

SEATTLE COMMUNITY COURT

RESPONSIVE • EQUITABLE • INDIVIDUALIZED



POLICIES & PROCEDURES

May 2021

TABLE OF CONTENTS

VISION, MISSION, AND PRINCIPLES.....	2
PROGRAM VISION	2
PROGRAM MISSION.....	2
GUIDING PRINCIPLES.....	2
PROGRAM GOALS	4
SCC STEERING COMMITTEE.....	4
SCC PROJECT TEAM.....	5
COMMUNITY COURT COLLABORATION COMMITTEE.....	5
PROGRAM ELIGIBILITY	5
SCC OFFENSE ELIGIBILITY MODEL	6
SCC REQUIREMENTS MODEL	8
SEATTLE COMMUNITY COURT CASE FLOW MODEL.....	8
SCC NON-COMPLIANCE APPROACH	13
SAME-DAY RELEASE PROCEDURES.....	13
PRETRIAL ASSESSMENT AND SUPPORT	14
LEVEL ONE: INFORMATION.....	14
LEVEL TWO: APPOINTMENTS.....	15
LEVEL THREE: ENGAGEMENT	15
COMMUNITY SERVICE PROTOCOLS.....	16
ADDITIONAL PRETRIAL RELEASE STRATEGIES.....	16
SCC REPORTING AND EVALUATION FRAMEWORK	17
SCC DATA INVENTORY	17
SCC PROGRAM FORM INVENTORY	18

VISION, MISSION, AND PRINCIPLES

PROGRAM VISION

Seattle Community Court seeks to fundamentally reshape the way participants interact with the criminal justice system while simultaneously protecting the community through harm reduction strategies aimed at reducing negative, harmful consequences, and by providing encouragement and positive reinforcement. Our vision is that meaningful connections to supports, designed to address the needs of the participant and the safety of the community, will result in reduced court involvement.

PROGRAM MISSION

Seattle Community Court will provide an alternative to incarceration for participants who wish to access meaningful services, connect individuals with valuable services to address their underlying needs, and promote accountability through community-based service.

GUIDING PRINCIPLES

Seattle Community Court takes a different approach to adjudicating pending criminal cases. The program is a collaborative effort between Defense, Prosecution, Pretrial Services, and the Court, committed to reducing harm to individuals and the community. Each partner is committed to participate in the program while upholding the following principles:

- 1. Release first model** – Seattle Community Court is based on the principle that individuals can more effectively access services and address the root causes of criminal activity if they are not in jail.
- 2. Rights protected** – An individual should not have to choose between their Constitutional rights to a trial and having the ability to access services that will help them exit the criminal justice system. Therefore, a person doesn't have to give up trial rights to participate and gain benefits from Seattle Community Court.
- 3. Collaboration instead of conflict** – The criminal justice partners are committed to dismissing cases and developing a network of supports outside the criminal justice system. The participant, the defense attorney, the prosecutor, and the court all seek the same end goal: to help the participant exit the criminal justice system and have their case dismissed. Seattle Community Court emphasizes collaboration, to the greatest extent possible, recognizing defense counsel's obligation to follow the Rules of Professional Conduct.¹ Collaboration, to the greatest extent possible, is sought at every

¹ Defense counsel's obligation to follow the Rules of Professional Conduct includes the duty of confidentiality, the duty to ensure that the participant's legal rights are protected, and the duty to advance the participant's stated goals and interests.

level of Seattle Community Court, from the Steering Committee to the courtroom and Pretrial services.

4. **Individualized Plans for Each Participant** – Seattle Community Court is based on the principle that each participant has their own needs and goals. Each participant will participate in the creation of an individual plan that specifically addresses their unique goals and needs.

In each individual case, Seattle Community Court recognizes that historical trauma, systemic racism, sexism, classism, entrenched poverty, and social inequalities contribute to the participant's unique situation. Overcoming these barriers will challenge different participants – and the criminal justice actors-- in different ways.

5. **Accountability to Community** – Seattle Community Court and participants in Community Court are accountable to their community. Community feedback is essential to the success of Community Court. Participants in Community Court will serve their community through community service work.
6. **Immediacy** – Seattle Community Court seeks to address a participant's goals and barriers as soon as is possible by making sure cases are filed quickly, that the participant is able to access services immediately, keeping the time to disposition short and court appearances to a minimum.
7. **Harm-reduction** – Seattle Community Court utilizes a “Harm Reduction” philosophy in addressing an individual participant. Participants will set their own goals, large or small, and the team will help them achieve those goals. The court and its partners will not revoke for simple abstain violations and will encourage practical approaches to substance use disorder with an emphasis on Medication Assisted Treatment where appropriate. The community court team will focus on rewarding success instead of punishing failure. The community court team understands that people with behavioral health and substance use challenges will need multiple exposure to services to make meaningful change, which may require multiple chances in the court. The goal of gathering information, including interviews with participants and an initial UA, is to better assist in developing plans and meeting needs, not to enable punishment of participants. The SCC team is committed to a “do no harm” philosophy, whereby to all extent possible, regardless of a participant’s success in the program, individuals will not be worse off for participating in Community Court.
8. **Procedural Justice** – Typical adversarial and formal courtroom process does not adequately support individuals and can often be harmful to defendants, their families, as well as the greater community. Seattle Community Court will take a less formal approach (i.e. demonstrations of support, graduations) to help participants succeed.

- 9. Outcome-focused approach** – The Seattle Community Court team is committed to outlining goals and continually evaluating effectiveness.
- 10. Professional Roles** - Perform professional roles without discrimination or harassment or retaliation on the basis of race, color, religion, religious affiliation, creed, national origin, ancestry, sex, sexual orientation, gender identity or expression, age, marital status, the presence of any sensory, mental or physical disability, or veteran or military status.
- 11. Reducing Bias**- Recognize that as a program we share a joint goal in reducing bias in the criminal justice system and therefore agree to be open to receiving feedback and learning new strategies to address bias in all forms.

PROGRAM GOALS

Seattle Community Court stakeholders are committed to reshaping the way pretrial justice is administered, outlining program objectives, and continually assessing the impact of the program on individuals and the community. The primary SCC goals are:

- 1. Pretrial Release:** Reduce pretrial incarceration and incarceration for non-compliance
- 2. Connection:** Connect participants to meaningful social services
- 3. Community Service:** Provide valuable service to local communities
- 4. Case Resolution / Immediacy:** Efficiently resolve low-level, non-violent cases
- 5. Reduced Justice System Involvement:** Reduce time and money spent in Criminal Justice System

SCC STEERING COMMITTEE

The Seattle Community Court Steering Committee meets monthly and is composed of the following agencies: King County Department of Public Defense, Seattle City Attorney's Office, and Seattle Municipal Court. The role of the steering committee is to provide policy guidance and operational oversight of SCC.

SCC Steering Committee Members

Judge Damon Shadid, SCC Judge, SMC	Josh Sattler, Chief Clerk, SMC
	Betty McNeely, P&S Director, SMC
Katie Hurley, DPD	Carol Bell-Daniel, P&S Manager, SMC
Kelly Harris, SCAO	Rich Cook, Lead Analyst, SMC
Victoria Van Nocken, SCAO	

SCC PROJECT TEAM

The SCC project team meets twice monthly to discuss weekly operational issues to operate Seattle Community Court most effectively. The project team will be responsible for implementing the policy and operation guidance set forth by the SCC Steering Committee.

SMC representatives are responsible for the day to day operations of Community Court. This includes courtroom calendaring, document management, pretrial staffing and services, program reporting and evaluation.

There will be a dedicated Seattle City Attorney Office (SCAO) attorney scheduled for the SCC calendar. At least at program outset, King County Department of Public Defense (DPD) will not have a dedicated attorney but will rotate based on case assignments.

SCAO representatives are responsible for reviewing police reports, making filing recommendations and SCC offers, and tracking and reporting the number of program referrals to SCC.

DPD attorneys are responsible for reviewing SCC offers made by the City Attorney and communicating the offer to potential participants.

SCC Project Team Members as of 5/12/20

Judge Damon Shadid, SCC Judge, SMC	
Katie Hurley, DPD	
Victoria Van Nocken, SCAO	Lorie Han, SCAO
Todd Sanders, P&S Manager, SMC	Sokpul Chea, SCC Pretrial Counselor
Carol Bell-Daniel, P&S Manager, SMC	Leah Pastrana, SCC Pretrial Counselor

COMMUNITY COURT COLLABORATION COMMITTEE

Each agency involved in Seattle Community Court planning is committed to engaging community representatives to help inform and improve program implementation and operations. The Steering Committee will work to build a Community Court Collaboration Committee that meets quarterly to discuss issues impacting SCC and issues in the community SCC addresses. Potential representatives include community-based housing, treatment, and case management providers, organizations with intersections to community service performed through SCC, and other representatives with experience addressing the needs of the SCC target population.

PROGRAM ELIGIBILITY

SCC is a pretrial release and connection to services program aimed at serving individuals charged with non-violent misdemeanors in Seattle Municipal Court. Participants will primarily

be referred by SCAO at their first in-custody arraignment hearing but may also be referred from an out-of-custody intake hearing, or pretrial hearing.²

Program eligibility is initially determined by SCAO and is based on the alleged offenses charged on an individual's current case and the number of previous times individuals have been afforded a chance to participate in SCC.³ The offense level table below identifies the agreed upon charges that are eligible for SCC.⁴

SCC OFFENSE ELIGIBILITY MODEL

Level 1 Offense	Level 2 Offense	Level 3 Offense
<ul style="list-style-type: none"> • Criminal Trespass 2 (non-residential) • False Reporting (Giving False Identification only) • Trespass in Park • Disorderly Bus Conduct • Theft (recovered property/ not damaged) • Appropriation of Lost/Misplaced Property (recovered/not damaged) 	<ul style="list-style-type: none"> • Criminal Trespass 2 (residential) • Criminal Trespass 1 (non-residential) • Obedience to Officer/Firefighter/Flag • Pedestrian Interference • Unlawful Use of Weapon (possession only) • Theft (un-recovered / damaged)* • False Reporting (Making False or Misleading Statement) • Possession of Stolen Property • Appropriation of Lost/Misplaced Property (unrecovered/damaged) • Attempted Trafficking of Stolen Property in the 2nd Degree 	<ul style="list-style-type: none"> • Criminal Trespass 1 (residential) • Property Destruction* • Obstruction (refuse to cease activity; refuse to leave scene; or disobey order to stop) • Refusal to Stop • Refuse to Give Information • Resisting Arrest • Vehicle Prowl*(reviewed on an individual basis) • Burglary or Auto Theft Tools

***Eligibility for Property Destruction and Theft (unrecovered / damaged property)**

- For any crime that has restitution, the participant must pay restitution prior to the end of the Community Court Agreement term.
- Employee theft is not eligible for Community Court (without SCAO Supervisor Approval)

The table below lists the charges that are presumptively ineligible for SCC. Cases could be approved for SCC referral by SCAO prosecutors on an individual basis.

Charges Presumptively Ineligible for SCC Referral	
<ul style="list-style-type: none"> • Assault • Anti-Harassment / Protection Order Violations • Child Abuse Cases 	<ul style="list-style-type: none"> • Identity Theft Crimes • Negligent Driving (non-DUI) • NVOL

² Pretrial hearings are reserved for a small number of individuals who are otherwise eligible for the program, but who were not offered a referral by SCAO at their initial ICA or Intake hearing.

³ Previous criminal history is not considered by SCAO when making SCC offers.

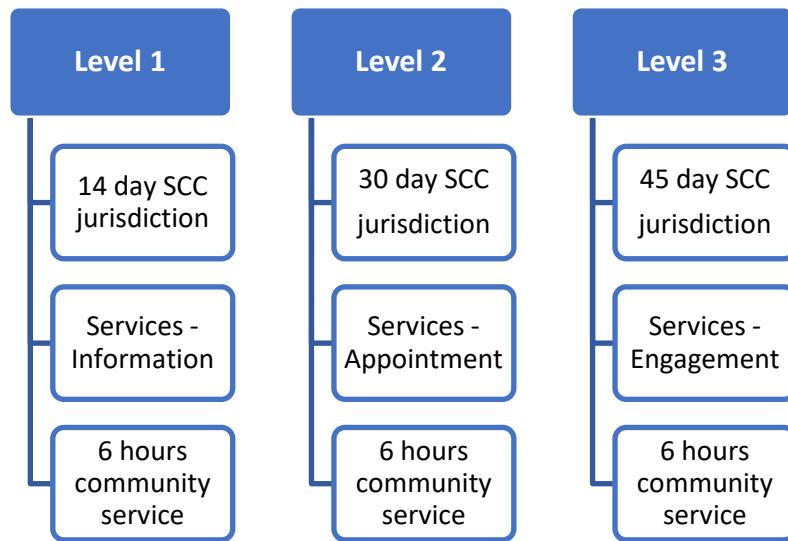
⁴ The Community Court agreement will follow the grid based on the highest-level crime of all the charges.

<ul style="list-style-type: none"> • Contributing to Delinquency of a Minor • Cruelty to Animals • Cyberstalking • Display Driver License of Another • DUI / Physical Control • Domestic Violence Charges • DV NCO Violation • Interfere with Reporting DV • DWLS 1, 2, 3 • Escape • Failure to Transfer Title • False Reporting (False 911 Statement; Circulating False Information) • Harassment • Hit and Run Unattended • Hit and Run Attended (non-injury) • Ignition Interlock Violation • Indecent Exposure Charges 	<ul style="list-style-type: none"> • Obstruction (destroy material; physical interference) • Possessing Another's Identification • Reckless Driving • Reckless Endangerment • Reckless Burning • Refusal to Stop • Sexual Motivation Charges • Trip Permit Violation • Unlawful Use of Weapon (Use to Intimidate) • Sexual Exploitation • Stalking • Tampering with a Fire Alarm • Telephone Harassment • Voyeurism
---	---

For individuals to be eligible for SCC, their case must consist of all eligible charges. For example, a case that has an Assault and a Theft is presumptively ineligible; if the case is an Unlawful Use of Weapon (possession only) and Criminal Trespass 2 (non-residential) then the case is eligible. In addition to charge-based eligibility, individuals will be allowed a maximum of four chances to participate in Seattle Community Court.⁵ Individuals who have already been through the program before will be required to engage more deeply in social services connections. A chart describing the broad SCC Requirements Model is below. “Information, appointment, and engagement” is explained further in the *Pretrial Assessment and Support* section of this document. Individuals on level one supervision are expected to complete requirements in 14 days, level two participants in 30 days, and level three in 45 days. The maximum of amount of time in SCC is 60 days after opt-in date (absent agreement by the City first *and* then the Court). After 60 days, if a participant has not been assessed and completed requirements, the City has discretion to transfer the case to mainstream court. This does not preclude a participant to request the City allow re-entry into Community Court for the eligible case. For any participants, including participants that have not yet opted in, the City retains discretion to transfer the case to mainstream court after 2 or more failures to appear in Community Court.

⁵ Participation is defined as any individual who signs the Community Court agreement, typically at the first SCC pretrial hearing.

SCC REQUIREMENTS MODEL



SEATTLE COMMUNITY COURT CASE FLOW MODEL

Seattle Community Court is a pretrial justice program aimed at releasing individuals from incarceration as quickly as possible, providing individuals an opportunity to connect to services, and ultimately have their charges dismissed, after completing community service and connecting to social services.

Below is the case flow model Seattle Municipal Court will use with our partners to adjudicate SCC cases.

1. SCAO reviews case and makes initial SCC offer

- At the ICA calendar, SCAO filing team will review all cases set for in-custody arraignments and identify individuals who will receive an SCC offer.
- SCAO will notify the court and DPD via email regarding who will be receiving an SCC offer at the ICA hearing.
- If there is a way to prioritize SCC-eligible individuals on ICA calendar, SCAO, Court, and DPD will work together to do so.⁶
- SCAO will determine the appropriate SCC offense level and SCC jurisdiction length, dependent on charges and previous times through SCC.
- SCAO will make both a traditional mainstream offer, along with an offer to participate in SCC.
- For intake hearings, the SCAO filing team will notify the court and DPD via email regarding all individuals eligible for an SCC offer.

⁶ Current assumption is that with jail staff pressures, ICA Judge will have to hear the case and make a release decision prior to 11:30 AM to ensure the jail can release individuals to pretrial services by 3:30 PM.

- For pretrial hearings, SCAO attorney and defense attorneys can discuss SCC eligibility and make SCC offer, if it is clear the individual was not offered an SCC opportunity during the ICA or intake hearing phase of the case. Defense can also speak with SCAO attorney about allowing an individual charged with a presumptively ineligible crime into SCC (subject to judicial approval).
- SCAO will be responsible for tracking and reporting on the number of SCC offers made at ICA hearings and intake hearings.

2. Defense reviews offer and SCC agreement with individual

- For ICA calendar, defense attorney will meet with individual eligible for SCC and review the necessary documents, including the SCC agreement (immunity and participant agreement)
- If individual wants to participate in SCC, they sign SCC agreement. Participating in SCC assures same day release from custody, with expectation that individuals report directly to pretrial services for assessment and UA upon release.⁷

3. Judge reviews SCC offer, makes release decision, and schedules SCC pretrial hearing

- The Judge presiding over KCJ2 calendar receives SCC recommendation from SCAO and makes corresponding release decision.
- Judge imposes SCC conditions of release requiring individual to submit to one urinalysis (UA) test to be administered by SMC pretrial services staff and to participate in an SCC client assessment.⁸
- Judge will release individual same-day to SMC pretrial services staff with a target jail pick-up time no later than 3:30 PM.
- An SCC pretrial hearing is scheduled within seven to ten days of initial hearing.
- For intake and pretrial referrals, Judge will still impose SCC conditions of release with a same-day singular UA and assessment requirement. The courtroom will directly contact pretrial services staff to take individual to do an assessment. If an individual has an extenuating circumstance, they may reschedule the assessment with pretrial services to another time before their SCC pretrial hearing.

4. Pretrial Services conducts program orientation, assessment, and urinalysis test

- Pretrial services counselors will receive a copy of the commitment release via email from Bailiff and call over to jail to facilitate same day release procedures.
- Upon jail notifying SMC that individuals are ready for release, pretrial services staff will accompany individuals back to Community Resource Center on second floor of courthouse.

⁷ For the Saturday ICA calendar, individuals can report Monday morning to the Community Resource Center for a same day assessment.

⁸ There will not be a program-based requirement to be on Day Reporting.

- Individuals will undertake a collective program orientation, then an individualized assessment with a pretrial services counselor, and submit a UA test.⁹
- As part of the individualized assessment, pretrial services staff will go over the service connections to be recommended by the pretrial services counselor. Level one cases will receive information about available services, level two cases will be asked to make initial appointments with service providers, and level three cases will be asked to demonstrate short-term sustained engagement with services.
- As part of the program orientation, participants will be informed that as part of SCC participation, they will have to complete six hours of community service and will receive information on how to contact Seattle Municipal Community Service Crew. Individuals may choose to complete community service requirement before their first SCC pretrial hearing. Regardless, if community service occurs before or after the first SCC pretrial hearing, pretrial services staff will track this requirement for the court.
- Pretrial services staff will provide individual a copy of their individualized assessment, inform them of their next court date, and file a copy of the second page of the assessment in the electronic court file for judicial review at the first SCC pretrial hearing.
- Pretrial services staff will attempt to personally contact individual at least once between their assessment and next SCC pretrial hearing.

5. At SCC pretrial hearing, Judge imposes conditions and individual signs SCC order

- Individual attends first pretrial hearing and Judge reviews a copy of assessment that is filed in electronic court file.
- DPD attorney reviews SCC recommended conditions with individual and individual signs community court order, detailing level of connections to services, community service requirement, and program time period. The SCC order also includes a speedy trial waiver.
- If individual chooses not to sign SCC order, then a mainstream pretrial hearing is scheduled.
- Once an individual signs SCC order, they become a program participant, and an SCC review hearing is scheduled either 14 days, 30 days, or 45 days from date of first pretrial hearing, dependent on SCC offense level.
- Pretrial services counselor will schedule an appointment with individual after their pretrial hearing to support participant in achieving SCC requirements.

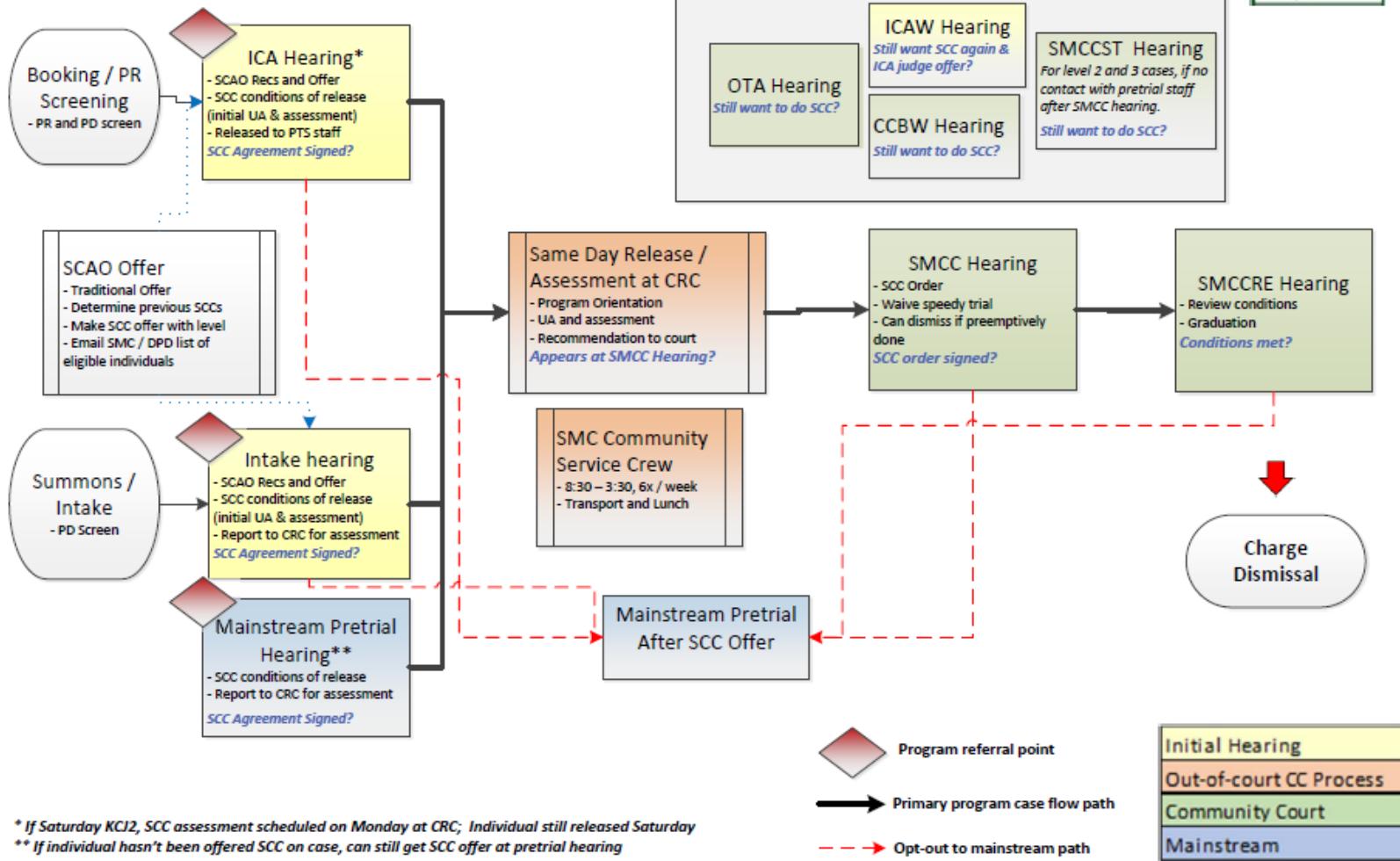
6. At SCC review hearing, Judge reviews participant's progress

- Court will attempt to schedule successful participants / graduations at the beginning of the SCC calendar

⁹ All individuals will be required to submit a UA, unless they self-report using alcohol or non-prescribed drugs, in which case there will be no need for a UA.

- Judge will receive a summary status report each session from pretrial services staff for every individual scheduled for an SCC review hearing. This report will also be made available to SCAO and each defense attorney with a participant on the SCC review calendar that day.
- If participant has successfully completed SCC conditions, Judge will congratulate individual and they will receive a graduation certificate from the court. Participant's charges will be dismissed with prejudice
- If participant has not yet completed SCC conditions, Judge will use their discretion to deal with case on individual basis. Options include scheduling an additional SCC hearing or removing individual from SCC and transferring case to a mainstream pretrial hearing.

Seattle Community Court Process Map



SCC NON-COMPLIANCE APPROACH

Harnessing release-first and harm reduction principles, Seattle Community Court tries to reduce the use of warrants and jail time as instruments to deal with non-compliance and failure to appear violations. While these approaches are always subject to unique case circumstances and judicial discretion, the following are general program guidelines for non-compliance at different points in the program:

- **Individual released from custody but does not appear at pretrial services for UA and assessment.** There will be no requirement for monitoring between initial release and the first SCC hearing. The SCC Judge will address any failure to complete SCC assessment at the first SCC hearing.
- **Individual completes SCC assessment, but not does not appear in court for SCC pretrial hearing.** The Judge has a number of options to consider including scheduling an order to appear (OTA) hearing or issuing a warrant that can be quashed and scheduled back in SCC, if individual contacts court.
- **Participant does not follow-up on any conditions set forth in SCC order after pretrial hearing.** Depending on program jurisdiction time, SCC pretrial services counselors have flexibility to send a status report to SCC Judge, and the Judge can consider scheduling an SCC status hearing between the SCC pretrial and SCC review hearing. This is less likely in level one cases with 14-day jurisdictions, and more likely in level two and three cases.
- **Participant does not report to complete SMC community service.** There will be no immediate sanction for not reporting for community service. This will be discussed with Judge as part of conversation on completing all imposed SCC conditions at SCC review hearing.
- **Participant does not appear for SCC review hearing.** While attendance at SCC review hearing is strongly encouraged, if the participant is in compliance and set to graduate, there will be no sanction for not appearing at review hearing. Participants will still have charges dismissed.¹⁰ If the individual is not in compliance, Judge will use judicial discretion and has similar options for dealing with failure to appear, as at pretrial hearings.

SAME-DAY RELEASE PROCEDURES

Seattle Community Court is based on a release-first model and immediacy principle, where individuals can achieve fast case resolution, by meaningfully working on connecting to services to address their underlying needs. However, there are notable operational challenges in

¹⁰ There is a check box on SCC order for SCC Judge to override this and specifically note if attendance is required, however this will not be general practice.

getting individuals consistently released by King County Jail to pretrial services staff, with enough time to conduct a same-day assessment. There are continued conversations between SCC partners and the jail to ensure an effective same day release process. At this time, SCC same day release policies are the following:

- Cases heard on the in-custody arraignment (ICA) calendar by 11:30 AM, will be released by the jail no later than 3:30 PM
- SCC staff (City attorneys, ICA court staff, defense attorneys) will investigate mechanisms to hear SCC-eligible cases as early as possible on the ICA calendar
- If an individual's case is heard after 11:30 AM on the ICA calendar, the individual will be released and report for the assessment the next morning if a same day assessment is not available, subject to judicial release decision.
- For Saturday ICA calendar, the individuals signing an SCC agreement will be released and report for the assessment on Monday morning, subject to judicial release decision.

PRETRIAL ASSESSMENT AND SUPPORT

After individuals sign SCC agreements and are released from custody, they are escorted from King County Jail to the Community Resource Center by pretrial services counselors to complete a program orientation, UA test, and SCC individualized assessment.¹¹ High level steps of the assessment process are provided in the case flow model section of this document. The purpose of this section is to describe the approach pretrial services counselors will take to support participants in SCC.

The initial assessment provides the participant an opportunity to complete a short well-being self-assessment and work with a pretrial services counselor to identify strengths and goals. The initial assessment will also identify the type and level of service connection the pretrial counselor will recommend for the participant to complete to satisfy SCC program requirements. There are three primary service connection categories: housing, treatment, and case management. Within each category, there are specific programming recommendations the pretrial counselor will identify for a participant. These recommendations will be based on any needs identified through the individual assessment process.

As noted in the SCC Requirements Model, participants will be required to complete different levels of service connection, dependent on their SCC offense level.

LEVEL ONE: INFORMATION

Individuals with level one offenses receive a CRC orientation and information on how to connect with identified social service recommendations.

¹¹ If individuals are referred to SCC off the intake calendar, there will be a pretrial services staff member present to take people to CRC. If individuals are referred from the pretrial calendar, courtroom staff will contact pretrial services directly to facilitate same day assessment.

LEVEL TWO: APPOINTMENTS

Individuals with level two offenses have to fulfill level one requirements and are required to complete a limited number of appointments. This could include getting a substance use disorder assessment, getting a first dose of medication assisted treatment (suboxone, methadone, or vivitrol), attending a life skills class or other class, or other service that would assist the individual.

LEVEL THREE: ENGAGEMENT

Individuals with level three offenses must fulfill levels one and two requirements and exhibit a period of sustained engagement with a program or service. This could include, for instance, 30-60 days of treatment compliance or medication assisted treatment compliance.

More information about the individual service connections can be found in the *SCC Client Intake and Assessment Form*, in the forms inventory section of this document.

In addition to the service connections, the pretrial services counselor will administer one initial UA test on the same day of the assessment. If an individual self-reports non-prescribed drug use to counselor, they will not be required to administer UA. The purpose of the UA is to identify participant treatment needs and encourage honesty in the assessment process. There will be no abstain conditions in SCC. Results of the UA will be listed on the assessment form sent to the SCC Judge.

Pretrial services counselors will provide written assessment summaries to the SCC Judge to help inform the SCC order at pretrial hearings. Pretrial services counselors will not routinely attend pretrial hearings to report verbally on results of individualized assessments.

At the time of initial assessment, pretrial services counselors will also inform individuals that part of the SCC order will be to complete six hours of community service, and that individuals have the opportunity, but are not obligated to sign-up for SMC Community Service Crew prior to their SCC pretrial hearing.

There will be no SCC-program based in-person reporting requirement for individuals between their initial SCC assessment and first pretrial hearing.¹² Pretrial services counselors will attempt to contact individuals at least once between their assessment and first SCC hearing to offer support and remind them of their hearing.

After the SCC pretrial hearing, pretrial services counselors will schedule individual appointments with SCC participants to review and support them in meeting their program requirements.

¹² Individual Judges retain discretion to assign individuals to Day Reporting, but this is not a program requirement and not meant to be a routine occurrence.

Pretrial services counselors will track participants' progress in meeting requirements in Seatrac. Pretrial services counselors will complete individual status reports for each SCC participant and upload them to ECF.

COMMUNITY SERVICE PROTOCOLS

One central principle of Seattle Community Court is accountability to the community and individuals performing meaningful community-based work as part of their SCC participation. To facilitate this process, Seattle Municipal Court will offer their SMC Community Service Crew as the primary way for individuals to fulfil their service obligation.

Community service crew is operated by a crew leader who is an employee of the Seattle Municipal Court. The crew departs from the court and goes out to community service sites and under the supervision of the community service crew leader, completes community service hours. The community service crew allows participants to repay the community through projects that beautify and enhance the Seattle area. Service sites include local food banks, litter pick up, community gardens and P-Patch maintenance, and graffiti abatement projects. The community service crew operates Monday-Friday and the second Saturday of every month. SCC participants will schedule community service with the help of their pretrial services counselor, and then report to the Community Resource Center on the 2nd floor of SMC at 8:30 am on the day of their service. Community service crew is accommodating of physical limitations.¹³

Individuals who have signed an SCC agreement will have the choice of signing up for SMC Community Service Crew either before or directly following their first SCC hearing. Pretrial services counselors will communicate directly with the Community Service Crew Chief to track individuals' progress in completing community service requirements.

Every attempt is being made by Seattle Community Court to operate community service crew safely and in compliance with public health guidance during the global Covid-19 pandemic. However, individuals may request, and the SCC Judge may grant a waiver of the community service requirement on a case by case basis, if reasonable safe access to community service opportunities cannot be achieved.

ADDITIONAL PRETRIAL RELEASE STRATEGIES

Pursuant to General Administrative Order 2020-12, the judges at Seattle Municipal Court have agreed that all warrants issued on Community Court eligible charges shall be personal recognizance eligible warrants (PR-OK warrants). This applies to future issuance of warrants as well as retroactively to previously issued warrants based on Community Court eligible charges

¹³ If individuals express that physical limitations will significantly limit their ability to complete service, another option is to schedule individuals to attend two life skills classes at the CRC.

as long as the warrant amount is \$5,000 or below. Current Personal Recognizance Screening Guidelines at the King County jail remain unchanged. A PR-OK warrant does not automatically result in a PR release from custody if a defendant is booked on such warrant.

The SCC Steering Committee is interested in looking to additional pretrial release strategies that could be piloted in SCC. Potential current ideas include working with the Seattle Police Department to quash personal recognizance (PR) eligible warrants and provide new court dates in the field or looking at unsecured bonds.

SCC REPORTING AND EVALUATION FRAMEWORK

The SCC Steering Committee is committed to continually reporting on the effectiveness and data-related outcomes for Seattle Community Court. The court's Research, Planning, and Evaluation Group (RPEG) will be responsible for compiling and reporting at monthly steering committee meetings on SCC workload outputs and outcomes.

The goals of Seattle Community Court are to:

1. **Pretrial Release:** Reduce pretrial incarceration and incarceration for non-compliance
2. **Connection:** Connect participants to meaningful social services
3. **Community Service:** Provide valuable service to local communities
4. **Case Resolution / Immediacy:** Efficiently resolve low-level, non-violent cases
5. **Reduced Justice System Involvement:** Reduce time and money spent in criminal justice system

An initial data inventory shows the initial workload outputs and measures needed to be able to gauge whether the program is meeting its desired goals.

SCC DATA INVENTORY

GOAL	OUTPUT	MEASURE	OUTCOME
Pretrial Release: Reduce pretrial incarceration and incarceration for non-compliance	# offers made, accepted, not accepted	Number of offers and SCC agreements signed	Reduce use of pretrial incarceration, better pretrial outcomes for individuals
	# In-Custody participants released to SCC	# individuals released to SCC Pretrial Services	
	# warrants issued in SCC	Hearing appearance rate and jail bookings	
Connection: Connect participants to meaningful social services	# connections to social services	Level 1 Conditions/Activities: Information/Program Referrals	Increased connections, improved housing, health, life outcomes

	# appointments participants successfully attended	Level 2 Conditions/Activities: participants who attended a service connection appointment	
	# of participants engaged in ongoing services	Level 3 Conditions/Activities: Participant engaged in services	
	% Improved Self-Reported Wellbeing	Pre-Post Participant Welfare Scale	
Community Service: Provide valuable service to local communities	# of hours and types of services provided	# of completed conditions, Survey of CS sites	Valuable service provided for local communities
Case Resolution / Immediacy: More quickly resolve low-level, non-violent cases	Time to case resolution	Time from filing to charge dismissal	More efficient case processing, increased immediacy
	# of hearings	Average hearings per SCC case	
	# charge dismissals	Individual completion rate	
Reduced Justice System Involvement: Reduce time and money spent in Criminal Justice System	# rearrests	Arrest Data	Decreased future criminal justice system involvement and associated costs
	# bookings	Booking Data	
	# jail days served (compared with mainstream offers)	Jail Data	
	# new case filed	Court case filing data	

SCC PROGRAM FORM INVENTORY

Seattle Municipal Court is currently replacing its 30-year-old legacy case management system and has no capacity to make major technological changes to facilitate SCC implementation. To the greatest extent possible, the court will rely on existing forms and MCIS / Seatrac codes to document SCC cases. The following is a list of SCC-specific forms that will be used in program implementation.

1. SCAO – Community Court Offer / Recommendation
2. SMC – Community Court Agreement (participant / immunity agreement)

3. SMC - Community Court Order
4. SMC – SCC Client Intake and Assessment Form
5. SMC – Community Service Work Crew Intake Form
6. SMC – Review Calendar Compliance Report
7. SMC – SCC Graduation Certificate

The following attachment provides a copy of each form referenced above.