



**MONROE CITY COUNCIL**  
**Finance & Human Resources**  
**Committee Meeting**  
Tuesday, October 20, 2020, 5:30 p.m.  
Zoom Online Meeting Platform

**Committee**  
Councilmembers  
Patsy Cudaback  
Jason Gamble  
Kirk Scarboro

## **AGENDA**

### **I. Call to Order**

The City Council Finance & Human Resources Committee meeting will be held virtually via Zoom Meeting. Due to the COVID-19 pandemic, and Proclamation 20-28.11 issued by Governor Jay Inslee, in-person attendance is not permitted at this time.

- Join Zoom meeting:  
<https://us02web.zoom.us/j/89817485087?pwd=YURsMUVjOGRMVHN1ZlFWMEdzSXVIQT09>
- Dial in: (253) 215-8782
- Meeting ID: 898 1748 5087
- Password: 731430

### **II. Roll Call**

### **III. Approval of Minutes**

- A. [Meeting minutes of September 15, 2020](#)

### **IV. New Business**

- A. [2020-2023 Court Services Cost Projection \(D. Knight, R. Huebner, and T. Christian\)](#)

### **V. Other Business**

### **VI. Next Committee Meeting (November 17, 2020, 5:30 p.m.)**

- A. Old Business Close Out
- B. Boys & Girls Club Funding Options (tentative)

### **VII. Adjournment**



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## **MINUTES**

### **I. Call to Order**

A regular meeting of the Monroe City Council Finance & Human Resource Committee was held on September 15, 2020, via Zoom. Due to the COVID-19 pandemic, and Proclamation 20-28 issued by Governor Jay Inslee, in-person attendance is not permitted at this time. The Meeting was called to order by Councilmember Gamble at 5:36 p.m.

Committee Present: Councilmembers Scarboro, Gamble, and Cudaback  
Mayor Present: Yes  
Staff Present: Pfister, Hasart, Knight, Haley, and Christian

### **II. Roll Call**

### **III. Approval of Minutes**

- A. Meeting minutes of February 18, 2020
- B. Meeting minutes of August 18, 2020

Councilmember Scarboro moved to approve the minutes of February 18, 2020. The motion was seconded by Councilmember Cudaback. On vote, motion carried 3-0.

Councilmember Scarboro moved to approve the minutes of August 18, 2020. The motion was seconded by Councilmember Cudaback. On vote, motion carried 3-0.

### **IV. New Business**

- A. Review Final Court Assessment Report (D. Knight)

Deborah Knight, City Administrator, provided background information on the court assessment report; reviewed prior discussion; and shared the PowerPoint presentation included in the packet materials.

Discussion ensued related to the following topics:

- Cost of new positions
- Staffing and customer service comparisons with Evergreen District Court
- Probation duties
- Contracting costs
- Jail costs
- Funding
- Technology costs
- Revenues



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At the Committee's request, staff will prepare 2020-2023 court services projections and assumptions to be discussed at the October Committee meeting.

**V. Other Business**

Becky Hasart, Finance Director/City Clerk, provided an update on the City's local banking activities with Opus Bank; short term cash; and the possibility of transitioning to long-term investments. Ms. Hasart will provide another update at the October Committee meeting.

Ms. Hasart reported that the City will not be participating in the social security payroll tax deferment program allowed by the August 8, 2020 Presidential Executive Order.

**VI. Next Committee Meeting** (October 20, 2020, 5:30 p.m.)

- A. Old Business Close Out
- B. Court Services Cost Projections
- C. Opus Bank Update

**VII. Adjournment**

There being no further business, Councilmember Cudaback moved to adjourn the meeting; the motion was seconded by Councilmember Gamble. On vote, motion carried 3-0.

The meeting adjourned at 6:58 p.m.



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<b>SUBJECT:</b>	<b>Review 2020-2023 Court Services Cost Projection</b>
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<b>DATE:</b>	<b>DEPT:</b>	<b>CONTACT:</b>	<b>PRESENTER:</b>	<b>ITEM:</b>
10/20/2020	Executive	Deborah Knight	Rich Huebner Tyler Christian Deborah Knight	New Business #1

**Discussion:** 09/15/2020; 08/18/2020; 07/21/2020; 01/21/2020; 12/03/2019;  
 09/15/2020 (Finance/Human Resources); 10/01/2019 (Public Safety)

- Attachments:**
1. Court Projection Summary PowerPoint
  2. Court Assessment Report Findings
  3. Police Department Memo – Court Assessment 10.16.20

**REQUESTED ACTION:** Review the 2020-2023 Court Services Projection. Discuss the projected expenses for maintaining operation of the Municipal Court and for contracting with Snohomish County District Court. Provide direction to Mayor Thomas and city staff on preferred alternatives.

**POLICY CONSIDERATION**

*The Court Assessment was first presented to the City Council on July 21, 2020. The city council directed Mayor Thomas and staff to bring the issue back to the city council for further discussion. At its September 15, 2020 Regular Business Meeting, the City Council again discussed the Court Assessment, and directed Mayor Thomas and staff to prepare a cost projection of retaining a Municipal Court compared to contracting with Snohomish County District Court.*

*The policy question for the city council is whether the city should continue to retain local control over court operations, and make investments as recommended in the Court Assessment presented on July 21, 2020.*

*This is an opportunity for the city council to review the 2020-2023 Court Services Projection and ask questions about the findings and assumptions. The city council may want to use the projection to inform priority investments in the 2021 budget and to update the six-year strategic plan for 2021-2026.*

**DESCRIPTION/BACKGROUND**

Procedural History

The initial court assessment report, detailed below, was presented to the City Council at its July 21 Study Session meeting; at that meeting, Council identified the need to discuss and identify its criminal justice priorities. On September 15, 2020, the Council's Finance & Human Resources Committee, and the full Council in a Study Session and Business Meeting, reviewed the Final Court Assessment Report; at that meeting, Council requested a cost comparison, incorporating revenues and expenses, between retaining the Municipal Court and contracting with District Court. The requested Court Services Cost Projection is presented in this Agenda Bill.

Background

The City of Monroe formed a municipal court in 2014 under Chapter 3.50 RCW. The original intent of forming the Monroe Municipal Court was to handle a high volume of "red-light" tickets; process arraignments in a timely manner; control costs; and guide the city's judicial philosophy.



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The Monroe Municipal Court is a court of limited jurisdiction. The Municipal Court judge is authorized by Washington State statute to preside over misdemeanors, gross misdemeanors, traffic infractions and other City of Monroe Code violations. The Court is in session on Tuesday, Wednesdays, and Fridays. The judge is appointed by the mayor and confirmed by the city council.

The court has been in operation for five years under Judge Mara Rozzano. Pam Haley has served as the Court Administrator along with a full time court clerk and two part-time security officers. Judge Rozzano resigned in December 2019. The city council confirmed Jessica Ness to fill Judge Rozzano's unexpired term which runs through the end of 2021.

The change in court leadership and interest from Lake Stevens and Sultan in contracting with the City of Monroe for court services provided an opportunity to evaluate program strategies to improve existing court outcomes and alternative service provision models available to the parties for adult infraction and misdemeanor court and probation services.

In October of 2019, the City of Monroe issued a Request for Proposal (RFP) for a court assessment. The city received three proposals. The city council awarded a contract to The Other Company (Anne Pflug) and Karen Reed Consulting LLC.

The scope of work included:

- Assessing the Monroe Municipal Court including current and projected case-loads, staffing needs; work methods, programs; current facilities, future requirements; and a menu of potential program changes that can improve productivity and/or desired outcomes.
- Assessing the court needs of the cities of Lake Stevens and Sultan including court and customer service requirements; current and projected court cases; implications of court service changes; and implications for capacity of the Monroe court facilities and technologies.
- Financial, direct and indirect service and criminal justice outcomes, and impact comparisons of court service alternatives including expanding the Monroe Municipal Court (MMC) to provide services to Lake Stevens and Sultan; Court and probation service proposal from Evergreen District court (if provided); modifying the MMC to provide diversion court and/or probation services; continuing current levels of services, discussion of recommendations and next steps.

Development of the report included three phases – 1) Information and data collection from the three courts providing services – Monroe, Marysville, and Evergreen District Court; 2) Analysis and development of draft recommendations; and final report and presentations. The consultants conducted interviews and site visits; projected case-loads; and evaluated court facilities.

Nine court options were analyzed and three caseload scenarios. Six facilities options that met specific criteria were examined for Monroe.

After reviewing the report findings, the cities of Lake Stevens and Sultan have determined not to pursue a joint court with the City of Monroe. Since the proposed joint court is no longer an alternative this agenda bill is focused on the report findings and recommendations specific to the Monroe Municipal Court.

#### Projection Findings

In order to respond to the city council's request for a projection of Court Services costs, Management Analysts Rich Huebner and Tyler Christian reviewed the 2017-2019 Court Cost



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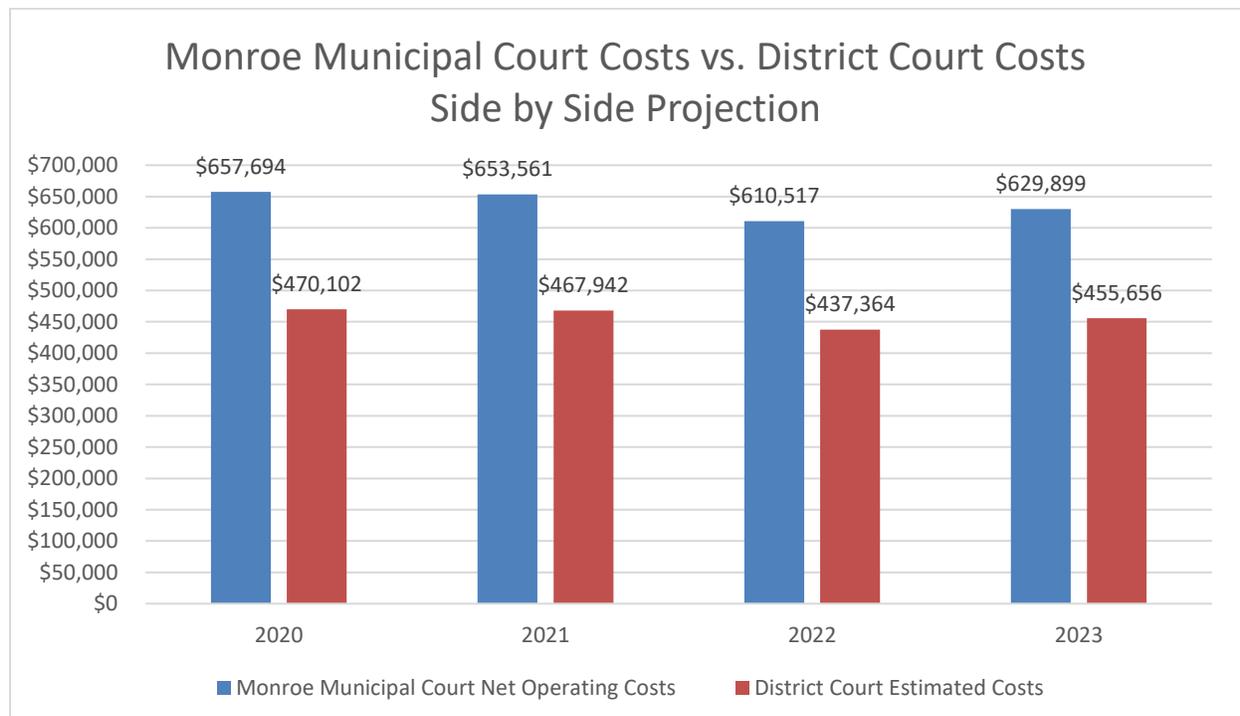
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comparisons. For items that reflected a consistent increase or decrease over these three years, Mr. Huebner and Mr. Christian determined an appropriate percentage to apply, and projected continuing increases or decreases. For items that reflected a scattered curve, with a decrease or increase between one set of years and an opposite action in the other set of years, Mr. Huebner and Mr. Christian utilized the year-over-year growth factor of 1.26% provided by Finance Director Becky Hasart.

During discussion at the September 15 meeting, city council requested the projection include the revenue that the City would retain under a contract with District Court. Ms. Hasart provided the 2020 year-end projection and 2021 projected revenue figures, and suggested using 2018 actual revenue as a base line for 2022; the 1.26% growth factor was then applied to project to 2023. Court Administrator Pam Haley provided Mr. Huebner and Mr. Christian with the breakdown of total local revenue for the years 2017 through 2019, and identified the revenues that District Court would retain to itself under contract. Utilizing this data, Mr. Huebner and Mr. Christian calculated that the City would retain approximately 75% of local revenue under a contract with District Court.

For the purpose of this projection, Mr. Huebner and Mr. Christian assumed that in the year 2021, the City would implement the probation program recommended in the report. 2021 projected salary and benefits for the probation officer position were provided by Ms. Hasart, and projected forward by Mr. Huebner and Mr. Christian using the same 2% growth factor applied to current staff salaries and benefits. To assist with projecting probation program revenue, Ms. Haley contacted the Marysville and Lynnwood municipal courts to determine their current probation case load and revenue collection; a per-year total of 125 cases was determined to be an appropriate projection, with a current-year average of \$300 per case. Beginning in 2021, the projection for this new program applies the 1.26% growth factor to the annual revenue, while maintaining the yearly total of 125 cases.

The result of this analysis determined that the City will expend between approximately \$174,000 and \$188,000 annually to continue to operate its municipal court.





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<b>Monroe Municipal Court Operating Costs</b>				
Expense	2020	2021	2022	2023
Municipal Court Salaries	(\$202,000)	(\$210,447)	(\$214,656)	(\$218,949)
Municipal Court Benefits	(\$86,757)	(\$90,191)	(\$94,701)	(\$99,436)
Municipal Judge Salary	(\$72,950)	(\$82,404)	(\$86,854)	(\$91,544)
Pro Tem Judge Salary	(\$3,000)	(\$4,000)	(\$4,000)	(\$4,000)
Other Operational Costs	(\$46,362)	(\$77,552)	(\$80,000)	(\$80,000)
Probation Officer Salary		(\$44,500)	(\$90,780)	(\$92,596)
Probation Officer Benefits		(\$22,450)	(\$47,145)	(\$49,502)
<b>Total Operational Cost</b>	<b>(\$411,069)</b>	<b>(\$464,594)</b>	<b>(\$480,210)</b>	<b>(\$493,929)</b>
Projected Jail Expense	(\$381,300)	(\$394,150)	(\$406,721)	(\$419,570)
Probation Program Revenue		\$38,475	\$39,475	\$40,502
<b>Local Revenue</b>	<b>\$134,675</b>	<b>\$166,708</b>	<b>\$236,938</b>	<b>\$243,098</b>
<b>Adjusted Operational Cost</b>	<b>(\$657,694)</b>	<b>(\$653,561)</b>	<b>(\$610,517)</b>	<b>(\$629,899)</b>

<b>District Court Contracted Costs</b>				
Expense	2020	2021	2022	2023
Total Incurred Infractions Fees	(\$104,498)	(\$107,528)	(\$110,647)	(\$113,855)
Total Incurred Criminal Fees	(\$85,310)	(\$91,295)	(\$97,700)	(\$104,555)
Total Incurred Filing Fees	(\$189,807)	(\$198,823)	(\$208,347)	(\$218,410)
Projected Jail Expense	(\$381,300)	(\$394,150)	(\$406,721)	(\$419,570)
Local Revenue	\$101,006	\$125,031	\$177,704	\$182,324
<b>Total Projected Cost</b>	<b>(\$470,102)</b>	<b>(\$467,942)</b>	<b>(\$437,364)</b>	<b>(\$455,656)</b>

**TIME CONSTRAINTS**

The purpose of presenting the 2020-2023 Court Services Cost Projection is to provide the city council with information on court operations and facility needs for consideration in future budget deliberations.

**ALTERNATIVES**

1. Discuss the projection findings and assumptions
2. Request additional information
3. Direct the Mayor and city staff to address areas of concern before accepting the 2020-2023 Court Services Projection

# 2020 – 2023 COURT SERVICES COST PROJECTION

OCTOBER 20<sup>TH</sup> 2020

MONROE CITY COUNCIL

# HISTORICAL DATA

- All data was collected from city, and municipal and district court sources
- Projections were based upon full year data from 2017 – 2019, and the 2021 Mayor's Recommended Budget
- For expenses that reflected a consistent increase or decrease a percentage was calculated and applied
- For items that reflect a scattered curve, the annual growth factor of 1.26% was applied
- Revenue projections were based upon a calculated linear decrease reflected in the 2017 – 2019 Remittance Summary Reports

# ANALYSIS BREAKDOWN DATA

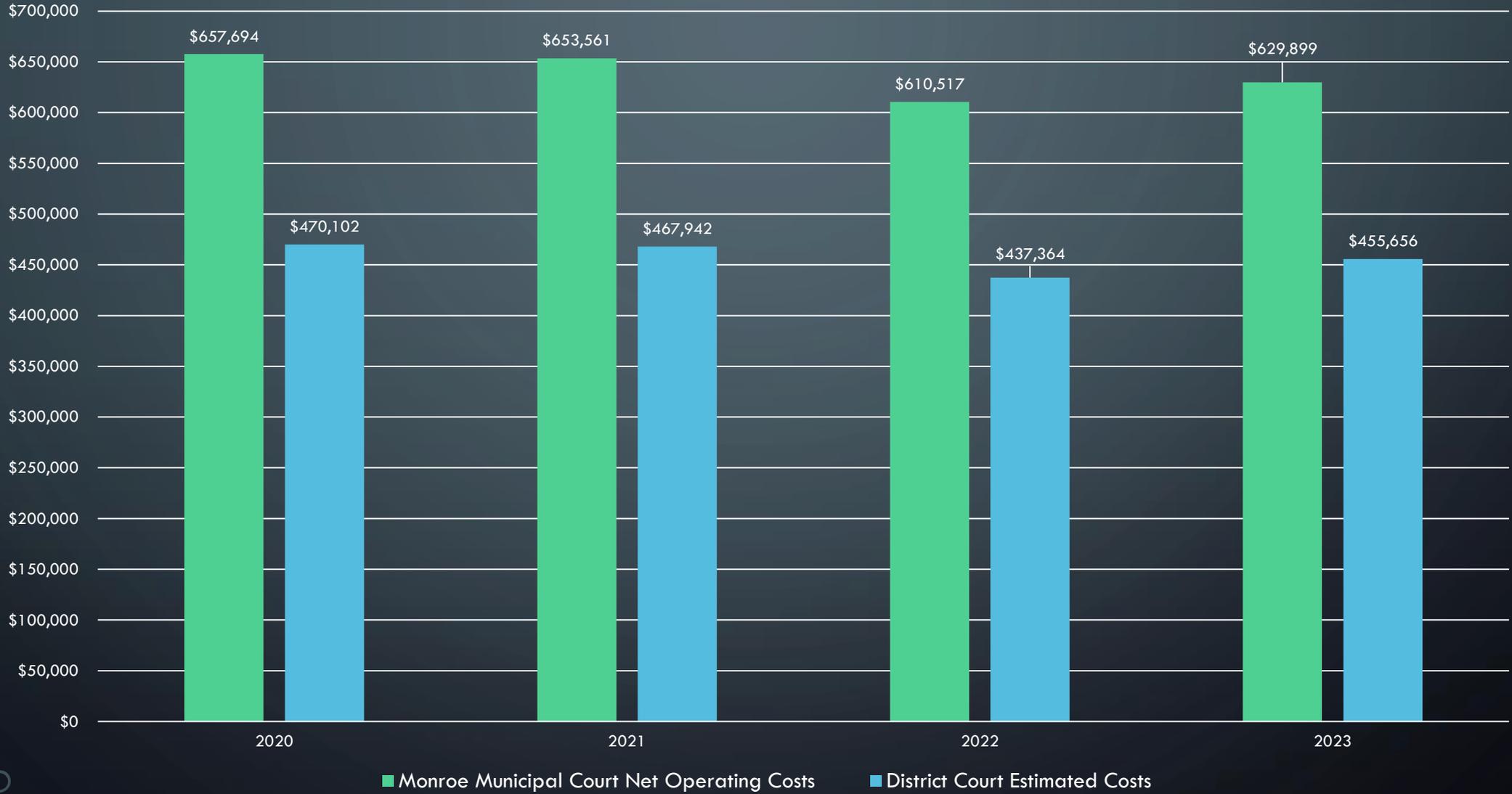
## MONROE MUNICIPAL COURT

- Municipal Court Salaries
- Municipal Court Benefits
- Municipal Judge Salary
- Pro Tem Judge Salary
- Other Operational Costs
- Total Operational Cost
- Projected Jail Expense
- Probation Program Revenue
- Local Revenue
- Adjusted Operational Cost

## DISTRICT COURT

- Total Incurred Infractions Fees
- Total Incurred Criminal Fees
- Total Incurred Filing Fees
- Projected Jail Expense
- Local Revenue
- Total Projected Cost

# Monroe Municipal Court Costs vs. District Court Costs Side by Side Projection





<b>SUBJECT:</b>	<b>2020-2023 Court Services Cost Projection</b>
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**DESCRIPTION/BACKGROUND**

Assessment Report Findings

- Criminal Activity. Monroe’s top crimes include – property crimes, theft, drugs and graffiti/tagging, compared to Lake Stevens and Sultan which list traffic as the number one and number two crimes. 68% of crimes in Monroe are committed by people who live outside the city. 46% of infraction holders do not respond to tickets. Monroe’s failure to respond rate for parking tickets is 26%.
- Court Case Levels. Monroe has a relatively stable number of misdemeanor filings and a variable level of infractions over the past 20 years. The number of misdemeanor filings per 1,000 residents have declined consistent with statewide trends.
- Staffing. The Monroe court is understaffed. With only two full-time employees, there is a lack of redundancy if one person is on vacation or sick. Monroe’s staff workload (case volume) is twice or more, than comparable municipal courts in Western Washington. The court administrator (Pam Haley) spends 40% of her time on probation-related work.
- Customer Service. Court staff are excellent and highly responsive, accessible, and flexible. Judge Ness (and previously, Judge Rozzano) are always available for warrants. This is a higher level of service than provided by the District Courts and important for effective police work.
- Costs. Of the three cities (Monroe, Lakes Stevens and Sultan), Monroe has the lowest jail cost per misdemeanor and the highest public defense cost per case. The cost to process a misdemeanor for each court (Monroe, Marysville, and Evergreen District Court) are relatively similar – Monroe (\$1,385); Marysville (\$1,308); and Evergreen (\$1,198).
- District Court. The Evergreen District Court has the lowest cost per case. Snohomish County appears to be subsidizing the court with criminal justice sales taxes and state revenues. County court staff are paid less than Monroe court staff.
- Facilities. Current Monroe court facilities (shared council chambers and office space) are not adequate to meet court program, staffing and records needs. There are multiple demands for the use of the council chambers where court operations are conducted. Court security is limited. Security scan and video equipment must be set up and taken down each time. Court customers share lobby space with other city hall customers. The court office space is at capacity for staff and records.
- Technology. The court website offers limited information and self-help services. There are no automated on-line or phone services for customer payments. The court does use video appearance with jail.
- Probations Officer. Monroe has enough misdemeanor offenders (134 in early 2019) to warrant a formal probation program with professional staff – currently probation services are handled by the court administrator, Pam Haley, and Judge Ness. This is a top priority for the city’s prosecutors. Police report that probation staffing would help address homeless population challenges. Probation officers frequently coordinate with social workers. When used correctly, probation is a tool to increase accountability and motivate offenders to change behavior.
- Public Defense Costs. When comparing per case costs, Monroe spends more money on public defense costs compared to Lake Stevens and Sultan; but less money on jail and prosecutor costs.



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*Attachment No. 2*

- Mental Health or Community Court. Monroe does not have enough eligible cases to justify a separate mental health or community court.
- Joint Court. Although a joint court serving Monroe, Lake Stevens and Sultan is financially feasible, it's clear the Monroe Municipal Court does not currently have adequate staff or facilities to serve Monroe court clients. The parties would need to agree to make significant investments to serve Lake Stevens and Sultan court clients.
- Court Sustainability. Monroe should determine the feasibility of funding sustainable court staffing, probation, and improving online/automated phone services.

Assessment Report Recommendations

- Court Services. Preserve the city's control of court services to ensure consistent application of the city's judicial philosophy, enforcement of quality of life issues, and customer service. Maintain and fully-fund the Monroe Municipal Court. Continue to implement programs to lower costs, increase efficiency, and improve customer service.
- Staffing. Improve Monroe's service levels to be comparable to service levels provided by Marysville and Evergreen District Court:
  - Add .25 FTE court specialist
  - Add a full-time probation officer
  - Continue funding embedded social workers in public defender office and police department
- Leverage Technology. Maximize the use of technology and digital methods for ticket processing and collection including self-help on line and phone access/processing to reduce staff and judicial time. Increase user friendliness of infraction information and web/phone processing to increase response rates, reduce in-person appearances and increase collections. Add online and automated phone payments on the court webpage to provide 24/7 self-service options for customers.  
Note:
  - Currently in selection process for online payment vendor
  - Working with IT Department to upgrade phone system
- Facilities. Secure or construct an adequate court facility.
- Mental Health or Community Court. Start an alternative court program within the existing court; or negotiate access to Mental Health Court through Snohomish County District Court or Marysville. A motivating atmosphere, low barrier access to services/treatment, and continued to community support after completion are essential for success.  
Note: The court continues to gather statistics. Early numbers were inconclusive.
- Diversion Center. Leverage Carnegie and Diversion Center resources through Pioneer Human Services and other mental health providers.  
Note: Currently using this service through the city's embedded social worker program.
- Case Work. Periodically convene social workers, probation staff, prosecutor, and service providers to develop problem-solving plans for repeat offenders.  
Note: Discussing this program with the city's prosecuting attorney, defense attorney and defense social worker.
- Medically Assisted Treatment Program. Offer medically assisted treatment program through probations officer, social worker, or third party provider to help offenders understand and change behaviors.  
Note: Will evaluate this option and Moral Reconciliation Therapy with the probations officer.
- Funding. Apply to Snohomish County Mental Health Chemical Dependency Sales Tax Advisory Board to secure funding from the regional tax supporting County Mental Health



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Court. Explore the feasibility of applying for chemical dependency/mental health sales tax monies and/or state funding programs to support programs for repeat offenders.

**FISCAL IMPACTS**

Table 1 below shows the comparison court costs for the three cities – Monroe, Lake Stevens and Sultan. As shown in Table 1, Monroe is subsidizing approximately \$150,000 of court expenditures with General Fund revenues. Monroe has the highest per court case (\$1384). These costs are projected to increase over the next six years.

While court costs have increased, there has been an off-set reduction in the city's jail costs. Over the last five years, the city's criminal justice costs (court + jail) have declined from 9% of the city's General Fund to 6% of the budget since 2016 even while jail costs are rising.

Table 2 below shows costs estimates to operate the Monroe Municipal Court. The Assessment Report shows the current court facilities are not sustainable. Table 3 provides several facility cost estimates.

The policy question for the city council is whether to maintain current court services and control over the city's court services. If the council wants to continue to operate a municipal court, future General Fund budgets will need to include staffing and facility improvements which have long-term fiscal impacts. Mayor Thomas and city staff are seeking input from the city council on future investments in the city's municipal court.

Table 1\_Court Operations Comparison

<b>Monroe</b>		<b>Lake Stevens</b>		<b>Sultan</b>	
<b>Monroe Municipal Court</b>		<b>Marysville Municipal Court Contract</b>		<b>Evergreen District Court Contract</b>	
	<u>2019/20</u>		<u>2019/20</u>		<u>2019/20</u>
Court/Probation Revenue		Court/Probation Revenue		Court/Probation Revenue	
Fines and Fee Revenue	\$240,290	Fines and Fee Revenue	\$242,925	Fines and Fee Revenue	\$25,363
Probation Fee Revenue	\$17,076	Probation Fee Revenue Collected	\$6,720	Probation Fee Revenue Collected	\$2,304
<b>Total Revenue</b>	<b>\$257,366</b>	Probation Fee Revenue Retained by Marysville	<u>-\$6,720</u>	Probation Fee Revenue Retained by Evergreen	<u>-\$2,304</u>
		<b>Total Revenue</b>	<b>\$242,925</b>	<b>Total Revenue</b>	<b>\$25,363</b>
<b>Court Costs:</b>		<b>Court Costs:</b>		<b>Court Costs:</b>	
Personnel - Judicial Officers	\$75,246	Marysville Court Contract	\$197,844	Evergreen District Court Contract	\$27,037
Personnel - Court Operations	\$279,287	Direct Non-contract Costs	<u>\$23,152</u>	Direct Non-contract Costs	<u>\$0</u>
Personnel - Probation	\$0	<b>Total Costs</b>	<b>\$220,996</b>	<b>Total Costs</b>	<b>\$27,037</b>
Program Operating Costs	\$18,118				
IT and Facilities Operating - Court	<u>\$33,621</u>	<b>Net Revenue (Expense)</b>	<b><u>\$21,929</u></b>	<b>Net Revenue (Expense)</b>	<b><u>(\$1,674)</u></b>
<b>Total Costs</b>	<b>\$406,272</b>				
<b>Court Net Revenue (Expense)</b>	<b><u>(\$148,906)</u></b>				
<b>Per Case Cost</b>	<b>\$138</b>	<b>Per Case Cost</b>	<b>\$81</b>	<b>Per Case Cost</b>	<b>\$64</b>
<b>Court and Associated Programs</b>		<b>Court and Associated Programs</b>		<b>Court and Associated Programs</b>	
Court/Probation Net Expense	\$148,906	Court/Probation Net (Revenue)	(\$21,929)	Court/Probation Net Expense	\$1,674
Prosecutor	\$180,000	Prosecutor	\$142,669	Prosecutor	\$68,804
Public Defense	\$213,400	Public Defense	\$127,627	Public Defense	\$25,440
Jail	\$372,936	Jail	\$427,687	Jail	\$92,227
<b>Total Net Cost</b>	<b><u>\$915,242</u></b>	<b>Total Net Cost</b>	<b><u>\$676,054</u></b>	<b>Total Net Cost</b>	<b><u>\$188,145</u></b>
<b>Per Misdemeanor Cost</b>	<b>\$1,384.63</b>	<b>Per Misdemeanor Cost</b>	<b>\$1,307.65</b>	<b>Per Misdemeanor Cost</b>	<b>\$1,198.38</b>



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*Attachment No. 2*

Table 2 Monroe Municipal Court Operating Budget Projections

Monroe Stand Alone Municipal Court				
Forecast Assuming Building Block Staffing Scenario				
	Base Year	Low 2026	Moderate 2026	High 2026
<b>Court/Probation Revenue</b>				
Fines and Fee Revenue	\$240,290	\$240,752	\$240,752	\$274,126
Probation Fee Revenue	\$17,076	\$17,076	\$17,076	\$17,185
<b>Total Revenue</b>	<b>\$257,366</b>	<b>\$257,828</b>	<b>\$257,828</b>	<b>\$291,311</b>
<b>Court Costs</b>				
Personnel - Judicial Officers	\$75,246	\$75,246	\$75,246	\$75,246
Personnel - Court Operations	\$279,287	\$279,287	\$297,715	\$301,312
Personnel - Probation	\$0	\$0	\$75,600	\$75,600
Program Operating Costs	\$18,118	\$18,118	\$18,118	\$21,743
IT and Facilities Operating - Court	\$33,621	\$33,621	\$44,621	\$44,621
<b>Total Costs</b>	<b>\$406,272</b>	<b>\$406,272</b>	<b>\$511,300</b>	<b>\$518,522</b>
<b>Court Net Revenue (Expense)</b>	<b>(\$148,906)</b>	<b>(\$148,444)</b>	<b>(\$253,472)</b>	<b>(\$227,211)</b>
Average Per Case Cost	\$138	\$154	\$136	\$136
<b>Court and Associated Programs</b>				
	Base	Low 2026	Moderate 2026	High 2026
Court/Probation Net Expense	\$148,906	\$148,444	\$253,472	\$227,211
Prosecutor	\$180,000	\$180,121	\$179,183	\$208,048
Public Defense	\$213,400	\$188,866	\$214,562	\$245,397
Jail	\$372,936	\$331,749	\$371,243	\$431,049
<b>Total Net Cost</b>	<b>\$915,242</b>	<b>\$829,180</b>	<b>\$1,018,460</b>	<b>\$1,111,705</b>
Per Misdemeanor Cost	\$1,384.63	\$1,410.17	\$1,524.64	\$1,455.11

- Monroe court costs are currently not offset by court collected revenue (\$148,000 net costs in 2019).
- Monroe court costs will continue to increase as the case load rises due to population increases.
- Of the three cities, Monroe has the lowest jail cost per misdemeanor and the highest public defense cost per case.
- Overall cost savings to Monroe combined court and jail expenses.
- Strategies that reduce workload or manage service demand can lead to reduced cost.
- District Courts are subsidized by criminal justice tax and state shared revenues. Current District Court contract costs less than Municipal Court. Projected net revenue over costs of \$57,000 in 2019.

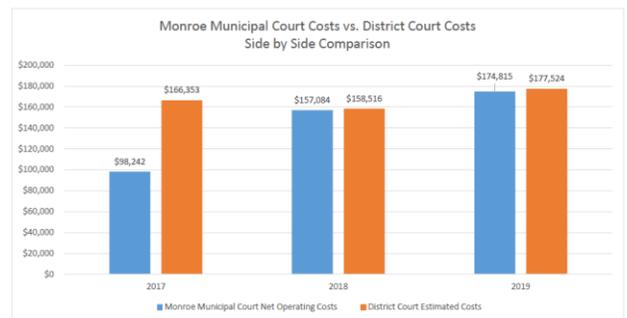
Cost to Contract with the District Court (with filing fees)

The District Courts charge city's a "filing fee" to process city cases in the District Court. When the cost of the filing fees are added, the cost to operate the municipal court compared to the cost of contracting with the District Court would have been slightly lower in 2017(\$98,242 vs. \$166,353) and comparable in 2018 and 2019 as show on Table 3 and Graph 1 below.

Table 3. Cost to Contract with District Court

Monroe Municipal Court Operating Costs 2019				
Expense	2019	2018	2017	
Municipal Court Salaries	(\$197,006)	(\$185,320)	(\$171,141)	
Municipal Court Benefits	(\$82,236)	(\$78,003)	(\$73,549)	
Municipal Judge Salary	(\$63,888)	(\$63,360)	(\$56,500)	
Pro Tem Judge Salary	(\$5,550)	(\$1,250)	(\$2,300)	
Other Operational Costs	(\$50,848)	(\$39,566)	(\$40,004)	
Total Operational Cost	(\$399,528)	(\$367,499)	(\$343,494)	
Local Revenue	\$224,713	\$210,415	\$245,252	
Adjusted Operational Cost	(\$174,815)	(\$157,084)	(\$98,242)	
<b>District Court Contracted Costs 2019</b>				
Expense	2019	2018	2017	
Total Incurred Infractions Fees	(\$97,807)	(\$84,642)	(\$112,355)	
Total Incurred Criminal Fees	(\$79,717)	(\$73,874)	(\$53,998)	
Total Incurred Filing Fees	(\$177,524)	(\$158,516)	(\$166,353)	
	2017	2018	2019	
Monroe Municipal Court Net Operating Costs	\$98,242	\$157,084	\$174,815	
District Court Estimated Costs	\$166,353	\$158,516	\$177,524	

Graph 1. Cost to Contract with District Court





Facility Needs

- Monroe’s existing court facility has one courtroom that is combined with the council chambers. The courtroom has limited additional capacity because it is jointly used.
- Caseload projections show a need for additional staff offices, courtroom hours, records and private meeting space beyond the space that is currently available.
- The status quo facility at Monroe City Hall is not sustainable
- Increasing staff and service capacity is to the point where additional space is required.
- While not ideal, court can continue to be held in the Monroe City Council Chambers until caseloads outgrow the Chambers availability, so long as additional staff and records space is provided.

Table 4. Facility Options

✓ From *least* to *most* expensive, here are the Monroe facilities options (rough estimated total project cost):

Facility Options	Total Estimated Cost
Small or Large Portable on City Campus, non-developed location	\$0.75-\$1M plus site prep.
Large Portable on old public works site on City Campus	\$0.75 - \$1M plus demolition
Remodel/Expand Monroe City Hall/Police (Court portion only)	\$1.61M
Replacement Monroe City Hall/Police Combined Building (Court portion only)	\$2.1M
Purchase or Lease of an existing building in Monroe	Unknown

- Portables have important pros and cons – less expensive than permanent construction; lower quality construction; not a permanent solution.
- Acquisition of an existing building – if available, would provide new, dedicated court rooms, and long-term flexibility.

Build a new court facility on the city hall campus. The city completed a facility assessment in 2019. The assessment included options to build a new court and council facility between the existing police station and city hall. Mayor and staff recommend designing the new court and council chambers in 2021. City staff would develop a funding strategy which would include a legislative proviso from the State capital budget in 2021, grant funding, and councilmatic or voter approved bonds.



October 15, 2020

Re: Monroe Municipal Court Assessment

Administrator Deborah Knight,

Law and Justice is a fundamental requirement of a free society. To evaluate the importance of this function, it is necessary to recognize and understand that these services impact the quality of life for those who live, work and play here in the City of Monroe. Law and Justice is important whether it is providing prosecution on behalf of victims or to hold offenders accountable, while understanding that criminal behavior can sometimes be linked to drug addiction or alcohol abuse. Businesses need to know that their police department not only responds to their calls for service, but forwards charges in an effort to get restitution. Another important component is the Judicial Services Branch and Court Services.

In the last several years, the City of Monroe has focused on improving and supporting Law and Justice Services both financially and through internal review. This consideration has resulted in a strong foundation of services that include:

- Contracting with a new public defender in 2015 and a recent addition of a defense social worker position
- Contract with Zachor & Thomas for prosecution services
- Opening the City of Monroe Municipal Court
- Embedded Social Worker and Community Outreach Officer
- Creation of the Homeless Policy Advisory Committee (HPAC)

All of these strategic partners, in conjunction with the City, work cohesively to ensure that law and justice continues to strive for improved services. Law and Justice has financial impacts that can be partly managed by contracts (prosecutor, public defender) but other costs, such as jail fees, are dependent on many other mitigating factors.

In this memo, we hope to provide an outline regarding what led to the start of the Monroe Municipal Court, the financial implications, and the service levels realized.

### **Historical-Why a Municipal Court?**

For years the City of Monroe contracted with Snohomish County-Evergreen District Court Division. While the City had an excellent working relationship with the County, we began

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to experience service gaps that impacted the City financially and were not in alignment with our service goals. Some of the gaps identified were:

- Evergreen District Court re-scheduled hearings from weekly to twice a month. This caused significant safety concerns for domestic violence cases, DUI offenders and offender accountability.
- Absence of indigent screening for court appointed defense attorneys increased caseloads for public defender for added cost to the City.
- Inability to utilize alternate options such as Community Court and alternative contracted jail services.
- Alternative sentencing options were not utilized such as Electronic Home Monitoring, community service.
- Evergreen District Court would not process the safety camera program infractions shifting all the work to the police department administrative staff to process the tickets, send notices, create a traffic court, and manage all payments.
- Snohomish County District Courts stopped answering the public telephone. Any inquiries to the Court had to be made in person or in writing causing increased telephone calls to the police department including callers that were contacted by other agencies such as the Washington State Patrol and the Snohomish County Sheriff's Office.
- Lack of feedback to officer and staff on cases, programs and legal issues.
- Lack of focus on impacts to the community we serve versus just being another agency.
- Inconsistent judicial philosophy with alternating judges/pro-tems. For example, we took a review of five random arrestees with multiple offenses in 2014. We have assigned a letter in the alphabet to each judge/pro-tem. Just five arrestees saw 10 different judge/pro-tems.

Arrestee	Judge/Pro-tem(s) handling their case
A1	Judge(s) A, C, G, H (two cases)
A2	Judges(s) E (two cases), D (two cases), F
A3	Judges(s) B, C (two cases), H (two cases)
A4	Judge(s) B, C, D, I, J
A5	Judge(s) C, B, H

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### **Financial Implications**

We, as public servants, work diligently to be stewards of the funds that are allocated towards Law and Justice. While it is difficult to put a price on the intangible benefits we see, we will outline some important considerations that having our own court affords. The City recently hired consultants to complete the Monroe Court Services Study (MCSS). This was an extensive study on all aspects including a breakdown of the cost for misdemeanor cases to include the prosecutor, public defender, jail and court net revenue.

The MCSS identified the costs for each misdemeanor noted below:

	Monroe	Lake Stevens	Difference
Cost for each misdemeanor <sup>-court net revenue, prosecutor, public defender, jail</sup>	\$1,384.63	\$1,307.65	\$76.98

It is important to note that no matter where the City contracts for court services, the prosecutor and public defender are “set” costs based on contract negotiations with the City. Although those contracts are part of the full equation, we want to breakdown the costs with static numbers that can be impacted by the court.

	Monroe	Lake Stevens	Difference
Cost for each misdemeanor <sup>-court net revenue, jail (static costs)</sup>	\$749.98	\$680.77	\$69.77

If we remove the “set” costs, we are left with the court net revenue and the jail costs. One factor to note is that the City of Lake Stevens’ jail costs were \$54,751 higher than Monroe demonstrating how the Municipal Court has been able to mitigate jail costs with alternative methods. This brings to light that the court is a critical component for jail management costs whether it is due to orders for treatment, video court, or daily review of misdemeanor bookings, setting bail or release.

To highlight advantages for having our own court, as the MCSS report noted were:

- Maintain local control over costs, judge selection, court procedures
- Improves service levels for customers over status quo; court becomes sustainable

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- Maintains focus on bringing together in-city resources/agencies to address homeless population or specific high-volume crimes
- Retains consistency in judicial oversight of cases/offenders
- Can implement small community/diversion court calendars unique to Monroe's needs

### **Municipal Court Benefits**

While a few of the below points were touched upon in the MCSS report, we felt it was important to provide additional information for your consideration. We would like to stress the importance and value of:

- **CRITICAL court orders for offender accountability; fingerprinting so criminal charges get sent to the WSP Criminal History Division. Without these orders and mandating of fingerprints submitted to WSP, arrestees with charges filed by investigation will not have these crimes listed on their criminal history. For example, when background investigations for teachers, coaches, care workers, school bus drivers, etc. are done, these crimes will only be listed with court ordered fingerprinting. Monroe is one of three agencies in all of Snohomish County doing the required mandatory fingerprinting. These other agencies have their own Municipal Court as well.**
- **CRITICAL Emergency hearings for Extreme Risk Protection Orders for temporary orders (allows the police to request an order to temporarily hold firearms from individuals in mental health crisis).**
- Search Warrant judge accessibility more difficult in a countywide system. Officers have greater availability to Municipal Court Judge to sign and approve search warrants in a timely manner.
- Close proximity to Court has led to greater relations with strategic partners for the Community Outreach Officer and Embedded Social Worker.
- Temporary Release Orders (TRO) from court allows for incarcerated individuals to be checked out of jail for direct transport to treatment providing needed resources while saving on jail costs.
- Enforcement of TRO's with chargeable violations if order is violated.
- Court Administrator available for questions and assistance on evenings and weekends (court orders, search warrants).
- Video court helps manage jail costs.

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- Support for Monroe Code Officers (city hall and police) with local Municipal Codes (also recommended by Lean Academy summary) that includes building, planning, code and nuisance violations.
- Close working partnerships to support new ordinances such as SODA and sit lie.
- Weekly disposition reports for evidence and records management.
- Ability to call the Court when towing abandoned vehicles to ensure we have the current status and allow for a streamlined and efficient towing process.

Although the Court is its own branch of government, it partners with the City to work together to:

- Manage jail costs through the addition of video court day and the judge reviewing daily booking report.
- Provide general feedback between Court, prosecutor, public defender, and police department.
- Address City of Monroe Municipal Code violations and create processes for enforcement.
- Support for officers to efficiently serve search warrants.

### **Monroe's Priorities**

As noted above, the City has been investing in Law and Justice and how the judicial branch can play a role on working towards priorities that impact this community.

A recent example of this is the work completed by the HPAC. In the committee's final report, it references Public Safety strategies that include:

- Implement law enforcement strategies and regulations that increase personal accountability and adhere to civil and personal rights
- Gather and analyze accurate data about crime in Monroe
- Initiate a residential and business crime prevention program
- Continue to budget for the Embedded Social Worker/Community Outreach
- Use technology to increase public safety and protect infrastructure.
- **Implement Community Court so treatment for addiction and mental health can be offered as an alternative to jail**

During the HPAC Open House held on November 14, 2019, community members were provided the opportunity to submit public comments regarding the strategies that were addressed by the Homelessness Policy Advisory Committee. Several people expressed a desire for the City of Monroe to look at other cities that have established **community courts and consider that as an alternative to jail.**

Recommendations for goals for a Community Court can be implemented by having a close partnership with our Judicial Branch. We are continually looking for ways to address the root problem and having our own court will allow the City to continue to work on implementing those ideas and goals.

### **Police Support of the Monroe Municipal Court**

In an officer's average day, part of what we do most is to be a resource to those in need. Whether it be talking to victims, helping families in crisis or being there to calm people who have experienced a trauma. During those times, we utilize all the tools to offer resources, provide direction and be that support. However, there are times that enforcement is necessary for the protection of people and property. While we may be viewed as just enforcers of the law, we use enforcement to help change behavior. We want to work together with all of our strategic partners, especially the Judicial Branch, that is tasked with the evaluation of those laws in order to better serve and protect our community. While we all have a different job to do, we have a common goal to help make positive change in future behavior. As we look to the future, the creation of a Community Court may be realized by continuing with our cohesive partnership with our own municipal court.

While we strive to be fiscally responsible, we feel that this is a small investment into maintaining all the services we have identified and to work towards future goals. It is an "insurance policy" to maintain the services we feel are important for our community. We have seen that during economic downtimes, court services are cut in ways that are not beneficial to our community such as shutting down phone service, cutting arraignment hearings and declining to process the safety camera infractions for school zones and red light violations.

We feel that the City of Monroe should continue to invest in our community by having its own Municipal Court as this positively impacts the livability for the residents of Monroe. Therefore, we are asking that you join in our support for the Monroe Municipal Court. We look forward to continuing to work together to address the needs of our community both now and in the future.

Sincerely,  
Ryan Irving  
Deputy Chief

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