

MEMO

To: Snohomish County Executive and County Council
From: Therapeutic Courts Working Group
Date: August 24, 2021
RE: 2021 Budget Note Regarding Therapeutic Court Evaluations

Background and Overview

Included in the 2021 Snohomish County Budget is Budget Note 6 which reads as follows:

The County Council requests the Superior Court, District Court, Prosecuting Attorney, and Office of Public Defense work together in reviewing therapeutic courts currently offered and identify what other therapeutic courts authorized under RCW 2.30.010(4) would be most beneficial to Snohomish County residents. The County Council requests the group submit their findings through the ECAF process by September 1, 2021 and that their findings include:

- (a) A list of therapeutic courts currently offered, and the number of cases handled by each annually;
- (b) Therapeutic courts not offered by the County, an estimated number of cases that could be addressed by each in a year, and a recommendation on which should be prioritized if funding is available;
- (c) A specific review of veterans court, an estimated number of cases that could be addressed by the court in a year, and an operation and cost analysis of implementing a veterans court; and
- (d) Potential funding sources to support expanding therapeutic courts in Snohomish County.

In order to fulfill this Budget Note, a working group convened which grew to include the following participants:

- Snohomish County Councilmember Megan Dunn
- Paula Rhyne, Legislative Aide to Councilmember Dunn
- Heidi Beazizo, Legislative Analyst
- Judge Millie Judge, Superior Court Judge
- Judge Marybeth Dingley, Superior Court Judge
- Judge Anthony Howard, District Court Judge
- Jason Schwarz, Public Defender's Office
- Adam Cornell, Snohomish County Prosecutor
- Matt Baldock, Chief Criminal Deputy Prosecutor
- Shelly Yale, Prosecution Crossroads Unit Supervisor
- Rachel Cormier Anderson, Deputy Prosecuting Attorney

- Jamie Reed, Therapeutic Court Program Administrator
- Alessandra Durham, Office of Social Justice
- Jennifer Crossen, Probation and Community Programs Manager
- Alex Murillo, Probation Officer
- Cammy Hart-Anderson, Division Manager for Behavioral Health and Veteran Services

The working group recognizes the positive impacts of therapeutic courts on the community by providing behavioral health services and court oversight to individuals involved with the legal or child welfare systems. Currently Snohomish County provides the following therapeutic courts:

Adult Drug Treatment Court, Superior Court- established in 1999

- Cases handled annually:
 - 2017- 167 participants
 - 2018- 194 participants
 - 2019- 207 participants
 - 2020- 153 participants

Family Drug Treatment Courts, Superior Court- established in 2008

- Cases handled annually:
 - 2017- 62 participants (99 children)
 - 2018- 69 participants (97 children)
 - 2019- 66 participants (99 children)
 - 2020- 45 participants (67 children)

Mental Health Court, District Court- established in 2013

- Cases handled annually:
 - 2017- 33 participants
 - 2018- 33 participants
 - 2019- 33 participants
 - 2020- 10 participants

Superior and District Court have explored additional therapeutic programs in the past several years.

- Veterans Court- Superior and District Court
 - Data listed below
- Felony Behavioral Health- Superior Court
 - Research and proposal paused due to COVID-19
- Community Court- District Court- The numbers below indicate people arrested and brought into Snohomish County Jail due to quality of life violations as defined in the Community Needs Assessment of 2019.
 - 2016- 839
 - 2017- 916
 - 2018- 872
- DUI Court – District Court (Number of convictions for DUI (RCW 46.61.502))
 - 2017- 754
 - 2018- 759
 - 2019- 733
 - 2020- 355

The working group recognizes the benefits of a specialized therapeutic court focusing on the veteran population involved with the criminal justice system. Building on exploratory work completed in 2015-

2016, the group met to talk more about the possible implementation of a Veterans Treatment Court within the Therapeutic Courts currently offered at the County. Superior Court shared interest and ideas on the program and census needs for a Veterans Treatment Court as a stand-alone program or a track within the Adult Drug Treatment Court. District Court noted the need for a stand-alone program as well and shared interest in moving forward with integrating a Veterans Treatment Court pilot track their therapeutic court.

The working group recognizes the census for all Snohomish County therapeutic courts and programs have been impacted by COVID-19 and current legislation. As recovery from COVID-19 begins and criminal cases move forward in the court system, the therapeutic courts will be an essential “off-ramp” to expedite behavioral health services and case resolution.

Data and Discussion

Availability of veteran data in the criminal justice system is limited due to no current means for collecting veteran status for criminal filings. The Snohomish County Jail and Department of Corrections collects military status at time of admissions. The working group reviewed data from Snohomish County Jail and Department of Corrections admissions from 2017 -2020 with the following understanding: the data is not a comprehensive summary of veterans with criminal filings in Snohomish County; it does not identify substance use or mental health needs of the individuals; filed charges may not meet the eligibility criteria for a therapeutic courts; and the COVID-19 impacts on the 2020 data. The data indicated:

- Between 2017-2020 the average number of veterans admitted to the Snohomish County Jail was 536 a year. Admissions reason: warrant, parole/probation violation, arrest new offense, out of county hold
- Between 2017-2019 the average number of veterans admitted to the county jail with a new filed criminal charge was 314 a year (misdemeanor, gross misdemeanor, and felony).
 - Misdemeanors average 47 a year
 - Gross misdemeanor average 164 a year
 - Felony average 103 a year
- Between 2017-2019 the average number of veterans admitted to a Department of Correction facility with at least one Snohomish County case was 32 a year.

Findings

The working group convened for conversations regarding the need for a Veterans Treatment Court in Snohomish County. The limited veteran data available indicates a fair number of veterans are involved with the criminal justice system and there is a high probability to fulfill the census for a Veterans Treatment Court track or stand-alone program. The pathway for the Veterans Treatment Court was not determined and needs further conversations on case/court jurisdiction. Due to the current low census for therapeutic courts, the workgroup shifted to taking a holistic look at program models. The concept of an integrated therapeutic court system requires extensive research and consultation with national experts in therapeutic courts model and best practices. The Superior and District Court judicial bench and court administration will need further conversations to provide direction on implementation or changes in the structure of therapeutic courts.

Policy Suggestions and Funding Options

Proposals, recommendations, and requests for 2022 funds or action steps will be submitted by individual departments. All options remain open for an integrated approach pending continued discussions.

Funding options include:

- Administrative Office of Courts (AOC) - Senate Bill 5476 Sec. 23, a two-year allocation of \$2,250,000 per year to fund grants for therapeutic courts operated by municipalities and district courts. It is anticipated AOC will award an average of \$200,000 to each court seeking to start or expand therapeutic courts. The application process begins September 2021.
- Bureau of Justice Assistance (BJA)- A four-year allocation of \$500,000 grant to implement a Veterans Treatment Court or enhancement of an Adult Drug Court program, which may include adding a Veterans Treatment Court track. The application process begins January 2022.