991.

Timeline: 1991, if the system is funded.

AGENCY NAME:

OPTION: # 4 - On-line Payroll

POSITIVE ISSUES ASSOCIATED WITH OPTION:

- The system has similar benefits as the automated accounts payable program mentioned earlier.
- Will reduce workloads for attendance clerks within the separate divisions of the court and, especially for the payroll manager.

NEGATIVE ISSUES ASSOCIATED WITH OPTION:

- Cost is approximately \$20,000. Not enough is known about the system to provide a cost/benefit analysis.

Feasibility: The Sheriff's Office and the Public Works Departments came on-line with the county system in 1990.

Timeline: The Superior Court and D.A.D. are expected to come on-line in 1991.

Non-Capital Option: Teleconferencing

Description: Teleconferencing could be used to transmit a visual picture and sound communication between facilities to increase judicial efficiency. It is expected that judges assigned to suburban facilities would lose work time due to the increased distance they would have to travel to attend monthly meetings and committee activities in Seattle.

Status in King County: Teleconferencing is not being done in King County at this time. A message has been left with Robert Bornowski, Manager of Research for the Office for the Administrator of the Court (OAC) for Washington to determine if the system has been implemented elsewhere in the state.

Criteria for Use: There has not been a determination made for actual loss of judicial time caused by decentralization. Steve Stentz, Researcher for the OAC, said that no study has been done of this nature in Washington. Researcher Steven Bouch, from the National Center for State Courts indicated that efficiency will depend upon many factors such as the:

1. Degree of geographical isolation,
2. how well the judges run the court verses how well the court runs, and
3. case types handled at the facility.

No similar study has been done by the National Center due to the difficulty in comparing widely differing court operations.

Feasibility: King County Telecommunications Manager Bob Oenning states that it would be feasible to initiate teleconferencing, because the new cable franchise includes the band width necessary for operating

the system.

Teleconferencing and the use of video arraignments are similar systems which could use broad band coaxial cable which has already been installed between the County Courthouse and the jail.

Bob said that the cable lines are secure from intrusion, and additional hardware can be applied to further encrypt the communication of information, if necessary.

It is possible to combine the existing coaxial cable with a fiber optic system using switching equipment at the facilities. (There is already fiber optic cable installed in the basement of this courthouse.) A third alternative transmission source would be to use microwave technology from a suburban facility.

These technologies could be used for video arraignments, teleconferencing, pretrial conferences and remote testimony of child victims or expert witnesses.

Timeline:

The system could be installed for whatever program applications it's designed for during the construction of the new facility.

DISTRICT COURT NON-CAPITAL OPTIONS

1. SWING SHIFTS

District Courts are currently limited by both space and the number of PCs and/or DISCIS terminals. One possible solution is the establishment of a swing shift (e.g., 4 to 11 p.m., Monday through Friday; or 3 to 11:45 p.m., Monday through Thursday).

Assuming the following: 1) a shift would consist of a minimum of 6 clerks and 1 supervisor and a maximum of 9 clerks and 1 supervisor*; 2) access to the DISCIS system during these "off" hours; 3) an on-site security guard, 4) payment of a 5% premium pay (shift differential) and 5) union agreement, the annual cost of a "shift" would be \$228,704 - \$311,876, calculated as follows:

1 Supervisor	\$ 26,997
benefits (@ 25%)	6,750
1 Clerk (Step 5 + 5%)	22,179
benefits (@ 25%)	5,545
1 Security Guard	22,890
benefits (@ 25%)	5,723

This represents an increase of \$38,141 - 42,101 over the current salary costs of a shift (difference due to 5% shift differential and security guard), but would eliminate the equipment cost per employee (computer, desk, chair, etc., approximately \$3,000 per employee).

Presumably there would be additional operating costs (utilities) which would need to be calculated for each specific location.

Additionally, traffic and small claims matters (i.e., court proceedings without lawyers) could be scheduled on evening calendars, making the court more accessible to the public.

* Our current policy is 1 Department Head (supervisor) per 6 to 9 court clerks.

2. NIGHT COURT/WEEKEND CALENDARS

Night court and/or weekend calendars have been considered by the District Court in the recent past (implementation was not recommended due to the cost of inmate transportation and inadequate clerical personnel). Future implementation and determination of feasibility would require resolution of some policy issues:

(1) would the judicial position be filled by an elected judge or an appointed commissioner and (2) would all matters be heard on these

DISTRICT COURT NON-CAPITAL OPTIONS
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calendars, regardless of impact upon jurors, witnesses, attorneys, law enforcement agencies and other County agencies.

The annual cost for one evening calendar five times per week would be \$89,908, calculated as follows:

.5 FTE Judge/Commissioner	\$ 38,300
benefits (@ 25%)	9,575
.5 FTE In-Court Clerk	
(Step 5 + 5%)	11,090
benefits (@ 25%)	2,773
.5 FTE Clerk	
(Step 5 + 5%)	11,090
benefits (@ 25%)	2,773
.5 Security Guard	11,445
benefits (@ 25%)	2,862

The cost to add a second calendar at a specific site would be \$61,738 per calendar (the cost of the Commissioner and In-Court Clerk). As with the above option, there would be additional utility costs which would need to be calculated for the specific site.

Assuming the District Court is adequately staffed, the true additional costs would be \$1,321 (the 5% premium pay and benefits cost). If it is determined that extra judicial and/or clerical resources are warranted, the additional costs would increase by salary and a per employee supply allotment estimated at \$500.

The cost of a weekend jail calendar is \$521 per day/per calendar, calculated as follows:

Commissioner (7 hours)	\$ 307
In-Court Clerk (9 hours, overtime)	186
Benefits on the above	28

This option was proposed as a possible means of reducing the number of courtrooms needed by District Court. It should be noted that the Court regularly operates outside of the 8:30 a.m. to 4:30 p.m. County day: because of scheduling/statutory constraints, most divisions cannot continue cases that go beyond the allotted time and therefore calendars often run late into the evening.

DISTRICT COURT NON-CAPITAL OPTIONS
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3. VIDEO ARRAIGNMENT

This non-capital option is being considered by a number of agencies. DAD staff is compiling data regarding implementation and maintenance costs.

4. ALTERNATIVE SENTENCING PROGRAMS

The District Court has looked at both Community Service and other alternative sentencing programs as ways of reducing the average daily population (as well as providing additional community benefits).

Our past attempts to implement a community service program have been unsuccessful due to the perceived risk to the County and the existing union agreements.

We currently have an alternative sentencing program for learning disabled misdemeanants at the Northeast Division (with limited expansion slated in 1991). This program provides anger management, development of social and job-related skills, and access to available community services to learning disabled misdemeanants with the goal of reducing recidivism and facilitating successful community living. The analysis is not yet available regarding any reduction in jail population and/or decreased recidivism resulting from this program.



**King County
Department of Judicial Administration**

M. Janice Michels
Director and Superior Court Clerk

E609 King County Courthouse
516 Third Avenue
Seattle, Washington 98104-2386

(206) 296-9300 (206) 296-0100 TTY/TTD

**Department of Judicial Administration
Non-Capital Options
January 11, 1991**

1. **Eight hour day for production staff**
Potential savings are for DJA production staff, where an increase in the hours worked per day would reduce space needs, and salary and benefit costs for increased staff. Since this non-capital option could potentially benefit every department involved, and since the Budget Office has not yet authorized the expansion of the work day County-wide, DJA will not expound on this option.

2. **Telecommuting**
The work of our Case Processing Section (docketing) could be done at home, by SCOMIS access via the telephone and the delivery of filed papers to staff members' homes.

Per person, the capital one-time costs would be approximately:

\$3,500 per computer
300 per modem (including installation)
1,000 per Attachmate Board and Software
110 per installation of business telephone line in homes
500 for furniture
\$5,410

Per person the ongoing costs would be approximately:

240 annually per telephone line
11,235 annually for delivery and pick-up of documents*
\$11,475

* figuring 45 minutes per one-way trip, one trip to each house per day, one extra help staff member at \$12.50 per hour to deliver (2-home pilot project), \$3.10 per hour for motor pool car.

These costs do not represent any salary savings for DJA. Savings would be in less capital outlay for space.

3. Point of Pinning Docketing (POP) and Point of Docketing (POD) Scanning

DJA has recently finished one phase of a pilot project where bar code scanning of documents for data entry was done by staff at the point of "pinning" the document in the file rather than at a key board as a separate step. This experiment proved effective for only the simplest types of legal documents filed. Because of the equipment costs involved and other sorting and special handling required, the project did not provide any budget efficiency. DJA will begin a second, similar project in an attempt to eliminate the number of key strokes necessary to input data. For this project we will identify where, in our paperflow process, the scanners may be more useful. The capital expenses involved in this project have been included in our 1991 budget. We anticipate having results of this part of the project by the end of April. Savings would be in staff costs and space needs for data entry of the average daily 4,200 documents.

4. Maintain Aggressive Microfilming Program

DJA needs to maintain the microfilming of court files at the annual rate equivalent to filings. This is critical to DJA space needs. Currently we have adequate space on the 6th floor of the Courthouse to store approximately 400,000 files, which is about 6 years worth. With the anticipated rise in annual filings, DJA needs additional annual microfilming funds. With these funds, DJA would not need an annual increase in space for court files.

5. Court Management of Documents

This is a longer range project which would eventually mandate the use of specified, pre-coded, and machine readable documents. Such a system would automate all data entry of documents. Implementing such a program would involve extensive negotiations with the Bench and the Seattle-King County Bar Association. We anticipate being able to implement court document management in about 10 years.

6. Electronic Storage of Documents

Technology currently exists to electronically store images of documents (on optical disk, for example) instead of storing hard copies files. Implementing electronic storage would significantly decrease the space needed by DJA for file storage and data entry staff. At this time, court use patterns create problems with the technology available. DJA anticipates the appropriate technology to be ready to use in about 10 years. There would be high initial capital expense associated with this option.

D R A F T C O P YNON-CAPITAL OPTIONS - PUBLIC SAFETY

Two options were identified (described below) but both were rejected for the reasons indicated.

OPTION 1:

Have some or all of jail fingerprinting done by staff that aren't from Public Safety's Identification Unit (e.g., staff that would have to be there anyway).

Reason for Rejection:

This has been done in the past and it has not been acceptable. Specialized training and unity of supervision is required to get good quality prints in a timely fashion. Public Safety has (with passage of the AFIS bond levy) assumed responsibility for all jail fingerprinting.

OPTION 2:

Use "Live Scan" technology to take prints in the jail, thereby saving staff.

Reason for Rejection:

Chicago and California have purchased "Live Scan." When refined, King County may want to purchase this equipment. It was rejected as an alternative to adding staff, however, because trained staff would still be required to properly operate the equipment. With the existing technology, no staff would be saved and the time required to fingerprint would not be reduced.

PROSECUTING ATTORNEY

A Discussion of Non-Capital Options

Prosecutorial functions do not easily lend themselves to cost saving non-capital alternatives. Filing decisions are not arrived at by considerations of cost, rather by the expensive pursuit of justice and accountability for criminal acts.

One suggested non-capital alternative originating from Department of Adult Detention is the concept of prosecutor review of defendants as they are booked into jail. The idea is to have a deputy prosecutor on site at the jail around the clock to review paperwork that accompanies each suspect booked and make an on the spot decision as to whether charges would be filed within 72 hours.

The theory is that this reviewing deputy would have sufficient information and authority to decline to "rush" file on the suspect and give the O.K. for release. The reality is that there is little, if any, paperwork accompanying a suspect into the jail. Often the officer booking the suspect is not the investigating detective or primary officer. Thus, the DPA on site would have insufficient information upon which to base the decision to hold or release.

It is questionable whether any actual saving would be recognized by this program, which would require at least three additional full time deputy prosecuting attorneys to staff it. These decisions are now being made by civilian staff screeners according to the FAR criteria. Having DPSS on site would probably not result in increased numbers of booked suspects being released.

Video arraignment could save travel time and costs if the regional facility were simply a book and hold with no courtrooms, and arraignments were conducted from the downtown courthouse to the facility.

NON-CAPITAL ALTERNATIVES FOR JAIL HEALTH SERVICE
IN A NEW CORRECTIONAL FACILITY

SUGGESTION 1

Transport inmates needing care to King County Correctional Facility or to a nearby outside care source.

Discussion:

To consider keeping the bulk of out-patient health services at KCCF, two things would be required. First, additional space would need to be developed in out-patient clinic, infirmary, psychiatric housing, dental, pharmacy, medical records, nursing, and provider work areas, storage areas, and additional administrative offices. This additional space would require more than doubling the existing space. A transportation system would also be needed. In June 1990, 1081 health care visits occurred between inmates and the out-patient staff of nurse practitioners and physicians. This figure includes infirmary patient visits. The combination of added space and transportation makes the suggestion impractical with no added benefit.

Many small jails rely heavily on community health care providers to meet the health care needs of jail inmates. The now "sunsetted" state law which was adopted into county ordinance by the King County Council in 1988 does require sick call 5 days a week in jail for a population the size of the new facility. Further, the National Commission for accreditation requires a professional health evaluation within 48 hours of an inmate request for care. The extensive volume of nursing evaluations and out-patient appointments for the expected ADP requires an on site health staff to meet the populations health care needs. Jail Health Service will continue to utilize community based services for emergency, specialty and hospitalization services. San Diego with roughly 4,000 inmates in custody in seven facilities is currently making the transition to on-site out-patient services. The system of care prior to this current transition by its nature lacked essential pieces of an adequate health care system.

Conclusion:

No benefit would be realized with pursuit of suggestion 1.

SUGGESTION 2

Hire correction officers who are also health care providers (e.g., physicians and nurses) so care can be provided by custody staff.

Discussion:

It has been suggested that much money would be saved if nurses received security training so they would not require the DAD staff as security while providing nursing services. In 1988 Bonnie Norman and Joseph Cotton visited KCCF with the intent to evaluate the efficiency of Jail Health Services. During this evaluation, Ms. Norman commented that no where in the United States were correctional facilities able to attract nurses who were willing to also function in the security role.

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Non-Capital Alternatives cont'd...

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It must be assumed that physicians would be equally uninterested in a dual role, though at KCCF that has not to date been suggested. It is impractical to imagine that nurses would be willing to work at the jail without assurance of adequate security by security staff. The current market makes it difficult even with security.

Conclusion:

Suggestion 2 is not feasible and therefore, not pursued.

SUGGESTION 3

Provide medication on a self-administrated basis to selected inmates.

Discussion:

In August of 1990, Jail Health Services conducted a brief study of pharmacy services. At the time, 1538 inmates were under JHS care and 964 doses of medication were delivered on average to 284 inmates scattered throughout the facility. The doses were delivered to all housing areas 3 times/day and to a selected housing area up to 5 times/day. Eighteen per cent of the population were receiving medication. It has been suggested that 30% of the population would be receiving medications if the health staff were able to reach a greater portion of the population.

Under the current system, the inmates at NRF with NRF staff supervision, take their own medication. It is quite possible to extend this practice to a portion of inmates in KCCF and a new facility. The west wing of KCCF is currently minimum security and special custody. In a recent count, this population of 301 was 23% of the total KCCF population to which JHS delivers medication. If one quarter of medications were self-administered, a portion of a nurse's FTE may be saved. [1.0 FTE RN annual cost, \$46,100]

Conclusion:

If a section of the population could be identified for self-administration of medication, RN staff savings may be realized.

SUGGESTION 4

Establish self-care management programs for selected groups of population e.g., diabetics.

Discussion:

Due to security concerns, self-care for diabetics has not been tried at KCCF. This population represents 1% of the ADP and ranges between 10-20 people in the

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current facility. Out of custody, this population would care for their daily insulin needs themselves. In custody, the nursing staff assumes the blood sugar testing and insulin injection which all diabetics are taught to self-administer. Some portion of the diabetics are capable of continuing this self-care while in jail. Sorting out who are reasonable candidates and monitoring their self-care program would take nursing staff time. However, there may possibly be some staff savings if such a program were instituted.

Conclusion:

Some small health staff saving would be achieved if diabetics were encouraged in self-care, however, this savings might be absorbed in greater corrections officer time needed to ensure that all materials were safely contained.

NON-CAPITAL ALTERNATIVES

OFFICE OF PUBLIC DEFENSE

1. Use courtrooms on the evenings and weekends.

This would allow OPD to make more efficient use of staff both in terms of scheduling and assignments. Logjams currently occur when there are more in-custody applicants than can be arraigned and subsequently interviewed by OPD in a single shift court. Expanded hours would allow interviewing to continue throughout that day, thus relieving pressure the following day.

Public defender agencies are independent contractors. Staffing of night and weekend court would be a contractual issue.

OPD currently has interviewers and defenders at the night and weekend calendars operated by Seattle Municipal Court.

It is not possible to provide cost analysis of this option at this time.

2. Use computers to assist applicant screening and attorney assignment.

This would allow OPD to assess applicant eligibility at the point of interview. Public Defenders would be appointed at the time of interview instead of the next day as is the case in many instances currently. Laptop computers would allow screeners to interview in a variety of localities, thereby saving office space for interviewers.

Cost analysis of this option is attached as "LIFE CYCLE COSTS OF REVISED PC LAN PROPOSAL."

3. Do video arraignments and interviews.

OPD would be an end user of video arraignment and interview procedures. Defender agencies would use at least one, more likely two or three, video interview sites. Discussions are currently underway with public defender agencies to develop policies and procedures concerning video arraignments or interviews.

Cost analysis of the video arraignment option has been undertaken by the Department of Adult Detention.

4. Work eight hour days.

Cost analysis of this option is examined in Superior Court documents.

5. Contact clients over telephone.

Telephone contact could increase the number of clients "seen" by each attorney per day, thus potentially reducing the number of visits and interview room space. If enough telephone (and video, see #3 above, and include video wiring with public defender offices) contact existed, defender attorneys could continue to be located in Seattle, thus saving extra lease costs, duplicate supervision, and other remote site inefficiencies.

OPD screeners currently obtain much follow-up screening and verification information over the telephone.

It is not possible to provide cost analysis of this option at this time.

LIFE CYCLE COSTS OF REVISED PC LAN PROPOSAL

YEAR	DEVELOPMENT HARDWARE	OPERATING COSTS	MAINFRAME COMPUTER	INFORMATION INPUT COSTS	CONFLICT CHECKING	CONTRACT ADMIN	INCREASED WORKLOAD	TOTAL		EXCLUDING INCREASED WORKLOAD
								COSTS/COST AVOIDANCE	INCREASED WORKLOAD	
1	81,000	57,838	58,434	35,410	(8,740)	(2,677)	77,361	252,205	174,844	
2	84,840	81,875	(60,479)	(6,013)	(17,914)	(9,571)	85,097	457,047	371,950	
3		81,875	(60,479)	(6,614)	(26,465)	(10,528)	93,607	90,679	(2,928)	
4		81,875	(60,479)	(7,276)	(36,971)	(11,561)	102,967	89,307	(13,661)	
5		81,875	(60,479)	(8,003)	(49,452)	(12,739)	113,264	88,273	(23,926)	
6		81,875	(60,479)	(8,803)	(66,998)	(14,013)	124,591	86,177	(36,317)	
7		81,875	(60,479)	(9,684)	(86,298)	(15,415)	137,050	80,054	(50,873)	
8		81,875	(60,479)	(10,652)	(107,528)	(16,956)	150,755	73,320	(70,700)	
9		81,875	(60,479)	(11,717)	(118,281)	(18,652)	165,830	65,912	(92,510)	
10		81,875	(60,479)	(12,889)	(130,109)	(20,517)	182,413	70,363	(116,501)	
11		81,875	(60,479)	(14,178)	(143,120)	(22,569)	200,654	75,260	(130,291)	
12		81,875	(60,479)	(15,596)	(157,432)	(24,825)	220,720	80,646	(145,460)	
13		81,875	(60,479)	(17,155)	(173,175)	(27,308)	242,792	86,572	(162,145)	
14		81,875	(60,479)	(18,871)	(30,039)	293,778	93,089	(200,689)		
15		81,875	(60,479)							
NPV 85	154,095	129,581	(404,788)	(24,780)	(653,065)	(146,681)	1,561,651	1,359,898	(201,753)	

DRAFT

DEPARTMENT OF ADULT DETENTION
NONCAPITAL PROGRAM ALTERNATIVES

CHAPTER OVERVIEW

PURPOSE

The purpose of this chapter is to provide a plan for non-capital alternative incarceration programs in King County. This plan will mitigate the extent to which the construction of future correctional capacity is required to meet anticipated growth in the jail population.

BACKGROUND

Alternatives to incarceration programs have been actively pursued and implemented in King County. There are hundreds of prisoners assigned to and supervised daily in non-residential security beds or programs. King County has also implemented dozens of system efficiency measures designed to offset increasing jail populations. Representatives of regional criminal justice agencies continue to meet in order to assess the feasibility of any new non-capital options.

PROGRAM OPTIONS

The majority of this chapter is devoted to a discussion of program alternatives, and focuses on the: (1) expansion of current programs, and (2) development and implementation of new programs.

A total of seventeen alternatives are described and considered. A summary grid is provided. The fact that several questionable or controversial options have been seriously considered, as well as the fact that most practical interventions have already been implemented, helps demonstrate the degree to which King County is committed to providing alternative incarceration whenever possible without jeopardizing public safety or compromising the integrity of the criminal justice system.

PROGRAM ALTERNATIVE PLAN

The feasibility of each of these seventeen programs was assessed on a number of criteria, including jail population impact, public policy/legal constraints, and fiscal impact. In order to be consistent with Capital planning efforts, the year 2000 was used as a "Phase I" planning stage; subsequent planning is considered Phase II.

Of the seventeen original programs, ten were eliminated from consideration as part of a Phase I non-capital alternative

program plan. This was due to one or more of the following reasons: (1) Low/undetermined in-custody jail population impact, (2) significant legal or public policy constraints, or (3) considered an emergency program only.

Alternative Program Plan - Phase I. The report concludes with final recommendations for a Phase I alternative program plan. The following combination of four non-capital alternative programs produces a total estimated impact of 74 ADP in the year 2000. The alternative program plan discussed will offset the need to construct jail beds for these inmates.

1. Expand the DAD Personal Recognizance program by adding staff to target in-custody inmates.
2. Expand the DAD Supervised Release program by adding staff to target in-custody inmates.
3. Expand the Electronic Home Detention program by
 - adding staff, and
 - by pursuing expanded administrative approval from Superior and Seattle Municipal Courts.
4. Implement a Community Work Service Program.

Alternative Program Plan - Phase II. Final recommendations are made concerning additional efforts which King County will pursue in Phase II regarding the incarceration of prisoners. These recommendations are not included in a Phase I planning package because they are much less feasible due to significant public policy constraints or due to the need for further determination of population impacts.

Some of the recommendations include: increasing judicial use of and availability of intermediate sanctions and alternative sentences, consideration of 24-hour court schedules, consideration of misdemeanor sentencing standards, and support for greater utilization and availability of programs for substance abusing offenders and for the mentally ill.

NONCAPITAL PROGRAM ALTERNATIVES

PURPOSE

The purpose of this chapter is to assess how alternative incarceration programs in King County may help meet projected population increases to assist the County in providing adequate correctional capacity and noncapital alternatives through the year 2010. This chapter examines: (1) potential expansion of current programs, (2) development and implementation of new programs, and (3) the impact of these options on current and future jail populations. Based on this examination, a program alternative plan is recommended. This plan will mitigate the extent to which the construction of future correctional capacity is required to meet anticipated growth in the jail population.

BACKGROUND

In the past ten years King County has developed and implemented a wide range of alternative incarceration programs. These alternatives to secure detention provide for prisoner security in the least restrictive setting consistent with public safety. These programs also impact jail population by reserving available space for those more serious offenders who are considered more risk to the community or who are less likely to appear for trial.

Programs such as the pre-trial supervised release, personal recognizance release, work education release, electronic home detention and the North Rehabilitation Facility divert approximately six hundred prisoners daily from the King County Correctional Facility. These prisoners would be in secure jail beds in most other counties in the State.

King County has also implemented dozens of system efficiency measures designed to offset increasing jail populations. A King County Jail Committee, comprised of representatives of regional criminal justice agencies, was established in 1987 by the King County Executive. The initiatives or strategies recommended by this committee for maximum utilization of facilities and more efficient operations within the criminal justice system have been implemented to the greatest degree possible. In addition, a King County Jail Committee Work Group continues to meet in order to assess the feasibility of any new non-capital options.

Use of alternative programs and efficient management of the incarcerated population have contributed to an average length of stay which is considerably lower than that experienced in other large counties or facilities of similar size (See Attachment 1).

In fact, of the twenty largest jail facilities in the nation, King County ranked second from last with an average LOS of 12.3 in 1989. This LOS was further decreased to 12.1 in 1990.

The material presented in this section is based on the following premises.

- King County has investigated and implemented dozens of system efficiencies that have partially mitigated the need for jail beds. The County will continue to aggressively examine additional procedures which may enhance operational efficiency.
- It is recognized that public policy is a significant factor in determining sentencing and incarceration rates for prisoners. It is important to note that hundreds of cases are processed by the criminal justice system which never require custody in the jail through such factors as non-jail sentencing alternatives or through police action such as citations.
- Only those programs and alternatives which impact the number of prisoners in the custody of the Department of Adult Detention have been examined in detail.
- The programs which address the varying custody levels are dependent on statutory and legal restrictions, security classification of the individual, specific program eligibility, and, indirectly, by current public policy.
- The feasibility of alternative programs should not be measured solely by cost-effectiveness. Other criteria include such factors as population impacted, policy or legal constraints, required implementation or start up time, and less tangible factors such as social cost.

In order to assess current and future non-incarceration programs in King County, the material in this chapter is divided into the following three general sections:

- Background information is provided regarding the eligibility of inmates for program alternatives.
- An inventory of incarceration alternatives currently provided in King County is outlined, as well as the possible expansion of these alternative programs and/or implementation of new programs. Seventeen alternative programs are described in terms of services provided, population served, cost, feasibility, and implementation timeframe.

- A plan for the use of alternative programs is presented that includes an assessment of the impact these programs may have on construction of jail capacity.

POPULATION AVAILABLE FOR ALTERNATIVE PROGRAMS

The population forecast provided in the Facilities Master Plan examines current and anticipated jail populations. Data from the forecast were utilized in the analysis of the non-capital options to assess the number of inmates eligible for non-incarceration programs. The alternative incarceration plan presented in this section mitigates the need for capital construction for four population subgroups assigned to the following: North Rehabilitation Facility, Work/ Education Release, Electronic Home Detention, and specified portions of the 24-hour Residential Tower and West Wing facilities.

In addition to the population projections, four other general factors are considered regarding jail populations that may be available for alternative programs:

- Classification status
- Legal Constraints
- Specific Program Eligibility Requirements
- Public Policy

Classification Status

The design and operation of the King County Correctional Facility is based upon the appropriate classification and management of the inmate population. The classification system has been examined extensively both within the department and by county and national auditors. An inmate's classification status is an important factor in determining eligibility for program alternatives. In 1989, 52.1% of all releases occurred within 48 hours due to charge dismissal, release on recognizance, or bail. Consequently many inmates are released prior to classification.

The King County Department of Adult Detention inmate classification system is guided by DAD classification policies and procedures. In general, security classifications are based on the following factors: the seriousness of the prisoner's charges, prior incarceration experience, attitude and behavior while in the facility, and criminal history. Risk to the public is an additional factor considered, particularly when assessing the appropriateness of assignment to community based programs.

The different security classification groups divide the jail population into categories based on their behavior and the potential risk inmates present to themselves, staff, other inmates, and the community. The department's capacity planning is designed to accommodate moderate shifts and changes in classification levels. Should classification criteria change in the next twenty years, the department believes that this would only slightly affect the distribution of prisoners within all classification levels. It would not obviate the overall need for additional detention housing capacity.

Classification personnel assign each inmate to one of the following categories.

Maximum/Close Security. This security level requires the most supervision and consequently the most restrictive housing. Prisoners in this classification usually have violent charges (e.g. rape, robbery, murder, escape) and lengthy criminal histories.

Medium Security. This security level requires a moderate level of security and separation from minimum and other security levels. Inmates in this level generally have serious charges (e.g. burglary, assault, drug crimes), and often remain in custody longer.

Minimum Security. Minimum security populations consist of prisoners who either have less serious charges, limited or less violent criminal history, and are considered safe to house within a group living situation. Typical charges in this group would consist of theft, assault, drug crimes, or probation violation.

Community Security. This is the lowest security level. Inmates in this category are eligible for housing/working in the community. Typical charges in this group include driving under the influence of drugs or alcohol, shoplifting, or theft. These inmates are generally assigned to one of three community custody programs: North Rehabilitation Facility, Work Education Release, or Electronic Home Detention.

Special Custody. Inmates are placed in this category if in need of medical or psychiatric treatment, protection, disciplinary segregation or administrative segregation.

Legal Constraints

There are legal and statutory considerations which can restrict an individual's access to alternative incarceration programs. For example, felons are sentenced under the guidelines of the Sentencing Reform Act (SRA). The SRA established upper and lower

limits to the sentences felons receive that may exclude the offender from alternative programs. For example, Class A felons (such as murder I, first degree rape and armed robbery) are not considered eligible for most community programs.

Unlike determinate sentencing for felons, misdemeanor sentences are not subject to a standardized guideline. Therefore most misdemeanor charges do not exclude inmates from participating in alternative programs.

Another legal distinction is that of presentence versus sentenced inmates. Superior, District, and Municipal Courts may release eligible prisoners to await trial out of incarceration. The courts have also given administrative approval to DAD and SMC Personal Recognizance Screeners to release specified categories of inmates charged with felony and/or misdemeanor offenses.

Program Criteria

Program alternatives have specific eligibility criteria for each program. These are considered in addition to general legal and classification security constraints. For example, Work Education Release participation is contingent upon employment/education or approval to search for employment. In addition to several public safety related criteria, Electronic Home Detention clients must have a working telephone line for equipment installation.

Public Policy

It is acknowledged that public policy plays an integral part in the criminal justice system, including establishing incarceration rates, and the use and availability of diversion programs. The King County prisoner population has grown at a faster rate than the County's general population, which exemplifies the impact of public policy on jail populations. Major shifts in key public policies can affect the jail population dramatically. Changes to public policy which could have the most significant population reduction potential, often require complicated, controversial, or unlikely legislative or judicial action.

Creating misdemeanant sentencing standards which would restrict or limit the length of sentences, could potentially reduce the prisoner population. However, depending upon the parameters or range established, implementation of such standards could also result in increases in the amount of time spent in jail.

Felons are sentenced under the guidelines of the Sentencing Reform Act of 1984. Subsequent legislative action tended to increase the penalties of certain categories of offenders (i.e. burglars, drug offenders), creating the potential for more time served in custody. Public sentiment and legislative actions have

shown little or no signs of moderating the terms or options for the sentencing of felons.

Legislation aimed at early release or county parole of felons could be pursued. However, even if granted, it is difficult to predict whether this action would generate the latent effect manifested in other jurisdictions where this option has been applied, whereby prosecutors and judges increase sentences in order to compensate for the anticipated early release.

Recent studies by the Sentencing Guidelines Commission (SGC) indicate that a number of felons statutorily eligible for alternative non-jail sentences are tending to receive confinement instead. It is possible that other factors not considered in the sentencing grid (such as employment, family and community ties, defendant attitude) are being taken into consideration by judges at the time of sentencing. This may affect the use of alternative sentences and the severity of sentences within the legally established sentence range. Further examination would be required by the SGC, Superior Courts, and Legislature to determine the factors contributing to judicial sentencing decisions before assumptions may be made regarding the promise these alternative sanctions may have on jail population.

PROGRAM ALTERNATIVES

The remainder of this chapter is devoted to program alternatives. Seventeen alternatives are described and evaluated.

Description. This section provides a general description and information on the program, services, and eligibility.

Program Expansion. For those programs in existence, ways in which the program could be expanded to divert in-custody populations are discussed.

Population Impact. This section describes the estimated impacts on the in-custody population. Current and future impacts are available in Attachment 2. It is assumed for current programs that they will also continue to address out-of-custody individuals if appropriate to their criteria.

Cost. The general costs of operating and implementing expansions or new programs are described in more detail in Attachment 3. The cost per prisoner day is based on direct and indirect costs and is provided for programs which are considered most feasible as part of a long range plan. The benefits of programs which are less easily quantified, such as the benefit of treatment for the mentally ill, the decrease in recidivism, etc. are not assessed here.

Public Policy/Legal Restrictions. Significant changes to public policy or legal constraints which would be required prior to program implementation are discussed in this section.

Feasibility. Difficulties associated with the implementation of each alternative are discussed. Issues such as political and legal constraints, general cost, and population or the classification impacted will be included.

Timeline. An estimate is provided on the potential/approximate amount of time it would take to implement the alternative.

The seventeen program expansions or implementations initially considered as part of an alternative program plan are listed below. A summary grid is provided at the end of this chapter (See Attachment 4).

1. Expansion of the Department of Adult Detention (DAD) Personal Recognizance Release program. This program provides screening and release services for Superior and District Courts pending disposition of the inmate's trial or sentencing. Both the addition of staff and the expansion of criteria to target more in-custody inmates were considered.

2. Expansion of the Seattle Municipal Court (SMC) Personal Recognizance Release program. This program releases SMC municipal prisoners from custody pending disposition of trial or sentencing. The expansion of SMC release criteria to be consistent with District Court cases was considered.
3. Expansion of the DAD Supervised Release Program. This program monitors individuals who have been charged with a felony and have been released by the Superior Court pending disposition of their trial or sentencing. Both the addition of staff and the expansion of criteria to target more in-custody inmates were considered.
4. Electronic Home Detention. This program allows selected inmates to live at home while working and attending treatment subject to a strict curfew schedule monitored by electronic surveillance. Further expansion of this program was examined through expanded criteria by legislation or by expanded judicial approval and utilization.
5. North Rehabilitation Facility Expansion (NRF). This program provides an alternative for jail inmates in a treatment oriented community-based facility. The feasibility of further targeting such groups as female and presentence inmates is examined.
6. Work Education Release (WER). WER is an alternative incarceration program that allows selected inmates to maintain employment, education or rehabilitative treatment while serving sentences. Expansion of this program by adding staff or including unsentenced inmates is considered.
7. Contract Work Release. The possibility of contracting for additional work release beds with the State or with private agencies is assessed.
8. Community/Work Service Program. Implementation of this program would provide judges with a sentencing option in lieu of jail in which offenders would be required to perform work in the community and attend specified treatment classes or groups, if required by a judge.
9. Day Reporting Center. Implementation of a Day Reporting Center is examined. Such programs can be structured in a number of ways, including having inmates report daily or on a scheduled basis.
10. Diversion Programs for the Mentally Ill and Substance Abusers. A number of programs are described for diverting the mentally ill and/or chemically dependent inmate.
11. Probation/Community Supervision. A number of alternative programs exist which address general probation or community

supervision sentences. The feasibility of increasing the use of these alternatives is discussed.

12. Court Calendars. Expansion of court calendars is considered, including the addition of a Saturday District Court Calendar, 24-hour calendars, and Prosecutor Review.
13. Community Mediation. Implementation of this program would allow an offender to mediate an agreement with the victim prior to confinement.
14. Contract Secure Beds. Increasing the number of secure beds currently contracted with the State is considered.
15. Booking Restrictions. An assessment is made regarding restricting bookings into the King County Correctional Facility.
16. County Parole. The feasibility of releasing prisoners early, on parole, was considered.
17. Early Release. The feasibility of releasing selected inmates back into the community is assessed.

(1) PERSONAL RECOGNIZANCE RELEASE - KING COUNTY ADULT DETENTION

DESCRIPTION: The Department of Adult Detention Court Services section currently administers a personal recognizance release program. It provides screening and release services for Superior and District Courts pending disposition of the inmate's trial or sentencing. The program is designed to provide three levels of service: (1) Personal Recognizance (PR) screening and administrative release of qualifying misdemeanor prisoners; (2) screening and administrative release of qualifying low-risk felons charged with property offenses; and (3) the provision of background information to the courts on all persons booked (who have not been administratively released) for the purpose of assisting judges in making release decisions.

Staff in the DAD Personal Recognizance Program screen all felon and county misdemeanor bookings. The program is staffed 24 hours per day seven days per week. The release authority granted to program staff is extensive. For example, staff can release Class B and C felony investigations such as Theft, Burglary, Felony Flight, etc. In addition, most new misdemeanor charges can be released with very few exceptions, and even misdemeanor warrants can be released with the exception of those marked cash only, no PR or no bail.

Central to any early release decision is an assessment of whether or not the person can be expected to appear in court. Release recommendations are based upon such criteria as verifiable address, community and/or family ties, limited prior booking history, charge seriousness, and public risk. Releases can be given with stipulations such as no contact with alleged victims, and/or requirements to participate in anger management, alcohol, drug or mental health treatment. Some charges are eligible for release only after judicial review.

In 1989, DAD Court Service screeners conducted interviews for 23,369 potential releasees in custody, or 42.2% of the number of bookings for that year. The number of releases, 6,372, comprised 27% of those interviewed. This translates into 17 inmates per day released administratively who would otherwise have remained in jail awaiting judicial action.

PROGRAM EXPANSION: Expansion of the Personal Recognizance Release Program assumes that more in-custody people would be released either by a judge or by a staff person. This presupposes that 1) there is an incarcerated population which is not being released under current criteria (due to lack of staffing), or 2) criteria expansion could increase the pool of those eligible for release.

In-custody prisoners. Staff are currently screening all misdemeanor and felony bookings. One possible category of expansion would be to interview persons booked on "nonreleasable" District Court warrants (i.e. those marked No PR, Cash Only and No Bail). If Court Services were to receive staff to interview these cases, Seattle District Court judges may have enough additional information needed to release these inmates.

Expansion of criteria. DAD staff currently have release authority for Class B and C felony investigations (e.g. attempt to elude, forgery, malicious mischief, theft, possession of stolen property, VUCSA, burglary and for most misdemeanor charges and warrants (except for those marked No PR, Cash Only and No Bail). According to the results of a County Audit sample (Report No. 88-9), 73% of the defendants released by Court Services complied with the next scheduled Court appearance; however, 51% of the defendants failed to appear (FTA) for at least one Court hearing subsequent to the personal recognizance release. This compares with a National Institute of Justice standard court appearance rate of 85%. The low FTA rate indicates that screeners are using the criteria to the limits already. This, combined with the leeway and administrative approval already granted to the DAD Court Service screeners, suggests it is unlikely that criteria could or should be expanded.

POPULATION IMPACTS: Once inmates have been released on personal recognizance they are not statistically counted as part of the jail population and therefore are not included in population totals or projections. It is assumed that the program will continue to address the population appropriate to the existing criteria. The impacts of program expansion to the in-custody population are considered below.

As noted earlier, there does appear to be a small portion of the existing incarcerated population which may be eligible for recognizance release. These are the District Court nonreleasable warrants. A survey of Court Service records concluded that if staff were able to interview the nonreleasable warrants and they were ultimately given personal recognizance release by judges on the basis of this interview information, there would be an impact of 2-3 on the average daily population in 1990, and an ADP impact of 4 in the year 2000 (See Attachment 2). There would be no impact on booking totals as these inmates would still be booked into jail. The additional number of inmates released from custody after a review of nonreleasable warrants would comprise part of the the 24-hour residential population.

COST: The marginal life cycle cost associated with expanding the DAD Personal Recognizance program is estimated to

be \$39.06/prisoner day saved. This includes the additional staffing cost and associated indirect costs (See Attachment 3).

PUBLIC POLICY/LEGAL ISSUES: The amount of discretion given to this program is governed by the Superior and District Courts. It does not appear likely that criteria will be expanded given the current administrative authority already granted.

However, the District Court has indicated an interest in having Court Services provide staff for Seattle District Court calendars in which nonreleasable warrant cases could be examined. Consequently some expansion of the potentially qualifying population would be fairly easy to coordinate.

FEASIBILITY: The option of expanding staff to target in-custody population is highly feasible. There is a population impact in the year 2000 (4 ADP), it is cost-effective (\$39.06/prisoner day) when compared to the cost of constructing a jail bed, and there are no significant legal or public policy constraints.

TIMELINE: Program expansion which involves targeting in-custody nonreleasable warrants could be accommodated within the timeframes required for position funding, personnel recruitment, screening, hiring and training. It is estimated at four to six months.

(2) PERSONAL RECOGNIZANCE RELEASE - SEATTLE MUNICIPAL COURT

DESCRIPTION: Seattle Municipal Court (SMC) also operates a personal recognizance release program for presentence misdemeanants. SMC pretrial release staff work all shifts seven days per week in the jail's Intake/Transfer/Release area, interviewing SMC bookings.

Inmates who qualify under the Court's guidelines are released on their own recognizance by staff. Inmates are rated according to a "PR point system" in which inmates are rated and given points for such items as employment and family ties. SMC staff can release new misdemeanor charges with specified exceptions (e.g. domestic violence charges, charges of a violent nature when victim cannot be contacted, DWI if there has been a DWI conviction in the last year, etc.). Release criteria are examined in reference to a point system.

In 1989, SMC staff performed 9,190 PR interviews. Of these, 1,769 were granted release, 156 were given judicial reviews only (i.e. an informational interview only because of lack of time remaining to PR), and the remaining 7,265 were denied because of inadequate point scores. In addition to the PR interviews, another 11,898 received an "interview only." Those who received an "interview only" included those defendants who would never be considered for a PR release by staff under existing criteria (e.g. dual jurisdiction, domestic violence case, too many prior FTA's, no bail, or prior PR's in six months). Inmates not released appear at an arraignment hearing the next day for judicial consideration for release.

PROGRAM EXPANSION: SMC criteria are currently more stringent than those of District Court. In addition, staff are not given administrative approval to the same extent as DAD Court Service Staff are given by the District Courts. For example, SMC screeners do not release domestic violence cases. Program expansion would involve extending release authority and expanding criteria similar to those exercised by DAD Court Services staff regarding District and Superior Court cases. Consequently, instead of being held in custody until arraignment, these inmates could be released.

POPULATION IMPACT: Once inmates are released on SMC personal recognizance, they are not statistically counted as part of the jail population and therefore are not included in population totals or projections. It is assumed that the program will continue to address the population appropriate to the existing SMC criteria. The impact to the in-custody population of potential program expansion by expanding release authority/criteria was estimated by assuming that the same proportion of SMC cases interviewed would be released as are released by the

DAD Personal Recognizance Program. Given that these inmates would only be housed one day prior to arraignment, the impact on the average population was estimated to be a reduction of 11 inmates per day. In the year 2000, the impact is estimated at 17 ADP (See Attachment 2).

This expansion would affect the in-custody population of community security presentence misdemeanants. There would be no impact on booking as it is assumed that these inmates would continue to be booked for identification purposes.

COST: The cost of adding staff to expand the SMC PR program was estimated by assuming similar workloads to the DAD program. The marginal life cycle cost for the year 2000 was estimated as \$45.55/prisoner day. This cost is fairly high because expansion of the program is fairly extensive and would involve additional administrative overhead and support costs (See Attachment 3).

PUBLIC POLICY/LEGAL ISSUES: The expansion of Seattle Municipal Court release criteria has been discussed extensively among judicial committees and criminal justice officials. To date SMC has elected to maintain its current criteria and release authority. Further delegation of authority must be granted by SMC before criteria expansion could occur. The incarceration of SMC cases is provided to the City of Seattle by contractual agreement.

FEASIBILITY: This option has low feasibility. While the impact on the year 2000 population is moderate (17 ADP), the cost is fairly significant (\$45.55/prisoner day). In addition, this option would require significant change regarding current SMC release policies.

TIMELINE: Implementation of this program expansion would require extensive changes in current SMC policy. It would also require funding and staffing of this expansion. The timeline estimated for the combination of these tasks is at least one year.

(3) SUPERVISED RELEASE

DESCRIPTION: This program, administered by the Department of Adult Detention Court Services Section, monitors individuals who have been charged with a felony and have been released by the Superior Court, pending disposition of their trial or sentencing. This program is designed to address inmates who would not otherwise be eligible for unsupervised personal recognizance releases or are unlikely to be able to raise bail, but who are considered reasonable risks given an appropriate level of supervision. In addition to structured supervision, the Supervised Release Program provides referral services to community-based treatment agencies, as necessary, for pretrial defendants.

The average daily number of individuals on supervised release is 167, an increase of 22% over the 1989 level of 137. Caseloads are now averaging 30 - 35 for Supervised Release Counselors. According to Court Service Records, the overall defendant appearance rate for court scheduled appearances was 76.3% in 1989.

PROGRAM EXPANSION: The expansion of this program assumes that there are presentence felon inmates available in the existing KCCF incarcerated population who would be considered eligible for release. Expansion of the Supervised Release program could be explored in two general ways -- through additional staffing to target in-custody inmates or through expansion of criteria, possibly in conjunction with electronic monitoring to include a "higher risk" participant. Both options are discussed below.

Target in-custody inmates. The number of presentenced felons which are referred by judges directly from out-of-custody has increased dramatically in 1990. Many out-of-custody cases on the arraignment calendar are now temporarily released to DAD Court Services for a Supervised Release interview. The majority of staff caseloads are thus increasingly composed primarily of those who are referred from out-of-custody. Because these referrals reduce bookings, which in turn reduce the inmate population, these cases currently receive priority in the pretrial release review process. Adding another caseworker could provide interviews to more defendants in custody.

Expansion of criteria. Because the caseworkers are addressing a presentence rather than sentenced felon population, there are no statutory restrictions which apply. Criteria are subjective within the framework of general guidelines. Given the seriousness of offenses which are already allowed on the program,

it does not appear that there would be any additional criteria changes which would allow selection of a wider range of presentence felons.

However, one possibility examined was that of combining electronic home detention monitoring (EHD) with supervised release to allow participation of those clients considered too "high risk" for supervised release alone. Currently there are a small number (usually less than 5) of defendants on supervised release in combination with EHD. Using this combination of programs requires that inmates also be screened against EHD program requirements, such as verification of phone lines, sufficient length of incarceration time remaining (see EHD section).

POPULATION IMPACT: In 1989, the Supervised Release program maintained an average daily population of 137. The 1990 Supervised Release population through September was 167. This population is not statistically included in the total KCCF system incarcerated population count. It is assumed that this program will continue to divert a proportional number of prisoners using current criteria. The potential impacts of expansion to the in-custody population are considered below.

In-custody inmates. The provision of additional staff to interview in-custody prisoners could provide an additional small population pool which may not be currently screened due to staffing limitations. An examination of 1 month of Court Service records (spanning October and November 2, 1990) indicated that there would be a moderate impact of approximately 14 inmates in the average daily population. This was based on the estimated number of cases available and the assumption that each case would save an average of 91 prisoner days (as reported in King County Audit Report No.88-9). It is forecast that in the year 2000, the impact would increase to approximately 21 ADP. Supervised Release prisoners are unsentenced and therefore not eligible for Work Release. Consequently, these inmates would generally be pulled from the 24-hour residential medium and minimum security populations.

Expansion of criteria. The criteria used to determine whether a presentence felon inmate is able to await trial in the community rather than in custody are determined on a case by case basis by staff. Given the high level of charge seriousness allowed under existing criteria (e.g. sex offenses and violent offenses), it is doubtful that expansion of criteria, even with the addition of electronic monitoring, would significantly increase this pool of inmates.

COST: The marginal cost of expanding the program by targeting in-custody presentence felons would involve a part-time additional supervised release caseworker and associated costs for

each caseload of approximately 35 inmates. This was estimated to be \$3.60 per bed day. The marginal cost is low due to the fact that each caseworker has a significant ADP impact and no additional supervisory staff would be required.

PUBLIC POLICY/LEGAL ISSUES: The expansion of Supervised Release criteria beyond existing levels would require significant changes in current court and other public policies. However, providing additional staff to target in-custody inmates who now fit current criteria would be consistent with present policies.

FEASIBILITY: The analysis noted above suggests that there is a group of inmates in custody who may be eligible for Supervised Release (an impact of 21 in year 2000). Given the low marginal cost of adding these inmates to the program (\$3.60/prisoner day) and the consistency with current public and court policies, this option is highly feasible.

IMPLEMENTATION TIME FRAME: This program expansion could be accommodated within funding, personnel recruitment, hiring and training time frames. It is estimated at four to six months.

(4) ELECTRONIC HOME DETENTION

DESCRIPTION: The Electronic Home Detention program (EHD) is an alternative incarceration program which allows selected inmates to live at home subject to a strict curfew schedule that may include work, school, training, therapy, and similar activities. While at home, the inmate remains under surveillance by electronic monitoring equipment. Participants pay a fee for this alternative based on a sliding income scale.

Potential participants are either directly referred from Superior, District or Municipal Courts or selected from eligible jail bookings. All potential participants are screened by EHD caseworkers according to a set of criteria such as employment or community ties, stable residence with working telephone line, and willingness to comply with EHD program rules. The program requires prisoners to have a minimum of 10 days to participate in the program in order to allow for cost-effective equipment installation, testing and monitoring.

Any misdemeanor is potentially eligible. DAD EHD program staff have the authority to place any King County misdemeanant on the program without direct approval of the sentencing judge (approximately 56% of the participants). District Court bookings are screened by staff to determine whether individuals are potentially eligible based on type of charge and time remaining to be served. Individual judicial authorization is required for Seattle Municipal Court commitments (currently 5% of the program participants). The remainder of the program (39%) are sentenced felons. Felons were allowed on the program through an amendment to the Sentencing Reform Act. Felony sentences must comply with statutory exclusions such as Class A felonies, violent offenses, and sex offenses.

In 1989, the EHD population averaged 21 participants. The EHD population is currently averaging 35 - 40 daily participants in 1990 and is expected to reach 50 in 1991 with existing staffing and criteria.

PROGRAM EXPANSION: Possible expansion of the EHD program assumes that there are 1) inmates in custody who fit the EHD criteria but do not currently participate, or 2) criteria could be expanded to include additional inmates.

Target in-custody inmates: There are many inmates in the jail population who initially appear to fit the EHD criteria of sufficient incarceration time remaining and charge eligibility. However, staff have administrative approval for program selection only for District Court cases; permission for each case must be actively sought from judges for Superior and Municipal Court

cases. EHD could be expanded by pursuing administrative judicial approval from the Superior and Municipal courts. However, these inmates would still be subject to program and statutory restrictions.

EHD Criteria expansion: It is possible that EHD "legal" criteria could be expanded. Certain categories of felony cases are excluded by statute from EHD eligibility. Pursuit of possible criteria expansion could include burglary cases with less than 21 days of jail time, sex offenders (with stipulations regarding treatment, nature of offense, and residence), and specific "violent" offenses such as vehicular homicide.

POPULATION IMPACT: The EHD population is included in daily jail population statistics. The EHD average daily population in 1990 was 36, or approximately two percent of the total system population. Current staffing levels are able to address fifty inmates. The population forecast holds the projected program ADP at 50, consistent with current staffing levels. Three population impacts are examined below: allowing EHD to expand solely by providing additional staffing, pursuing enhanced judicial approval from SMC and Superior Court, and expanding legislatively established criteria.

Inmates for the following options would be drawn primarily from other community custody programs, such as the North Rehabilitation Facility and Work Education Release Program.

Additional Staffing to allow Expansion. Although the EHD population averaged 36 inmates daily in 1990, it is assumed that current EHD staffing will bring the ADP to 50 in 1991 (2.45% of the forecast 1991 population). Applying this same proportion to the year 2000 population indicates that the EHD program would expand by an additional 16 ADP (a program total of 66).

Enhanced judicial approval. In order to assess the impact of expanded judicial approval from the Seattle Municipal Court and the Superior Court, a booking "snapshot" was performed for one day in October, 1990. This snapshot was used to measure which additional Municipal and Superior Court bookings would have been eligible for referral to EHD. After eliminating those cases which were not eligible due to charge or length of time remaining, it was concluded that an average of approximately fifteen inmates daily would have fit the specific EHD criteria. This impact is estimated to be 23 ADP in the year 2000.

EHD felony criteria expansion. The impact of expanding the statutory felony criteria was also assessed. Sentencing data for felons for the third quarter in 1990 were examined with the following results: there were eighteen burglary cases (with more than ten but less than twenty-one days of jail time), zero

vehicular homicide cases, and approximately ten sex offense cases which could have been possibly considered for inclusion in EHD. Given the short length of stay for burglary cases (an average of 15 days) and the small number of other offense types, it was concluded that this option would have minimal impact on reducing the jail population. Targeting the burglary cases would reduce the in-custody population by approximately three inmates daily. Moreover, this estimate was completed at a time when the burglary rate was high. Recent decreasing burglary rates, indicates that an ADP impact of three may be over-estimating the impact.

COST: The costs associated with EHD expansion are primarily due to increased staffing and the negotiated fee for contracted administrative services. It is assumed that the screening and case management workload would be similar to current EHD practice. A cost analysis is provided in Attachment 3. This analysis concluded that the marginal cost per inmate ranged from \$5.45 to \$7.90/prisoner day depending on the ADP impact.

PUBLIC POLICY/LEGAL ISSUES: Expansion of the EHD program solely through additional staffing would conform with current policies. Expansion through pursuit of administrative approval by SMC and Superior Courts would involve a departure from the current policies of those courts. Expansion of felony criteria would require statutory changes regarding EHD eligibility criteria.

FEASIBILITY: Expansion of the EHD program is highly feasible and would only require increased staffing to identify and screen potentially eligible candidates for the program in the future. It is estimated that this would have an ADP impact of 16 in the year 2000 and would be extremely cost-effective (\$7.90/prisoner day). In addition, because the EHD program houses inmates in their own homes, the program has unlimited physical capacity. This is a flexible, viable option which could become even more important as community custody level populations increase.

The pursuit of administrative approval from Municipal court and Superior court judges has been previously attempted without success. Thus while this option would have an estimated impact of 23 ADP in the year 2000 and is extremely cost-effective (\$5.45/prisoner day), it is only considered medium feasibility.

Revision of statutory EHD limitations was successful during the previous 1990 legislative session. However, promoting legislative changes is a very time-consuming process and may not have positive results, given the nature of the criteria expansion which would be requested. This is particularly the case with sex offender cases. In addition, the ADP impacts associated with

expanded criteria are estimated to be extremely low (3 ADP). This option is considered low feasibility.

TIMELINE: The screening and targeting of available in-custody inmates could take place as soon as additional staffing was funded, selected and trained. This is estimated to be four to six months. Obtaining administrative approval from the Seattle Municipal and Superior Courts may be a more time-consuming process. Legislative changes could take a minimum of one year, depending upon the timing relative to the legislative process.

(5) NORTH REHABILITATION FACILITY

DESCRIPTION: The North Rehabilitation Facility (NRF) provides an alternative for jail inmates in a treatment oriented community-based facility. The NRF program is administered by the King County Division of Alcoholism and Substance Abuse Services. The NRF operation requires considerable interaction with Department of Adult Detention personnel. The NRF program emphasizes treatment services to inmates with alcohol and drug abuse problems. NRF has separate programs for one day DWI commitments and long-term residents. The current rated capacity for NRF consists of 191 long term beds and 25 one day DWI beds, for a total of 216. In 1990, the NRF daily population averaged 197 inmates. All inmates have been classified as community security.

Inmates are excluded from NRF on a number of criteria, such as charge (Class A felonies and other specified offenses), multiple misdemeanor offenses which may indicate an escape risk or threat to the safety of the community, major psychiatric or medical disorders, and disciplinary status. Presentence felons are not excluded from the program if it is determined that the sentence range would result in a sentence to be served in a county facility. If the NRF facility is at capacity, waiting lists are kept for qualifying inmates.

PROGRAM EXPANSION: The expansion of NRF depends upon the number of inmates determined to be NRF eligible in the future. In addition to examining the NRF eligible future populations under existing criteria, additional criteria which could be used to expand the program were considered in terms of their population impact.

Program Growth - Current Criteria. The population forecast provides anticipated levels in the NRF population through the year 2010 under existing program criteria.

Target in-custody inmates. Two in-custody populations which could receive more intensive targeting would include presentence felons and females.

Expansion of criteria. Two additional subpopulations which could be considered for inclusion at NRF are inmates who do not meet existing medical or psychiatric criteria.

POPULATION IMPACT: The NRF population is calculated in daily jail population statistics. This program is currently not over capacity. The NRF population draws only from the community security population.

Program Growth - Current Criteria. It is anticipated that the NRF eligible population will quickly exceed NRF capacity and will reach 307 by the year 2000 (See Population Forecast).

Target in-custody inmates with current criteria. A DAD study was undertaken to examine the feasibility of identifying and placing presentence felons in NRF. It was estimated that this would have an impact of 23 on the average daily population of the main facility. To the extent that staffing allows, this procedure is currently in place. For example, in June 1990, there was a daily average of five presentence felons at NRF. Placement of presentence felons at NRF is an extremely staff intensive process requiring additional legal information for each inmate.

In the past when other correctional facility female capacity has become full, eligible female inmates have been temporarily housed in the DWI short term beds at NRF. One possible option to expand capacity at NRF would be additional space for females. An examination of an April 1990 "snapshot" of females according to classification records indicated that there would be only 12 (18.5%) additional females in the Tower who could have been referred to NRF. The remainder were already in community custody or were in the West Wing. However, the number of additional female inmates is already included in the population forecast NRF total.

Expand NRF criteria to include special custody inmates. The availability of inmates classified as community security who also fell into either the medical or psychiatric population was assessed. Sample data from April 1990 indicated that there were only 2 community security males inmates who were housed in the infirmary or medical observation area and only 3 community security males housed in psychiatric areas. The population therefore would clearly not support expanded NRF capacity for special custody inmates who have been classified community custody.

COST: The marginal cost of placing inmates at NRF is based on the cost of feeding and clothing each additional inmate (\$2.53/prisoner day). However, because it is anticipated that NRF quickly reaches capacity, expansion of NRF would entail capital as well as operating costs (See Capital Alternative Chapter recommendations).

PUBLIC POLICY/LEGAL ISSUES: While they are understood and supported in the community NRF criteria continues to be an

appropriately sensitive issue. The use of NRF for anything other than a community classified facility for community classified inmates would involve significant renegotiation of the current understanding with the state of Washington (who owns the land and structures) and the surrounding community.

FEASIBILITY: As discussed above, expansion of NRF capacity would require deliberation concerning current state and community requirements particularly when considering adjustments to criteria. However, it may be feasible to accommodate future growth by continuing to only refer inmates who meet current eligibility requirements. Future higher community custody population levels may make this option extremely viable. This option is discussed more fully in the section discussing capital options.

It is considered low feasibility to expand NRF criteria to include an additional pool of inmates who differ from current inmates, particularly when the number eligible under existing criteria exceeds capacity. An increase in the number of female NRF inmates is already accounted for in the general FMP population forecast provided.

TIMELINE: As discussed, the capital expansion of this option would involve a period of negotiation with the community board, environmental review, and capital expenditure. Hiring additional screening staff would take approximately four to six months. Implementation of the policies and procedures would be minimal as they are already in place.

(6) WORK EDUCATION RELEASE

DESCRIPTION: The Work/Education Release program (WER) is an alternative incarceration program that allows selected inmates to maintain gainful employment, education or rehabilitative treatment while serving sentences. Potential participants are identified either from judicial referral or through screening of all inmates in the KCCF. An inmate's eligibility is determined in an interview with a caseworker. A number of criteria are examined, including employment, criminal background, mental-emotional state, family and community ties. In addition, each inmate must be able to adjust to a live in/work out situation. Each employed WER program participant pays a fee based on a sliding income scale. The WER program also provides "in-house" work for a few inmates who are appropriate for the program but lack the skills or ability to obtain meaningful employment.

WER is currently located in the King County Courthouse and has a capacity of 160 beds. The 1990 average daily population of courthouse WER was 138 inmates. The courthouse facility houses only males. Females are provided WER beds elsewhere (see Contract WER section). WER participants are approximately sixty percent sentenced felons and forty percent sentenced misdemeanants. Because these participants are allowed into the community on a daily basis, only community security classified inmates are eligible or accepted.

PROGRAM EXPANSION: Expansion of the WER program assumes that either 1) there are additional inmates in custody who fit current criteria, or 2) criteria could be expanded to include additional groups of inmates not currently considered.

Program Growth - current criteria. The anticipated increase in the WER eligible population under existing program criteria is discussed in more detail in the population forecast.

In-custody inmates. In addition to screening judicial referrals to the WER program, DAD WER staff screen all misdemeanor and commitment bookings to the KCCF facility. The impact of adding WER staff to more intensively screen and place inmates on WER is examined.

Expansion of criteria. WER currently only serves sentenced inmates. One expansion option would be to consider unsentenced misdemeanants and felons. Inmates would still be required to meet other eligibility requirements and must be classified as community security. Implementation of an expanded criteria would require additional staff to screen and place inmates in WER.

POPULATION IMPACT: The WER population is included in the daily total KCCF jail population statistics. The impacts of the current WER program and of WER criteria expansion are noted below (See Attachment 2).

Program Growth - Current Criteria. It is anticipated that the WER eligible population will quickly exceed WER capacity and will reach 211 ADP by the year 2000.

Target in-custody. Three months of population data (December 1989, March 1990 and June 1990) indicated that there were an average of 182 sentenced felon and misdemeanant inmates in the Tower, and 85 in the West Wing. Given the fact that all commitments are currently screened for WER eligibility, it is unlikely that additional staffing could produce a significant additional number of WER eligible inmates. However, if part-time WER staff were provided, it is possible that another one percent of these sentenced inmates would be found WER eligible. This would have an ADP impact of 4 in the year 2000.

Criteria expansion. In 1989 the number of unsentenced misdemeanant and felon inmates constituted approximately 54.6% of the total incarcerated population. The majority of these (37.4%) are in the Tower and West Wing (12.4%). While many unsentenced felons and misdemeanants are housed in the tower, these inmates are likely either unclassified or classified as at least medium security and may not be eligible for WER due to such factors as inmate behavior, and prior criminal or incarceration history. Moreover, many of the unsentenced inmates considered appropriate for community programs have already been diverted by the Personal Recognizance or Supervised Release programs. Given that the community custody criteria are already expanded in the Supervised Release program to the point where those considered include sex and drug offenders, it is unlikely that there would be many additional presentence community classified inmates available in custody to refer to an expanded WER Program at this time.

COST: The marginal cost of placing additional inmates in WER is based on the cost of feeding and clothing each additional inmate. These marginal costs are more than covered by the WER inmate fees which are assessed based on a sliding scale of the WER total operational costs (producing a negative \$7.76/prisoner day.) However, because it is anticipated that WER quickly reaches capacity, it will not be possible to place additional inmates in this facility. Costs to handle the excess WER population will depend on noncapital program alternatives or will have to be absorbed by capital expansion costs.

PUBLIC POLICY/LEGAL ISSUES: The potential to include unsentenced inmates in WER is a legal question which would need to be explored in more depth prior to implementation.

FEASIBILITY: It does not appear at this time that additional WER staffing would provide a major ADP impact. Expanding WER criteria to include unsentenced inmates also does not appear highly feasible given the possible legal concerns and uncertain population impact.

TIMELINE: Additional staffing would require four to six months to select, hire and train additional staff. Existing policies and procedures would only need slight modification. The legality of including presentenced inmates would need to be addressed prior to implementation of this option.

(7) CONTRACT WORK RELEASE

DESCRIPTION: King County has contracted with the State Department of Corrections for the past several years to use beds in community-based work release facilities for county work release prisoners. Thirty such beds are currently available, twenty-two of which are for women. Female WER inmates are housed through contract beds rather than in the courthouse facility in order to provide flexibility in the use of all available space. In 1990, the average daily populations of male and female contract work release were six and twelve, respectively.

PROGRAM EXPANSION: There are no current plans to expand contract work release programs or criteria. Expansion would depend in large part on the availability of State or private vendor WER beds and on the excess WER population available over current capacity.

POPULATION IMPACT: Contract work release beds are included in total population statistics. The FMP population forecast indicates the expected program population through the year 2010, given current policies and procedures. Bookings would not be affected. Use of this option would be determined by the excess WER population over capacity which could not be addressed by other noncapital options (i.e. EHD).

COST: The cost for contract work release beds averages \$35 or more per day, subject to availability. For the purposes of discussion, it is assumed that this cost would remain relatively the same in the year 2000.

PUBLIC POLICY/LEGAL ISSUES: Siting consideration associated with privately contracted WER facilities would make widespread expansion difficult, particularly in the City of Seattle.

FEASIBILITY: The option of expanding contract work release beds may be feasible but most likely through contracts with private vendors. State DOC programs are currently utilizing all of their WER beds and additional state beds may not be available for such a county expansion. It is possible, however, that smaller numbers of WER beds would be available through private contractors. This option thus receives a high feasibility rating.

TIMELINE: If additional contract WER beds were identified and a fee set, implementation could occur almost immediately for a few additional beds. Contracting for a significant number of beds would take at least one year in order to allow private vendors to design, site, and implement a program.

(8) COMMUNITY/WORK SERVICE PROGRAMS

DESCRIPTION: Community/Work Service programs provide judges with a sentencing option other than confinement. Offenders are required to perform work in the community for a public or private nonprofit agency. Offenders may work individually or in groups to assist with some public project such as trash pick-up along roadways. Community service is currently a sentencing option for felons under the Sentencing Reform Act. The state Department of Corrections manages felony community service programs. Community service for misdemeanants is not defined by standardized guidelines but is at the discretion of the sentencing judge. Community service is a sentencing option used by judges in all the lower courts. Seattle Municipal Court Probation and King County District Probation offer assistance with community service placements. Community service is often required in conjunction with a jail sentence.

The Department of Adult Detention Court Services section operated a Community Work Services Program from 1985 to 1988. The program was designed to serve a monthly average of approximately twenty inmates. Inmates who had already served the first third of their sentence were given the option of working off a second third of their confinement time by living at home and completing work assignments in the community such as litter control and park maintenance. The remaining third of the jail confinement was generally suspended as good time for inmates who successfully completed the Work Services Program.

A 1988 County Auditor's Report recommended discontinuation of the program for a number of reasons and the Department of Adult Detention concurred. A number of factors contributed to this decision. These included rapid personnel turnover, amount of staffing (one part-time position), background of recruited inmates, difficulty of obtaining and maintaining clients, low program cost-effectiveness, and the recruitment of clients drew from the NRF program, which was not crowded.

PROGRAM EXPANSION: The ways in which community/work service is already being used as a sentencing option by Superior, District and Municipal Court judges is described above. In order to expand community/work service programs, more judicial use of this option would need to be exercised.

Felony sentences. A recent study by the Sentencing Guidelines Commission of county jail populations indicates that in 1988 King County sentenced 9 percent of its felons to a community sanction. This study indicates that many were statutorily eligible to receive a sentence which would not include total confinement. While the increased use of sentencing alternatives could have a significant impact on the incarcerated population, it is assumed

that offenders do not receive this option because of offender behavior and history. More data and analysis is required before this option may be considered as a more viable option by judges.

Misdemeanor sentences. Current misdemeanor sentences also include community service provisions. To affect jail populations by achieving greater utilization of work service programs the incarcerated misdemeanor must be the target, just as with the previous program operated by DAD. Additional staffing would provide screening and placement of inmates who fit community custody criteria. Once inmates are identified as eligible, the appropriate judge would have to approve partial conversion (approximately one third) of the jail sentence. Inmates would be released during the week and could serve weekends on work crews of approximately eight to ten offenders. Only minimal inmate supervision would be required, as these offenders are inmates who spend their week days in the community. Staff would be needed to transport offenders to the group work site and supervise work projects. Offenders would be automatically returned to jail if they failed to complete the community service.

POPULATION IMPACT: As discussed above, the increased use of alternative sentences by Superior Court judges for community/work service programs could have a definite impact on the sentenced felon population. In 1989 the sentenced felon population comprised 15.9% of the total population. Approximately one third were in WER, another third were in the tower, and the remainder were distributed in NRF, EHD and other categories. More analysis and sentencing data are required before definite impacts can be determined. It is likely that felons whom judges would sentence to community/work service would be the same felons already being sentenced to alternative incarceration programs such as NRF, WER, and EHD.

The population served by a DAD Work Service Program would include sentenced misdemeanants. Since misdemeanants newly entering the Court system often receive suspended sentences or are released on Personal Recognizance, or given short jail sentences, a Work Service program will have to target misdemeanor prisoners with longer sentences and nonviolent offense histories. Participants will thus tend to be pulled from the sentenced misdemeanor community classified inmates at NRF. The average daily population of sentenced misdemeanants at NRF is approximately 120 (6.5%) of the total system population. The average length of stay at NRF is 15 days. Assuming that one third of these days would be available for Work Service, it is concluded there would likely be a moderate impact on the NRF population. However, unless vacant beds could be filled at NRF by other inmates, this would not necessarily be cost efficient. This program becomes a more viable option when community custody levels increase. For

purposes of analysis, the population impact is assessed as 10 ADP. This is the minimum number of inmates which would be required to implement such a program.

A DAD Work Service program was operated from 1985 - 1988 and was subsequently discontinued upon the recommendation of the County Auditor's Office. A new program would draw from the same inmate population currently housed in NRF. This program option is recommended as an alternative for potential growth in future community security populations.

COST: The costs of the DAD Work Service program option would depend on the staffing associated with screening, transport and supervision of inmates at community work sites. It is estimated that a program of this type would be \$11.65/prisoner day (See Attachment 3).

PUBLIC POLICY/LEGAL ISSUES: Increases in the utilization of community/work service options would require significant change in judicial and existing court policy. Most options involving felons would require changes to the Sentencing Reform Act. Implementation of a Community Work Service Program for misdemeanants would provide a new sentencing option and be dependent upon judicial support.

FEASIBILITY: Increased judicial use of nonincarceration alternatives would require judicial approval and a change in policy. While this is of low feasibility at this time, it may prove more feasible as a long term process, in view of the possible population impacts provided.

Implementation of a Community Work Service program for sentenced misdemeanants, when merited by higher community custody population levels, is considered of medium feasibility.

TIMELINE: It is estimated that increased use of this alternative for sentenced felons would require at least one year to negotiate judicial acceptance, implement the program and design additional alternatives.

A DAD program for in-custody sentenced misdemeanants could be implemented by administrative action and judicial agreement. Six to eight months would be needed to obtain judicial support, to determine costs more precisely, to set aside funding, to hire and train staff, to develop policies and procedures, and to purchase vans, if needed.

(9) DAY REPORTING CENTERS

DESCRIPTION: Day reporting centers can be structured in a number of ways, depending on the population which is targeted for inclusion. In its most restrictive form, a sentenced offender reports for a period of daily detention and then is released each evening. Typically, prisoners on this type of program live at home and report each day to supervised work crew situations or treatment. In its least restrictive form, the day reporting center is an elaborate form of postrelease supervision where sentenced offenders report daily to a central location. This report may be in person or by phone.

A pioneer day reporting center is the Springfield Day Reporting Center in Massachusetts. Participating inmates are subject to intensive community supervision and are required to report to the Center personally each day; file written itineraries for daily activities; make telephone reports; submit to regular urinalysis screening; are subject to random in-person or telephone checks; and must comply with an evening curfew. In addition, the Center provides inmates a range of treatment and services; including substance abuse therapy, family and couple counseling, education, vocational training, and employment assistance. Inmates are also required to make some form of restitution, either through community service or reparation to the victim.

Screening inmates to determine program eligibility is done through the classification system of the Jail or Corrections Center. Inmates who meet the basic requirements are offered the opportunity to participate in the day reporting center. Inmates must negotiate a contract stipulating supervision, treatment, employment, and restitution requirements. Once an acceptable contract is negotiated with program staff, the inmate is approved for participation and is released to the supervision of Day Reporting Center staff. Participants who violate the terms of their contracts are subject to a disciplinary process and may be returned to the institution to serve the balance of their sentence.

IMPLEMENTATION IN KING COUNTY: The implementation of a Day Reporting Center in King County would require further examination, including targeted population, program design, and services offered. Unless prisoners were to report to an existing program site, such as the WER program, this program would require office space or its own facility. Many programs already in place in King County address the same targeted population of low risk felons and misdemeanants. For example, King County already has an intensive supervised probation program (see Probation/Community Supervision discussion). It is unlikely that any additional advantage would be gained by developing such a

program, unless it could be developed as a less costly way of replacing another existing program.

POPULATION IMPACTS: Inmates who would be eligible for Day Reporting are likely already being addressed by a number of existing programs such as Personal Recognizance, Supervised Release, District Court Probation and Intensive Supervised Probation, and, to a lesser degree EHD, NRF, and WER. No new reduction of population would occur - only a shift in what type of program is used to serve the same population.

PUBLIC POLICY/LEGAL ISSUES: Coordination of existing programs would require a multi-departmental effort. Some legal and public policy issues would likely require resolution.

COSTS: Costs associated with implementation of a Day Reporting center would fall in the "high" (\$151,000 plus) range. Specific costs would depend on operational, administrative, and support costs and the degree to which current programs could overlap services. These costs would need to be compared to those of programs if dissatisfaction with programs currently providing similar services exists.

FEASIBILITY: Implementation of a Day Reporting Center may not be feasible for King County as it would target populations already served by existing county alternative programs. The time and cost associated with siting and planning such a program would be significant.

TIMELINE: Implementation of this alternative would take the same amount of time to plan, coordinate and implement as any new correctional services programs.

(10) DIVERSION PROGRAMS FOR THE MENTALLY ILL AND SUBSTANCE ABUSERS

DESCRIPTION: Diversion programs for the mentally ill and/or substance abuser occur in King County both before and after sentencing. Under the Sentencing Reform Act (SRA), the terms of partial confinement can be satisfied by treatment in an alcohol program, such as the one administered by King County at Cedar Hills in East King County. Most post-sentence diversion programs for these populations are either treatment oriented or the equivalent of intensive supervision. The following are brief descriptions of programs which currently exist in King County.

Cedar Hills. The County's 208 bed facility at Cedar Hills provides in-patient alcohol and drug abuse treatment services. Of this total, 147 beds are contracted from the State for longer term in-patient treatment. Thirty-two beds are for intensive alcohol/drug treatment and 16 are for diagnosis purposes.

North Rehabilitation Facility. This facility houses up to 236 prisoners who receive education and information on alcohol and drug abuse (see further discussion in this chapter).

Washington Center Treatment Facility. This facility houses the Detoxification Program which provides medically controlled withdrawal from alcohol and drugs on a 24 hour daily basis. In addition, the Assessment Center provides assessment for all State Alcohol and Drug Addiction Treatment and Support Act (ADATSA) clients. Services include screening, treatment placement, monitoring and follow-up of eligible clients.

The County also operates a Jail Diversion Project (JDP). The JDP accepts persons who have been detained on misdemeanor or minor felony charges. Its current supervision capacity is 80. Although a client can remain with the project indefinitely, some 20% have graduated to a more independent living situation.

Clients of JDP must meet three of the following five conditions:

- 1) require assistance in either financial, health, legal, vocational/employment, or housing areas to obtain or maintain independent living;
- 2) demonstrate need for intensive case management and treatment service;
- 3) be able to maintain a social or family support system;
- 4) require assistance with basic life skills;

5) exhibit inappropriate social behavior which has resulted in intervention by mental health or criminal justice systems.

Washington Street Project. This program handles individuals who are homeless, and have been dually diagnosed as both mentally ill and substance abusing.

PROGRAM EXPANSION: Passage of Senate Bill 5400 and King County Mental Health's implementation of this bill's provisions, should make diversion of the mentally ill more possible. The Division of Mental Health plan, working cooperatively with the King County Division of Alcohol and Substance Abuse (DASA), are planning a pilot project which would divert persons who do not meet the criteria for involuntary commitment and who have been charged with a nonviolent crime. The present plan calls for a pilot project in the West Precinct (downtown) of the Seattle Police Department.

Individuals meeting the criteria will be transported by the police to an Assessment Center. The site of this center remains to be determined. A diversion team composed of caseworkers will be created to intervene prior to arrest. Services provided around the clock by the diversion team will include:

- crisis stabilization,
- assessment to determine whether community based treatment is an appropriate alternative to incarceration or hospitalization;
- when appropriate, referral to community-based services
- short-term case management until linkages with community-based mental health or DASA services are established.

POPULATION IMPACT: The impacts that proposed mentally ill diversion programs may have on jail population have yet to be determined. Program implementation is currently only in the planning phase. While it is possible that the program will impact the jail population, it is also possible that a pre-book diversion programs will focus on the less serious mentally ill misdemeanor population, many of whom would not currently be booked into the facility. Until the final programs are in place, no impacts will be assumed. This conclusion can be reassessed during subsequent jail planning. This program is planned as a pre-booking diversion alternative; therefore, booking totals may be affected. It has not yet been determined how significant the decrease would be.

COSTS: Costs for the Mentally Ill Pre-book Diversion project for King County alone were estimated in a preliminary budget at \$250,000 per year as proposed by the Mental Health Division of the Department of Human Services. These estimates were based on a staff of six mental health professionals and one supervisor, van lease, and other operating costs. The City of Seattle is proposing a similar budget, for a total in excess of \$500,000.

PUBLIC POLICY/LEGAL ISSUES: The implementation of programs for the mentally ill and substance abusing population provides a social and public benefit which cannot be measured solely in terms of cost.

FEASIBILITY: There are a number of programs in King County currently targeting the mentally ill or drug and alcohol abusers. The proposed pre-booking diversion plan is an ambitious undertaking which provides a much needed service for the mentally ill and substance abusing prisoners. The impact this program will have on the jail population remains to be determined and will be influenced by such factors as booking location, classification and status of inmates diverted, and subsequent reoffense rate of these individuals.

TIMELINE: This diversion program is currently in the planning stage. A pilot program will be implemented in 1991. Consideration of the impacts of this program would be more appropriately reviewed when the program is in place and has operated for a sufficient length of time to assess its impact.

(11) PROBATION/ OR COMMUNITY SUPERVISION

DESCRIPTION: A number of alternative programs exist which address general probation or community supervision services. Both felony and misdemeanor offenders can be sentenced to sanctions other than confinement or community service. These sentences are often referred to as community supervision. Superior, Municipal, and District Courts all sentence people to community supervision.

Felony sentences. Under the Sentencing Reform Act (SRA), felony sentences may be combined with a period of community supervision. Under community supervision the offender may be subject to crime-related prohibitions and other sentence conditions. Individuals who violate conditions of their community supervision sentence may be sentenced to confinement for noncompliance, which may entail serving jail time, up to a maximum of 60 days.

The State Department of Corrections (DOC) provides community supervision to persons convicted of felonies. To be eligible for community supervision, an offender must be sentenced to serve less than one year of confinement. DOC personnel complete presentence reports which provide judges with basic data on criminal history and the current offense.

DOC provides community supervision at varying levels of intensity. Some persons under community supervision are placed in a monitoring status when all but their monetary obligations are met. Under the SRA community supervision is generally limited to one year. Sex offenders may be supervised for two years.

Misdemeanor Sentences. Unlike felony sentences, misdemeanor sentences are not defined by legislative guidelines other than a maximum jail sanction of one year. Probation may also be imposed by the judge independent of any jail time. Probation may require that the offender meet a variety of terms, including regular contact with their probation supervisor and attendance at alcohol or drug counseling.

King County District Court Probation staff complete about 4,000 presentence evaluations a year. About 1,000 of these prisoners are in jail at the time. Their reports recommend probation for about 80% of those who are out-of-custody and approximately 40% for those in-custody. King County District Court Probation supervised about 2,500 probationers during 1989. Their most common offenses are alcohol related, domestic violence, and assault.

District Court Probation also provides intensive supervision to approximately 40 probationers. Intensive supervision occurs after a misdemeanor offender has already done 60 days in jail and the sentencing judge requests that the prisoner be reassessed by Probation staff. If the staff decide that the person is amenable to treatment, they are placed on intensive probation. This requires that they call in daily, be seen face-to-face three times a week, and participate in a structured program. Occasionally intensive probationers are also placed on electronic home detention for sixty days to assure compliance with conditions of their probation.

Seattle Municipal Court (SMC) Probation supervised just over 3,500 probationers during 1989. SMC Probation staff do not collect presentence information or frame recommendations. Domestic violence cases comprise approximately one third of the SMC probation caseload. The average duration of SMC probation is one year. Some serve two years. There are variations in the levels of supervision. These levels are based on a risk assessment scale.

PROGRAM EXPANSION: As the preceding discussions indicate, a number of programs are already providing probation or community supervision. Expansion of this option would require that there be 1) additional in-custody population available for these programs, or 2) judges would be willing to sentence higher risk individuals to these options. While existing procedures would not require change, program expansion would require more staff for all the agencies providing supervision. These staff would provide additional supervision or provide more structured alternatives as part of community supervision, in order to increase judicial use of this option.

POPULATION IMPACT: Expansion of programs which provide probation or supervision to sentenced misdemeanants or felons would draw from populations currently housed at NRF or the West Wing, two facilities which are not currently crowded.

Data gathered to assess the population impact of EHD indicates that there are a number of sentenced misdemeanor inmates available (see EHD program description). However, judges currently are not considering these inmates even for the more restrictive EHD program, which implies that this population would not be considered appropriate for probation either.

A similar conclusion can be drawn with respect to sentenced felons. Sentencing data gathered from the Prosecutor's Office by the Sentencing Guideline Commission indicates that during fiscal year 1990, 50 percent of the felons sentenced were statutorily eligible to receive no jail time and could have been sentenced directly to community supervision. Again, judges are not

sentencing these cases to electronic monitoring which indicates that these cases are considered too serious to be given alternative sentences.

The impacts on booking have yet to be determined. If judges were to decrease their use of jail incarceration, there would be a subsequent decrease in bookings.

COSTS: Expansion of probation and community supervision would require additional staffing to screen and supervise inmates. Total costs would likely fall into the "high" category (over \$150,000).

FEASIBILITY: Implementation of this expansion would require administrative rather than legal action. It would take time to determine judicial interest in expanding use of this alternative to include more serious offenders into community supervision.

TIMELINE: Expansion of this program would require time to determine judicial interest in sentencing more "risky" offenders to supervision or probation. This may be considered as a future option to address expanding jail populations.

(12) EXPANDED COURT CALENDARS

DESCRIPTION: King County Superior and District Courts schedule weekday court calendars five days a week. Seattle Municipal Court (SMC) operates seven days a week, both day and evening. To maximize efficiency, two special court calendars have been developed specifically to address jail populations.

Seattle Municipal Court Weekend Arraignments. Seattle Municipal Court operates weekend arraignment calendars on Saturday and Sunday. Approximately 45 persons per day appear on the calendar with approximately eighty percent released.

SRA Modification Calendar. This program provides a special court calendar once per week to hear Sentencing Reform Act (SRA) noncompliance cases. Each person booked for SRA noncompliance is scheduled to appear on this calendar unless the original sentencing judge in the case specifically requests to hold the hearing. An average of 50 persons per week appear on the special calendar who would otherwise wait 3 to 6 weeks for a hearing before the sentencing judge.

EXPANSION: Three other options were examined in a DAD study in order to determine whether expanded court calendars would provide viable alternatives to incarceration.

Saturday District Court. One possibility is to expand a District Court calendar to include Saturdays. This calendar would be used to examine in-custody cases which could be considered for release Saturday rather than waiting until Monday for the regularly scheduled calendar. It would examine the following types of cases -- felony investigations, Seattle District Court felony and misdemeanor bench warrants and misdemeanor new citations, and K.C. District Court new misdemeanor citations and bench warrants. Operation of this calendar could either be fully or partially staffed. A full staff would include a judge, prosecutor, defense attorney, district court clerk, DAD Court Services clerk, prosecutor clerk, 2 or 3 DAD Court Detail Officers, and possibly an interpreter. A partial staff would include a judge, prosecutor and defense attorney with information provided by one or two clerks (the defendant would not be transported to court). One concern associated with the partial staffing option is that the defendant would not be present to give the judge additional information which may increase a defendant's release potential. The office of Public Defense has expressed serious reservations about this option.

24 Hour Court Schedule. Another option is to expand all courtroom schedules to 24 hour coverage. Individuals could thus be arraigned as soon as possible and either dismissed or charged.

Prosecutor Review. A third alternative would be to have a prosecutor screen and release investigation cases that would not be filed within the legally mandated 72 hours. It should be noted that many of these cases are already handled by the DAD personal recognizance release program.

POPULATION IMPACTS: A review of the impacts of each of these alternatives is noted below:

Saturday District Court. A study of the impact of a Saturday District Court calendar was conducted in September 1988. Jail booking reports were used to target defendants for two existing calendars who were booked on a Friday and available for a Saturday calendar. It was found that an average calendar would be composed of 35 defendants. An average of 17 defendants per calendar would be released from custody on their first appearance before court, a savings of 2 jail days each. If this was conducted every Saturday, the average daily impact on the yearly population would be approximately 5. However, the impact would be experienced on the weekends when populations are typically the lowest of the entire week.

24 Hour Court Schedule. Implementation of a 24 hour calendar schedule would require further examination of population impacts. Most eligible inmates are released as soon as possible on all three shifts by personal recognizance screeners. The additional number of those who could be released because of a court appearance would have to be determined, but it is anticipated that it would also be low. Summary jail release information reports that those with a length of stay of 24 hours or less prior to release constituted only 1.3% of the total prisoner days served. Thus expanded court schedules above what is available now may have fairly low impacts. More significant impacts may occur in the number of bookings, as some of these inmates would no longer be booked.

Prosecutor Review. In order to determine the impact of an expedited prosecutor review, paperwork available for those cases identified in the Saturday District Court study were presented to the K.C. Prosecutor's Office for screening. The Prosecutor's Office stated that from the available paperwork a prosecutor could not clearly and appropriately identify those defendants who would or would not be charged with a crime within the 72-hour rule (which specifies that if charges are not filed within 72 hours, the individual must be released). It was stated that additional information for a filing decision, such as that provided in police Suspect Information Report Form (SIR), would provide documentation for probable cause. This information is

under development and this option could be reconsidered after the research is complete.

COSTS: The cost of these three options could range from modest (one prosecutor and staff support) to a full array of judicial, support and DAD staff. It is assumed that new courtroom space would not be required; rather, existing court space would be used more intensively because of expanded work hours.

PUBLIC POLICY/LEGAL ISSUES: In general, expanded court schedules would only require rescheduling operations rather than a significant change to public policy.

FEASIBILITY: Expanded court calendars have low feasibility at this time. The full Saturday Court Calendar and other alternatives would have varying impacts on the in-custody population. The Saturday District Court Calendar does not appear to provide sufficient population impact to justify full or even partial court staffing. Prosecutor review of cases, given the additional information provided by the police SIR form, may provide the least costly alternative. However, DAD PR screeners already have administrative authority to release a very wide range of eligible felons. In particular, those drug offenses for which information will not be available in the 72 hour limit, are already released. It is not clear whether additional charge screening by the Prosecutor would provide sufficient cases to make this a feasible option. The 24 hour court schedule does not appear feasible at this time when the cost of operating a court is compared to the relatively few inmates who would be released in addition to those already being released by the more cost-effective personal recognizance programs.

TIMELINE: The implementation timeline for these three options would range from a fairly quick implementation time of one month for the Prosecutor review, to 4 - 6 months for the 24-hour schedule. The timing would also be subject to determining exact need and staffing, securing funding, hiring and training staff.

(13) COMMUNITY MEDIATION

DESCRIPTION: This alternative program attempts to divert prisoners from secure confinement prior to sentencing and sometimes even before the arraignment by giving the offender an opportunity to "make amends" for the criminal activity instead of prescribing jail time or completing the court process. Cases could be screened out at arraignment and referred to the program. Staff would interview both the victim and the offenders in order to set up a face to face meeting. At this meeting, the victim would be allowed to say how the crime affected them and to express their feelings to the offender. The goal of the meeting would be to establish some mechanism or way of having the offender make restitution either directly to the victim or to the community in general. This agreement would be written up and then supervised to completion by volunteers or staff. If the agreement is successfully completed, further court action, and the jail sentence or supervision program would be suspended.

POPULATION IMPACTS: This concept would have minimal impact on the jail population. Individuals considered for such a program would also likely fit personal recognizance release criteria.

COSTS: Costs associated with this program would be associated with staffing levels, office space and equipment. These would likely fall in the moderate range. However, the marginal cost of diverting eligible prisoners to existing alternatives likely would be equally or more cost effective.

PUBLIC POLICY/LEGAL ISSUES: Use of this option would require significant change in public policy and judicial acceptance.

FEASIBILITY: Nearly a decade ago, the City of Seattle initiated a three year test of a community mediation program. The program received almost no referrals of criminal matters from the city attorney's office. It did deal with many neighborhood type issues, such as landlord tenant disputes. The type of behavior which commonly ended in community mediation was not the type which resulted in detention. A revival of this program is not likely to effectively divert the jail population today anymore than in the past.

TIMELINE: Implementation of this program would be time-consuming in that funding would be sought for a program which appears to have little merit in terms of saving incarceration time. If funding authorities, prosecutors and the courts supported this concept, implementation time would range from approximately four to six months after funding is secured.

(14) CONTRACT SECURE BEDS

DESCRIPTION: State Department of Correction (DOC) secure beds have been made available (at McNeil and Monroe facilities) for selected County inmates since late 1988. The State houses County felony prisoners who are serving at least 90 day sentences and who do not have major medical or behavioral problems or have active open charges requiring frequent transportation to court. In 1989, the average number of state beds used by the County was 16, with a daily count ranging from 8 to 25. As of September of 1990, the year to date average is still 16.

PROGRAM EXPANSION: Expansion of this program alternative assumes that state or other county capacity would be available in the future. The state is predicting a crowding problem and state beds are only available on a temporary basis. In addition, a request was made to to every Chief, Sheriff and Jail Administrator in Washington regarding the availability of other jail beds that could be rented or leased by King County. The following is the list of existing beds that could have been made available on a temporary basis in the Spring of 1990.

<u>Facility</u>	<u>Beds</u>
Clallam County	20
Enumclaw City	5
Ferry County	3
Jefferson County	10
Island County	15
Klickitat County	<u>5</u>
TOTAL	58

POPULATION IMPACTS: Prior to assessing population impacts, the classification of prisoner which other jurisdictions would accept would need to be determined. For example, prisoners sent to McNeil Island Penitentiary are at least medium security prisoners. It is assumed that only sentenced prisoners with no open charges would be considered since they do not need access to courts, attorneys and police. According to an analysis of two one-day snapshots of jail population, there would have been 11 minimum and 66 medium security felons, and 10 minimum and 85 medium security misdemeanants who were sentenced prisoners with no open charges (a total of 172). Based on these current data, it is reasonable to assure that in the year 2000 there would be sufficient inmates available in the event that additional beds were available in other jurisdictions. However, medium security inmates may not be acceptable to other county jurisdictions.

COSTS: The cost of this option would be based on the fee charged by other counties and the state to book and house these prisoners. The bed rental cost per prisoner day is estimated to range from \$40 - 50 and could increase without notice. In addition, there would be significant transportation and staffing costs.

PUBLIC POLICY/LEGAL ISSUES: No major new public policy or legal constraints would be posed by this option since it is an expansion of a current small-scale option.

FEASIBILITY: Transportation, booking and bed rental costs, coupled with the fact that most prisoners have multiple jail statuses and open charges requiring fairly constant access to courts, attorneys and police, make the feasibility of this option low. Available beds are at several different locations. Moreover, the number of beds available is somewhat tenuous as other county facilities may also be faced with crowding. This number therefore is not reliable enough to count as a permanent solution to alternative housing. However, it may be feasible as a short term emergency measure.

TIMELINE: In order to implement this option, available housing would have to be identified and per diem and booking costs agreed upon. Inmates would then have to be screened and placed on special transportation vans. As discussed, this is considered, at best, an emergency measure which could be implemented fairly quickly.

POPULATION IMPACTS: In the Spring of 1989 a study was requested by King County officials for the purpose of assessing the feasibility of several options designed to maintain the prisoner population within established maximum population levels. A "snapshot" of the population taken in March 1989 showed that out of a total system population of 1795, there would be over 200 inmates who would not be booked, if it was decided to exclude such charges as state holds and nonviolent misdemeanor bookings. This provides a relative perspective on the types and numbers of prisoners who would be impacted. In addition to the impact on bookings, there would be a decrease in the average daily population. The amount of the decrease would depend on which bookings were restricted and the average length of stay for each group. These inmates would likely be a mix of minimum and medium custody inmates.

COST: This alternative could be implemented with very little operating cost. Existing staffing levels could manage booking restriction screening. This option raises other more indefinite cost considerations. For example, there is the social cost of not housing certain categories of prisoners. In addition, there is the cost associated with possible legal liabilities presented by such a program.

PUBLIC POLICY/LEGAL ISSUES: The option of restricting bookings raises significant public policy consideration. After briefings on this option, the King County Police Chiefs Association, Jail Advisory Committee (Representing Suburban Cities), and the Jail Committee Work Group strongly recommended against King County adopting this course of action. These groups argue that booking prisoners often is the only way to positively identify prisoners and to ensure that prisoners wanted on more serious charges are not inadvertently released. These groups found this option even more unpalatable than early release. The King County Executive has also stated strong opposition to booking restrictions.

FEASIBILITY: Given the serious public policy concerns regarding restricting bookings into the jail, this option is reserved as an emergency measure only.

TIMELINE: Booking restrictions would likely incur strong community disfavor. Should this option be accepted, actual implementation could take place fairly quickly.

(17) EARLY RELEASE

DESCRIPTION: King County has examined Early Release as one option of an emergency jail population management plan. A number of jurisdictions across the country have found it necessary to implement Early Release programs in response to jail crowding. These programs offer a variety of approaches to Early Release.

In California, statutory provision has been made in order that a Sheriff may apply to the Presiding Judge of the appropriate Court for a 30 day authorization to release sentenced inmates up to a maximum of five days early (above goodtime granted) when the inmate count exceeds the bed capacity of the jail. The state of Michigan has also legislatively approved early release as part of a process for reducing population.

In Jefferson County, Kentucky, if population levels exceed a specified limit, inmates from two categories are released: (1) pretrial detainees with bonds requiring a cash payment not in excess of \$1500, i.e. a \$15,000/10% or a \$7,500/20% bond, and (2) sentenced misdemeanants who have served at least ten percent of their sentence, beginning with the person who has served the greatest percentage of his or her sentence. These provisions do not apply to pretrial detainees charged with, or sentenced misdemeanants convicted of specified serious violent or alcohol related offenses. Releasees are not under any form of supervision after release.

Multnomah County, Oregon operates an early release program based on a "release matrix" which specifies the priority and order of inmate releases. In the event of multiple charges pending against an inmate, the most serious charge determines an inmates release priority. An automated computer program then scores and ranks each prisoner for release based on variables such as multiple charges, custody status and criminal history.

King County would have to further determine the feasibility and impact of each early release approach prior to implementation. Examples of issues that merit closer examination are outlined below.

The implementation of a plan similar to Jefferson County and counties in California would employ two broad release criteria: 1) sentenced misdemeanants subject to exclusions such as DWI, and 2) bond release, specified by amount such as \$5,000. Additional staff would determine an inmate's eligibility from computerized reports and would identify inmates for release after verifying outstanding warrants. A list of potential releases would be generated and taken to the appropriate judicial authority for release.

Another approach for early release would be to release inmates according to the seriousness of their charge. Inmates could be

released in order of proximity to their release date. The more criteria which are considered for release priority, the more labor intensive the process. A list of potential releases would be presented to the judicial authority and routine release procedures completed.

An additional factor which would need resolution is whether post-release supervision would be required and what level would be appropriate.

POPULATION IMPACTS: The impacts associated with early release would be determined by specific early release procedures and criteria selected. In all situations, it is assumed that inmates would continue to be booked. If inmates are released according to the nature of their offense, it is likely that population impacts would be most apparent in those facilities which house less serious inmates and which are currently less crowded.

A preliminary analysis based on a snapshot of the inmate population ranked by charge seriousness indicates that there were 340 inmates in the Tower and West Wing who were incarcerated for crimes considered less serious than violent misdemeanors. Consideration of other factors such as prior criminal history, failure to comply with court orders, etc. could reduce the population available.

COSTS: The costs related to early release will be dependent on the early release strategy selected. In its simplest form, one "early release" staff person could identify those to be released and complete the appropriate paperwork. At the other end of the range, Multnomah County operates its early release program supported by six staff. This staff would require a work station and access to a computer terminal. Costs thus range from low to high.

PUBLIC POLICY/LEGAL ISSUES: Pursuit of this option would require coordination and agreement by elected officials, and criminal justice agencies such as the Courts, Prosecutors and Department of Adult Detention. It would also likely require legislative action regarding felony cases. Moreover, there are serious public concerns regarding releasing prisoners early.

FEASIBILITY: The ability to implement an early release program that would target non-violent offenders who would not threaten public safety may be compromised by the fact that King County has already implemented several aggressive programs and policies such as personal recognizance release, credit card bail, work release, electronic home detention, intensive supervised

work release, electronic home detention, intensive supervised probation, and NRF.

The benefits of an early release program, even as an emergency measure in King County, are limited because the crowding problem centers on the KCCF 24-hour residential tower population. This population is primarily medium security prisoners charged with or convicted of felonies. Thus implementation of this program has the possible effect of "skipping over" less serious inmates while releasing more serious inmates because they are housed in more crowded facility areas.

The population impact concerns, together with public disfavor regarding releasing prisoners early, suggests that this option is best considered as part of an emergency population management plan.

TIMELINE: The time required to implement an early release program will vary with the approach selected. Prior to implementation, concerns of criminal justice officials and the public would need to be addressed. Once a plan was selected, there would be additional time required to develop computer reports, hire and train staff, and possibly operate a brief "pilot" period. The actual program implementation time frames are estimated to range from two weeks to one year, once such issues as criteria for release and legal authority have been resolved.

DEPARTMENT OF ADULT DETENTION
NON-CAPITAL ALTERNATIVES

PROGRAM PLAN AND RECOMMENDATIONS

The purpose of this section is to provide a plan for future non-capital alternative programming in King County. Both expansion of current programs and implementation of new programs have been discussed in the previous section. The extent to which these programs, if implemented, would impact future correctional facility capacity construction is assessed. In order to be consistent with Capital planning efforts, the year 2000 is used as a Phase I planning year. Additional recommendations are provided concerning "Phase II" program planning. An appendix which provides detailed analysis of jail impacts is available upon request.

Program Feasibility

Seventeen program options were considered in the preceding pages and assessed against a number of factors. These are outlined on the Non-capital Alternative Program Summary Table which follows. Those programs receiving a high or medium feasibility rating are recommended as part of a population capacity plan for Phase I of the Regional Law, Safety and Justice Center Project. Some of the remaining options will continue to be pursued; however, it is not anticipated at this time that these options are likely to be implemented in the near future. Thus, it is not recommended that future jail capacity be reduced based on these more tenuous program options.

The general feasibility of these programs was assessed by utilizing the criteria listed below.

- Population impact. The impact of each program on the current and future in-custody average daily jail population (ADP) was examined. These impacts are estimated as low (1 - 5 ADP), medium (6 - 20 ADP) and high (21+ ADP) based on 1990 population estimates. It is assumed that these estimates will retain the same relative standing in future years. More detailed ADP impacts are discussed within each program description.

As will be noted later, many of these programs target the same portion of the population, e.g. the low-risk community custody prisoner. Thus, the size of the population impact was not the sole determinant of program feasibility. Instead, programs will be considered as part of a "package" plan which together produce a total non-capital alternative program population impact.

- Public Policy/Legal Changes. Programs were examined in terms of major public policy changes or statutory

changes which would be necessary prior to implementation. Programs which had significant public policy changes or legal restrictions were considered to have low feasibility. Included as a subcategory are emergency population measures which now run counter to current public policy.

- Fiscal Impact. The methods used to estimate the cost of program implementation have been described. In general, the cost for each program per prisoner day can be compared to the capital cost of constructing a jail bed. Those with costs which appear to exceed bed construction costs are considered low feasibility.

Program Elimination from Plan

Of the seventeen original programs, ten were eliminated from consideration as part of a Phase I non-capital alternative program plan. This was due to one or more of the following:

- Low/undetermined in-custody jail population impact
- Require significant legal or public policy changes
- Emergency program only

These ten programs are listed below along with the reason for their exclusion from the Phase I plan. The programs and their feasibility have been described earlier in greater detail (see Program Alternative section).

1. Community Mediation. This program was determined to have insignificant jail population impact.
2. Expanded Court Calendars. Variations of this concept, including Saturday District Court, 24-hour court and Prosecutory review were determined to have low population impact.
3. Expanded Seattle Municipal Court recognizance release. Implementation of an expanded program would require a significant change to existing court policy.
4. Day Reporting Center. It was determined that this program would have a low population impact on the remaining in-custody population. Existing programs target this population.
5. Mentally Ill Pre-Book Diversion Project. Population impacts remain to be determined. These will be assessed during the pilot program which has received funding, and will be implemented in 1991.

6. Expanded Use of Probation/Community Services. Increased use of alternative sentences would require major changes in judicial support and major change to current court policies.
7. Contract Secure Beds. This is considered an emergency jail population management measure only. Contracting for secure beds is not recommended as a permanent solution to jail crowding.
8. Booking Restrictions. This program is considered an emergency jail population management measure only. Restricting bookings would be inconsistent with current public policies that focus on public safety and the integrity of the criminal justice system.
9. Early Release. This program is considered an emergency jail population management measure only. Early release of inmates would be inconsistent with current public policies that focus on public safety and the integrity of the criminal justice system.
10. County Parole. This program is considered an emergency jail population management measure only. County parole is another form of early release for sentenced prisoners. In addition, implementation would require enabling legislation.

Assumptions

Three assumptions were made regarding North Rehabilitation Facility criteria expansion, Work Release criteria expansion and Contract Work Release.

1. North Rehabilitation Facility (NRF) Criteria Expansion. The Department currently operates this alternative facility with a rated capacity of 216. The average daily population of the NRF program is included in the total jail population forecast. Population estimates indicate that the NRF eligible population will exceed NRF capacity by 1995. It is not recommended that NRF criteria be expanded beyond current criteria as a non-capital option, as this is not considered an appropriate use of this facility nor is it likely that this would be supported by the community. A portion of the excess NRF eligible population will be addressed by expansion of non-capital alternatives, as discussed below.
2. Work Education Release Criteria Expansion. The Department operates a Work Education Release (WER) program. The WER program is currently located in the King County Courthouse with a capacity of 160. The average daily population of the

WER program is included in the total jail population forecast. Population estimates indicate that the WER eligible population will exceed WER capacity by the year 1995. It is not recommended that WER criteria be expanded beyond current criteria as a non-capital option. It is assumed that WER will continue in its current facility and that staff will expand over time if needed to handle increases in the WER population, up to an average daily population of 160. Excess WER-eligible population will be addressed by expansion of non-capital alternatives, as discussed below.

3. Contract Work Release. It is assumed that excess WER eligible population which is not addressed by other non-capital alternatives will be handled by additional contract WER beds.

Alternative Program Plan - Phase I

The remaining four programs are considered more feasible as part of a non-capital option package plan for Phase I of a Facility Master plan. These program expansions or implementations received either high or medium feasibility ratings and are listed below. These programs, in addition to the two major assumptions stated above regarding NRF and WER, form the basis of the Non-capital Alternative Phase I planning package.

1. DAD Personal Recognizance Program staff expansion. The Department currently operates a Personal Recognizance program. Each inmate released through personal recognizance provides space in the jail facility for another inmate to remain incarcerated. Inmates released on recognizance are considered "out-of-custody" and therefore not included as part of total jail population statistics. It is assumed that this program will continue to address this out-of-custody population. In addition, an increase in program staffing will enable the targeting of a small portion of the Personal Recognizance eligible prisoner population, which are currently in-custody due to staffing limitations.
2. DAD Supervised Release Program staff expansion. The Department currently operates a Supervised Release Program. Each inmate participating on Supervised Release provides space in the jail facility for another inmate to remain incarcerated. Supervised release inmates are considered "out-of-custody" and therefore not included as part of total jail population statistics. It is assumed that this program will continue to address this out-of-custody population. In addition, an increase in program staffing will enable the targeting of a portion of the Supervised Release eligible

population which are currently in-custody due to staffing limitations.

3. Electronic Home Detention Expansion. The Department currently operates an Electronic Home Detention Program (EHD). The average daily population of the EHD program is included in the total jail population forecast. The current capacity for this program is fifty inmates. The population forecast assumes that this capacity will continue through the year 2010, based on current staffing levels.

However, in addition it is recommended that the EHD program be expanded in two ways:

- Additional staffing be provided in order to provide programming for the same percent of the total population as the program does now.
 - Administrative judicial approval be pursued for Seattle Municipal Court and Superior Courts similar to that in place from the District Courts.
4. DAD Community Work Service Program. The implementation of a new Community Work Service Program, is recommended. This program would begin operation when merited by increased population levels. This program would provide a sentencing alternative in which inmates would perform community work as well as participate in required drug, alcohol treatment or other required stipulations.

Population Impact

The population impact that the proposed Phase I non-capital alternative program plan will have on the forecast jail population for the year 2000 is noted on the following table.

DEPARTMENT OF ADULT DETENTION
NON-CAPITAL ALTERNATIVE PROGRAM PLAN

POPULATION IMPACT - YEAR 2000

PROGRAM	ADP IMPACT (Yr. 2000)
1. Expand DAD PR Program	4
2. Expand DAD Supervised Release	21
3. Expand Electronic Home Detention	39
4. Implement Community Work Service	<u>10</u>
TOTAL	74

As has been noted earlier, in some instances program alternatives overlap in terms of the population they address. For example, an expansion of the Electronic Home Detention program will draw inmates from the excess WER as well as NRF populations. These overlapping impacts have been considered in the proposed plan. Program impacts described here can be considered in absolute numbers. Thus each ADP impact represents a saving in the total number of prisoner beds which must be constructed for each of the four types of prisoner populations which follow.

The four forecast population groups, and the non-capital alternatives which address each, are as follows.

24 Hour Residential Secure. The year 2000 population forecast of the total 24-hour secure population of 2,058 exceeds current capacity for that population by 811. It is recommended that increased staffing be provided for the DAD Personal Recognizance Program and the DAD Supervised Release Program, for the ADP impacts of 4 and 21, respectively, for a total of 25.

North Rehabilitation Facility. The anticipated NRF population in 2000 is 307. Noncapital options addressing this population include expanded EHD (19 ADP impact) and a Community Work Service program (10 ADP), for a total of 29.

Electronic Home Detention. For purposes of population forecasting, the EHD program was assumed to remain at an ADP of 50 given current criteria and staffing levels. Expansion of the EHD program is thus used to handle excess NRF and WER populations.

Work Education Release. The year 2000 WER population forecast is an ADP of 211 inmates. It is anticipated that EHD expansion will address an additional ADP of 20. It is assumed that the

remaining excess WER population will be contracted out to private or state agencies.

Total Jail Population. The combination of the five non-capital alternative programs under discussion produces a total impact of 74 ADP. This total population impact is divided into four population groupings. These alternative programs will offset the need to construct jail beds within each of the four population groups.

Alternative Program Plan - Phase II

It is recommended that King County pursue additional efforts regarding the incarceration of prisoners. These recommendations are considered a Phase II approach in that some of these recommendations have the potential for mitigating the need for additional jail space beyond the year 2000. They are not included in a Phase I planning package for a variety of reasons, including insignificant or undetermined jail population impact, public safety concerns, or because implementation would significantly challenge current public policy.

Recommendations for Phase II planning are listed below.

1. Possible expansion of the Community Work Service Program if implemented as a Phase I program, and if supported by program experience and available population;
2. Support for increasing judicial use of and availability of intermediate sanctions and alternative sentences by amending the Sentencing Reform Act (SRA) to allow for a wider range of alternative conversions under the law;
3. Consideration of 24-hour court schedules in order to arraign all cases prior to booking, if supported by appropriate population volumes.
4. Continued monitoring and examination of the SMC Personal Recognizance Program to refine population impacts and cost;
5. Consideration of misdemeanor sentencing standards, similar to the SRA.
6. Support for greater sentencing flexibility and resources for drug-related offenders to permit alternatives to incarceration;
7. Increased availability of non-incarceration programs and treatment for the mentally ill offender.

Attachment 1
 MARICOPA COUNTY MEGAJAIL SURVEY (1990)

County, City	Average Daily Population	Average Length of Stay
Los Angeles Los Angeles, CA	21,851	33.7
Queens, Kings, Bronx, New York, Richmond Cos. New York, N.Y.	18,759	26.4
Cook Chicago, IL	6,659	34.3
Orange Santa Ana, CA	4,372	17.2
San Diego San Diego, CA	4,163	12.1
Maricopa Phoenix, AZ	4,003	15.8
Santa Clara San Jose, CA	3,806	20.1
Alameda Santa Rita, CA	3,331	19.6
Broward Fort Lauderdale, FL	2,985	14.4
San Bernardino San Bernardino, CA	2,776	11.6
Sacramento Sacramento, CA	2,770	14.1
Orange Orlando, FL	2,750	20.6
Shelby Memphis, TN	2,526	13.7
Bexar San Antonio, TX	2,177	N/A
Duval Jacksonville, FL	2,037	17.1
Fresno Fresno, CA	2,029	16.2
Hillsborough Tampa, FL	1,987	15.2
Fulton Atlanta, GA	1,943	14.8
San Francisco San Francisco, CA	1,909	12.3
King Seattle, WA	1,864	12.3

NONCAPITAL ALTERNATIVES--GROWTH AND IMPACTS ON ADP
population projections from report dated 1/9/91

	1990 IMPACT	1995 FORECAST IMPACT	2000 FORECAST IMPACT	2005 FORECAST IMPACT	2010 FORECAST IMPACT
1) AD PR Expansion:					
a) Continued program growth*	26.10	37.64	40.40	42.88	46.41
b) Expand Staff to target in-custody inmates	2.41	3.47	3.73	3.96	4.28
2) SMC PR Expansion					
a) Continued program growth*	4.85	6.99	7.50	7.96	8.62
b) Program Expansion of PR Criteria	10.75	15.50	16.64	17.66	19.11
3) Supervised release					
a) Continued program growth*	165.76	239.01	256.56	272.29	294.71
b) Expand Staff to target in-custody inmates	13.46	19.41	20.83	22.11	23.93
4) END					
a) Projected program--no change	36.00	50.00	50.00	50.00	50.00
b) Program Expansion w/added staff (current criteria) @	0.00	11.39	15.90	19.94	25.70
c) Program Expansion w/SMC & Sup Ct Admin approval	14.75	21.27	22.83	24.23	26.22
d) Program expansion--Legislative changes	3.00	4.33	4.64	4.93	5.33
5) NRF Criteria Expansion (THESE OPTIONS ARE CAPITAL EXPANSIONS)					
a) Projected population growth	199	314	339	360	389
b) Expansion for female dorm	5.98	8.62	9.26	9.82	10.63
c) Expand to include presentence	23.01	33.18	35.61	37.80	40.91
d) Expand to include med/psych	5.01	7.22	7.75	8.23	8.91
6) WER Expansion (THESE ARE CAPITAL EXPANSION OPTIONS)					
a) Projected population growth	158	231	238	246	254
b) Program Expansion with added staff to target in-custody	2.67	3.85	4.13	4.39	4.75
c) Program expansion (unsentenced inmates)					

(Handled by supervised release population and program--requires legal changes)
*ADP impact and continued growth were estimates only based on the number of releases and average days saved per release. These estimates are for illustrative purposes only. ADP for these programs is not included in KCCF total population statistics.

NONCAPITAL ALTERNATIVE

	1990 IMPACT	1995 FORECAST IMPACT	2000 FORECAST IMPACT	2005 FORECAST IMPACT	2010 FORECAST IMPACT
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7) Contract WER [Could be used for growth of population listed in #6 above -- to augment County WER program]

8) Community/Work Service					
Implement program	0.00	0.00	10.00	10.61	11.49
9) Day Reporting Center					

[Alternative to programs 1,2,3, & 11 population]

10) Mentally ill pre-book

Pilot program to be implemented in 1991. ADP impact to be assessed.

11) Expanded Probation/Community Supervision					
a) Current Program					
b) Expanded use by judges					
12) Expanded Courts					
a) Saturday Dist Court	5.00	7.21	7.74	8.21	8.89

[District Court had 2,500 in program during 1989] (SMC assigned 3,500 in 1989) [Undetermined ADP impact. Would require major shifts in judicial policy]

13) Community Mediation

<1

popok 1/11/91

DEPARTMENT OF ADULT DETENTION
NONCAPITAL ALTERNATIVES COST ANALYSIS

COST ANALYSIS METHODS

The Department of Adult Detention examines seventeen noncapital alternatives to incarceration. These are described in detail in the Facility Master Plan Noncapital Alternative Chapter.

Two cost analysis methods are used to describe program costs. Eight of the programs receive a marginal cost analysis with life cycle costs. Nine programs will receive a general cost analysis. These methods and the programs are outlined below.

I. Marginal cost Analysis. In conjunction with the Budget Office, it was decided not to use overall operating costs as a measure of program cost. Instead, it was concluded that a marginal cost analysis per bed day would provide a more meaningful comparison to the cost of constructing bed capacity. This represents actual costs which would be incurred when inmates are added to programs. These costs can then be directly compared to the cost of constructing a jail bed. Both direct and indirect costs which impact the marginal cost are included. These costs are detailed in the attached table.

This costing method was applied to programs which:

- (1) appeared to have a population impact,
- (2) would require no major public policy or legal changes.
- (3) were considered most feasible for possible expansion or implementation in Phase I of detention planning.

The noncapital alternative programs which received marginal cost estimates are listed below with the marginal cost/bed day. The 1990 costs are calculated according to the workload required. These costs are then used to project costs for the year 2000 based on the jail population affected by program expansion or implementation.

	<u>1990</u>	<u>2000</u>
1. DAD Personal Recognizance staff expansion to target specified in-custody inmates	\$40.14	\$39.06
2. DAD Supervised Release staff expansion to target specified in-custody inmates	\$ 3.72	\$ 3.60
3. Electronic Home Detention expansion	\$13.71	\$7.90/5.45
4. DAD Community Work Service Program Implementation	\$13.77	\$11.65
5. SMC Expansion of Personal Recognizance Criteria	\$83.87	\$45.55
6. NRF (up to capacity)	\$ 2.53	CAPITAL
7. Work Release (up to capacity)	(\$7.76)	CAPITAL
8. Contract Work Release	\$35.00	\$35.00

II. General Cost Assessment. General costs based on estimated staffing and associated costs will be discussed in the FMP chapter for programs which do not receive more detailed marginal cost estimates. Costs will be described as low (less than \$50,000/year), medium (\$50,000 - 150,000) or high (over \$150,000). The criteria for including programs in this costing method are listed below.

(1) Population impact is undetermined/insignificant to the in-custody population (and therefore would not affect construction of bed capacity). Programs included in this category are:

- o Community Mediation
- o Saturday District Court
- o Day Reporting Center
- o Mentally Ill pre-book diversion project (see further discussion below)

(2) Significant legal/public policy changes would be required.

- o Expanded use Probation/Community Supervision sentences and programs for sentenced felons and misdemeanants.

(3) "Emergency" measures.

- o Contracting Secure Beds
- o Booking Restrictions
- o Early Release
- o County Parole

ISSUES

- o NRF and WER can be both capital and noncapital options. The marginal cost of adding inmates to each program up to the capacity of these facilities is included in the attached table. However, population projections indicate that these facilities are quickly going to reach capacity. They then become capital options.
- o The Mentally Ill Diversion project, to be implemented as a pilot project in 1991, has undetermined population impacts. Given that this program is already funded, this program will receive general cost analysis. The costs per bed day saved will be examined further during program implementation and evaluation.
- o It is recommended that general cost estimates (rather than marginal cost estimates/bed day) be provided for the aforementioned three categories: emergency measures, options with significant legal/public policy changes, and programs with insignificant/undetermined population impact. More detailed cost examination of these options will occur during development of an emergency plan and during Phase II of Jail Planning.
- o It is recognized that some of the noncapital options compete for the same in-custody population. A final combination "package" of noncapital options will be developed for the Facility Master Plan. This package will consider total population impact, cost of each option and feasibility of implementation.

Non-Capital Programs Cost Table

Program	ADP/FTE (Workload)	COSTS											
		Salary/ Benefits per FTE	Furn/Equip 1-10 yrs per FTE	Annual Direct O&M	Space per 100 sq ft @ \$11/sf	Supervsr/ Leadwrkr (Every 10 Prof Staff)	Inmate Fees per ADP	Marginal Initial Net Cost	Cost/ADP Bed Day	Annual Clerical Support per FTE	Space per 100 sq ft @ \$11/sf		
Personal Recognition	2.45	\$32,009	\$1,085	\$578	\$1,100	\$1,096	\$0	\$35,868	\$40.14	\$1,096	\$0	\$39,573	\$3.72
Supervised Release	29.17	\$35,714	\$1,085	\$578	\$1,100	\$1,096	\$0	\$39,573	\$3.72	\$1,096	\$0	\$39,573	\$3.72
Elect Home Detention	35.00	\$34,518	\$1,085	\$141,103	\$1,100	\$0	(\$2,716)	\$175,089	\$13.71	\$0	(\$2,716)	\$175,089	\$13.71
SMC PR Expansion	2	\$32,009	\$1,085	\$578	\$1,100	\$1,096	\$0	\$75,002	\$83.87	\$39,134	\$0	\$75,002	\$83.87
Community Wk. Service	10	\$28,310	\$8,585	\$1,290	\$1,100	\$10,964	\$0	\$50,249	\$13.77	\$0	\$0	\$50,249	\$13.77
Contract WER	1			\$35				\$35.00				\$35.00	
NRF - NONCAPITAL	1			\$2.53				\$2.53				\$2.53	
WER - NONCAPITAL	1			\$1.12				(\$7.76)			(\$8.88)*	(\$7.76)	

*WER fee estimation based on actual 1989 fee revenue per ADP. WER fees are based on actual operating cost rather than marginal cost.

Non-Capital Programs: ADP and Cost Year 2000

Program	Workload Expansion ADP	FTEs	Salary/ Benefits	Furn/Equip	Direct O&M	Space	Clerical Support	Supervsr/ Leadwrkr	Inmate Fees	Marginal Operating Initial Cost/ADP Bed Day	LCC Cost/ADP Bed Day
Personal Recognition	3.73	1.5	\$48,014	\$2,169	\$867	\$2,200	\$1,645	\$0	\$0	\$54,894	\$38.73
Supervised Release	20.83	0.7	\$25,000	\$1,085	\$404	\$1,100	\$767	\$0	\$0	\$28,356	\$3.59
EHD--added staff	15.90	0.5	\$17,259	\$1,085	\$70,551	\$1,100	\$0	\$0	(\$43,181)	\$46,814	\$7.88
EHD--SMC/Sup.Ct.Approval	22.66	0.6	\$20,711	\$1,085	\$84,662	\$1,100	\$0	\$0	(\$61,540)	\$46,017	\$5.43
EHD--Legislative	4.61	0.15	\$5,040	\$0	\$20,601	\$0	\$0	\$0	(\$12,520)	\$13,121	\$7.80
SMC PR Expansion	16.64	6.8	\$217,661	\$7,592	\$3,929	\$7,700	\$7,456	\$39,134	\$0	\$283,472	\$45.55
Community Wk. Service	10.00	1.0	\$28,310	\$8,585	\$1,290	\$1,100	\$10,964	\$0	\$0	\$50,249	\$11.41
Contract WER	as needed										

(SEE CAPITAL COST DISCUSSION)

(SEE CAPITAL COST DISCUSSION)

Inflation Rate -----> 5.00%
Discount Rate -----> 8.00%

NON-CAPITAL OPTIONS
PROGRAM SUMMARY

PROGRAM	DESCRIPTION	POP ADP IMPACT* Low Med High (1-5)(6-20)(21+)	TIMELINE	PUBLIC POLICY/LEGAL ISSUES	EST. FISCAL IMPACT Cost/Prisoner Day** Low Med High <\$50 \$50-150 151+ (thousands)	FEASIBILITY
DAD PR Expansion	(1) Add staff to target in-custody prisoners ("nonreleasable" Dist. Ct. warrants). (2) Expand criteria.	(1) Low (2) Low	4-6 mos.	(1) Consistent with current. (2) Requires major change to existing policy.	\$39.06/prisoner day	(1) High (2) Low
SMC PR Expansion	Expand criteria and release authority consistent with Dist. Ct. PR guidelines.	Medium	4-6 mos.	(1) Would require judicial authority and change to existing court policy.	\$45.55/prisoner day	Low
Expand Supervised Release	(1) Add staff to target in-custody. (2) Expand criteria.	(1) Medium (2) Low	(1) 4-6 mos. (2) 4-6 mos.	(1) Consistent with current. (2) Requires major change to existing	\$3.60/prisoner day	(1) High (2) Low
EHD Expansion	(1) Add staff to target in-custody. (2) Expand SMC/Superior Cert. admin. approval. (3) Legislative changes to include specified felons.	(1) Medium (2) High (3) Low	(1) 4-6 mos. (2) 4-6 mos. (3) 6 mos. - 1 yr+	(1) Consistent with current. (2) Requires change to SMC/Sup. Ct. policy; (3) Requires legislative changes.	\$5.45 - 7.90/ prisoner day	(1) High (2) Medium (3) Low

*Population impacts were based on 1990 ADP impact. It is assumed that program impacts will remain relative to each other in forecasted years.
 **Costs/prisoner day represent the marginal cost of adding one inmate to a program. This can be directly compared to the capital cost of building future capacity for a prisoner. Costs provided are year 2000 marginal life cycle costs per prisoner day.

PROGRAM	DESCRIPTION	POP ADP IMPACT* Low Med High (1-5)(6-20)(21+)	TIMELINE	PUBLIC POLICY/LEGAL ISSUES	EST. FISCAL IMPACT Cost/Prisoner Day** Low Med High <\$50 \$50-150 151+ (thousands)	FEASIBILITY
NRF Criteria Expansion	(1) Target females & pre-sentence felons. (2) Target special custody pops., e.g. psych/medical. See further description in CAPITAL Option section.	(1) High (2) Low	(1) 6-8 mos. (2) 6-8 mos.	Expansion of NRF criteria would require support from state/community. Increased capacity as a CAPITAL option could expand within current NRF criteria only.	See CAPITAL Construction costs.	Low: (to expand NRF criteria) See CAPITAL Construction
WER Criteria Expansion	(1) Target more in-custody w/add'l staff. (2) Target unsentenced inmates. See CAPITAL Option section.	(1) Medium (2) High	(1) 4-6 mos. (2) 1 yr+	(1) Consistent with current. (2) Requires legislative changes.	See CAPITAL Construction costs.	Low: See CAPITAL Option section.
Contract WER	Increase contract WER beds with State or private firm.	Low	(1) 1-2 mos.	Consistent with current.	Est. \$30-35/prisoner day	High: will depend on availability of contract WER beds.

PROGRAM	DESCRIPTION	POP ADP IMPACT* Low Med High (1-5)(6-20)(21+)	TIMELINE	PUBLIC POLICY/LEGAL ISSUES	EST. FISCAL IMPACT Cost/Prisoner Day** Low Med High <\$50 \$50-150 151+ (thousands)	FEASIBILITY
Expand Use of Community Service Programs	(1) Encourage Sup. Ct. judges to increase utilization of this option (2) Implement DAD Work Service program.	(1) High (2) Medium: but would compete w/ other established comm. custody programs.	(1) 1 yr+ (2) 6 mos.	(1) Requires judicial agreement & changes to existing court policy. (2) New sentencing option/program.	1) High 2) \$11.65/prisoner day	(1) Low (2) Medium.
Day Reporting Center	Site, design and implement a center for daily supervision or treatment.	High: but would replace current programs.	1 yr+	Would require siting, consolidation of existing multi-departmental programs.	High	Low
Diversion Programs for the Mentally Ill/Subst. Abusers	To divert mentally ill offenders prior to booking & provide services	To be determined	To be implemented as a pilot project in 1991.		High	To be implemented as a pilot project 1991.
Probation/Community Supervision	Expanded use of probation/ community supervision by SMC/ Dist./Superior Courts.	High	6 mos. - 1 yr+	Requires judicial support & major changes to current court policies.	High	Low
Expanded Court Calendar	Increase number of court calendars (e.g. Sat Dist. Ct, 24-hr ct, prosecution review.	Low	1-6 mos.	Requires judicial agreement and change to existing court calendar schedules.	Medium-High	Low

PROGRAM	DESCRIPTION	POP ADP IMPACT* Low Med High (1-5) (6-20) (21+)	TIMELINE	PUBLIC POLICY/LEGAL ISSUES	EST. FISCAL IMPACT Cost/Prisoner Day** Low Med High <\$50 \$50-150 151+ (thousands)	FEASIBILITY
Community Mediation	Allow victims/offender to mediate an agreement prior to confinement.	Low	6 mos.		Medium	Low
Contract Secure Beds	Expand use of State or other county/muni. contract beds.	Medium-High: will vary depending on bed avail.	<1 mo.		Est. @ \$40-50/prisoner day, plus transportation costs.	Emergency measure
Booking Restriction	Booking would be restricted for specified categories of bookings.	High	If policy was adopted, <1 mo.		Low	Emergency measure
Early Release	Release selected inmates.	High	If policy adopted, 2 weeks to 1 yr, depending on program design.		Low-High, depending on program design.	Emergency measure
County Parole	Release selected sentenced inmates prior to sentence completion.	Medium	6 mo. - yr+	Requires legal change to SRA and/or Dist Ct./SMC support.	Medium	Emergency measure