

**CITY COUNCIL STUDY SESSION****South Correctional Entity (SCORE) Jail Interlocal Agreement**

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**DIRECTION NEEDED FROM COUNCIL****DIRECTION**

The City's interlocal agreement (ILA) for housing misdemeanor inmates with the SCORE expires on December 31. Staff representing Bellevue and SCORE have completed negotiations on a new five-year ILA for jail services. Staff is seeking Council review and direction on the draft ILA to ensure continuity of jail services.

**RECOMMENDATION**

Direct staff to staff to return with a Resolution authorizing execution of the ILA with SCORE on a future consent calendar.

**BACKGROUND & ANALYSIS****Historical Context**

The City of Bellevue currently contracts with three agencies to provide jail services for misdemeanor inmates: SCORE, King County Department of Adult Detention, and the City of Issaquah. Bellevue has contracted with SCORE for misdemeanor jail services since 2012 and it is now the City's primary inmate services provider.

Located in the City of Des Moines, the SCORE facility was established in 2011 by seven "member" cities in South King County: Auburn, Burien, Des Moines, Federal Way, Renton, Sea-Tac and Tukwila. It houses inmates ages 18 and older charged with or sentenced for committing lower-level crimes. These member cities have built-in costs to cover debt service on the bonds used to finance construction of the jail. In April 2019, the City of Federal Way voted to end its relationship with SCORE, leaving six members cities.

In addition to its member cities, SCORE provides inmate housing services to a number of contract agencies, including several eastside cities such as Redmond, Kirkland, Issaquah, and Bellevue. The fact that many agencies across King County use SCORE as their primary misdemeanor jail is a benefit to the City because it reduces pickups and transfers, as other agencies will book into SCORE for the City, and vice versa, saving time and operational costs to move inmates between multiple jails.

While the City contracts with several agencies for jail services, SCORE has become the preferred jail facility for misdemeanor bookings because it offers premier medical and psychiatric care which provides more flexibility in housing inmates and it has video court services. Since the Issaquah jail facility does not offer medical or psychiatric care, it is unable to accept inmates needing these services.

Issaquah and the King County jail facility also currently do not offer video court. Video court allows for court hearings to be held remotely, where the inmate does not have to be physically transferred to the courtroom for hearing. Instead, SCORE has a space within the facility where a defense attorney can meet with their client confidentially and then appear by video in a courtroom at the Bellevue District Court. This reduces the City's operational costs of fuel, vehicles, and personnel, as BPD employees are no longer required to regularly transport inmates to court. This also reduces safety concerns during transport and at the courthouse.

The City's contract with SCORE has been amended several times since 2012. Under the terms of the current contract, the City pays for 25 "guaranteed" beds per day at a fixed rate of \$128 per bed regardless of actual bed use or type. If the City needed to house more than 25 inmates per day, SCORE could charge a higher rate and the bed space may not be available. In 2019, SCORE conducted a review and reorganized its financial operations and rate structure and began to implement surcharge rates. There are several "bed types" that have different costs and charges in the draft ILA including:

- General population beds, which include guaranteed and non-guaranteed bed rates.
- Mental health and medical beds, which include surcharges for residential mental health beds, acute medical beds and acute mental health beds.

### **COVID-19 Pandemic Ushers in Changes**

The COVID-19 pandemic has created major disruption to the criminal justice system. Jail facilities have implemented a maximum cell occupancy of one to ensure social distancing between inmates. Court proceedings and new jail bookings were also impacted, leading to a decrease in the City's jail population, and a backlog of cases in the City Prosecutor's Office. As a result, the City's average daily inmate population has dropped significantly, from 39.1 in February 2020, to an average of 7.0 in September 2020.

Recognizing these impacts and the continued booking restrictions, SCORE has waived the guaranteed bed fee during the emergency and is instead charging for actual beds used each day, creating a significant drop in the City's 2020 jail costs. SCORE is also waiving its new \$35 booking fee for 2021. Due to the uncertainty caused by the COVID-19 pandemic, staff propose committing to nine guaranteed beds in the new five-year ILA, with the option to amend this number in the future to better reflect actual usage.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

In Washington State, cities are responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions and referred from their respective law enforcement agencies, whether filed under state law or city ordinance, and must carry out these responsibilities through the use of their own courts, staff, and facilities, or by entering into contracts or interlocal agreements to provide these services. Bellevue, along with a number of eastside cities, contracts with King County for District Court services. RCW

39.34.180 and RCW 70.48.090 allow the City to contract with other cities or counties for jail services through an interlocal agreement.

Executing this ILA will provide certainty and continuity of service for housing the City's misdemeanor population. This ILA, in concert with the City's contracts for jail services with King County and Issaquah, will continue to provide the City with the flexibility to serve the needs of its inmate population while keeping costs down.

### Fiscal Impact

If approved, the SCORE ILA would be effective January 1, 2021 and would terminate on December 31, 2025. The City will commit to nine guaranteed beds with the option to amend this number in the future to better reflect actual usage. Any increase to the general population daily housing rate, daily rate surcharges, or other services provided by SCORE will not exceed 3 percent per year.

The proposed rates and charges for 2021 are listed below.

#### 2021 Rates

##### Daily Housing Rates:

General Population – Guaranteed Beds	\$128.00
General Population – Non-Guaranteed Beds	\$184.00

##### Daily Rate Surcharges:

Mental Health – Residential Beds	\$159.00
Medical – Acute Beds	\$217.00
Mental Health - Acute Beds	\$278.00

##### Booking Fee:

\$35.00 (Waived)

The following table illustrates the anticipated budget impact of the proposed ILA through 2025. As required under the ILA, SCORE will notify the City by July 1 of each year of any change to its fees and charges for the following year to give the City sufficient time to adjust its annual budget. Unless otherwise agreed to, any new fees and charges would become effective on January 1 of the following year. Again, any increases to the general population daily housing rate, daily rate surcharges, or other services provided by SCORE will not exceed 3 percent annually.

	2019 Actual	2020 Projection	2021	2022	2023	2024	2025
Daily Housing	Fixed Rate @	Fixed Rate @	\$ 511,937	\$ 559,544	\$ 611,579	\$ 668,452	\$ 730,614
Mental Health- Residential	\$124 per	\$128 per	\$ 188,214	\$ 205,716	\$ 224,847	\$ 245,756	\$ 268,610
Medical Acute	guaranteed bed	guaranteed bed	\$ 130,332	\$ 142,452	\$ 155,699	\$ 170,178	\$ 186,003
Mental Health- Acute			\$ 13,356	\$ 14,598	\$ 15,955	\$ 17,439	\$ 19,061
	\$ 1,124,597	\$ 611,072	\$ 843,839	\$ 922,310	\$ 1,008,080	\$ 1,101,825	\$ 1,204,288
Booking Fee	\$ -	\$ -	\$ -	\$ 74,480	\$ 79,030	\$ 83,860	\$ 89,005
<b>Total Cost</b>	<b>\$ 1,124,597</b>	<b>\$ 611,072</b>	<b>\$ 843,839</b>	<b>\$ 996,790</b>	<b>\$ 1,087,110</b>	<b>\$ 1,185,685</b>	<b>\$ 1,293,293</b>

## OPTIONS

1. Direct staff to staff to return with a Resolution authorizing execution of the ILA with SCORE on a future consent calendar.
2. Provide alternate direction to staff.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

N/A

## **AVAILABLE IN COUNCIL LIBRARY**

Draft SCORE ILA