



**Snohomish County
Office of Performance Audit Services**

**AUDIT OF THE SNOHOMISH COUNTY
CRIMINAL WARRANT PROCESS**

Final Report

March 20, 2007

Project Team:
Connie Barndt
Kymber Waltmunson

Performance Auditor:
Kymber Waltmunson

(425) 388-3006
FAX (425) 259-2777
M/S #505
3000 Rockefeller Avenue
Everett, Washington 98201-4046

TABLE OF CONTENTS

1 INTRODUCTION	- 2 -
1.1. Summary of Results	- 2 -
1.2. Government Auditing Standards Compliance Statement	- 2 -
1.3. Strengths and Challenges	- 2 -
1.4. Objectives, Scope and Methodology	- 3 -
1.5. Notes	- 4 -
1.6. Background	- 5 -
2 WARRANTS AND FAILURES TO APPEAR	- 7 -
2.1 Warrants consume significant county resources.	- 7 -
2.2 Snohomish County felony and misdemeanor FTA rates are high.	- 11 -
2.3 Communication with defendants could improve.	- 12 -
Recommendation 1:	- 13 -
2.4 POLICY OPTIONS: Reducing Failures to Appear	- 14 -
3 WARRANT BACKLOG	- 22 -
3.1 There is a backlog of 10,000 outstanding warrants.	- 22 -
Recommendation 2:	- 23 -
3.2 POLICY OPTIONS: Reducing Warrant Backlog	- 24 -
4 WARRANT ADMINISTRATION	- 30 -
4.1 Warrant management should be more timely and efficient.	- 30 -
4.2 Data entry in the law and justice system is inefficient.	- 31 -
Recommendation 3:	- 31 -
4.3 POLICY OPTIONS: Warrant Administration	- 32 -
5 AREAS FOR FURTHER STUDY	- 34 -
6 OFFICIAL RESPONSES	- 35 -
6.1 Office of the Prosecuting Attorney	- 35 -
6.2 Corrections	- 37 -
6.3 Sheriff's Office	- 40 -
6.4 Office of Public Defense	- 42 -
6.5 Clerk's Office	- 45 -
6.6 District Court	- 48 -
7 APPENDICES	- 49 -
7.1 Appendix A: Officials Interviewed and Consulted	- 49 -
7.2 Appendix B: Reference Documents	- 52 -
7.3 Appendix C: Warrant Process	- 53 -
7.4 Appendix D: Felony FTA Rate Comparisons	- 56 -
7.5 Appendix E: Active Warrant Comparisons with Other Counties	- 57 -



Terms and Definitions:

Booking	The process of identifying, fingerprinting, and gathering information about an arrested person who is being admitted to jail.
Defendant	A person that has been charged with a crime.
Felony	A crime is a felony if persons convicted may be sentenced to imprisonment for a term in excess of one year.
FTA	Failure to Appear. A person does not attend a scheduled court date. FTA usually results in the court issuing a bench warrant for the arrest of those that fail to appear.
Inmate	A person incarcerated at the jail. This person may or may not have been found guilty.
Misdemeanor	A criminal offense less severe than a felony. A person convicted of a misdemeanor may be fined or imprisoned for a term of less than 90 days in a local facility. A gross misdemeanor carries a sentence of up to one year in jail.
NCIC	National Crime Information Center. An electronic database administered by the FBI and utilized by law enforcement and other law and justice entities.
Offender	A person who has been found guilty of a crime. This case has moved past the sentencing phase.
Outstanding Warrant	A warrant that has been issued by the court but has not been served. The defendant remains at large.
Quashed Warrant	A warrant that has been cancelled by the court following the warrant service (see "Served" below) or defendant's appearance in front of the court.
Served Warrant	A warrant on which a person has been taken into custody or brought in front of the court.
WACIC	Washington Crime Information Center. An electronic database administered by the Washington State Patrol and utilized by law enforcement and other law and justice entities.
Warrant	A warrant is a written order by a judge requiring that the person named in the order be brought before the court.



1 INTRODUCTION

1.1. *Summary of Results*

Snohomish County's criminal warrant process is functioning similarly to other jurisdictions; however, there is room for improved efficiency and effectiveness. Superior Court, District Court, the Sheriff's Office, the Clerk's Office, the Office of the Prosecuting Attorney, Corrections, Office of Public Defense, and Department of Information Services participated in this cross-system audit of the criminal warrant process. Coordination, cooperation, and oversight will be required to determine, implement, and measure policy changes in this multi-entity process.

Warrants consume significant county resources: approximately 37,000 staff hours per year and missed opportunities for hundreds of thousands of dollars in savings and revenue. Ensuring that resources are utilized efficiently is a priority for Snohomish County and its residents. Warrants consume resources in large part because Snohomish County misdemeanor and felony failure to appear rates are high. This results in more time and money spent on warrants and warrant activities than is efficient.

There is a backlog of approximately 10,000 outstanding warrants dating back to 1969. The existence of a large warrant backlog keeps wanted persons from being held accountable for their actions and threatens public safety. The backlog results from a lack of active warrant service, high FTA rates, and a perceived absence of consequences for defendants with warrants, among other issues.

Slow availability of warrant data and data entry redundancy lead to costly inefficiencies. Information regarding warrants should be quickly available to law enforcement and others to ensure public safety. These issues would be improved by streamlining processes and developing and tracking performance measures.

1.2. *Government Auditing Standards Compliance Statement*

This audit was performed in compliance with Government Auditing Standards (GAS) for Performance Audits.

1.3. *Strengths and Challenges*

Strengths:

- Most law and justice entities have a high level of interest in improving the warrant process.



- In most cases there is a willingness to work collaboratively on system solutions.
- Both District and Superior Court agreed to participate in the criminal warrant audit although they are not required to do so.
- Some law and justice entities have already decided to implement changes that will bring benefits to other departments and not their own.
- Sheriff Deputies arrest all defendants who have outstanding Snohomish County warrants as they come into contact with them.
- Unlike many other jurisdictions, the Snohomish County jail does not have capacity issues that impact local law enforcement's ability to serve warrants and book defendants into jail.

Challenges:

- Law enforcement experts consider outstanding warrant backlogs to be a nation-wide problem.
- There is no county employee charged with leading collaborations for the law and justice system. This makes planning and implementing warrant process improvements more difficult.
- Budgets are limited for a system that could easily utilize unlimited resources.

1.4. Objectives, Scope and Methodology

The audit team evaluated the warrant process data from 2005 and 2006 with past data for reference. The objectives of this audit are shown in Figure 1.

Figure 1

OBJECTIVE	REPORT SECTION
1. How does a warrant flow through the system?	Section 1 and Appendix C
2. Is Snohomish County minimizing FTA warrants?	Section 2
3. What is the extent and condition of criminal warrants?	Sections 2 and 3
4. Is information shared between parties sufficient, timely, and accurate?	Section 4
5. Would automation of the warrant process be feasible?	Section 4

To obtain this information the audit team:

- Analyzed electronic data from:
 - ✓ SCOMIS-Superior Court system
 - ✓ DISCIS-District Court system
 - ✓ RMS-Sheriff/SNOPAC system



- ✓ COTS-Corrections system
- ✓ PCCS-Prosecuting Attorney system
- Conducted 136 interviews¹ with:
 - ✓ Judges
 - ✓ Elected Officials
 - ✓ County Staff
 - ✓ Other Jurisdictions
- Observed the warrant process
- Reviewed documents from:
 - ✓ Snohomish County
 - ✓ Other jurisdictions, federal, and state entities
- Identified best practices
- Reviewed applicable literature²
- Reviewed laws, regulations, guidelines etc.

1.5. **Notes**

Audit Support

The auditors would like to thank interns Peter Courtney and Patricia Terry for their invaluable support and assistance with this project.

Acknowledgement

The auditors would like to acknowledge the commitment of the auditees to the audit process. The time and efforts of department and office staff were significant and much appreciated.

Auditee Communications

Interim reports and other early communications regarding audit findings were discussed with audit participants to obtain feedback and to begin addressing issues prior to the completion of the audit.

Report Structure

This report has three focus areas with corresponding recommendations and policy options:

1. Section 2: **Warrants and Failures to Appear**

This section discusses the “front end” of the warrant process with the corresponding policy options aimed at keeping warrants from occurring in the first place.

2. Section 3: **Warrant Backlog**

This section addresses the backlog of outstanding warrants. These are “back end” issues and the policy options identify ways to resolve warrants once they have been issued.

¹ See detail in Appendix A

² See detail in Appendix B



3. Section 4: **Warrant Administration**

The final section addresses administration of the warrant process with policy options that target the efficiency of the system as a whole. Implementation of policy options in each area, focusing on the “front end,” will be required to improve the criminal warrant process and to maximize savings and revenue.

1.6. **Background**

What is a warrant and why are they ordered?

A warrant is a written order by a judge requiring that the person named in the order be brought before the court. In this audit we focused on warrants issued by the court when a person fails to appear (FTAs) for a hearing for which they have been notified.³

How does a warrant impact the Law and Justice System?

The criminal warrant process is a complex system designed to promote public safety. The process includes eight departments, offices, and courts; eight national, state, and local data management systems; and more than 300 county employees. The Law and Justice System entities involved in the warrant process include:

- Superior Court
- District Court
- Clerk
- Prosecuting Attorney
- Sheriff
- Corrections
- Office of Public Defense/Public Defender Association
- Department of Information Services

What is the size of the issue?

Warrants consume significant resources in Snohomish County.

- An average of 50 new warrants are issued per day and more than 12,000 per year, see Figure 2 below.
- There is a backlog of approximately 10,000 warrants.
- More than 37,000 staff hours per year are spent processing warrants.

The quantity, the outcome of warrants and the staff time involved in the process make criminal warrants an important topic for evaluation.

³ Search warrants, civil warrants, juvenile warrants, and felony FTC (failure to comply) warrants are not a part of this audit.

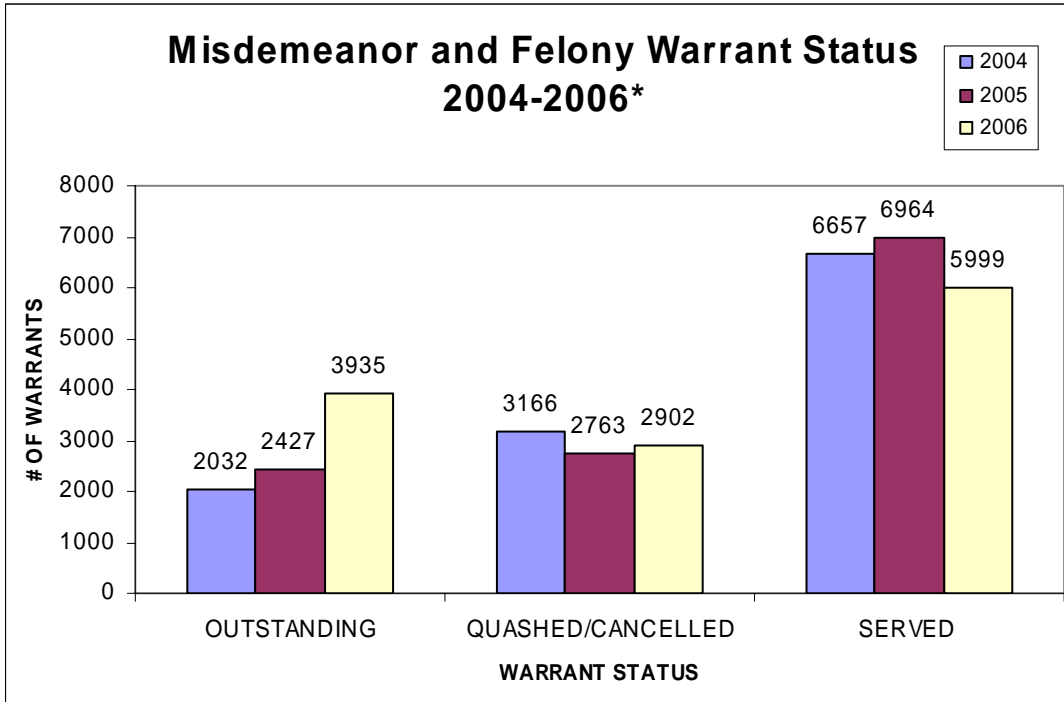


Figure 2⁴

Number of Warrants Ordered	
2004	11,872
2005	12,194
2006	12,979

Figure 3 shows the status of warrants issued in each year 2004-2006.

Figure 3⁵



* 2004 and 2005 warrants are less likely to be outstanding because they have had two additional years to be quashed or served.

How does a warrant flow through the law and justice system?

The warrant process typically begins when a defendant fails to appear for a scheduled hearing and can be broken down into its basic processes.

- A defendant fails to appear for a scheduled hearing
- The court issues and creates a warrant
- The warrant is processed and made available to law enforcement on criminal information databases
- The warrant is served, quashed/cancelled, or remains outstanding
- The defendant is booked into jail
- A hearing is held to address the warrant
- The defendant may be released from custody

See [Appendix C](#) for a flowchart and more detail on the warrant process.

⁴ SNOPAC data

⁵ SNOPAC data



2 WARRANTS AND FAILURES TO APPEAR

A reduction in the number of warrants issued and failures to appear would decrease costs, increase revenues, and improve defendant accountability.

2.1 ***Warrants consume significant county resources.***

Cost of Warrants to the Law and Justice System

Warrants significantly impact law and justice system resources. For example:

- Approximately 37,000 hours were spent processing warrants in 2005
- Felony cases with warrants had an average of 3 more hearings overall than cases without and misdemeanor cases with warrants have an average of 6 more hearings
- There were approximately 6,700 warrant bookings into Snohomish County jail in 2005
- Misdemeanor defendants are ordered to spend 4 times as many days in jail when they have had a warrant
- 30% of defendants booked into the jail on warrants were also being booked on probable cause of committing new crimes

Process Costs

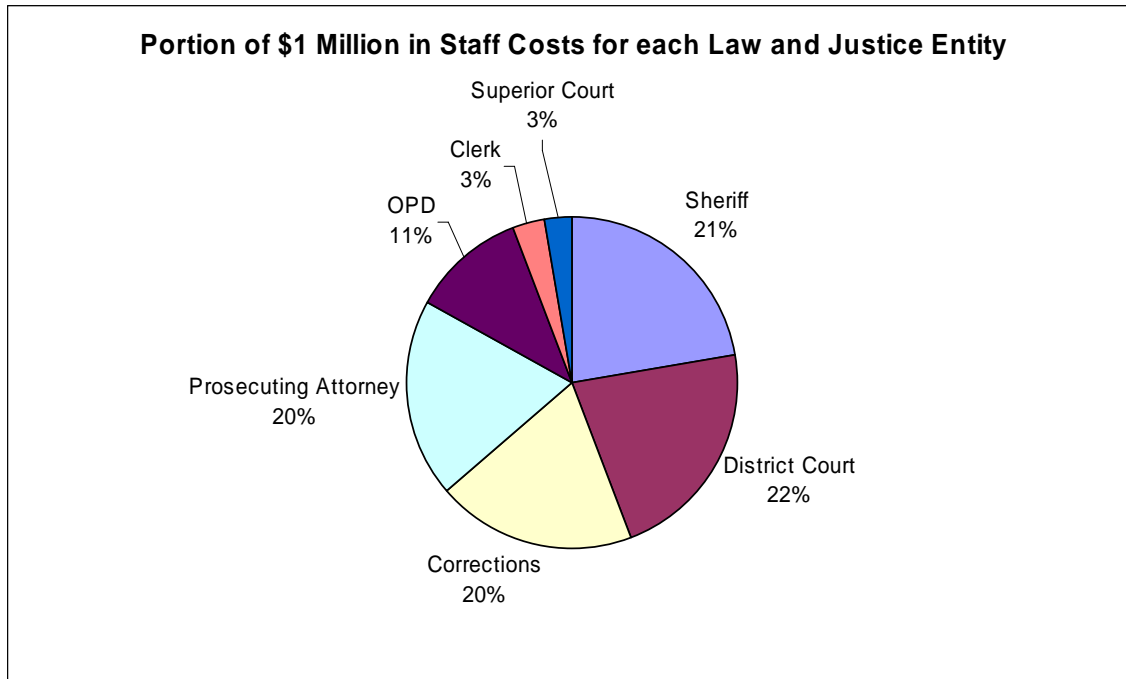
Staff Costs

Approximately \$1 million⁶ in direct staff costs was spent managing misdemeanor and felony warrants in 2005. Improvements in warrant management may result in cost avoidance and increased capacity to achieve other departmental or system-wide goals. County entities bear differing portions of the staff cost burden. The Sheriff, District Court, Corrections, and the Prosecuting Attorney together pay 83% of the total staff cost of warrants. The percentages of basic staff costs for each entity are detailed in Figure 4.

⁶ These calculations include direct staff time only. It does not include benefits, overhead, supplies, or additional jail days. The calculation does take into account the percentage of warrants served, cancelled, and remaining active from 2005. It does incorporate the three possible outcomes for warrants and their frequency in 2005: served, quashed/cancelled, and outstanding.



Figure 4



Serving warrants is the most costly and time consuming way to resolve warrants. When ordered, a typical misdemeanor warrant takes approximately half an hour to process. It takes an hour and a half of staff time to quash or cancel a misdemeanor warrant and to serve a warrant takes approximately four and a half hours⁷. The time it takes to manage a warrant depends on whether it remains active, the defendant initiates a hearing, or it is served.

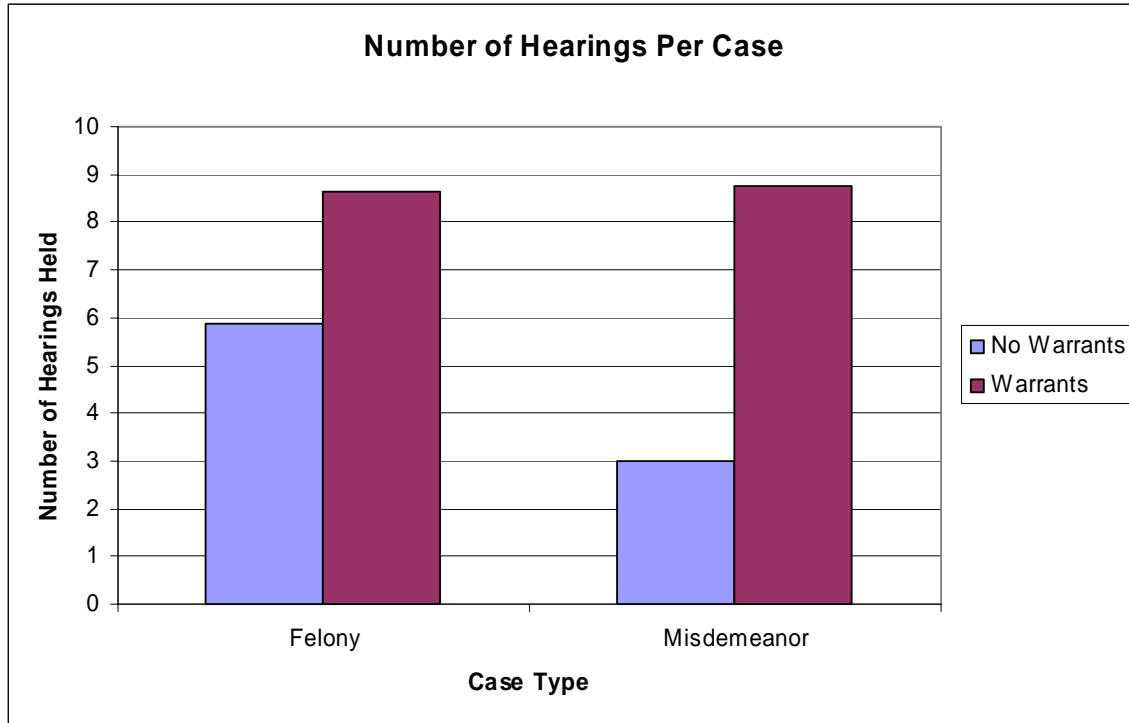
Number of Hearings

More hearings are held on a case with warrants than on a case without warrants. Each additional hearing costs the county time and money. Figure 5 shows the difference in the number of hearings held when warrants are present.

⁷ It should be noted that unless there are special circumstances, Sheriff Deputies do not routinely seek out defendants to serve warrants. The service of a warrant most often occurs when a defendant comes into contact with a Deputy for another reason, for example, a traffic violation. See Section 3.1 for additional discussion of this issue.



Figure 5⁸



Jail Costs

Cost of Jail Beds

\$49,000 in jail savings and \$98,000 in jail revenue could come from a 10% reduction in Snohomish County warrants. Jail savings could result from fewer warrant bookings and fewer days in jail. Revenue could occur if the number of warrant jail beds⁹ decreases and beds are subsequently contracted to paying jurisdictions. See Figure 6 for an example of potential savings and revenue for percentage decreases in warrants.

Figure 6

Percent Reduction in Warrants	Staff Hours Saved	Savings and Revenue*
0%	0	\$0
10%	3,683	\$146,706
20%	7,366	\$293,412
25%	9,208	\$366,765
30%	11,049	\$440,117

*Savings and revenue are only intended to reflect costs associated with FTA warrants. Savings and revenue could be offset by costs associated with any strategies implemented to reduce warrant backlogs, see Section 3.

⁸ DISCIS and SCOMIS data

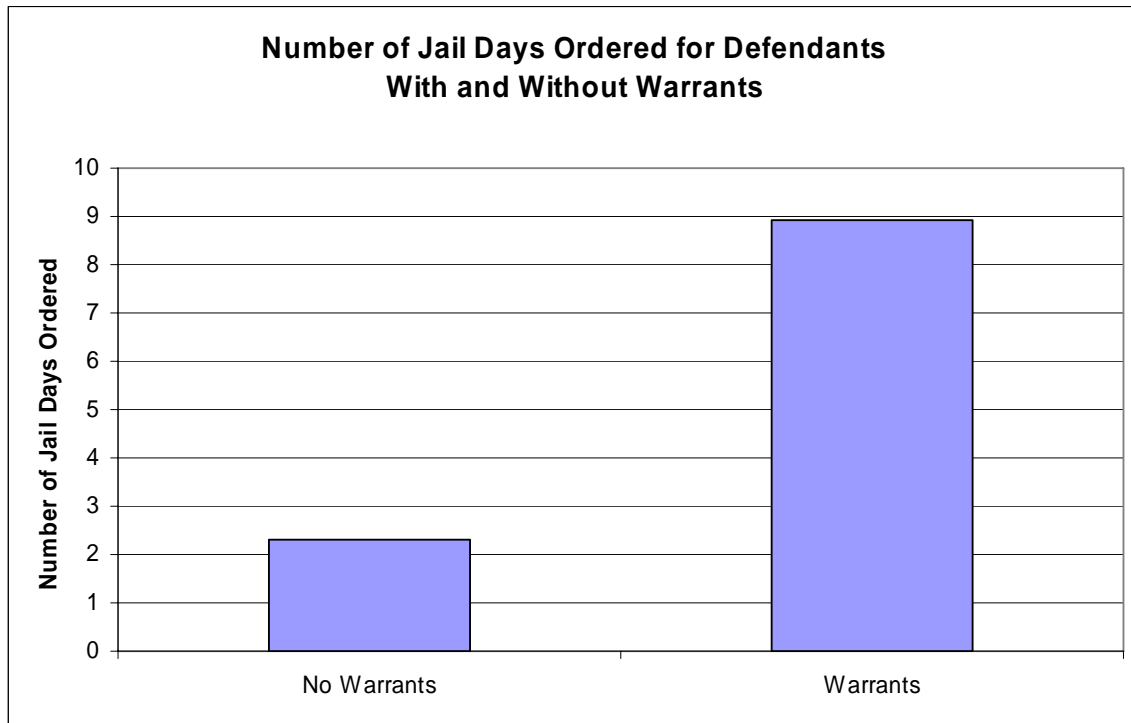
⁹ This calculation includes only jail beds that are not paid for by a contracting entity; for example, Department of Corrections, a contracting city, Whatcom County, etc.



Jail Days Ordered

A misdemeanor who fails to appear for a hearing is ordered to serve four times as many days in jail over the course of their case as misdemeanants who attend all of their scheduled hearings, see Figure 7. 52% of all people booked into jail are booked on a warrant or multiple warrants.

Figure 7¹⁰



Public Costs

Wanted defendants can pose a risk to the community.¹¹ In 2005, one third of the defendants booked into jail with warrants were also booked for new crimes.¹² 45% of these new crimes were crimes against people, see Figure 8. Crimes against people generally range below 25%; those with warrants appear to

¹⁰ DISCIS data. This data represents the number of days ordered by the judge as differentiated from actual days served by the inmate. For multiple reasons, defendants most often do not serve the full number of days ordered.

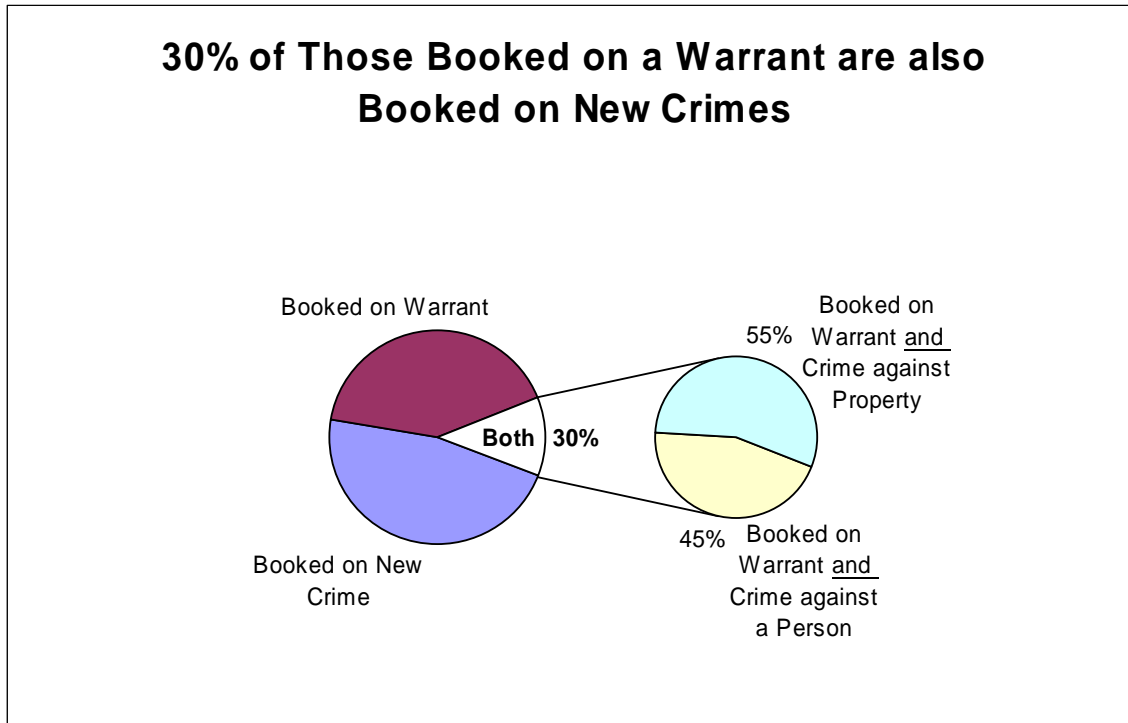
¹¹ This risk is illustrated by two recent tragedies in King County in which wanted persons killed law enforcement officers in car crashes. Officers Joselito Barber and Beth Nowak were killed in separate car crashes when a person with outstanding warrants was at fault in 2006.

¹² It should be noted that the auditors observed and some officials reported that some deputies will book only on the warrant and write a citation for the new crime. This would make it appear that there are fewer individuals booked both on warrants and new crimes than reality. Additionally, we cannot calculate how many crimes are perpetrated by wanted persons where law enforcement is never involved.



commit crimes against people at a much higher rate. This is not to say that defendants who appear for all of their court dates do not commit new crimes.

Figure 8¹³



2.2 ***Snohomish County felony and misdemeanor FTA rates are high.***

The FTA rate for felony defendants is 36% and 39% for misdemeanants. When compared to 40 large counties across the country, Snohomish County ranks 37th for felony FTA rates see Figure 9. There are many reasons why a defendant may fail to appear for a hearing including that the defendant:

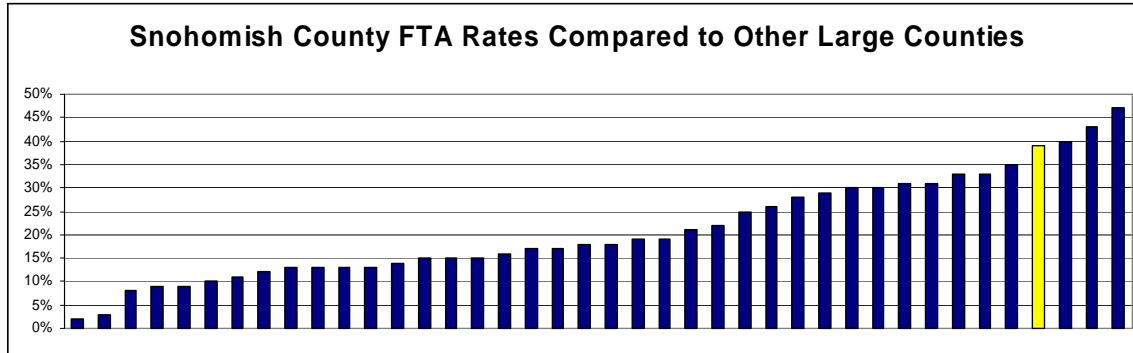
- chooses not to attend;
- is confused, disorganized, or forgets about the hearing;
- does not receive adequate notification of the court date;
- is in custody;
- does not understand the consequences of failing to appear; or
- is not influenced by the consequences of failing to appear.

The Snohomish County law and justice community can improve this rate by implementing programs and processes designed to reduce failures to appear.

¹³ Jail data



Figure 9¹⁴



Snohomish County shown in yellow
See Appendix D for detail.

2.3 ***Communication with defendants could improve.***

Inaccurate Contact Information

Snohomish County officials from all Law and Justice Departments stated that inaccurate defendant contact information contributes to warrants. Accurate information is needed to notify defendants of scheduled hearings and, if there is a warrant, to serve warrants as resources allow. There are multiple reasons that the system might have inaccurate contact information including:

- Defendants may intentionally provide incorrect information
- Deputies may transfer the address directly from the drivers license onto the citation rather than ask for a more current address
- Deputies do not consistently obtain phone numbers from defendants
- Defendants often move frequently or are homeless
- Current address and phone numbers are not consistently verified when the defendant is present for a hearing
- Tools that the Prosecuting Attorney’s Office uses to find and verify addresses are limited

Release Without Court Date

When inmates pay bail or a bond and are released from jail prior to having a hearing with the court they are not given a time and place to appear for a court hearing. Instead of receiving a set court date, when released the inmate receives a form that states that they should wait for a letter from the court or contact the court for their next hearing date. This may lead to failures to appear.

Although most inmates appear before a judge and receive paperwork with a next hearing date listed, the inmate does not sign this paperwork to acknowledge that they have received it and promise to appear.

¹⁴ Bureau of Justice Assistance data



Accessibility of Court Information

Court information is not always easy for defendants to obtain. The District Court has a Web link to the Administrative Office of the Courts (AOC) website which posts Snohomish County District Court hearing information, but it is not easy to access. Determining which court and phone number to call may not always be clear to defendants. Contacting the courts by phone can mean waiting for a period of time to be connected to court staff or can lead to leaving messages on answering machines and waiting for a call back. In our experience, court staff members are helpful and courteous once a caller is connected.

Recommendation 1:

The law and justice community should:

1. decrease the cost and time impacts of warrants on the system
2. decrease the risk to the community
3. reduce failure to appear rates
4. improve communication with arrestees/defendants/offenders

by considering **POLICY OPTIONS: Reducing Failures to Appear** in Section 2.4.



2.4 ***POLICY OPTIONS: Reducing Failures to Appear***

Because one of the goals of the law and justice system is to bring defendants before a judge to dispense justice, minimizing the failure to appear rate should be a priority. Implementation of any of these policy options will require collaboration, teamwork, and some degree of office/court/departmental altruism. In some instances, the entity that bears the costs of an activity or program may not be the entity that would see the benefits.

1. Check Custody Status in the Courtroom¹⁵

Determining if individuals who have not shown up for court are in Snohomish County Jail before issuing a warrant could decrease the number of warrants ordered with minimal effort. The court would continue to issue warrants for defendants in custody in other jurisdictions in order to ensure that they would be transferred to Snohomish County to address local charges.

Anecdotally, 20% of inmates picked up on warrants report that they did not appear for their court dates because they were incarcerated at the time of their hearing. Court clerks from other jurisdictions check the custody status of each defendant who fails to appear before a warrant is issued. Although they have not measured results quantitatively, they believe that this practice has decreased the number of warrants issued.

There are many ways to implement this activity, but the most efficient time to check against the online jail roster¹⁶ is in the courtroom when a defendant fails to appear. Another option would be to check the custody status of all defendants on the entire calendar prior to court, but this could prove to be time consuming. And if the jail roster is checked after an FTA has been ordered by a judge, it may take additional court time to resolve/re-set the case. This function could be completed by any person with Internet access in the courtroom.

Cost of Implementation: Checking custody status prior to issuing a warrant would take from 20 seconds to two additional minutes per FTA¹⁷.

Potential Benefits of Implementation: If 10% of those failing to appear were Snohomish County Jail inmates a check against the jail roster could have

¹⁵ Justice Exchange, JBRS, is a computer system that tracks national jail information including where inmates are being held. This system is already in place at Snohomish County Jail and may be available to other county entities following the 2007 Washington State legislative session.

¹⁶ <http://web5.co.snohomish.wa.us/corrections/JailRegister/dailyJailRegisterSearch.aspx>. The online jail roster is updated every hour.

¹⁷ When timed, this task took the auditors 20 seconds. King County reports that this task takes less than two minutes.



resulted in 1,145 fewer warrants in 2005. This could have saved 3,683 staff hours across the system.

2. Effective Use of Existing Law and Justice Databases

Law and justice departments and offices could access additional database information on defendants. Each of the law and justice databases allows limited read-only access to other departments and offices. For example, the jail can access information in the court databases, the prosecuting attorney's database, and the state and national criminal information systems.

Cost of Implementation: The cost of accessing available information would simply reflect the time it takes to search and view the information.

Potential Benefits of Implementation: Checking other system databases would help avoid expensive errors and oversights that can impact public safety by ensuring access to all of the available information when decisions relating to warrants are made in any part of the law and justice system.

3. Provide FTA Information to Individuals at Sheriff Contact

Informing defendants of the consequences of failing to appear could improve court appearance rates. The standard citation form used by the Sheriff's Office provides information on the importance of attending all scheduled court appearances; however, the information is printed on the back of a multi-part form that is hard to clearly read. A pilot program by the Redmond Police found that, in concert with other reduction strategies, providing additional information about warrants and the risks of failing to appear decreased FTA rates.

Cost: There is no cost for the Sheriff's Office to provide verbal information about the risks of failing to appear for court to people they cite. If the Sheriff's Office utilized a brochure or information sheet, minimal costs for design and production of materials would be incurred.

Potential Benefits of Implementation: Providing FTA information to individuals at the time of contact with the Sheriff Deputies may enhance the effectiveness of other policy options implemented and lead to lower FTA rates.

4. Court Date Reminder Calls

Reminder call programs have been implemented across the country with success. In these programs, calls are made to defendants in the week prior to their court date reminding them of the date, time, and location that they are



to appear. Jurisdictions provided both quantitative¹⁸ and anecdotal¹⁹ data. All data showed decreases in FTA rates when programs using reminder calls (sometimes paired with other reduction strategies) were implemented. The jurisdictions we found implementing reminder calls were doing so in the misdemeanor and juvenile populations.

Snohomish County OPD conducts reminder calls on a small scale through their Summons Plus program for felony cases. The data from this program suggests that reminder calls resulted in 15%, 19%, and 28% decreases in FTA rates for those contacted in 2004 - 2006 respectively.

The most effective reminder call programs had the following components:

- Worked to ensure accurate contact information
- Called over weekend prior to court date and/or evenings when people are more likely to be home
- Spoke to defendant directly
- Focused on calls for hearings with the highest FTA rates

¹⁸ Quantitative data from Bernalillo County (Albuquerque, NM), Cook County (Chicago, IL), King County, and City of Seattle were available.

¹⁹ Multnomah County (Portland, OR) and Orange County (Orlando, FL) anecdotally report that reminder programs have resulted in fewer FTAs in their jurisdictions.



Figure 10

Jurisdiction	Strategy(ies) Implemented	Reported Results
Bernalillo County Detention Center (misd. and felony)	*Reminder calls made	10% FTA rate
Cook County Juvenile Court	*Reminder calls made *Arraignment Court	Decreased FTAs by 50%
King County District Court	*Reminder calls made	FTA'd 38% less frequently
King County Regional Justice Center	*Reminder calls made *Resolution of court conflicts *Reminded of <u>all</u> court dates *Focus on good contact info	97% were reminded by phone Of those reminded 12% FTA rate Of those spoken to directly 7% FTA rate
King County District Court and Redmond Police	*Reminder calls made *Police informed of FTA consequences via brochure	FTA rate if: Not reminded=37% Called=22% Called and given brochure=9%
Seattle Municipal Court	*Reminder calls made *Reminder letters sent	FTA rate if: Not reminded=44% Sent a letter=31% Called=19%

There are a number of ways to implement reminder call programs, including:

- Automated call vendor
- Contracted call center
- Any Snohomish County law and justice entity
- Volunteer or intern group

A pilot program could be implemented and data tracked to determine if these phone contacts decrease the failure to appear rate before initiating a full scale reminder call program.

Cost of Implementation: The cost of implementing a reminder call program would depend on the type of program chosen. The contracted automated system researched charge \$.30 per call with an additional \$3,000 per year licensing fee and a one-time fee of up to \$15,000²⁰. Contracted call centers²¹ evaluated charge approximately \$.27 to \$.83 per call depending on the provider, and could offer bilingual services. Using volunteer or intern groups to make reminder calls would require staff time to coordinate, but would have no new costs. Any law and justice entity that implemented a reminder call program may have to reallocate or add staff time.

²⁰ The vendor, Apriss, provides services in blocks of 10,000 calls.

²¹ Global Connect, QuoteCatcher, Telecom Networks, Voisworx, and Worldwide Call Centers.



Potential Benefits of Implementation: Reminder call programs, when paired with other strategies have resulted in significant reductions in FTA rates to as low as 7%. Low FTA rates translate to fewer warrants issued.

5. Systematic Collection and Verification of Contact Information

Accurate address and phone contact information is critical for informing defendants of their scheduled court hearings. Other jurisdictions have made concerted efforts to capture and constantly update this information.

Opportunities to gather and verify contact information occur at four primary points in the process:

1. contact with deputies in the field
2. information gathered by the Prosecuting Attorney's Office
3. during court hearings
4. release from jail

1. Sheriff Deputies in the Field

Deputies sometimes copy the address on the defendant's driver's license directly to the citation without determining if the address is current. In addition, the citation has three fields for home, business, and cell phone information. According to court staff, deputies complete this field less than half of the time. Redmond Police found systematic collection of contact information to be quite effective when paired with other strategies.

2. Prosecuting Attorney's Office

Use of an effective people search tool could provide a more complete investigation of defendants' addresses and phone numbers resulting in fewer FTAs overall. We reviewed five search tools²² and found that a number of law and justice entities could benefit by using any of these tools. The county as a whole could enter into an umbrella contract with a fee-based people search company to realize savings from volume use as opposed to departments entering into individual contracts with the vendors.

3. Court Hearings

Consistently asking defendants to verify their contact information (name, address and phone number) for the record at each hearing they attend could lead to better information available for the law and justice system and fewer FTAs.

²² Accurint (LexisNexis), DAPS (Department of Licensing), LESP (LexisNexis), Smart Links (LexisNexis), Intellius.



4. Release from Jail

A pilot project at King County Regional Justice Center focused on obtaining accurate contact information from defendants as they were released from custody. This resulted in completed court reminder call contacts for 97% of the defendants and resulted in FTA rates ranging as low as 7% to 12%.

Cost of Implementation: Most of these policy options would require little to no additional resources. Costs for people search products ranged from \$.25 to \$.99 per search and from \$10 to \$130 per user per month with varying levels of access and quality/quantity of information.

Potential Benefits of Implementation: Concerted efforts by the law and justice system to obtain correct contact information could decrease warrants over time. Accurate phone numbers could also allow for telephone reminders if the county chose this option.

6. Make Hearing Information Available on the County Website

Many jurisdictions make court hearing dates, times, and locations available for defendants on their websites.

Cost of Implementation: The Department of Information Services has estimated that it could take six to eight months to implement this project. It is not currently on their list of scheduled activities.

Potential Benefits of Implementation: Making information available on the Internet could decrease the number of calls requesting information from the courts. It could also reduce the number of FTAs for a segment of the defendant population.

7. Court Information at Release

96% of felony FTAs and 81% of misdemeanor FTAs occur before sentencing. Often, the final opportunity to ensure that defendants know what is expected of them is at release from custody. The Regional Justice Center in King County made a concerted effort to work with defendants upon their release from custody ensuring that:

- contact information was accurate
- pending cases were reviewed and conflicting court dates were resolved
- the defendant was provided information regarding all upcoming court dates



When this program was paired with reminder calls they achieved a 93% rate of appearance; the highest achieved by any FTA reduction strategy encountered during this audit.

Cost of Implementation: Implementation of this program may require additional jail staff. The number and composition of this staff would depend on the structure of the program chosen.

Potential Benefits of Implementation: Providing court information and coordination to defendants when they are released from custody could improve the likelihood that contact information is accurate, could facilitate appearance at scheduled court dates, and resolve conflicts between multiple courts when they occur, resulting in lower FTA rates.

8. Court Services at the Jail

A well-designed pre-trial supervision system could both decrease the amount of time some defendants are spending in custody prior to sentencing and improve the likelihood that those out of custody defendants attend their scheduled court hearings.

An effective program²³ could include the following functions:

- court date reminder calls
- ensuring accurate contact information
- calendaring for District and Superior Court defendants being released with no new court date
- providing next court dates to all defendants at pre-trial release
- pre-trial supervision

Design of this type of program is beyond the reach of this report and as such, is included in areas for further study. However, it is a policy option that arose repeatedly during our investigation and has clear potential to reduce FTA rates.

Cost of Implementation: Implementation of this program would likely require additional staff. The number and composition of this staff would depend on the structure of the program chosen.

Potential Benefits of Implementation: An effective court services program could have positive effects including decreasing time spent in jail, improving public safety, decreasing failure to appear rates, accurate defendant contact information, and clear information to defendants upon release.

²³ The National Association of Pretrial Services Agencies (NAPSA) has developed professional standards for pretrial services agencies and the Pretrial Services Resource Center (PSRC) is also an information repository.



9. Failing to Appear has Substantial Consequences

The reputation of a jurisdiction for being “tough on crime” may impact the behavior of defendants in relation to attending hearings and in completing sentencing requirements. This reputation could be built on a number of initiatives including, increased active service of warrants, use of the Bail Jumping²⁴ charge, keeping defendants arrested on warrants in custody²⁵, and imposing higher bail amounts.

Cost: Warrant service is discussed in Section 5 and the costs depend on the structure chosen for the program. The use of the “Bail Jumping” charge would result in the costs of an additional case working its way through the system. Keeping defendants in jail longer would increase jail costs but would decrease court and sheriff’s office costs resulting from a more timely resolution to the case. Imposing higher bail amounts would not result in higher costs, and could offset other court expenses.

Potential Benefits of Implementation: Building a “tough on crime” reputation could result in decreased failure to appear rates and overall improved compliance with court expectations for a segment of the criminal population.

²⁴ “Bail Jumping” is defined in RCW 9A.76.170 as, “Any person having been released by court order or admitted to bail with knowledge of the requirement of a subsequent personal appearance before any court of this state, or of the requirement to report to a correctional facility for service of sentence, and who fails to appear or who fails to surrender for service of sentence as required is guilty of bail jumping.”

²⁵ As allowed by law.



3 WARRANT BACKLOG

Decreasing the outstanding warrant backlog will reduce the number of wanted persons who are not answering to charges brought against them and who may pose a threat to community safety.

3.1 ***There is a backlog of 10,000 outstanding warrants.***

There are nearly 10,000²⁶ (see Figure 11) outstanding warrants in Snohomish County dating back to 1969. There are many reasons for this backlog. Some examples are:

- Barring extenuating circumstances²⁷, the Sheriff’s Office does not actively serve criminal warrants issued by the court; warrants are served as deputies come into contact with wanted persons in the course of their regular duties²⁸.
- FTA rates are high for both misdemeanors and felonies, see Section 2.2.
- There are few consequences for having an active warrant.
- No notice is given to defendants to inform them that a warrant has been issued.
- No accepted criteria exist in District Court for determining if misdemeanor warrants should be re-issued once they expire.

One result of this backlog is an increased risk to the public; 30% of defendants arrested on warrants were also booked on new crimes.

Figure 11²⁹

Outstanding Warrants	
Misdemeanors	6,921
Felonies	3,024
TOTAL	9,945

Although having 10,000 outstanding warrants is high, Snohomish County has the lowest number of outstanding warrants per capita of seven counties in the region and is comparable to counties with similar population nationwide, see Appendix E for detail. The Snohomish County Sheriff’s Office used to engage in active warrant service, but they report that budget constraints and other law enforcement priorities have taken precedent.

²⁶ Count as of 10-10-2006

²⁷ Special Services Unit Deputies actively serve warrants when all other mandated court activities are completed. According to personnel in this department, there is rarely time to actively serve warrants.

²⁸ The Sheriff’s Office reports that warrants are not actively served due to law enforcement priorities and budget constraints.

²⁹ SNOPAC data



A District Court Judge in Washington stated that when warrants are not enforced, a clear message is sent that criminal conduct will be ignored. However, when a defendant is arrested on a warrant, it is more likely that subsequent crimes will be deterred or avoided because of the arrest, transport, incarceration and subsequent conditions of release as a result of the criminal offense.³⁰

Recommendation 2:

The law and justice community should:

1. reduce the backlog of outstanding warrants

by considering **POLICY OPTIONS: Reducing Warrant Backlog** in Section 3.2.

³⁰ No Bond, No Body, and No Return of Service, Van de Veer, 26 Seattle University Law Review, 2003



3.2 ***POLICY OPTIONS: Reducing Warrant Backlog***

Implementation of these strategies would meet the goal of holding defendants accountable and could result in additional costs to the system. Over the long term, these options could reduce overall costs to the system.

1. Active Warrant Service

The Sheriff agrees that active warrant service is a worthwhile law enforcement activity that they would like to pursue given the resources. There are three ways that jurisdictions commonly engage in active warrant service:

- Warrant Units
- Warrant Sweeps
- Task Force Participation

Engaging in any of these activities would be most effective if it was coordinated with all law and justice system entities.

Warrant Units

Half of the jurisdictions surveyed³¹ have dedicated warrant units whose role is to focus on serving criminal warrants. All of the jurisdictions believe that active warrant service is a good idea. Those that have warrant units believe that their units are effective although few jurisdictions keep performance data. Jurisdictions that did not have warrant units, including Snohomish County, stated that it was due to budget constraints.

Warrant Sweeps

Warrant sweeps are organized, targeted warrant service efforts usually lasting a few days involving a small number of law enforcement personnel. The sweeps typically focus on serving prioritized warrants for domestic violence, driving under the influence, and other serious crimes. Many of the jurisdictions that did not have dedicated warrant units participated in warrant sweeps. Most felt that warrant sweeps are a good way to raise the profile of active warrant service within a jurisdiction.

Task Force Participation

Task Forces including multiple jurisdictions of law enforcement are increasingly used to leverage resources to serve priority warrants. When these task forces are collaborations with US Marshals, the FBI, Washington State Patrol etc. the priority can become high profile felony warrants rather than local concerns. Some jurisdictions have formed local warrant task forces

³¹ Pierce County, WA; King County, WA; Whatcom County, WA; Kitsap County, WA; Clark County, WA; Skagit County, WA; Multnomah County, OR; San Joaquin County, CA; Bucks County, PA; Jackson County, MO; Kent County, MI; Jefferson County, AL.



to aide in the serving of warrants among cities, towns and counties with varying degrees of success.

Cost of Implementation: Law enforcement entities in other jurisdictions retain between 2 and 14 FTEs for their warrant service units. The composition of the program would determine cost. If a dedicated warrant unit were not formed, clear prioritization of warrants and periodic warrant “sweeps” could be performed using existing staff.

Potential Benefits of Implementation: Active warrant service efforts could initially cost the law and justice system more, but benefits could be realized in public safety, officer safety and by creating a culture in which it is known that warrants will be enforced. A decrease in FTAs may also occur.

2. Warrant Amnesty Programs

Warrant amnesty programs have been used successfully across the country to decrease the backlog of outstanding misdemeanor warrants, see Figure 12. Warrant amnesty is a program in which a jurisdiction provides incentives for persons with outstanding warrants to come to court in order to reschedule missed court dates. The goal is to quash or cancel outstanding warrants. In general, these programs are coordinated by misdemeanor courts and are not intended for violent defendants. All jurisdictions surveyed that participated in amnesty programs reported some reduction in warrants and/or an increase in collection of fines but varied greatly in their outcomes. Adequate promotion of warrant amnesty programs is critical to their success.

Figure 12

	<u>Warrants Cleared</u>	<u>\$ Collected**</u>
Delaware	~1,500	--
Wichita, KS*	2,400	\$195,020
Topeka, KS	950	--
Cleveland, OH*	6,750	\$215,000
Lubbock, TX	~1,300	\$500,000***
Colony, TX*	--	\$7,680
Santa Clara, CA 2006	389	--
Santa Clara, CA 2005	650	--

*Municipal Courts offered amnesty for both misdemeanors and traffic citations.

**Many jurisdictions did not collect money during their amnesty programs.

***This is the full warrant amount, not actual dollars collected.



Cost of Implementation: Implementation of warrant amnesty programs may include the costs of planning and promoting the program and then processing the warrants of those participating in the program.

Potential Benefits of Implementation: Implementation of warrant amnesty would help decrease the backlog of outstanding warrants and decrease warrant costs overall. A served warrant takes 4.5 hours of staff time and a quashed/cancelled warrant takes 1.5 hours of staff time.

3. Publicizing Outstanding Warrants

Many jurisdictions utilize websites or newspapers to publish photos, names, and public safety information on their “most wanted” individuals with active warrants. Figure 13 shows that most of these jurisdictions report that their programs are effective³², although few have kept statistics. Many jurisdictions report high web traffic volumes on “most wanted” websites. One jurisdiction reports that they arrest 70-80% of the wanted persons posted on their site and another reports clearing 75% of listed felons and 65% of listed misdemeanants shown in the newspaper.

Figure 13

Washington Cities and Counties	Most Wanted Website	Most Wanted Newspaper Notices	Does the jurisdiction find the program effective?
Clark County	X	X	yes
Cowlitz County	X	X	15-25 tips per month
Lincoln County	X		no
City of Kennewick	X		70-80% of those posted arrested
Kitsap County	X		yes
Skagit County	X		yes
Spokane County	X		yes
City of Vancouver	X		City's most visited site
Wahkiakum County	X		no
Yakima County	X	X	500 arrested over 5 years
Other Jurisdictions			
Delaware	X		yes
Oakland County, MI	X		75% of felons and 65% of misdemeanants

³² The two jurisdictions that reported their websites were not effective were small jurisdictions with one site simply listing a series of names while the other site provided no instructions on how to report “tip” information regarding the wanted persons.



			posted were arrested
Kootenai County, ID		X	yes
Weld County, CO	X	X	yes

Cost of Implementation: Developing a “most wanted” website and submissions to the newspaper would not take significant amounts of time, but would be additional work for some staff. Most jurisdictions report that their technology departments update their websites, but some Sheriff’s Office staff have been trained to complete this task. A number of jurisdictions coordinate their “most wanted” sites through Crime Stoppers.

Potential Benefits of Implementation: In the short run, publicizing “most wanted” warrants could initially result in additional arrests, bookings, and court time. Long term benefits could be realized in public safety and creating a culture in which it is known that warrants will be enforced, thus, decreasing FTAs over time.

4. Warrant Recall Fee

A number of courts in Snohomish County have walk-in or quash calendars that allow individuals with warrants to reschedule court hearings without penalty. In other jurisdictions, in order to motivate individuals to attend their court hearings, the court charges a fee for missing a court date and for rescheduling another hearing date. Everett Municipal Court charges a \$50 Warrant Recall Fee and generates approximately \$4,000 per month of local revenue for the court. Federal Way Municipal Court charges \$100 to quash a warrant and reschedule a missed hearing.

For those unable to pay the fee, Everett schedules a new hearing within one month (rather than on the next available calendar) and the warrant stays active. Another jurisdiction allows an alternate sanction of a day of community service in exchange for rescheduling a warrant if the defendant cannot pay the fee.

Cost of Implementation: Court staff would be responsible for collecting the fee when the defendant requests rescheduling a hearing. Any additional costs should be offset by the revenue generated from collecting the fee.

Potential Benefits of Implementation: Charging a warrant recall fee could improve FTA rates by serving as a disincentive to missing scheduled hearings. Fewer FTAs translates into fewer warrants which could alleviate some of the backlog and decrease warrant costs overall.



5. Warrant Notification

Some jurisdictions have found that notifying defendants that they have a warrant results in defendant-initiated warrant resolution. The Boston Police Department reported that when it regularly sent out notification letters for misdemeanor warrants, they received a 30% response rate – these individuals either rescheduled court dates or paid their fines. In Sacramento County, CA warrant notices are automatically generated at the time the warrants are issued. Letters are sent to the defendant's address informing them of the warrant with instructions on how to resolve it, as well as the consequences of not doing so. No outcome data is tracked; however, staff interviewed said that the notification letters are effective.

Cost of Implementation: Warrant notification would require some additional cost for printing and postage for 50 warrants per day (on average). Automation could minimize staff time required to oversee the notification process. This project could be staffed by interns or volunteers.

Potential Benefits of Implementation: Notifying defendants that they have a warrant could help decrease the backlog of outstanding warrants and decrease warrant costs overall. When defendants initiate warrant resolution it saves three hours of law and justice staff time.

6. Re-Issuing of Misdemeanor Warrants

Most misdemeanor warrants in Snohomish County expire within three years of issuance.³³ Judges can re-issue misdemeanor warrants. Some jurisdictions, in order to help reduce the backlog of outstanding misdemeanor warrants, have adopted a policy that only gross misdemeanors or the most serious of misdemeanor warrants can be re-issued. The state of Massachusetts has suggested that interdisciplinary teams be established in each of their jurisdictions to evaluate warrants and set criteria as to when it is appropriate to re-issue them.

In addition, the Washington State District and Municipal Courts Judges Association (DMCJA) Warrants Committee has also suggested limiting the re-issue of warrants to serious misdemeanors. This Committee also stated that another way to improve backlog is to issue some misdemeanor warrants for less than three years.

³³ No provision of law limits the duration of a misdemeanor arrest warrant. As a matter of local practice, arrest warrants can be reviewed to determine if they should be kept active or cancelled. Currently WACIC has a default expiration of current year plus three years. As of July 2007 jurisdictions will have the option to determine expiration dates. WACIC will have a default expiration of current year plus four years if no other time frame is indicated.



Cost of Implementation: Determining criteria for re-issuing misdemeanors would not result in costs other than planning time.

Potential Benefits of Implementation: Minimizing the re-issuance of misdemeanor warrants to serious crimes and/or gross misdemeanors could help decrease the backlog of outstanding warrants and decrease warrant costs overall.



4 WARRANT ADMINISTRATION

Effective administration of the warrant process will increase efficiency, effectiveness, and timeliness.

4.1 ***Warrant management should be more timely and efficient.***

There is a delay between the date a warrant is ordered and the date when the warrant data is made available to law enforcement and others through the WACIC database. When information systems do not have up to date information, the following scenarios could occur although we were not able to determine how often. Problems resulting from lag times in warrant entry are:

- a wanted defendant could be stopped by law enforcement and not be arrested;
- the jail could release a wanted defendant from custody; or
- the wanted defendant may be in custody but the court may not be aware so the case is not resolved in a timely manner.

Breakdown of Time Delay

There are multiple parties involved with warrants during the time from issuance to entry. Felony warrants are a higher priority and are processed more quickly due to the higher risk to the community.

Figure 14

Time Delay from Warrant Issuance to Warrant Entry

	2005			2006		
	Court/ Clerk	Sheriff's Office	TOTAL	Court/ Clerk	Sheriff's Office	TOTAL
Misdemeanors	7 days	4 days	11	4 days	7 days	11
Felonies	2 days	1 day	3	2 days	5 days	7

Expectations for Timeliness

District Court, Superior Court, and the Sheriff's Office do not have written policy for how quickly warrants should be processed. The state and FBI require that both misdemeanor and felony warrants be entered into their computer systems, WACIC and NCIC, within 72 hours of the Sheriff's Office receiving the warrant. The Sheriff's Office met felony requirements in 2005, but is otherwise not



meeting these expectations for timely warrant entry due to reported staffing shortages and workload priorities.

4.2 ***Data entry in the law and justice system is inefficient.***

There are approximately 32 minutes of redundant data entry per warrant; data is entered by hand up to seven different times during the warrant process. Each entry point is an additional opportunity for error. There are eight data management systems in the law and justice system and a core set of data is required in each system as it relates to warrants:

- Name
- Date of Birth
- Address
- Physical Description
- Warrant Activation
- Warrant Cancellation

Data integration in the law and justice system has long been examined but has not yet been achieved. Data integration is complex and requires agreement across the law and justice system regarding composition and integrity of data elements. Some actions could be taken that would not achieve full integration, but would decrease the amount of redundant data entry.

Recommendation 3:

The law and justice community should:

1. decrease time from warrant order to warrant entry
2. decrease redundancies in data entry

by considering ***POLICY OPTIONS: Warrant Administration*** in *Section 4.3*.



4.3 ***POLICY OPTIONS: Warrant Administration***

1. Misdemeanor Electronic Warrant Upload

Electronic upload is a process that streamlines transferring information from the court database to the state criminal information database. Misdemeanor electronic warrant data uploads into the state criminal information system are currently being used by Pierce and King County District Courts. They report that warrant data is quickly available to law enforcement. Each day court staff members run a program that extracts all of that day's warrants into a file. That file is then uploaded directly into the state criminal information database, WACIC, to make the information available to law enforcement right away. Mismatches in information generate exception reports that are reconciled by hand.

In Snohomish County, Sheriff's Office records staff members enter each warrant into WACIC once they receive the original warrant from District Court. The Department of Information Services is planning to develop a system similar to King County's that will decrease the time from warrant issue to warrant entry to less than 24 hours.

Cost of Implementation: When this project is reviewed by DIS they will estimate the cost. Other jurisdictions report that there was minimal time and cost invested in their projects.

Potential Benefits of Implementation: Implementation of electronic uploads would decrease the time spent by Sheriff's Office records staff manually entering data. It would also make warrant information available to all parties more quickly. Implementation will help:

- avoid releasing defendants from jail when a warrant has been issued but is not in the system;
- ensure that when deputies encounter a defendant in the field that they have full information for safety reasons; and
- ensure that all defendants with warrants who come in contact with the Sheriff's deputies are arrested.

2. Integrated or Partially Integrated Data Systems

Jurisdictions across the country, including Snohomish County, have been working toward law and justice system data integration for many years. Few jurisdictions have accomplished integration, but many have begun the process which has decreased redundancies as computer systems have shared data.



Cost of Implementation: The cost of law and justice data integration could vary depending on the scope of the project.

Potential Benefits of Implementation: Among other benefits, data integration could eliminate the need for redundant warrant data entry. It could also ensure that there are fewer information gaps and that the entire system functions more efficiently and effectively.



5 AREAS FOR FURTHER STUDY

Court Services

It is beyond the scope of the Criminal Warrant Audit to recommend a specific court services program design for Snohomish County. There are countless formats and scopes for programs that provide pre-sentence services to courts and defendants. We recommend that these programs be further researched if Snohomish County decides to implement a court services program.

Systematic Implementation of Law and Justice Initiatives

There is a need for central coordination, identification, and implementation of law and justice initiatives. No department, court or office has the authority or staffing capability to implement cross departmental changes. The Law and Justice Cabinet is an existing venue to discuss system initiatives however, there are no dedicated staff charged with implementation of such initiatives. There is currently an unfilled, unfunded position for the Law and Justice Cabinet that could assist in coordination activities.

Extradition

During our investigation issues regarding extradition between jurisdictions were raised repeatedly. It is beyond the scope of this audit to examine extradition practices and challenges; however, it is clear that extradition is an issue that would benefit from further evaluation.

Judicial Coordination in Courts of Limited Jurisdiction

District Court may wish to research authorizing jurisdictions to hear one another's cases to bring about broader efficiencies in the courts. In addition to universal cashing and the jail calendar, District Court could consider increased coordination by allowing one court to handle outstanding warrants from another court.



6 OFFICIAL RESPONSES

6.1 *Office of the Prosecuting Attorney*

October 18, 2007

Ms. Kymber Waltmunson
Snohomish County Performance Auditor
3000 Rockefeller Avenue
Everett, WA 98201

Re: Audit of the Snohomish County Criminal Warrant Process

Dear Ms. Waltmunson:

You and your team have invested significant time, energy and talent to audit the current state of our criminal warrant process in Snohomish County. I have reviewed your draft audit report and commend you and your assistants on a job well done. Few outside the criminal justice system will be able to appreciate the complexity of the issues addressed in your audit. Your report clearly describes our processes and many of our challenges. It also provides practical recommendations for future action.

I provide this letter response pursuant to SCC 2.700.060. As you will see, I have tried to identify and comment upon those recommendations and policy options that relate to the work of the Criminal Division of the Prosecuting Attorney's Office. My comments are all premised upon two fundamental principles: first, that it is an accused's sole responsibility to respond to a summons or a notice to appear in court; and, second, that the accused is also solely responsible for the consequences that flow from his/her failure to appear. No actions undertaken in response to this audit or other initiative should ever be interpreted as shifting that burden to the court, to law enforcement, to corrections, to the prosecuting attorney, or to other criminal justice system participants. That said, I agree that the costs associated with issuing and serving warrants are high and that it is sound policy to try to decrease the number of warrants issued and to increase the efficiency of the warrant management process. I am committed to working with the three branches of government to achieve these improvements.

Recommendation 1 seeks to decrease the cost and time impacts of warrants on the system, decrease risk to the community, reduce the failure to appear rates, and improve communication with the accused. It is too speculative to conclude that decreasing the number of warrants issued and increasing the efficiency of the system will decrease community risk. Nevertheless, I agree that the other aspects of the first recommendation are worthy goals.

Policy Option 2.4(2) recommends increasing the effective use of existing law and justice databases. I agree with this recommendation; work within my office on this recommendation is longstanding and ongoing.

Policy Option 2.4(4) promotes making court date reminder calls. This recommendation would likely be implemented by the Office of Public Defense and I strongly support it. The Law & Justice Cabinet studied this concept four years ago and I concluded at that time that that it would be an effective means of reducing our failure to appear rate. My opinion remains the same today.



Policy Option 2.4(5) recommends improving the systematic collection and verification of contact information from the accused. I also agree with this recommendation. The Prosecuting Attorney's Office routinely seeks new and improved people search tools and, consistent with Policy Option 2.4(2), I would welcome the opportunity to work with other criminal justice system participants to identify, acquire, and implement use of these types of databases. Further, in response to this audit, Deputy Prosecuting Attorneys will begin to routinely request updated contact information from individuals at each court appearance.

Policy Option 2.4(9) encourages filing Bail Jump charges as a means of improving compliance with orders to attend court. We do file Bail Jump charges in felony cases, but it has not been our practice to do so in misdemeanor matters. I will evaluate this suggestion further and implement any changes we decide to make to our Bail Jump charging protocol by September 1, 2007.

Recommendation 2 seeks to reduce the backlog of outstanding warrants. As the report details, Snohomish County has the lowest outstanding warrant rate in the state. That is due, in large part, to systematic reviews done by Senior Deputy Prosecutors and members of the Superior Court. During these assessments, old warrants are reviewed and evaluated for recall. While further reduction in the number of outstanding warrants might deter future crime, it is my view that we would more effectively impact the recidivism rate by keeping more defendants in custody, pending trial. This was common before CrR 3.2 was amended to restrict the pre-trial bases upon which the court may hold individuals.

Policy Option 3.2(1) recommends active warrant service by law enforcement agencies. I support these recommendations and further suggest that law enforcement entities actively involve municipal and state prosecutors in the work of their warrant units, warrant sweeps, and task force efforts. Such coordination will help ensure that prosecuting authorities will be able to process the cases that flow from these enforcement efforts.

Policy Option 3.2(6) identifies improvements that may be achieved by standardizing misdemeanor warrant review and re-issuance procedures. This is sound policy, one that the Prosecuting Attorney's Office will be happy to develop and implement with the District Court.

Recommendation 3 seeks to improve overall efficiencies in the process through which warrants are issued. Policy Option 4.3(1) is a particularly intriguing suggestion that may significantly streamline the data input work done by our Sheriff's Office.

Section 5 of the Warrant Audit includes suggested areas for further study. The Snohomish County law and justice community works well together on issues that relate to the administration of justice. As the report notes, system participants are often unable to achieve cross-system changes because we lack resources to deploy to them. Members of the Law & Justice Cabinet recently met to explore reviving the Law & Justice Cabinet Analyst position. I anticipate the Cabinet will make a specific request to fund that position through the 2008 budget process. If funded, I am confident that your audit recommendations will be among the priority items assigned to the analyst for action.

Once again, I thank and commend you for your work on this project. You have provided a clear and practical assessment from which we all can work to improve the overall administration of justice in Snohomish County.

Very truly yours,

Janice E. Ellis

cc: Joan Cavagnaro, Chief Criminal Deputy



6.2 **Corrections**

Snohomish County Corrections Response to Criminal Warrant Process Performance Audit

To: Kymber Waltmunson, Performance Auditor

From: Steve Thompson, Director
Snohomish County Corrections

Date: March 19th, 2007

Subject: Performance Audit Response

The Snohomish County Department of Corrections appreciates the time and effort taken by the Performance Audit Team to review the Criminal Warrant Process in Snohomish County. As we discussed with you throughout this audit, Snohomish County Corrections welcomes any opportunity to identify efficiencies that have the potential to enhance public safety, improve Snohomish County Criminal Justice operations, and benefit the taxpayers of Snohomish County by eliminating duplication of service. We look forward to continuing to work with our colleagues on your recommendations for improving the Criminal Warrant Process.

The following is our response to the audit Recommendations:

Recommendation 1: The law and justice community should:

1. Decrease the cost and time impacts of warrants on the system
2. Decrease the risk to the community
3. Reduce failure to appear rates
4. Improve communication with arrestees/defendants/offenders

by considering ***POLICY OPTIONS: Reducing Failures to Appear*** in *Section 2.4*.

Check Custody Status in the Courtroom

Determining if individuals who have not shown up for court is in Snohomish County Jail before issuing a warrant could decrease the number of warrants ordered with minimal effort. The court would continue to issue warrants for defendants in custody in other jurisdictions in order to ensure that they would be transferred to Snohomish County to address local charges.

SCC Response: We concur. Checking for the Defendant's Custody Status may help with court scheduling, reduce the number of continuances, and decrease the number of court transports. Any procedure that reduces no-shows when the defendant is already incarcerated, hospitalized or unable to make a court appearance benefits the entire system. If contacted, SCC could provide the court's with expected release date, if known, so that they can re-schedule the court appearance while in custody or upon release. It may also be beneficial to check neighboring jurisdiction as well.

Provide FTA Information to Individuals at Sheriff Contact

Informing defendants of the consequences of failing to appear could improve court appearance rates. The standard citation form used by the Sheriff's Office provides information on the importance of attending all scheduled court appearances; however, the information is printed on the back of a multi-part form that is hard to clearly read. A pilot program by the Redmond Police found that, in concert with other reduction strategies, providing additional



information about warrants and the risks of failing to appear decreased FTA

SCC Response: We concur. One to the lessons learned from the Redmond Police Department's pilot project is to ask for other pieces of identification that may help verify the information on the Driver's License or other forms of identification.

Court Date Reminder Calls

Reminder call programs have been implemented across the country with success. In these programs, calls are made to defendants in the week prior to their court date reminding them of the date, time, and location that they are to appear. Jurisdictions provided both quantitative and anecdotal data.

All data showed decreases in FTA rates when programs using reminder calls (sometimes paired with other reduction strategies) were implemented. The jurisdictions we found implementing reminder calls were doing so in the misdemeanor and juvenile populations.

SCC Response: We concur. However, part of the problem with those individuals who are more likely to FTA is that the information they provide is/or cannot always be verified. For those who are released from custody by bail, bond or PR, there is no system currently in place that verifies or updates the records across systems so the information is correct. The research shows that those who have up to date records and are contacted directly are more likely to show up for court.

The programs that show the highest FTA reduction success rate were those who made contact directly with the defendant. When a message was left or they contacted another person to remind the defendant the success rate decreased.

Systematic Collection and Verification of Contact Information

Accurate address and phone contact information is critical for informing defendants of their scheduled court hearings. Other jurisdictions have made concerted efforts to capture and constantly update this information. Opportunities to gather and verify contact information occur at four primary points in the process:

1. Contact with deputies in the field
2. Information gathered by the Prosecuting Attorney's Office
3. during court hearings
4. Release from jail

SCC Response: We concur. See Above. In addition to these opportunities for collecting and verifying contact information, it important to collect and verify information at the time of booking. For those who are released from custody by bail, bond or PR, there is no system currently in place that verifies or updates the records across systems so the information is correct. Even if the information is collected at the various points identified, there still needs to be some mechanism that checks across systems. Each of the primary points in the process has a different data base and the critical contact data are not currently shared. Therefore, the information can be updated in one system, but not in any of the other systems. Updated or additional technology may be required in order for data that is recorded at the time of release at the jail to be available to those utilizing it.

The Release From Jail program may be staff intensive. The jurisdictions that have used this strategy with the most success have pre-existing pretrial services units dedicated to FTA reduction strategies. For example, the programs implemented in Washington D.C. Pretrial Services Agency and King County already had contact with the defendant. More importantly, they were co-located within the Booking and Release area. The information that they collect at the time of the Pre-trial interview is already verified. One of the primary reasons for the success of the D.C. program low FTA rate is that they have one computer system that is used for this purpose.



Make Hearing Information Available on the County Website

Many jurisdictions make court hearing dates, times, and locations available for defendants on their websites.

SCC Response: We concur.

Court Information at Release

96% of felony FTAs and 81% of misdemeanor FTAs occur before sentencing.

Often, the final opportunity to ensure that defendants know what is expected of them is at release from custody. The Regional Justice Center in King County made a concerted effort to work with defendants upon their release from custody ensuring that:

- Contact information was accurate
- Pending cases were reviewed and conflicting court dates were resolved
- The defendant was provided information regarding all upcoming court dates

When this program was paired with reminder calls they achieved a 93% rate of appearance; the highest achieved by any FTA reduction strategies encountered during this audit.

SCC Response: Again, the King County Pre-Trial Services Unit is located within the booking and release area. They do not depend upon the Release Officer or Commitment Officer to provide this information. When the court wanted more information prior to release the Court PR Release Orders included the words “PR Exit Interview Required” stamped on the order. This information is provided by the Pre-Trial Services staff and they collect they conduct an additional interview.

The PR Exit Interview was done at the actual time of the release to the street. One of the principal reasons for the exit interview by the PR Screeners is to verify and provide a more timely court date and ensure that the detainee is fully aware of the court obligations. It was part of the King County Executive and County Council’s initiatives to reduce failures to appear. The King County District Court out-of-custody calendars were published similar to the Everett Municipal Court.

The ability to provide the defendant with information on the upcoming court dates is really dependant upon way that the different jurisdictions use different systems for setting court dates for notification. Some Court’s set the court date when the citation is issued and others notify by mail. Also, there is a difference how court dates are set at the time of release. We do concur the manner of notification has the potential for reducing FTA and that it would be beneficial to look at alternative procedures for notification of the next court date at the time of release.

Court Services at the Jail

A well-designed pre-trial supervision system could both decrease the amount of time some defendants are spending in custody prior to sentencing and improve the likelihood that those out of custody defendants attend their scheduled court hearings.

An effective program could include the following functions:

- Court date reminder calls
- ensuring accurate contact information
- calendaring for District and Superior Court defendants being released with no new court date
- providing next court dates to all defendants at pre-trial release
- pre-trial supervision

SCC Response: Court services Programs could provide the Court’s with a number of different services including those identified. However, while some jurisdictions have invested in the staff to provide these services, there is nothing that suggests that these strategies could not be instituted without creating new



positions. In fact, except for pre-trial supervision, the other strategies should be emphasized within the current operational environments.

Recommendation 2:

The law and justice community should:

1. Reduce the backlog of outstanding warrants by considering POLICY OPTIONS: Reducing Warrant Backlog in Section 3.2.

SCC Response: We Concur. However, we do recognize that the aggressive service of Snohomish County warrants, past and present, may impact population levels in the jail. As noted in the report, any jail savings that may be associated with a decrease in Snohomish County FTA warrants may be offset by costs incurred during the implementation of these strategies to reduce the warrant backlog and put teeth into a Snohomish County FTA warrant.

6.3 ***Sheriff's Office***

(next page)



SNOHOMISH COUNTY SHERIFF'S OFFICE

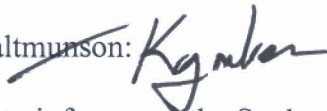
Pride in Service to Our Community

R. R. "Rick" Bart
Sheriff

March 15, 2007

Ms. Kymber Waltmunson
Snohomish County Performance Auditor
3000 Rockefeller Avenue, M/S #505
Everett, WA 98201-4046

RE: Criminal Warrant Audit


Dear Ms. Waltmunson: 

This letter is to inform you the Snohomish County Sheriff's Office has reviewed the draft report of the criminal warrant audit completed by your office. I agree with the conclusions drawn from your investigation. I also concur with your three recommendations to improve the efficiency and effectiveness of the criminal warrant process. I believe it is important we (Snohomish County) carefully consider any and all policy options which could help streamline that process. Specifically, the Sheriff's Office will be following up on these options:

- Providing verbal FTA information to individuals contacted by Sheriff's Office field personnel.
- Verification of contact information for individuals contacted by Sheriff's Office field personnel.
- Improving active warrant service processes (sweeps; amnesty program; etc).
- Electronically uploading misdemeanor warrant information to state databases.
- Extradition policies and procedures.

I would like to add the audit process implemented by you and your staff was quite pleasant and expeditious. I would like to extend my personal thanks to all of you for a job well done.

Sincerely,



ROBERT R. BART, SHERIFF
Snohomish County



6.4 **Office of Public Defense**

Thursday, March 01, 2007

KyMBER Waltmunson
Performance Auditor's Office

RE: Response to Draft Audit of Warrant System

Since your request is to address each official finding and recommendation I will proceed in the order they are presented.

Finding One: Warrants and Failures to Appear

"A reduction in the number of warrants issued and failures to appear would decrease costs, increase revenues, and improve defendant accountability."

1. Warrants consume significant county resources. **AGREED**
2. Snohomish County felony and misdemeanor FTA rates are high. **AGREED**
3. Communication with defendants could improve. **AGREED**

Recommendation One: Policy Options -- Reducing Failures to Appear

1. Check Custody Status in the Courtroom **AGREED**
2. Provide FTA Information to Individuals at Sheriff Contact **AGREED**
It makes sense that defendants should be reminded of FTA consequences at every possible opportunity, including at Sheriff contact. This could also include a brief statement by the court at the beginning of each court calendar as well as highlighted FTA information on any court date documents that the defendant is given.
3. Court Date Reminder Calls **AGREED**
As the audit mentions, the Office of Public Defense does run the Summons Plus program which attempts to make such calls on felony arraignment calendars. With additional staffing this program could be expanded to encompass additional calendars. The idea of making the phone calls on the Saturday of the weekend prior to the court date makes sense in terms of optimizing notice.
4. Systematic Collection and Verification of Contact Information **AGREED**
It makes sense that the defendant's address and phone number should be re-verified at every opportunity throughout the proceedings. Many of the defendants change addresses frequently and often forget to update their contact information. This should be done at the time of arrest, booking, pre-trial interview, assigned counsel interview and every court date on the case. There should be a central database for each case where this information is maintained as it does little good to have different entities collecting information that never comes together.
5. Make Hearing Information Available on the County Website **AGREED**
It is an unfortunate truth that defendants often misplace their court date notices. If the County could create and publicize a simple on-line means of checking court dates, many more defendants are likely to make their court appearances. Part of this initiative should



include specifying for defendants where they can access internet services at little or not cost, like the public library or at certain government agencies.

6. Court Information at Release **AGREED**

This could be a valuable tool to decrease FTAs. It would serve to repeat and thereby underscore the information to those defendants who received the proper information in court. It would also serve to catch those defendants who managed to leave court without the proper documentation and provide them with it.

7. Court Services at the Jail **AGREED**

This audit states that the development of such a program is beyond the scope of its mandate. However, OPD has managed a pre-trial program for several years. We would be very interested in working towards maximizing the services and benefits that a better supported pre-trial program could provide

8. Failing to Appear has Substantial Consequences **AGREED**

Finding Two: Warrant Backlog

“Decreasing the outstanding warrant backlog will reduce the number of wanted persons who are not answering to charges brought against them and who may pose a threat to community safety.”

1. There is a backlog of 10,000 unserved warrants. **AGREED**

Recommendation Two: Policy Options – Reducing Warrant Backlog

1. Active Warrant Service **AGREED**

2. Warrant Amnesty Programs **AGREED**

3. Publicizing Outstanding Warrants **AGREED**

4. Warrant Recall Fee **AGREED**

One downside to this program is that unless it is highly publicized, defendants won't find out about it until they have already FTA'd. Any such program should have a non-financial option for indigent individuals, like the alternative of community service that is mentioned.

5. Warrant Notification **AGREED**

This recommendation takes into account that not all FTAs are intentional and that many individuals who miss court dates are anxious to correct their oversight.

6. Re-Issuing of Misdemeanor Warrants **AGREED**

Guidelines for the re-issuance of misdemeanor warrants are a good recommendation. While it appears reasonable to have a default for the length of time a misdemeanor warrant stays out, it is also reasonable to have a review system in place to make sure that warrants for the most serious crimes, or most prolific offenders are kept active. Nobody should presume that they can avoid resolution of a criminal matter by eluding the police for a certain length of time.

Finding Three: Warrant Administration

“Effective Administration of the warrant process will increase efficiency, effectiveness, and timeliness.”

1. Warrant Management should be more timely and efficient. **AGREED**

2. Data entry in the law and justice system is inefficient. **AGREED**



Recommendation Three: Policy Options – Warrant Administration

1. Misdemeanor Electronic Warrant Upload. **AGREED**
2. Integrated or Partially Integrated Data Systems. **AGREED**

Thank you for the opportunity to respond. We thought the audit resulted in productive recommendations. We are interested to see what may come from the Court Services part of the “Areas for Further Study”. We would be excited to participate in developing a Court Services program that provides broader and more in-depth services.



6.5 **Clerk's Office**

Audit of Snohomish County Criminal Warrant Process

County Clerk's Response

The Clerk concurs with Recommendation 1: The law and justice community should:

5. decrease the cost and time impacts of warrants on the system
6. decrease the risk to the community
7. reduce failure to appear rates
8. improve communication with arrestees/defendants/offenders by considering policy options relating to reducing failures to appear.

Comments related to the specific policy options follow:

2.4 POLICY OPTIONS: Reducing Failure to Appear

1. Check Custody Status in the Courtroom.

The study indicates court clerks from other jurisdictions check the custody status of each defendant who fails to appear before a warrant is issued. Adding such duties to the multi-faceted responsibilities of the courtroom clerks in Snohomish County Superior Court cases is not currently practical because of the high-volume and complex nature of criminal hearings.

Courtroom clerks assist in making court hearings as efficient as possible by handing paperwork back-and-forth to the participants while being responsible for typing a contemporaneous record (minute entry) of what is happening in each case scheduled on the hearings calendar. Clerks may do as many as 90 minute entries within an hour time. Minute entries are mandated by statute and occasionally, clerks have had to testify on bail jumping FTAs based on the accuracy of these entries.

Court Operations Manager Kathleen Gunn (22 years of experience) believes adding a record's check function to the other duties the courtroom clerks currently perform would potentially degrade the accuracy of minute entries, have the potential to make the processing of calendars less efficient, and over-tax courtroom staff in these high-volumes, high-stress hearings.

Depending on County Clerk courtroom staff to perform this function is simply not practical given current workloads.

2. Provide FTA Information to Individuals at Sheriff Contact.

Not applicable to Clerk's Office.

3. Reminder Calls

It should be noted that felony cases are fundamentally different from District Court when it comes to legal representation. Most felony defendants are represented by an attorney, while most District Court defendants are self-represented. Given the duties and responsibilities of attorneys representing felony clients, it would be expected the impact of reminder calls in felony cases would be significantly less than District Court cases.



At this time the Clerk's Office is not adequately staffed to perform "reminder calls" in Superior Court cases.

4. Systematic Collection and Verification of Contact Information:

1. Sheriff Deputies in the Field.
Not applicable to Clerk's Office
2. Prosecuting Attorney's Office.
Not applicable to Clerk's Office
3. Court Hearings.

The study recommends that defendants be consistently asked to verify their contact information for the record at each hearing they attend.

The nature of legal representation makes this a different issue for Superior Court cases than District Court. Having updated contact information on defendants represented by attorneys would be redundant and over-burdensome.

Currently, in-court defendants involved in collection efforts and those ordered to make fines and fees payments are directed by the Judges to provide current information to the Clerk's Office as a matter of routine. This information is (usually) provided away from the courtroom due to the time involved in receiving and logging such information and the disruptive nature of getting such information would have on court hearings. Clerk staffs involved in this process ARE NOT courtroom clerks and only attend select hearings to obtain sentencing and payment information.

Expecting courtroom clerk's to scribe such information in addition to their other duties would not be practical on a routine basis.

4. Release from Jail.
Not applicable to Clerk's Office.

The Clerk concurs with Recommendation 2: The law and justice community should reduce the backlog of outstanding warrants by considering policy options relating to reducing warrant backlog.

Comments related to the specific policy options follow:

3.2 POLICY OPTIONS: Reducing Warrant Backlog

4. Warrant Recall Fee

Cost of Implementation:

The County Clerk's Office estimates that the costs and revenues relate to recalls at the Superior Court level would be minimal.



The Clerk concurs with Recommendation 3: The law and justice community should:

3. decrease time from warrant order to warrant entry
 4. decrease redundancies in data entry
- by considering policy options relating to warrant administration.



6.6 ***District Court***

March 12, 2007

Ms. Kymber Waltmunson, Performance Auditor
Snohomish County Executive
3000 Rockefeller Avenue
Everett, WA 98206

RE: District Court's Response to Warrant Audit

Dear Ms. Waltmunson,

Thank you for the effort you and Ms. Barndt have invested in the warrant audit project. The District Court Judges currently are reviewing the policy options proposed and hope to have the opportunity to discuss the proposals with law enforcement, the jail, the Prosecuting Attorney and the Public Defender's Office.

Very Truly Yours,
Patricia Lyon
Presiding Judge
Snohomish County District Court



7 APPENDICES

7.1 *Appendix A: Officials Interviewed and Consulted*

County Staff

Clerk

1. Anne Trice, Customer Services Manager
2. Kathleen Gunn, Court Operations Manager
3. Mark W. Allen, Case Management/ Records Manager
4. Ron Ledford, Deputy Clerk
5. Sharon Hill, Judicial Process Supervisor
6. Tresa Bredeson, Judicial Process Lead
7. Sonya Kraski, Court Services/Juvenile Manager

Corrections

8. Chris Bly, Operations Commander
9. Dan Young, Transport Sergeant
10. Eileen Diemert, Records & Data Management Supervisor
11. James Harms, Community Corrections Commander
12. Janet Hall, Chief of Administration
13. Kari Reyes, Corrections Assistant II - Records
14. Kathy Anderson, Corrections Assistant II - Records
15. Mark Baird, Programs Operations Analyst
16. Robin Haas, Operations Captain
17. Steve Thompson, Director
18. Susan Clawson, Deputy Director

Council

19. Marsha Isenberg, Legislative Analyst

DIS

20. Bob VonWolfradt, Director
21. David Hopkins, Systems Project Leader Supervisor
22. Greg Benson, Systems Analyst
23. Greg Morgan, Prior Systems Project Leader Supervisor
24. Ron Knight, Applications Manager

District Court

25. Jill Koep, Retired Supervisor
26. Judge Bui, Judge Elect
27. Judge Clough, Judge
28. Judge Goodwin, Supervisor
29. Judge Kelly, Judge
30. Judge Lyon, Presiding Judge
31. Judge McRae, Judge
32. Judge Ryan, Judge
33. Judge Wisman, Judge
34. Paulette Revoir-Beegle, Supervisor
35. Steven Brown, Director
36. Suzanne Elsner, Deputy Director

Executive

37. Deanna Dawson, Executive Director

Finance

38. Diane Weber, Risk Manager



Office of Public Defense

- 39. Beth Cullen, Attorney Administrator
- 40. Kristin Crane, Interviewer Supervisor

Prosecuting Attorney

- 41. Bob Hendrix, Deputy Prosecuting Attorney
- 42. Dave Wold, Legal Specialist
- 43. Janice Ellis, Prosecuting Attorney
- 44. Jim Rucci, Budget and Fiscal Administrator
- 45. Joan Cavagnaro , Chief Criminal Deputy
- 46. Mark Roe, Deputy Prosecuting Attorney
- 47. Renee Anderson, Criminal Law Office Manager
- 48. Tad Seder, Assistant Chief Civil Deputy

Sheriff

- 49. Barbara Gidos, Technical Services Supervisor
- 50. Chris Leyda, Lead Law Enforcement Tech
- 51. Craig White, Deputy Sheriff
- 52. Danise Shields, Staff Services Manager
- 53. David Bales, Operations Bureau Chief
- 54. James Chelin, Deputy Sheriff
- 55. Kevin Prentiss, Support Services Bureau Chief
- 56. Mindy Richardson, Technical Services Supervisor
- 57. Rick Bart, Sheriff
- 58. Susanna Johnson, Investigations Division Sergeant
- 59. Terri Pike, Law Enforcement Tech
- 60. Tom Greene, Administrative Services Bureau Chief
- 61. Randy Winkley , Special Services Unit, Deputy Sheriff

Superior Court

- 62. Ann Howard, Case Flow Manager
- 63. Craig Daly, Assistant Administrator for Juvenile Court Operations
- 64. Shane Nybo, JPS Program Manager
- 65. Dick Carlsen , Administrator
- 66. Superior Court Judges were surveyed
- 67. Judge Wynne, Presiding Judge and other Superior Court Judges
- 68. Marilyn Finsen, Deputy Administrator

Washington State

Administrative Office of the Courts (AOC)

- 69. Jeff Hall, Executive Director of Judicial Administration
- 70. John Bell, Senior Legal Analyst
- 71. Kathy Kuriyama, Data Dissemination Administrator
- 72. Vincent Anderson, Data Analyst
- 73. Yun Bauer, Data Analyst
- 74. Washington State, Diane Harrison, WACIC Auditor

Federal

- 75. Federal Bureau of Investigation, Christy Zabacosta, NCIC Auditor

Other Jurisdictions

- 76. Bucks County, PA Sheriff Office
- 77. Champaign, IL, Larry Krause, Risk Manager
- 78. Clark County Sheriff – Russ Thomas, IT
- 79. Clark County Sheriff, WA – Detective Bryan Acee, CCAT
- 80. Colony, TX Municipal Court Administrator
- 81. Clark County, WA Sheriff, Kay Bushey
- 82. Cowlitz County, WA Sheriff –Delanie Heston
- 83. Everett Municipal Court, Jeri Cusimano, Administrator



84. Island County, WA Sheriff – Carolyn Taylor
85. Jackson County, MO Sheriff, Red Hendrickson, Sergeant
86. Jefferson County, AL Sheriff, Mike Yarbrough, Detective
87. Kennewick, WA Sheriff, WA – Scott Russ
88. Kent County, MI Sheriff, Lewis, Detective
89. King County District Court, Cathy Grindle, Technology Director
90. King County District Court, Herbert Ip, Programmer
91. King County District Court, Pat Cole, Clerk Supervisor
92. King County Sheriff, Carl Cook, Records
93. King County Sheriff, Darlene Davis, Records
94. Kitsap County, WA Sheriff – Jim McDuma
95. Kitsap County, WA Sheriff, Pam Morris,
96. Kootenai County, ID Sheriff – Ben Wolfinger
97. Lincoln County, WA, Sheriff – Undersheriff, Kelly Watkins
98. Lubbock, TX-Judge Robert Doty
99. Multnomah County, OR Sheriff, Jill Hanousek, Records
100. Oakland County, MI Sheriff, – Lt. Mike Sutton
101. Pierce County, WA Eric Munn, Software Development Lead
102. Pierce County, WA Sheriff, Eric Carlson, Deputy
103. Pima County, AZ, David Parker, Risk Manager
104. Redmond, WA Police, Ed Billington, Senior Operations Commander
105. Sacramento County, CA, Ron, Warrants Division
106. San Diego County, CA, Angela, Records Supervisor
107. San Joaquin County, CA Sheriff, Sandy May, Court Records
108. Seattle Municipal Court, Bob White, Caseflow and Calendaring Manager
109. Seattle Municipal Court, Shirleen Skogsgeth , Technology
110. Skagit County, WA Sheriff – Brian Young
111. Skagit County, WA Sheriff, Julia Benson, Support Services
112. Spokane County, WA Sheriff – Lt. Rose
113. Topeka, KS Court Administrator Beth Visocsky
114. Wahkiakum County, WA Sheriff
115. Weld County Sheriff, CO – Shawn
116. Whatcom County, WA Sheriff, Altavia Chatman
117. Yakima County, WA Sheriff – Kevin Wickenhagen

Other

118. Accurint, Lisa Boucher
119. Appriss, Jay Ackert, Sales
120. DAPS IT Unit, Robin Griggs
121. Data Mart, Linda Farmer
122. Global Connect
123. Intelius, Chris Nuttall
124. Law Enforcement Services Agency, Lisa Huber, Asst Director of Records Management
125. Law Enforcement Services Agency, Mark Knudson, Assistant Director of Technology
126. Law Enforcement Services Agency, Nelson Eng , Programmer
127. LexisNexis, Joshua Frances
128. Looking Glass Analytics, Pete Lund, Analyst
129. Public Defender Association, Bill Jaquette, Director Public Defender Association
130. QuoteCatcher
131. Risk Management Consulting, Mark Ferraro, Director
132. SNOFAC, Kim Dowd, Data Analyst
133. Telecom Networks
134. Voisworx
135. Washington Association of Sheriffs and Police Chiefs, Jim LaMunyon, Deputy Director
136. Worldwide Call Centers



7.2 Appendix B: Reference Documents

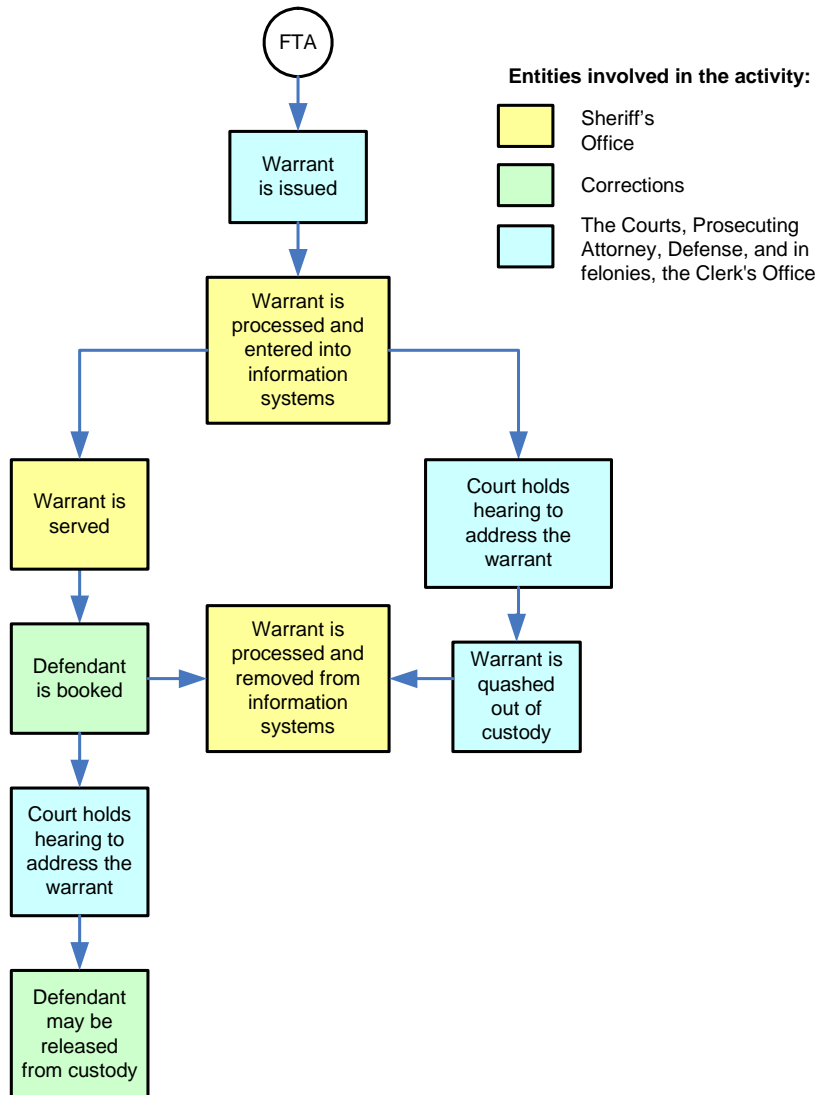
A list of documents reviewed during the course of this audit follows in alphabetical order.

1. *A Second Look at Alleviating Jail Crowding: A Systems Perspective*, Bureau of Justice Assistance
2. *Annie E Casey Special Populations: Warrant Reduction Strategies*, David Steinhart
3. *Automating Arrest Warrants Between Courts and Law Enforcement*, The Police Chief Magazine, Oct 2001
4. Excerpt from: *PAD AFU 2001 L&J Survey*, OPAS
5. Excerpts from *Law and Justice Survey*, Institute for Law and Policy Planning
6. Excerpts from *PAD ILPP follow up*, OPAS
7. Excerpts from *PAD L&J Cabinet Efficiencies*, OPAS
8. *Felony Defendants in Large Urban Counties, 2002*, Bureau of Justice Statistics
9. *FTA Report*, King County Felony Work Group
10. *Improving Coordination and Information Could Reduce the Backlog*, Legislative Research Commission, Frankfort, Kentucky
11. *Judges on the Payroll: A Radical Approach to Population Management*, Bernalillo County Detention Center, Albuquerque, New Mexico
12. *Management of Outstanding Warrants*, Office of State Auditor- Claire McCaskill
13. *New Strategies Addressing the Impact of Driver's License Suspensions*, Seattle Municipal Court
14. *Performance Audit of the Department of Court Services: Citation Processing*, Office of the City Auditor, City of Dallas
15. *Pretrial Release of Felony Defendants, 1992*, Dept of Justice, Bureau of Justice Statistics
16. *Pretrial Services Programming at the Start of the 21st Century:*, Bureau of Justice Assistance
17. *Pretrial Supervision Primer*, Pretrial Services Resource Center
18. *San Jose Police Department's Operations Support Services Division*, City of San Jose, Office of the City Auditor
19. *The Effect of Automated Reminder Calls on FTA in KC district Court*, King County District Court
20. *The Felony Workgroup Report*, King County Cross System Workgroup
21. *The Misdemeanor Workgroup Report*, King County Cross System Workgroup
22. *Un-Served Arrest Warrants: An Exploratory Study*, Science Applications International Corporation and ILJ
23. *WARRANTING IMPROVEMENT: Reforming the Arrest Warrant Management System*, The Commonwealth of Massachusetts
24. *No Bond, No Body and No Return Service: The Failure to Honor Misdemeanor and Gross Misdemeanor Warrants in the State of Washington*, Van de Veer, 26 Seattle University Law Review, 847 2003
25. *City of Seattle Misdemeanor Warrants*, December 1998, Office of the City Auditor.
26. *Outstanding DWI Warrants*, National Highway Traffic Safety Administration, DOT HS 809 308, July 2001.
27. *Warrants and DWLS*, Douglas Haake, Washington Courts.



7.3 Appendix C: **Warrant Process**

The processes for misdemeanor and felony warrants vary slightly. What is described below is the typical course of a warrant. Significant exceptions and differences between misdemeanor and felony warrants are noted.



1. *Hearing is Scheduled*

Hearings are scheduled to resolve a criminal charge. The defendant is either mailed a notice to appear at a specific place and time, called a summons, or is given written notice to appear at the time of the alleged offense, via a citation, or at a prior hearing. Often summonses are returned to the Prosecuting Attorney's Office as having incorrect addresses. The Prosecuting Attorney then does additional address validation and mails out one or more new summonses.



2. Physical Warrant is Created

When a defendant fails to appear for a hearing the prosecuting attorney asks that the judge order and/or issue a warrant. This warrant is prepared in physical form and signed by the judge. Every step of this process is documented by the court's clerk and the prosecuting attorney and copies are held by the court. Once the warrant is signed it is active and the original paper copy is provided to the Sheriff's Office for their management.

3. Warrant is Made Available Online

Once the Sheriff's Office receives the hard copy of the warrant they review the information on the warrant to ensure that it matches information in law enforcement and other data systems. They make updates or return the warrant for corrections as necessary. The Sheriff's Office submits final warrant information to the statewide criminal information database and if the warrant is a felony warrant, to the FBI's national criminal information database. Entry into these databases makes the warrant available to law enforcement to view and serve the warrant as they come into contact with the defendant. The hard copy of the warrant is filed.

Warrants are "resolved" in one of three ways: the warrant can remain outstanding, the defendant can appear in court on their own volition to resolve the warrant, or the warrant can be served by law enforcement. The process for outstanding warrants stops at this point and a felony warrant can remain active into perpetuity. In Snohomish County, misdemeanor warrants are reviewed for possible cancellation every three years. If a defendant decides to appear in court to ask the judge to quash their warrant the process would skip steps 4, 5, and 7. If the warrant is served the process continues.

4. Warrant is Served

When law enforcement comes into contact with an individual they routinely search the statewide criminal information database to see if any active warrants are posted on the system. If a warrant exists, the Deputy contacts dispatch to ask them to verify the existence of the warrant and identifying information to ensure that the defendant matches the warrant. The deputy is then obligated by RCW 36.28.010 to take the wanted defendant into custody and transport them to jail for booking.

5. Defendant is Booked

Jail staff members review state and national criminal databases for additional warrants that may be outstanding as the defendant is booked into the jail. If the defendant has a felony warrant and they failed to appear for their arraignment they are interviewed by Pretrial Services who will then make a recommendation for or against subsequent release to the judge.



6. Hearing is Held

The judge hears the case and determines whether to hold the defendant in custody until the next hearing or to release them on personal recognizance to return for a scheduled hearing. The Office of Public Defense or the Public Defender Association represents in-custody defendants. Case activities are documented by court clerk, prosecutor, defense, and sheriff records staff if the warrant is cancelled.

7. Defendant is Released

If the judge decides to release the defendant, the jail does a final check for outstanding warrants and notifies other jurisdictions with warrants that the defendant is available if the jurisdiction would like to pick up the defendant for warrant processing.



7.4 Appendix D: **Felony FTA Rate Comparisons**

	County	State	FTA Rate
1	Shelby	(TN)	2%
2	El Paso	(TX)	3%
3	Harris	(TX)	8%
4	Tarrant	(TX)	9%
5	Pima	(AZ)	9%
6	Pinellas	(FL)	10%
7	Macomb	(MI)	11%
8	Fairfax	(VA)	12%
9	Nassau	(NY)	13%
10	Kings	(NY)	13%
11	Honolulu	(HI)	13%
12	Miami-Dade	(FL)	13%
13	Baltimore	(MD)	14%
14	Montgomery	(MD)	15%
15	Cook	(IL)	15%
16	Contra Costa	(CA)	15%
17	Fulton	(GA)	16%
18	Dallas	(TX)	17%
19	Broward	(FL)	17%
20	Montgomery	(PA)	18%
21	Palm Beach	(FL)	18%
22	Bronx	(NY)	19%
23	San Diego	(CA)	19%
24	Philadelphia	(PA)	21%
25	Travis	(TX)	22%
26	San Mateo	(CA)	25%
27	Wayne	(MI)	26%
28	Riverside	(CA)	28%
29	Maricopa	(AZ)	29%
30	Franklin	(OH)	30%
31	San Bernardino	(CA)	30%
32	Los Angeles	(CA)	31%
33	Jefferson	(AL)	31%
34	Santa Clara	(CA)	33%
35	Orange	(CA)	33%
36	Marion	(IN)	35%
37	Snohomish	(WA)	36%
38	Alameda	(CA)	40%
39	Salt Lake	(UT)	43%
40	Essex	(NJ)	47%

Source: BJA Statistics, 2002 (E23.44)



7.5 Appendix E: Active Warrant Comparisons with Other Counties

	Active Warrants	Population	Active Warrants/Capita
Snohomish County	9,945	655,944	.015
Pierce County	22,423	753,787	.029
King County	39,960	1,793,583	.022
Whatcom County	4,008	183,471	.021
Kitsap County	6,500	240,661	.027
Clark County	14,292	403,766	.035
Skagit County	4,802	113,171	.042
Counties with similar population to Snohomish County:			
Multnomah, Oregon	6,059	672,906	.009
San Joaquin, California	23,824	664,116	.035
Bucks, Pennsylvania	6,883	621,342	.011
Jackson, Missouri	6,500	662,959	.009
Kent, Michigan	4,261	596,666	.007
Jefferson, Alabama	10,335	657,229	.015