

CITY COUNCIL AGENDA TOPIC

Ordinance adding a new Section 1.16.030 to Chapter 1.16 Enforcement Provisions of the Bellevue City Code to impose repeat offender sentence enhancement for certain theft crimes.

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EXECUTIVE SUMMARY**ACTION**

As directed by Council on September 23, this Ordinance adds a new Section 1.16.030 to Chapter 1.16 Enforcement Provisions of the Bellevue City Code to impose repeat offender sentence enhancement for certain theft crimes.

RECOMMENDATION

Move to adopt Ordinance No. 6866

BACKGROUND/ANALYSIS

Council initiated this item with the intention of reducing public disorder crimes in Bellevue by addressing repeat offenders of these crimes and setting a mandatory minimum sentence (e.g., sentence enhancement) for these offenders. Council articulated public disorder crimes as those crimes that resulted in financial loss and decreased public safety and discussed repeat offenders as those with two or more convictions within the past two years.

Council held two study sessions—on March 11 and September 23—to review information, analysis and draft code related to addressing the most impactful crimes to the people of Bellevue; those active and frequent repeat offenders of these crimes; other prevention, deterrence and enforcement tools, including diversion programs and community court. Council discussed implementing a minimum 30-day jail sentence for repeat offenders of theft crimes, paired with judicial discretion for alternatives to incarceration, such as home electronic monitoring when there is a substantial risk of physical or mental harm, participating in diversion programs and community court, and inpatient treatment alternative.

After deliberation, Council directed staff to prepare this ordinance, including adding the inpatient treatment alternative, which was not presented with the draft code. Consistent with this direction, this ordinance has all of the components of the draft code for the repeat offender sentence enhancement presented at the September 23 study session, plus an inpatient treatment alternative. This alternative would be available through a court petition by the defendant and a demonstration of the following:

- Professional representation that the defendant would benefit from inpatient substance abuse and/or mental health treatment;
- Provider documentation of willingness to accept the defendant into treatment;
- Documentation of a specific bed date for the defendant to enter the treatment program;
- Release of information with the treatment provider by the defendant to Probation; and
- Agreement that the defendant will attend and comply with all treatment recommendations

If the defendant successfully completes the approved inpatient treatment, the court may suspend the remaining jail time.

This ordinance would add a new Section 1.16.030 to Chapter 1.16 Enforcement Provisions of the Bellevue City Code to impose a repeat offender sentence enhancement for certain theft crimes.

POLICY & FISCAL IMPACTS

Policy Impact

This ordinance supports Council vision and strategic target area around community safety and health, specifically promoting a community where all people can thrive, feel safe and enjoy access to city amenities and services. Additionally, the ordinance preserves discretion in the judicial system to consider individual circumstances, consistent with another Council foundational value of equity and fairness.

Fiscal Impact

Enhanced sentencing of a minimum 30-day jail time for repeat offenders is anticipated to have a fiscal impact of approximately \$83,300 – 119,560 per year for jail cost, plus any increased costs for medical, mental health and other services. The added demand for jail days may also impact how many guaranteed beds versus non-guaranteed beds the City will contract for, and the increased costs for a higher number of the former. The City is currently negotiating a renewal of its SCORE Interlocal Agreement (ILA) for 2026-2031; these fiscal impacts are projected, and actual costs may vary. A more in-depth analysis will be available as part of the SCORE ILA renewal..

OPTIONS

1. Adopt the Ordinance adding a new Section 1.16.030 to Chapter 1.16 Enforcement Provisions of the Bellevue City Code to impose repeat offender sentence enhancement for certain theft crimes.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

Proposed Ordinance No. 6866

AVAILABLE IN COUNCIL LIBRARY

N/A