

Improving equity,  
fairness, and accessibility  
at the Seattle  
Municipal Court

Focus Group Findings and  
Recommendations Report  
September 2020

*the Vida*  
AGENCY

## Executive Summary

In August 2020, Seattle-based independent research and communications company The Vida Agency conducted five focus groups on behalf of the Seattle Municipal Court (SMC) to help improve equity, fairness, and accessibility at the court. This executive summary offers a high-level overview of findings and recommendations which are detailed in the report.

### Defining a “Fair and Equitable Court”

Focus group participants were asked to describe what it means for a court to be fair and equitable, and what the experience or process would be like interacting with a fair and equitable court. Each theme from their definition, summarized below, correlates with a dedicated section in the report exploring focus group participant perceptions, experiences, insights, and ideas for how to bridge the gap between their definition of a fair and equitable court and their experience with the SMC. In a fair and equitable court, participants shared that:

- > The court aims to help the individuals involved in each case.
- > Penalties do not leave defendants destitute.
- > Everyone is treated with the same respect that is shown the judge.
- > Going to court feels safe and accessible.
- > Clear and in-language communication ensures that individuals understand the process and what is expected of them.
- > Everyone has someone on their side.
- > Race or religion do not determine the outcome of a case.
- > Jury is representative of Seattle’s diverse communities.
- > Wealth does not determine the outcomes of a case.
- > Mental health is taken into account and supported.
- > Juveniles with a record have a fresh start as adults.

### Individuals with Infractions

Over half of participants with infraction cases (parking tickets, traffic tickets, traffic camera tickets) perceived the SMC as fair, and most felt that they were treated with courtesy and respect. While some felt safe within the courthouse, many felt that the environment was overstimulating or overwhelming.

Primary access concerns for those with infraction cases included:

- > Absence of clear information about the mitigation process and options.
- > Lack of information and support for those who speak English as a second language or those with mental health issues.
- > Anxiety and inability to use the bathroom while waiting for their case to be called.
- > Fear of magistrate bias against those without lawyers.

- > Time and expense of commuting and paying for parking downtown.

Several participants experienced acute impacts of their parking case, resulting in permanent loss of car, job, or income. Most took time off work to mitigate their ticket, many of whom had hourly or un-salaried jobs resulting in lost income. Several arranged for childcare in order to mitigate their ticket.

To improve fairness and equity, focus group participants suggested that the SMC:

- > Expand access to community service.
- > Waive fines after probation periods.
- > Work with system stakeholders to reduce towing and related costs.
- > Allow individuals to mitigate their ticket virtually through a video conferencing platform.
- > Hire bilingual staff that speak the main non-English languages spoken in Seattle.
- > Create multi-language wayfinding signage.
- > Provide resources to help individuals represent themselves in court.
- > Simplify instructions and increase education about how to mitigate a ticket.
- > Validate parking for court business; provide a drop-in childcare center.
- > Host or participate in community forums where people can ask questions and interact with court staff.
- > Adopt a pager system for those waiting to be called, such as is used in restaurants, so that individuals can use the bathroom, mother's room, or pay for additional parking without missing their appearance.

## Individuals with Criminal Cases

Only a quarter of those with criminal cases perceived how their case was handled as “fair,” with many feeling that they had been funneled through a biased and profit-based system in which case outcomes depended arbitrarily on which public defender, judge, and court an individual was assigned to. Many felt that there had been no one on their side. Most did not feel that the SMC staff paid attention to their needs, and several felt that they were labeled as criminals and treated as such based on their ethnicity or class.

Half of participants felt safe in the courthouse, while many others described it as a hostile, intimidating, or triggering environment. Over half felt that the judge had treated them with respect, however many participants noted that the theatrical aspects of the SMC created a barrier to mutual-respect and equity. Specific concerns included judges being seated at a higher elevation than those involved in the case, and judges being dressed in robes.

Some participants described a sense of “catching a break” when they were assigned to public defenders who took the time to listen, to judges who treated them as an individual, or to the Mental Health Court where staff understood their trauma and needs.

Primary concerns involved:

- > Courtroom layout and power dynamics.
- > Legalese as a barrier to understanding their case.
- > Experience of trauma in the courthouse.
- > Loss of financial stability.

- > Limited time with public defender to prepare for case.
- > Limited information and updates about process.
- > Fear of losing custody of children.
- > Fear of juvenile record being used against them.
- > Cases dragging on while waiting for the best offer to be made.
- > Expectation to present one's case in a second language (English).
- > Cross-racial misidentification.
- > Unexpected length of the booking process.

Many felt strongly that a fair court's goal should be to improve and help people, and they argued that removing them from their family or causing financial hardship did not help people.

To improve fairness and equity, focus group participants suggested that the SMC:

- > Make jail time, both before and after trial, a last resort.
- > Eliminate juvenile records entirely after individuals reach adulthood.
- > Provide and promote community service alternatives to fines.
- > Eliminate cash bail and offer alternatives for proving one's reliability.
- > Only allow a case to proceed if the jury has racial and gender diversity.
- > Provide a checklist and other resources on the case process and expected timeline.
- > Have third-party advocates available to help individuals navigate the system.
- > Better fund public defenders so they can stay in contact with their clients.
- > Ensure that the best offers are made upfront so that cases do not drag on.

Participants urged the SMC to take an outcomes-based approach, and to create accessible and widespread pathways to community service, education, and restorative justice.

To make the SMC more accessible, participants suggested that the SMC:

- > Rethink the courtroom layout to create a welcoming space where the judge is at eye level and not wearing robes, individuals are able to converse about the case on a human level, and everyone is able to hear.
- > Hire bilingual and multi-cultural staff that reflect the diversity of Seattle.
- > Create multi-language wayfinding signage about how to access language support.
- > Provide a bilingual navigation staff member to greet people when they come through security and help point them in the right direction.
- > Become trauma informed and expand mental health resources and support.
- > Expand hours of operation.
- > Convene remotely over video conference.
- > Convene in community-based venues which already feel safe and welcoming.
- > Provide in-language court and family-friendly court.
- > Have the bailiff call them by name, rather than by case number, when announcing the next case.

Many noted that efforts to make the SMC fairer and more equitable must include upstream legislative and police reform as well as downstream prison reform.

## Members of the Jury

Jury participants generally felt free to vote their conscience, and felt that the SMC handled cases fairly, treated them with courtesy and respect, and had a reasonable and unbiased process for selection. However, jury participants as well as many of those with criminal cases see the SMC's predominantly white juries as an impediment to equity in decisions and outcomes.

Primary jury access concerns included commuting and parking, arranging for childcare, finding a place to nurse; and understanding the laws and process involved with their case.

To improve fairness and equity, focus group participants suggested that the SMC:

- > Reform the voir dire process to ensure that those with lived experience outside the white dominant culture are not eliminated based on those experiences.
- > Offer additional financial support to those who work hourly or un-salaried jobs which do not pay them to participate.
- > Provide childcare services on-site.
- > Establish a mother's room.
- > Recruit a jury pool that reflects the diversity of Seattle.
- > Screen to reduce bias in juries selected.
- > Provide implicit bias training along with frequent reminders from the judge throughout proceedings about not letting bias influence jury decisions.
- > Brief juries on the applicable laws and process in their case as well as on jury nullification, and to not assume that jury members know this information coming in.

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## Introduction

Between August 5-14, 2020, Seattle-based independent research and communications company The Vida Agency (TVA) conducted five focus groups on behalf of the Seattle Municipal Court (SMC) to help improve equity, fairness, and accessibility at the court.

The SMC – which is engaged in a Court Services Assessment to develop criminal justice policies that better reflect the values of the community – sought feedback from members of the public who use court services, either through parking or moving infractions, jury services, or criminal cases. Insights will be used to better understand the perspectives of people most affected by our local criminal justice system and to develop criminal justice policies that better reflect the values of the community.

In a June 2020 Seattle Times opinion editorial, SMC presiding judge Willie Gregory wrote, *“I recognize that our court, like so many across this country, has significant work to do to tackle the racial injustices within and perpetrated by our criminal justice system. SMC judges are committed to making sure justice reigns in our courthouse. We will be making a sincere effort to hold ourselves accountable for the work we do. We believe there is a path forward to transform ourselves and build a legal system that equitably protects the rights of Black communities and all communities. This work begins with listening to those who have been harmed and including them in our change process. Justice will exist when all people who enter our courtrooms are treated with dignity and feel they were heard.”*

The SMC has identified two strategic priorities related to this project, including *“Be a criminal justice system leader”* and *“Holistically address the needs of the justice system.”*

This report provides key findings on participant perceptions, experiences, ideas, as well as recommendations for how the SMC might address barriers and improve fairness, equity, and accessibility at the court.

During the warm-up brainstorm, focus group participants were asked to describe what it means for a court to be fair and equitable, and what the experience or process would be like interacting with a fair and equitable court. ***The themes that arose from their description of a “fair and equitable court” offer headings for this report.***

## Approach

Due to the COVID-19 pandemic, the originally planned in-person focus groups were transitioned to virtual sessions. The 90-minute virtual focus groups were hosted on Zoom with a Miro virtual whiteboard for visual facilitation and brainstorming.

Subjects were recruited initially via outbound phone calls, with priority registration participants that were Black, Indigenous, or people of color (BIPoC). Due to a low response rate, physical mailers were distributed by the SMC to individuals who had interacted with the Court in the past year. TVA screened interested participants to ensure a diverse range of perspectives and conducted phone



Figure 1 TVA Virtual Collaboration Room

and email participant preparation. 131 individuals responded to the SMC mailer, and 72 were confirmed for participation based on eligibility. 57 individuals participated in the virtual focus groups.

In appreciation for their time and insight, each participant received \$50 honorarium. A 30-minute “tech support window” was provided in advance of each session for participants that desired additional support.

## Participant Demographics

### Participants with Criminal Cases

Two focus groups were conducted with individuals with criminal cases, with 20 total participants. Demographics for these focus group included:

#### Ethnicity

- African American/Black (4)
- Asian/Pacific Islander (1)
- Hispanic/Latino (2)
- Mixed Race (2)
- White/Caucasian (8)

#### Number of People in Household

- 1 (5)
- 2 (8)
- 3 (2)
- 4 (2)
- 5 (2)
- 6 (1)

#### Language

- 18 indicated English as their first language
- 1 indicated that English is not their first language

#### Education Level

- Some High School (2)
- High School Graduate (4)
- Associates/2-year degree (6)
- College degree/4-year degree (4)
- Post college (4)

#### Gender

- Female (8)
- Male (10)
- Prefer not to respond (2)

#### Length of Residency in Seattle

- Less than a year (1)
- 6-10 years (2)
- 11-15 years (1)
- 15+ years (16)

#### Age

- 18-30 (6)
- 31-40 (5)
- 41-50 (3)
- 51-60 (1)
- 61-70 (5)

#### Household Income

- Less than \$25,000 (11)
- \$25,000 - \$50,000 (1)
- \$66,000 - \$99,000 (2)
- \$100,000+ (3)

## Context of Cases

In a written exercise, participants were asked about the context of their case with the SMC.

- Of those that remembered which court room their case was heard in, participants noted:
  - Domestic Violence (3)
  - General (3)
  - 901 (2)
  - King County Superior Court Room 101 (2)
  - Traffic/Moving (2)
  - 903
  - 1001
  - 902, DUI hearing
  - Municipal
  - It was a protest arrest
  - I think it was in the 600's.
- Three (3) have a case currently before the SMC.
- Three (3) have been sentenced for a criminal case.
- One (1) was convicted and served time.
- Two (2) are currently on probation.
- Four (4) have cases that are closed and are no longer on probation.
- Five (5) spent time in jail.

## Interactions with SMC

- 6 utilized the SMC website.
- 8 utilized the SMC phone service.
- 1 used one of the SMC neighborhood satellite offices.
- 4 participated in Day Reporting or pre-trial incarceration.
- 2 did not pay the bail amount.
- 6 paid a fine in full:
  - 3 paid in person
  - 1 paid via phone
  - 1 noted that if they had been provided with online access to payment plans, they would have utilized this service.
- 2 converted their fine to community service:
  - 3 others indicated that, if they had been aware of this option, they would have converted their fine to community service.
- 4 had their fine waived.

## Participants with Infractions

Two focus groups were conducted with individuals with infraction cases, with 21 total participants. Demographics for these focus groups included:

### Ethnicity

- African American/Black (1)
- Asian/Pacific Islander (8)
- Hispanic/Latino (1)
- White/Caucasian (10)
- Mixed Race (1)

### Language

- 12 speak English as a first language
- 2 speak English as a second language

### Gender

- Female (11)
- Male (10)

### Age

- 18-30 (4)
- 31-40 (6)
- 41-50 (6)
- 51-60 (1)
- 61-70 (1)
- 70-80 (3)

### Household Income

- Less than \$25,000 (2)
- \$25,000 - \$50,000 (4)
- \$66,000 - \$99,000 (2)
- \$100,000+ (5)

### Number of People in Household

- 1 (4)
- 2 (10)
- 3 (1)
- 4 (5)
- 7 (1)

### Education Level

- High School Graduate (2)
- Associates/2-year degree (4)
- College degree/4-year degree (5)
- Post college (10)

### Length of Residency in Seattle

- 1-5 years (4)
- 6-10 years (3)
- 11-15 years (2)
- 15+ years (12)

## Context of Cases

In a written exercise, participants were asked about the context of their case with the SMC. Several participants indicated having received multiple parking or moving violations within the past year.

- Tickets:
  - 15 received a ticket for a parking violation.
  - 7 received a ticket for a moving violation.
  - 2 received a ticket for speeding in a school zone.
- Fines:
  - 3 did not need to pay a fine, 8 paid their fine in full.
  - 9 paid in person, 6 paid online.
  - 9 contested their ticket in person, 8 contested their ticket in writing.

## Interactions with SMC

- 5 used the SMC website to pay their fine.
- 9 utilized the Court’s website to get information to contest their ticket.
- 12 contested their ticket in-person.
- 2 utilized the Court’s phone service.

## Participants who served on an SMC Jury

One focus group was conducted with 16 participants. Demographics for this focus group included:

### Ethnicity

- African American/Black (1)
- Asian/Pacific Islander (6)
- White/Caucasian (6)
- Mixed Race (1)

### Household Income

- Less than \$25,000 (2)
- \$25,000 - \$50,000 (2)
- \$66,000 - \$99,000 (6)
- \$100,000+ (6)

### Language

- 14 participants spoke English as their first language
- 2 participants spoke English as a second language

### Number of People in Household

- 1 (6)
- 2 (6)
- 3 (1)
- 4 (2)
- 5 (1)

### Gender

- Male (8)
- Female (8)

### Education Level

- College degree/4-year degree (7)
- Post college (9)

### Ages

- 18-30 (3)
- 31-40 (3)
- 41-50 (2)
- 51-60 (3)
- 61-70 (3)
- 70-80 (2)

### Length of Residency in Seattle

- 1-5 years (2)
- 6-10 years (6)
- 11-15 years (2)
- 15+ years (6)

## Court Rooms

Not all participants remembered the court room they served in while on a jury, and many who did recall were not certain. Participants indicated:

- Criminal (3)
- Judge Andrea Chin (1)
- General (2)
- Municipal (1)
- Superior Court (1)

# Findings and Recommendations

## Describing a “Fair and Equitable Court”

Participants in all five focus groups were asked to describe what it means for a court to be fair and equitable, and what the experience or process would be like interacting with a fair and equitable court. Below, researchers summarized responses to this prompt into themes and descriptions. **Each of the main themes has a dedicated section in the pages that follow**, exploring focus group participant perceptions, experiences, insights, and ideas for how to bridge the gap between their definition of a fair and equitable court and their experience with the SMC.

### **The court aims to help the individuals involved in each case.**

*The court’s goal would be to help people and make them more whole, rather than to judge or punish. In such a court, equitable outcomes would be prioritized, and court engagement itself would not result in outsized consequences such as incarceration or loss of vehicle, job, food, shelter, or financial stability.*

### **Everyone is treated with the same respect that is shown the judge.**

*Everyone feels heard and respected. In this court, individuals are called by their names rather than by their case numbers. In this court, theatrical elements are eliminated, such as judge robes and elevated judge seating. The judge sits at the same height as those involved in the case rather than looking physically down upon them. In this court, the judge is relatable and shows empathy for what the individuals involved in the case are experiencing.*

### **Going to court feels safe and accessible.**

*The court environment is open and welcoming to all languages, races, genders, ages, physical abilities, and religions. Going to court itself is not a traumatic experience. Staff are reflective of the diversity of Seattle, and speak a variety of languages other than English. In such a court, it would be easy for individuals to find their way around and to know where they’re supposed to be, regardless of what language they speak. The court can be accessed remotely from trusted community centers or through virtual court services online, and no individual is disproportionately impacted by the logistics of getting to court.*

### **Penalties do not leave defendants destitute.**

*There are a myriad of mitigation opportunities and pathways other than jail time or financial repercussions. In this court, jail, both before and after trial, is a last resort. Any fines would be calculated individually based on a person’s ability to pay. As a result, a fair and equitable court would be unable to make a profit for themselves or the prisons they work with.*

### **Everyone has someone on their side.**

*Whether it’s a public defender, a private attorney, a community representative, or some currently unconsidered role, each individual has someone that they feel is truly on their side, helping them convey their case effectively. In this court, regardless of ability to pay, every individual has access to adequate and capable council. In such a court, public defenders would provide a regular cadence of updates to*

*those they represent, and would set clear expectations about when individuals will hear from them next and how to get in touch with questions.*

**Clear and in-language communication ensures that individuals understand the process and what is expected of them.**

*Many of the staff and judges are bilingual, and the court provides simple and clear information in all of the major languages spoken in Seattle. Non-legalese and simple language is used so that individuals are able to participate without needing their lawyer to translate. Individuals are helpfully informed about where they need to be and what's expected of them in a timely manner. Information is conveyed in a clear format, in all major languages spoken in Seattle, and a court liaison is available to help individuals find their way or assist in any access issues that may arise. In this court, a person who speaks English as a second language has a variety of resources and people to help them convey their case effectively, and no individual is expected to represent their case in a language they are not fluent or comfortable in. In-language court sessions are available with judges that speak the same language as those involved in the case so that no translator is needed.*

**Race or religion do not determine the outcome of a case.**

*There are widespread implicit bias and anti-racism trainings as well as methods for screening against racial bias during the jury selection process. In this court, the judge does not appear biased in any way, and people of color are not disproportionately represented in the system.*

**Jury is representative of Seattle's diverse communities.**

*Juries represent the ethnic, gender, and socio-economic diversity of Seattle. In this court, no individual is expected to present their case to an all- or majority-white jury.*

**Wealth does not determine the outcomes of a case.**

*All who engage with the court receive the same level of service and humanity, regardless of how wealthy they are. In this court, cash bail is eliminated, and non-financial means of proving one's reliability would be encouraged. In this court, individuals would be held in custody only as a last resort.*

**Mental health is taken into account and supported.**

*Mental health and substance abuse are treated with care, rather than treated as a moral failing. In this court, there would be methods of identifying when mental health issues are involved in charges, and an alternative court setting would be provided that does not traumatize the individuals involved.*

**Juveniles with a record have a fresh start as adults.**

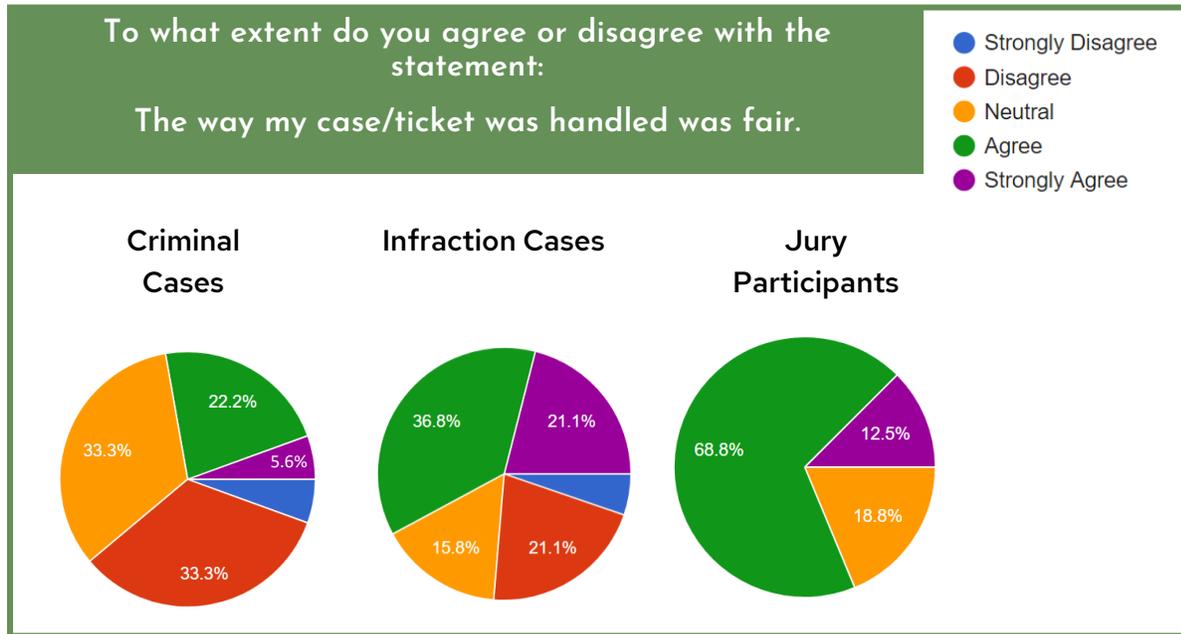
*Young adults have a fresh start in adulthood. In this court, charges incurred in one's youth stop following them as soon as they reach adulthood.*

*Note: Due to the qualitative nature of focus groups, charts are included in this report to convey overall sentiment of focus group participants rather than to provide statistical data.*

# A fair and equitable court aims to help the individuals involved in each case.

## Perceptions of Fairness at the SMC

Perceptions of fairness within the SMC varied by focus group type, with most jury members, over half of those with criminal/moving cases, and a quarter of those with criminal cases perceiving the court as fair.



Many of the focus group participants with criminal cases disagreed or strongly disagreed with the statement, “the way my case was handled was fair,” and about a third felt neutral. About a quarter of participants felt that their case was handled fairly. One participant noted that the SMC seemed to give people who had violated their probation second chances, and that the lack of punitive measures seemed fair.

*“It’s not ok what you’re put through, it’s totally unfair and unbalanced.”*

*“If the system was effective, recidivism wouldn’t be so high.”*

*“Death by a thousand papercuts.”*

*“It’s unfair to have your juvenile record held against you in adult life.”*

*“If the court was fair, then there wouldn’t be such a disproportionate number of the BIPOC population in the system.”*

*“It’s guilty until proven innocent.”*

*“It felt like my case was worth nothing to anyone. Just part of a game.”*

*“They’re pushing you through instead of handling you as a human being. We’re not given the benefit of the doubt. We’re labeled and treated as such.”*

Over half of those with parking or moving cases agreed or strongly agreed with the statement, “the way my ticket was handled was fair,” with about a quarter disagreeing or strongly disagreeing. One participant shared that the judge had used the ticket as a teaching opportunity, rather than fining the full amount.

*“I felt that the person who met with me was professional and fair.”*

*“My experience was very fair. I had a one-on-one with a judge, and he listened to my experience and he was very empathetic.”*

*“They listened, looked at the record, and waived the ticket. I felt listened to.”*

Several of those with parking or moving cases who disagreed with the statement felt that the decision-making process about which tickets are dismissed seems random and based on which staff is assigned to you.

*“There’s some grumpy people that work there. Makes you feel like a criminal.”*

*“It’s puzzling. Arbitrary elements based on who is the staff on that case.”*

They also raised concerns about parking signage and paving and construction notification. Several indicated that their car had been parked in a location where signage or construction changed the parking rules, and felt it was unfair to charge community members for lack of outreach around changes to rules.

A subject with a parking or moving case noted that in order to mitigate their ticket, they were first required to plead guilty, a practice they did not think was fair.

*“It seems unfair to require a guilty verdict before I’m allowed to explain my mitigating circumstances.”*

Most jury participants agreed or strongly agreed with the statement, “The way my case was handled was fair.” None disagreed or strongly disagreed with the statement.

## Feeling Heard

*Participants prioritized feeling heard by their attorney and judge. In a fair and equitable court, many imagined that understanding and compassion would be used to make the court experience more humane.*

About one third of those with criminal cases felt that the judge listened to their side of the story. One participant had spoken on their own behalf and felt that they had been heard by the judge in their case.

*“The judge seemed to take each case seriously.”*

*“Patient, they sat for a long time.”*

*“There was a group arrested together, and each person would go up and the judge would go through the same thing over and over, but didn't seem annoyed at doing the same thing. She did well, gave each of us attention.”*

Another third of participants with criminal cases did not feel heard by the judge. A few participants with parking or moving cases also noted concern about being heard or believed by the judge. Others noted that implicit bias was an issue with their judge, and several remembered their attorney commenting on bias with the judge on their case.

*“Judges are people, and they have bad days just like we do. But their bad day should have no merit on my case.”*

*“My lawyer told me, ‘if you had a different judge then things would have gone different.’ Well then why not schedule me on a different day with a different judge?”*

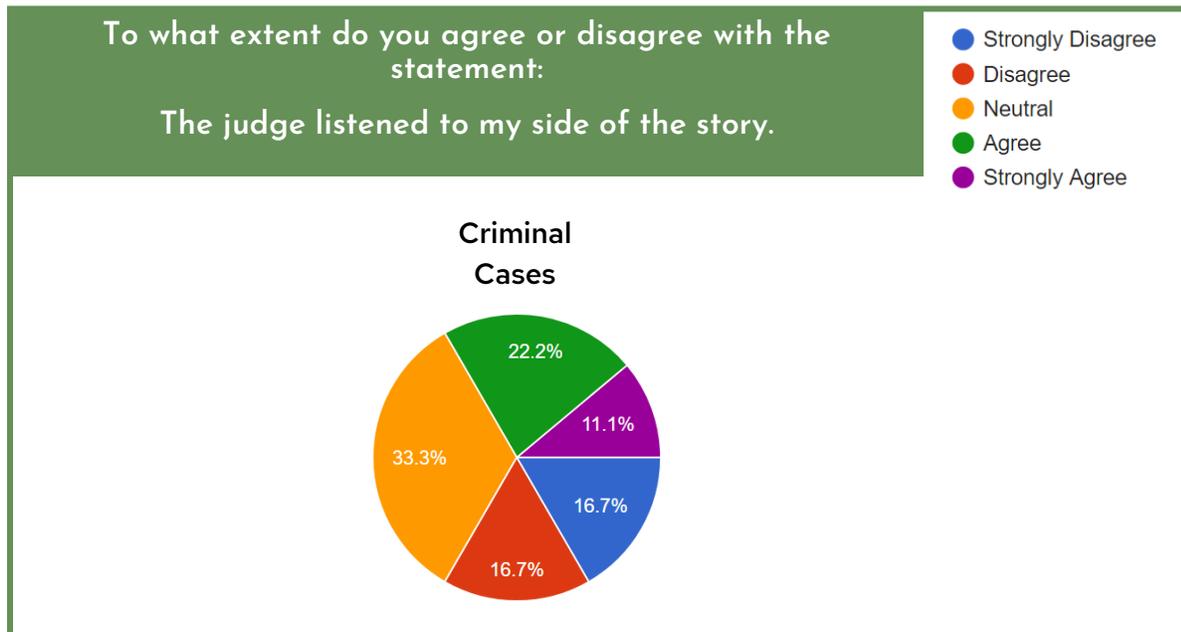
*“My lawyer said, ‘it sucks that we got this judge.’”*

*“My judge was having a bad day and hated everyone. But that’s bullshit. You think I’m not having a shitty day too? You can’t take someone’s life and freedom into your hands because you’re having a bad day.”*

*“If you don’t look to their standards, they determine you’re guilty before hearing your case.”*

*“My life is in their hands. I should have the option to do a different judge.”*

*“I did not feel believed.”*



A number of related comments and suggestions were made about SMC public defenders, which are detailed below in the section, *“Everyone has someone on their side.”*

Many participants noted their appreciation for SMC providing focus group opportunities to share and discuss their experiences, and several indicated an interest in engaging more with restorative justice efforts at the SMC.

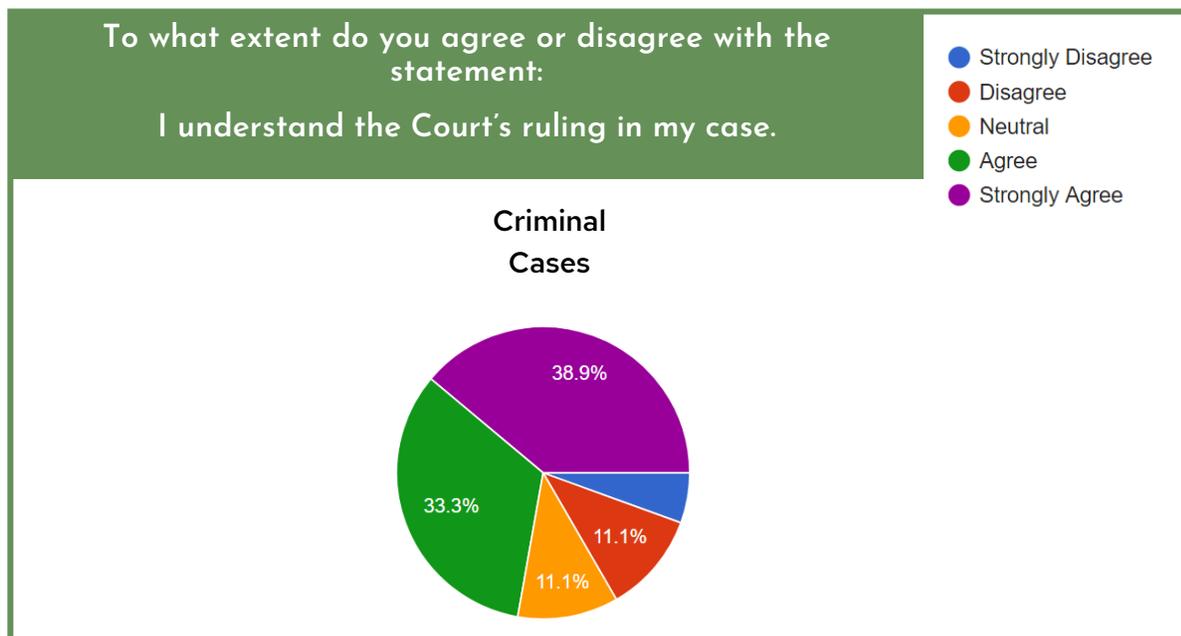
*“I’m grateful to be able to hear your voices and the pain of your experience. To name the injustice in our system.”*

*“I appreciate that this happened. Getting to meet one another, good people. Hearing about similar experiences.”*

*“This was a cathartic experience. I feel some release of the demons we’ve been dealing with as a result of the court system.”*

*“I appreciate the fact that they’re doing this study and showing concern for improving our experience.”*

Ultimately, while many with criminal cases did not think their case was handled fairly, most understood the Court’s ruling on their case.



### Recommendations

Participants were asked how the SMC might ensure that those who engage with the court feel heard. They suggested:

- > Offer time at the start of each case to briefly discuss each individual’s point of view before getting into the long legal process. Ground the case in the human perspective.
- > Do a workshop for staff on interpersonal relationships.
- > Have the judge sit at the same eye level as others in the courtroom.

## Families and Custody

Several parents with criminal cases shared a fear of losing their children, noting that the system does not currently take into account the needs of a family. When individuals have been held overnight or for extended periods in jail, they noted a significant and negative impact on their children, family economics, and family wellbeing. Separating parents from their children, participants agreed, should be a last resort.

*“Give us a fighting chance to have a parent there, one way or another.”*

*“Become an advocate for keeping people together, not for how to separate them.”*

*“They’re not looking out for my kid’s best interest.”*

*“There’s a lack of compassion for a single parent. It put me in a bind. I needed to take care of my kids.”*

*“We’re trying to raise our kids to not make the same mistakes that we made growing up, and we’re robbed of that opportunity.”*

*“My kids don’t understand it.”*

*“You have to be careful what you’re asking for, we could lose custody of our children, they could go into the foster system.”*

## Recommendations

Participants were asked how the SMC might mitigate the impact on families and children. They suggested:

- > Develop practices and mechanisms to keep families together, and to keep individuals in their community.
- > Offer a family court where children and family members can come with you to court.
- > Eliminate cash bail.
- > Make jail/prison a last resort.

## Penalties do not leave defendants destitute.

*In a fair and equitable court, participants imagined that the court’s goal would be to help people and make them more whole, rather than to judge or punish. In such a court, equitable outcomes would be prioritized, and court engagement itself would not result in outsized consequences such as incarceration or loss of vehicle, job, food, shelter, or financial stability. Any fines would be based on an individual’s ability to pay.*

Many of those with criminal cases indicated that handling their case created a financial strain for them. Several needed to borrow money to pay for court fines and related expenses, noting that interest built up and led to a cascade of negative impacts.

*“It haunts you, tortures you, it’s forever with you.”*

*“The cost of court puts you on a downward spiral. There’s predatory lending, borrowing money, the rate on return puts me in financial debt, and I can’t live.”*

*“My court debt is now leading to another court case.”*

*“It’s not a justice system, it’s a waste of people’s time. It puts people in a greater predicament than they were already in.”*

In a written exercise, only one (1) participant with an infraction indicated that contesting their ticket created a financial strain for them. However, several participants commented aloud about associated expenses with towing, parking, and time off work.

*“There are so many people that come to the city for jobs but that can’t even afford the ticket.”*

Many commented on the financial hardship associated with managing their case, beyond direct SMC fines. One participant shared that due to the cost of conducting their criminal case, they hadn’t been able to pay some of their utilities and had to transfer their bills to a parent’s credit card in order to stay afloat. Another was booked with their backpack, but when the case was closed they never got their backpack back. One subject mentioned that they had to turn down work opportunities in order to meet day reporting requirements.

*“I lost all my stuff for no reason.”*

*“It was extremely frustrating. I lost a major source of income that I had to accommodate for.”*

*“My family had to step in to support.”*

Several individuals had their cars towed following a ticket. They shared that while the original ticket did not present a strain, that the ensuing tow-related issues had created a hardship they had not yet recovered from (as of the date of focus group).

One participant, who had their car towed, shared they had not been able to afford to get their car back from impound before it was repossessed by the car company. Because they had been working as a driver at the time (circa April 2020), this resulted in a loss of all income during the pandemic to-date.

Another participant who had their car towed shared that the tow company had damaged the car in the process. They noted that it took about five months to go through the process of having their car repaired from tow damage.

*“Towing a car is life changing. It’s detrimental.”*

*“It was exponentially terrible. All of the extra things kept getting piled on top of a seemingly small ticket.”*

*“I had just finished paying rent, then the daily tow fees kept stacking up. It was \$50 or \$70 a day just for my car to sit there. But I only get paid every two weeks. By the time I got paid, it was hundreds of dollars.”*

*“I paid around \$550 to get my car back from the tow company because of their weekend towing rates, then \$275 in state patrol fee, then had to pay to tow the car back to my house.”*

*“The court wouldn’t tell me who to get in touch with, but I was able to figure out how to make a claim with the city about my car being damaged while towed. It took time before Lincoln Towing ended up paying for the damage.”*

Most participants with parking or moving (12) or criminal (11) cases indicated that they took time off work for court engagements. Many of these subjects noted that they were not paid a salary, so they lost hourly income while appearing in court.

*“I’m self-employed, so if I’m not working then I’m not paid. If I have to go downtown, it’s a half day off and I had to shut my work down.”*

*“My employer let me take time off to contest my ticket in person, but not everyone can afford to or have an employer that’s supportive.”*

Several individuals with criminal cases commented on the high cost of a private lawyer. A few urged the SMC to normalize individuals representing themselves in court and suggested providing tools and resources to help people prepare.

## Recommendations

Participants were asked how the SMC might mitigate the financial impact of engaging with the court. They suggested:

- > Provide a toolkit on how to represent yourself in court without a lawyer.
- > Eliminate cash bail for misdemeanors.
- > Eliminate cash bail altogether.
- > Work with system stakeholders to reduce towing and related costs.
- > Increase flexibility to ensure that people can still get to work.
- > Expand hours of operation.
- > Validate parking.
- > Offer deferment options for parking/camera tickets.
- > Offer sliding scale fine options.
- > Make it easy to set up payment plans.

## Jail or Fine as a Last Resort

*Many focus group participants urged the SMC to make jail sentences or financial fines a last resort. In a fair and equitable court, they imagined a myriad of mitigation opportunities and pathways other than jail time or financial repercussions. As a result, a fair and equitable court would be unable to make a profit for themselves or the prisons they work with.*

Most subjects with infraction or criminal cases felt that the SMC intentionally funnels individuals toward financial fines and jail time. Several perceived this as an effort to preserve the profit model of the current criminal justice system. Many noted that efforts to make the SMC more fair and equitable would

need to include upstream legislative and police reform as well as downstream prison reform. Participant insight on broader criminal justice reform is included in the section, *“Influencing Beyond the SMC.”*

*“The system of prison stems from slavery.”*

*“As long as prisons are for profit the system can’t be effective.”*

*“If you’re effective at reforming the system, then it will no longer be profitable.”*

*“In other countries you try to make offenders well, but here we’re left outside and unsupported.”*

*“Exploitive.”*

*“They go out to find people to put in jail.”*

Even prior to sentencing, participants urged the SMC to have a “fundamental mind shift” about pre-trial incarceration. They noted that, unless there is strong evidence that a person will cause physical harm, that holding someone in jail before they are found guilty is not fair, particularly if the only way out of the situation is financial.

*“My lawyer was busy so they missed my case, and I was held for another week. I had to pick between paying my bills and bailing out.”*

Within sentencing and ticketing, participants across focus groups urged the SMC to use prison and financial fines only as a last resort, due to their disproportionate impact on Black, Indigenous, and other people of color and low income residents in the Seattle community. Participants noted the disproportionate impact on those with lower income, and recommended that the court individualize any fine amounts based on a person’s ability to pay.

For example, if two people receive tickets for exactly the same thing and the fine is \$150. Person A earns \$15.00 an hour while Person B earns \$150 an hour. Person A (the low-income person) receives 10 times the punishment of the high-income person.

By making education, rehabilitation, and community service the priority rather than punishment, many participants felt that outcomes for those who interact with the court would improve. They suggested shifting the SMC mindset to seek why a person did what they did, and then to identify how they can help that individual.

*“Give us the support we need, don’t just throw us in jail.”*

*“Every effort should be made for rehabilitation. Jail should be a last resort.”*

*“They make paying the easiest option, it’s a funnel.”*

*“We need more routes or avenues than jail.”*

*“If it’s about ensuring that they don’t do this again, then how do we make people whole? Penalties should help people get better and more healthy.”*

*“It’s not hopeful. It’s me vs you, and it’s clear what you already have in mind for me.”*

*“I contested my ticket and felt like the system was set up to discourage this.”*

*“I do food delivery, so I earn \$10-15 an hour. For me, this was a significant ticket.”*

*“I feel the court makes it easier to pay rather than pursue other options such as community service.”*

Several noted that the frame of “sentence” or “punishment” is limiting to the SMC. They suggested that the SMC adopt an outcomes-based approach, and create more space for human understanding. Many participants favored opportunities for defendant and victim to sit down in conference to discuss how to seek justice, and establishing restorative justice alternatives to traditional court.

*“It may be a matter of misunderstanding rather than the need for penalty.”*

*“Most of the time it’s not about morality. It’s about circumstances.”*

*“Studies show that punishment doesn’t work, and that discipline does.”*

*“There’s a tendency to treat ‘criminals’ as if they’re children, like we don’t know any better, as if it’s a moral issue.”*

*“If you’re trying to achieve community safety, then taking my money and keeping me in the wheel of paying doesn’t make our community safe. It makes us angry.”*

Community service received significant interest among those with criminal or infraction cases. Only one participant with a criminal case indicated that they would not have preferred a community service option.

*“I would choose community service every time.”*

*“I would have loved this opportunity.”*

Participants noted that the main barrier to utilization of community service was lack of awareness. Many were not sure if they were eligible for community service, and zero participants with infraction cases were aware of the option to convert their fine to community service at the time of their court engagement. In discussions, participants largely preferred service and community-oriented sentences above jail or financial fines.

Subjects urged the SMC to make community service more available and accessible. Many described this option as a way to feel good, help their community, and not create financial hardship. Some raised a concern that limiting access to community service is a barrier to equity.

*“I would have loved to have done community service instead. I had no idea about this program.”*

*“I would have done it. Community service is a win-win. It feels good, and I don’t have to pay.”*

*“I had no idea this was available, and no one in the court let me know either.”*

*“It’s not fair and equitable if some people have access to community service because they know about it, and others don’t know.”*

*“I would have much rather given my time than my money to this city.”*

*“I would have gladly done community service instead of paying. It was never presented as an option.”*

*“I didn’t know this was an option but I would have done it absolutely.”*

In the criminal cases focus group, five (5) indicated that if the Court’s website offered a way to track their community service hours, they would utilize this service.

Participants also suggested education and training programs as alternatives to jail or fines, suggesting courses relevant to the infraction, such as driver safety, or degree programs that would create new pathways to success for individuals. Post-prison education programs were also suggested.

*“It’s cheaper to put you through college than prison, and it’s more productive.”*

*“Create an educational experience, not just a punitive experience.”*

*“Sentences are meant to teach something. But spending time in jail and picking up trash is demeaning to a person’s sense of equity. It doesn’t change them for the better, it creates anger and resentment, which are not conducive to growth as an individual.”*

*“There was a time you could get a degree while in prison, but now the state won’t pay for it.”*

*“Fair and equitable should not focus only on process and penalties, but on outcomes.”*

While no individuals indicated that they are without housing, some commented on the high rates of those experiencing homelessness that find themselves in the court system rather than receiving supportive rehousing.

*“It costs more per night to keep someone in jail than it does to put them in a decent hotel. Yet unhoused people are part of the revolving door in the system.”*

One participant also noted concern about the ability for judges to hold stock or financially benefit from companies that gouge prisoners for services like phone and foods.

## Recommendations

Participants were asked how the SMC might create more alternative pathways that don’t lead to jail or financial hardship. They suggested:

- > Base all financial penalties on a sliding scale, ensure that no penalty leaves a person destitute.
- > Increase access to Legal Financial Obligation (LFO) forgiveness programs.

- > Fund alternative routes other than jail (mediation services, restorative justice, alternative courts, community diversion).
- > Whenever a monetary cost is required, offer a community service alternative.
- > Have a social case worker rather than a public defender presenting the case. They could be trained to recognize the barriers and challenges facing the individual, and can make recommendations that are considerate, understanding, and appropriate for the charge.”
- > Make information about converting fines to community service more prominent on ticket and website.
- > Expand who is eligible for community service to include everyone.
- > Partner with educational institutions and provide training and courses instead of prison sentences.
- > If someone is sentenced to jail, require the judge to explain why prison was the only option in this case.
- > Ensure that no SMC judge holds financial stock in prisons or prison services.
- > Offer a community court where charges are erased after mediation or service is completed.

## Everyone is treated with the same respect that is shown to the judge.

### Perceptions of Courtesy and Respect

*Focus group participants prioritized a court where every individual is treated with respect, and that you are “innocent until proven guilty.” In a fair and equitable court, participants imagined that they would receive the same respect that is given to the judge, and that they would be called by their names rather than by their case numbers.*

In reflecting upon their interactions with the SMC, most participants in the jury and infraction focus groups agreed or strongly agreed with the statement, “I was treated with courtesy and respect.”

Conversely, nearly a quarter of participants with criminal cases disagreed or strongly disagreed with the statement, “I was treated with courtesy and respect,” and about a third indicated neutrality. Some recommended the need for accountability with judges, to ensure they treat and speak to people with respect.

*“The imbalance of power is thrown in your face every step of the system.”*

*“Everyone rises for the judge, but then they call me by my case number.”*

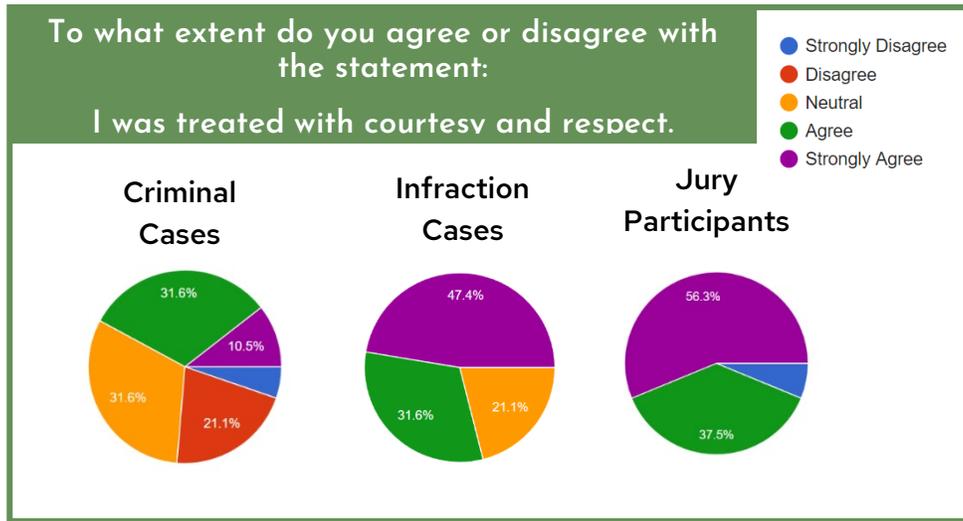
*“We should be treated as a human being, not just a case number.”*

*“It was like they didn’t care.”*

*“Lacking humanity.”*

*“I was treated rudely by one of the clerks.”*

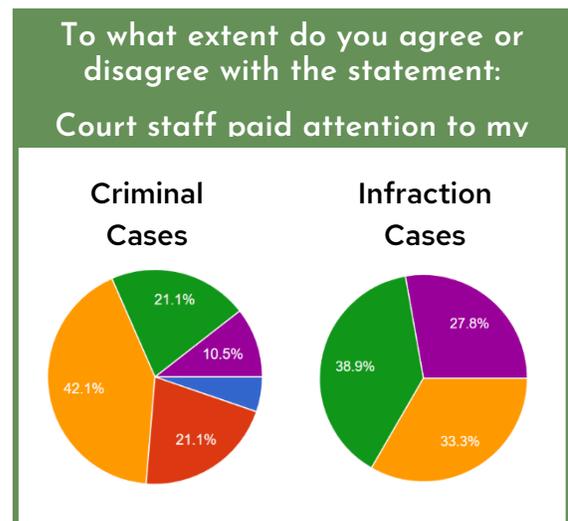
*“Neither the court nor the police were helpful in my case.”*



Several described being made to feel like criminals because of how they were treated by staff, judges, or lawyers.

*“Take the shame away.”*

*“They made it more miserable and difficult. You’re a lesser person even if you’re innocent.”*



- Strongly Disagree
- Disagree
- Neutral
- Agree
- Strongly Agree

## Recommendations

Participants were asked how the SMC might improve the sense of respect. They suggested:

- > Rather than calling cases by number, call people by name.
- > Greet people when they come to the court. Convey gratitude when individuals show up to be a part of the process.
- > Conduct a brief survey of all who interact with the SMC immediately following interaction.

## Rethinking the Courtroom Experience

*Many focus group participants urged the SMC to rethink the courtroom experience and reduce theatrical elements such as judicial robes and elevated judge's bench. In a fair and equitable court, participants imagined that the judge would sit at the same height as those involved in the case rather than looking physically down upon them. In this court, the judge is relatable and shows empathy for what the individuals involved in the case are experiencing. Simpler language is used so that individuals are able to participate without needing their lawyer to translate.*

Many participants with criminal and infraction cases noted that the court environment was overstimulating or overwhelming.

*"I have extreme social anxiety and PTSD, so it's traumatizing to be sitting there, waiting to go before people in robes with crazy lighting."*

*"It's hard to form a coherent thought while under that stress."*

*"Going to the court the first time, the theater of it is intimidating."*

Several noted that they were required to show honor and respect to the judge, but that the physical layout and theatrics of the courtroom were a barrier to them themselves being treated with respect. Having the judge's bench at an elevated height above those involved in the case made participants feel that they were being looked down upon and created a sense of imbalance. The use of judicial robes and bright lighting were also noted as concerns.

*"There's a disconnect between the judge and me, they're literally looking down on me."*

*"There's a person behind a counter, they've got a robe, it's a physical block to an equitable decision."*

Several with criminal cases noted that the use of legalese made it difficult for them to figure out what was going on in the courtroom.

*"I couldn't understand the exchange between my lawyer and the judge."*

*"It's frustrating to hear my lawyer speak in legalese."*

One individual noted that it had been hard to hear in the large courtroom, even when they were standing up closer to the judge.

*"From the audience it was even harder to hear, and very frustrating."*

## Recommendations

Participants were asked how the SMC might rethink the courtroom experience and layout. They suggested:

- > Convene at a conference table, where the judge is not elevated above anyone else.
- > Discontinue use of judicial robes.
- > Create conversational courtrooms, where people sit around a table together and can have eye contact, able to hear one another.
- > Allow individuals to participate in their court hearing from local community-based organizations or centers or remotely online, so they do not need to come to the courthouse in person.

## Going to court feels safe and accessible.

*Focus group participants prioritized a court environment that is open and welcoming to all races, genders, ages, physical abilities, and religions. In a fair and equitable court, participants imagined that going to court itself would not be a traumatic experience.*

Many individuals with criminal cases described the experience of handling their case as daunting or traumatic, beginning with receiving mail, to their interactions and communications with SMC staff, attorneys, and the “theater” of court.

*“Going to court can be traumatic.”*

*“Some of us are already scared to go in there, so treat us a little better, just in general.”*

*“It’s entering a hostile environment.”*

*“It gives me anxiety, dealing with it.”*

One participant shared their experience of being in the courtroom with an individual they were trying to get a restraining order placed on. They described the experience in court as traumatic and unsafe. In this particular case, the SMC ruled against the restraining order, but a week later the perpetrator showed up to an event the victim was featured at with a gun. The victim reflected that their time in court was part of the trauma they experienced.

Multiple participants commented on the geographic area around the courthouse feeling unsafe, or worrying about their bike being stolen while they’re in the courthouse.

*“It’s a safety concern going to that part of Seattle.”*

*“I felt safe once I was inside the courthouse.”*

Some of those with infraction cases indicated that they felt safe inside the SMC.

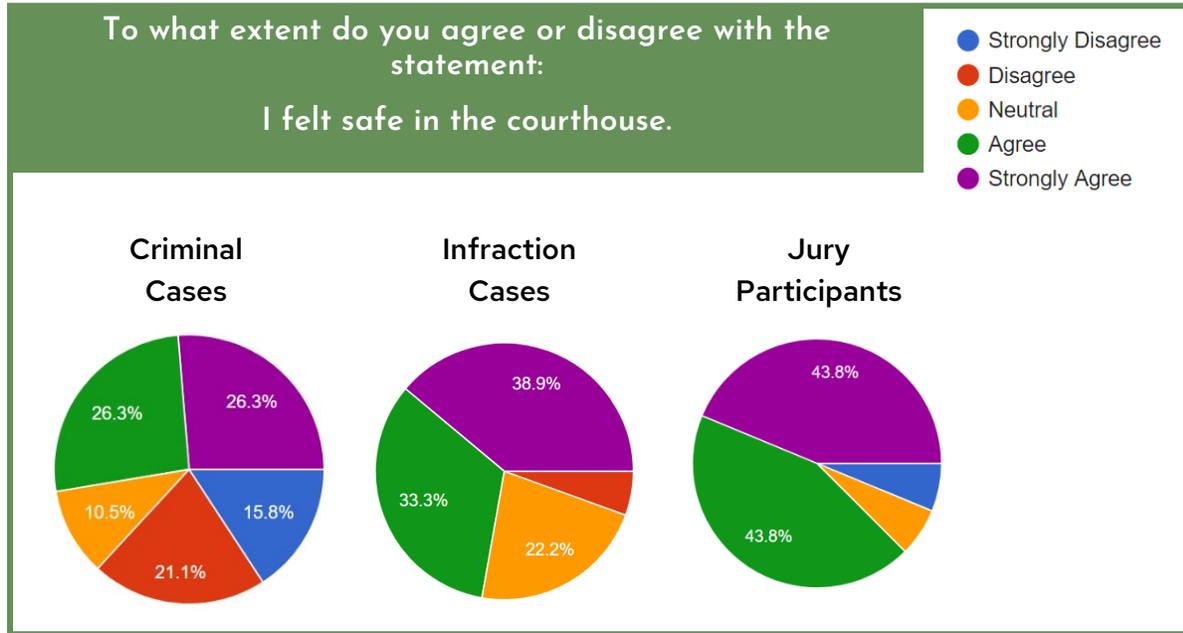
*“I felt safe.”*

*“I have felt safe in the court.”*

Several shared that they experienced anxiety upon receiving the letter from the SMC inviting them to participate in the focus group, until they realized it wasn't about their case specifically.

*"When I got this in the mail I was like, shit!"*

*"It was a trigger. I thought, 'what did I do this time?'"*



## Recommendations

Participants were asked how the SMC might ensure that individuals feel safe in the courthouse. They suggested:

- > Become trauma informed, be aware of the triggers created by the courtroom experience.
- > Allow individuals to bring family or community members with them to stand by them in court.
- > Have staff trained to support those experiencing trauma.
- > Offer court through Zoom so that people can participate from somewhere that feels safe to them.
- > Offer indoor bike parking.

## Courtroom Wait Time

Several participants with infractions or criminal cases noted that they had missed court proceedings because they had gone to the bathroom or to pay for additional parking after waiting for their case to be called for an extended period of time. They urged the SMC to develop a way to notify people when their case will be heard, rather than expecting people to wait in constant anticipation.

*"It's a high anxiety situation."*

*"You're afraid you'll miss your moment."*

*“It needs to be easier to do things like go to the bathroom, move a car, or make a call.”*

*“Just let us know, ‘you’re on deck.’ That would make it less stressful.”*

## Recommendations

Participants were asked how the SMC might make the courtroom experience more accessible. They suggested:

- > When checking into a courtroom, provide individuals with a pager (such as is used in restaurants for those awaiting tables) that alerts them when their case is up next.
- > Have the bailiff announce where you are in the queue or put up a digital reader board like they have in pharmacies.

## Ease of Navigation

*Participants imagined that in a fair and equitable court, information is conveyed in a clear format, in all major languages spoken in Seattle, and a court liaison is available to help individuals find their way or assist in any access issues that may arise. In such a court, it would be easy for individuals to find their way around and to know where they’re supposed to be.*

Several participants noted that finding their way within the SMC was difficult.

*“I accidentally left the building and had to go through security twice.”*

*“The building is huge. I wasn’t sure where to go.”*

Navigation comments related to parking have been included in the sections, *“Neighborhood and Virtual Access”* and *“Time Commitment.”*

Navigation comments related to ESL access are included in the next section, *“Language Access.”*

## Recommendations

Participants were asked how the SMC might make ease of navigation fair and equitable. They suggested:

- > Provide signage that is clear and in multiple languages.
- > Have a court liaison available after the security check to help point folks in the right direction.
- > Provide information about what is allowable through security in advance so that individuals do not bring items that are not permitted.

## Language Access

Many participants prioritized language accessibility improvements at the SMC.

Some participants spoke English as a second language, but did not express consensus about whether they felt the SMC had made reasonable efforts to remove language barriers. For those that felt the SMC had not made reasonable efforts, they noted the need for more than written documents and resources. There was a strong preference for having bilingual SMC staff available to answer questions.

One participant, who has been speaking English since high school, shared that they were able to navigate the SMC without needing language assistance, but that their parent would have not been able to access the SMC currently.

*“I only had an ok experience because I’m ok with communication.”*

*“There was no one there that spoke Spanish.”*

*“Not all communities want to read resources. We want an in-person, human conversation. To really know what the court is thinking about.”*

*“It would be nice to hire actual court staff that speak more than one language and more staff that are represented of the population of the others entering the court.”*

*“Staff need to be culturally aware that there will be people that aren’t able to navigate based on SMC’s language limitations.”*

*“I would like signage in the hallway and courtroom to let me know where to go to find available language assistance.”*

Participants also shared thoughts around language support inside the courtroom, which is outlined below in, “Clear and in-language communication ensures that individuals understand the process and what is expected of them.”

## Recommendations

Participants were asked how the SMC might improve language access. They suggested:

- > When individuals decide to contest a ticket, on the form there could be a box that indicates which language you speak, or which language you wish to contest your ticket in. Then the SMC would plan ahead to ensure that there is someone that speaks their language when they are scheduled to be in court.
- > Provide court information in the major languages spoken in Seattle.
- > Display wayfinding signs in multiple languages around the courthouse.
- > Have in-language signage at the entrance about where to go for language support.
- > Hire bilingual and multicultural staff so that individuals see people that look like them and that speak their language in the courthouse.

## Neighborhood and Virtual Access

*Participants prioritized having the ability to engage in court proceedings remotely through neighborhood centers, community-based organizations, and virtually online. In a fair and equitable court, they imagined that no individual would be disproportionately impacted by the logistics of getting to court.*

Participants in each focus group prioritized the need for individuals to have access to the SMC remotely, either through neighborhood satellite locations or virtually online. A key driver of this priority was the time and expense of commuting to and from the SMC, which was shared as a universal concern for those with criminal cases, infraction cases, as well as jury participants (more fully outlined below in

“Time Commitment”). For several in the infraction focus groups, the cost of mitigating the ticket in person outweighed any savings they received in mitigation.

*“It’s tougher to go downtown than just to pay the ticket.”*

*“Having an alternative to downtown is huge. It’s not a place a lot of people want to go.”*

*“It’s a total pain. Parking is terrible and expensive, plus the traffic.”*

*“Having to pay \$6 for parking for a \$35 ticket is a little silly. I would prefer Zoom.”*

Another key driver for remote SMC capabilities was concern from participants over safety and access at the SMC. Some participants noted that accessing the SMC from a trusted community organization or from the safety of their own home would help to address some of this.

A majority of participants in all five focus groups were interested in conducting more of their SMC business remotely. In written exercises, ten (10) individuals with criminal cases indicated that if they had been provided with the opportunity to schedule their hearings online, they would have done so. Five (5) individuals with infraction tickets indicated that they would have preferred to mitigate their ticket virtually.

When opened up for discussion, several others indicated that they would also prefer to take part in virtual mitigation.

*“People are more comfortable with Zoom than before.”*

*“I made so many unnecessary trips to the courthouse for things that they should have been able to manage by email.”*

*“There are a lot of things in 2020 that we should be able to do online.”*

*“I love the idea of Zoom hearings.”*

While many participants were supportive of remote court engagement, some raised a concern about internet and computer access barriers, particularly during the coronavirus pandemic.

*“Not everyone has access to the systems to support this form of participation.”*

*“A lot of the places that provide free WiFi are closed during the pandemic. Access is more challenging.”*

Other participants preferred the in-person courtroom. Some shared a perception that more tickets are mitigated in-person than through mail. Others noted that eye contact, physical body language, and ability to tell if someone is listening to you are important.

*“I want to get a sense for whether someone is on my side.”*

*“Rather than paying online, I want to be able to discuss with the judge. I would pay in person in order to save money.”*

*“I appreciate the back and forth with a magistrate. I prefer that over written.”*

Some participants indicated they mitigated their ticket in written form. They noted that the written form was more convenient than coming to the courthouse in-person, however raised concerns about communication and confirmation once a letter has been submitted. They suggested the SMC adopt a form of confirmation so that those who submit their mitigation via mail have confirmation that it has been received by the court.

*“The written process seems archaic.”*

*“How will I know if my letter even makes it to the judge? With email, I have a record of what I sent and any responses. With writing I’m expected to have blind faith that it’ll be delivered in time and that I’ll get a response.”*

*“The physical copy is a barrier. I’d rather submit my written mitigation online.”*

Participants described the process of paying for tickets online or in-person as “easy.” No major concerns about the ticket payment process either in-person or online were noted.

*“Online payment was fairly easy.”*

*“I had no problem paying online, it was easy.”*

*“I was already in the court for a hearing, so it was easy to pay it immediately afterward.”*

## Recommendations

Participants were asked how the SMC might increase virtual/remote and neighborhood access. They suggested:

- > Offer video/virtual options for parking and moving ticket mitigation.
- > Offer video/virtual hearings after traditional work hours.
- > Offer telephone and online scheduling.
- > Increase neighborhood satellite court locations.
- > Partner with community-based organizations to host locations within trusted community locations.
- > Provide information about whether your ticket is more likely to be reduced or waived if you contest in-person vs written or Zoom format.

## Time Commitment

Nearly half of participants with criminal cases disagreed or strongly disagreed with the statement, “I was able to get my court business done in a reasonable amount of time.” Several noted that their case had extended months or a year beyond their expectations.

*“There seemed to be an advantage in dragging it on. Every time we came back to court we got a better offer. What a waste of time.”*

*“When you’re coming from out of town, you feel the pressure to take the offer earlier, even if it’s not the best offer.”*

*“Waiting for a better deal can take a long time.”*

*“Why not give the best offer at the start?”*

*“The court shouldn’t allow things to drag on like that.”*

*“I pleaded guilty rather than starting over in the process, it was a huge barrier.”*

For those with criminal cases, many also noted the significant time spent preparing and managing their case, as well as the transportation or emotional recovery time before and after court appearances.

*“I put in one to two hours a day on my case.”*

*“I lost my job because of this case. It takes a lot of my time.”*

*“I was flooded with adrenalin and wasn’t able to get any work done the rest of the day.”*

Most participants with infraction cases and several with criminal cases commented on the amount of time required to travel to and from the SMC in person. Several who live outside the City of Seattle commented on the length of time commuting even within the metropolitan area.

One participant moved to a city in Eastern Washington and had to travel back and forth between Spokane and Seattle to handle their court proceedings rather than participating remotely. They indicated that this created a financial and time strain for them. Another participant shared that the SMC *had* allowed them to transfer their case to another city, which made it less of a burden for them to conduct their case.

*“My wife wanted to contest the ticket, but we avoided it because we didn’t have time. We went the easy route of payment. The other routes are more challenging or inaccessible.”*

*“Traffic is bad at certain times. It would take an hour or so just to reach downtown, before finding parking.”*

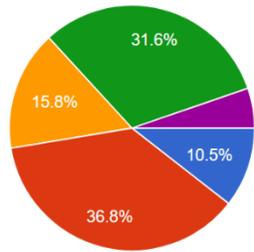
*“It’s not just the time in court, I live in [REDACTED], and the commute to the court and back is a hassle.”*

*“I spent 12 hours commuting to court each month.”*

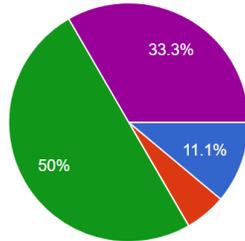
To what extent do you agree or disagree with the statement:

I was able to get my court/ticket business done in a reasonable amount of time.

**Criminal Cases**



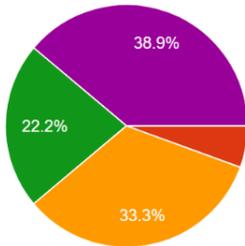
**Infraction Cases**



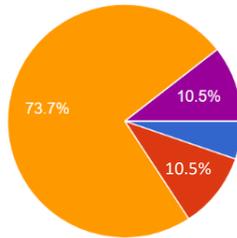
- Strongly Disagree
- Disagree
- Neutral
- Agree
- Strongly Agree

Did it take you more or less time to participate in Court proceedings than you expected?

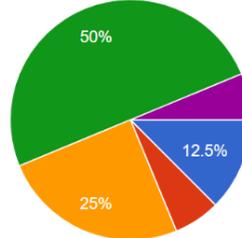
**Criminal Cases**



**Infraction Cases**



**Jury Participants**

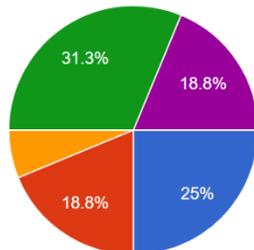


- A lot less time
- A little less time
- About what I expected.
- A little more time.
- A lot more time.

To what extent do you agree or disagree with the statement:

The Court respected and valued the time commitment of jury members.

**Jury Participants**



- Strongly Disagree
- Disagree
- Neutral
- Agree
- Strongly Agree

## Recommendations

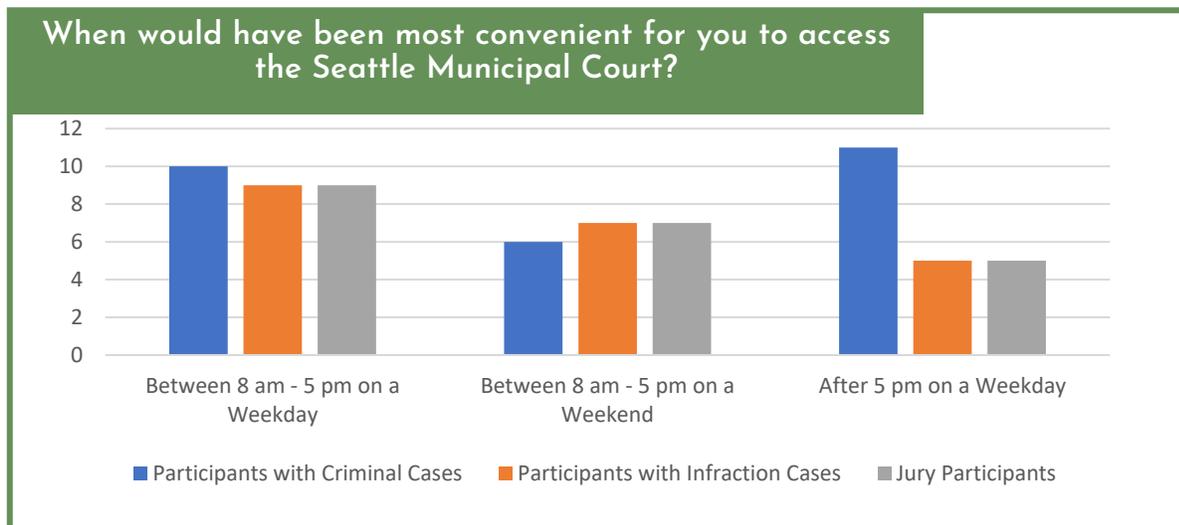
Participants were asked how the SMC might mitigate the time commitment required for participating in court proceedings. They suggested:

- > Expedite the process. Offer the best deal upfront so that the case doesn't drag on.
- > Create policies about prohibiting cases to drag on.
- > Provide virtual and remote court access options to reduce commute time.
- > Reassign cases to a more local court as needed.

## Hours of Operation

Participants were asked when would have been the most convenient time for them to access the SMC. Across focus groups, many prefer the current SMC hours between 8 am – 5 pm, however many of those with criminal cases preferred accessing the SMC after 5 pm on a weekday.

Parents in the focus groups indicated a preference for 8 am – 5 pm on a weekend (4 respondents) or after 5 pm on a weekday (4 respondents). Only one parent participant favored the current SMC hours between 8 am – 5 pm on a weekday.



## Scheduling and Rescheduling

Some participants noted that they would have liked having options for when they came to the SMC, rather than being assigned a date and time. Others felt that the ability to sign up in morning or afternoon court hearings seemed fairly just to them.

*“I got a date and time, and didn't realize there were options, just had to figure out how to make the time work.”*

Several participants discussed needing to reschedule court dates based on travel or work plans. For one participant, they had flights booked but the SMC would not make an exception, so they had to cancel their flights.

Others noted a positive experience rescheduling with the SMC. One shared that an allowance had been made for a person who had travel plans during the next scheduled hearing. Another noted that, because they work near the SMC, they were able to take time off and return by the end of the day. In their case, their employer was “cool about it luckily.”

In general, participants shared a perception that the decision of whether someone is allowed to reschedule or not is arbitrary, and based mostly on the staff member they interact with. They prioritized the need for fairness in decision making about rescheduling and remote participation.

### Recommendations

Participants were asked how the SMC might improve scheduling and rescheduling. They suggested:

- > Make the decision-making process around rescheduling more transparent.
- > Provide easy options for rescheduling, recognizing that circumstances and schedules change, particularly when scheduling so far in advance.

## Childcare

Multiple participants commented on the need for a mother’s room at the SMC, and every focus group raised the priority of providing childcare support or services. Participants with dependents noted the lack of support available for those with young children.

*“You need to help working moms take care of their court business.”*

In the criminal cases focus group, four (4) participants indicated that they arranged for childcare for their SMC hearing. In the parking and moving cases focus groups, three (3) participants arranged for childcare to contest or pay their ticket. One (1) jury member arranged for childcare to take part in the jury.

### Recommendations

Participants were asked how the SMC might support those with dependents. They suggested:

- > Offer a drop-in childcare center so that parents can resolve court business then come back to pick up kids.
- > Offer a family court where you can bring your children with you, a more family friendly format.
- > Provide a mother’s room for nursing mothers.
- > Provide clear wayfinding signs to find family-related resources in the SMC.

## Jury Guidance

*Jury focus group participants prioritized information and guidance for the jury. In a fair and equitable court, they imagined that the judge would explain the applicable laws, make clear what is admissible or inadmissible, and clarify whether opening and closing statements should be taken as fact or as biased information to help the jury interpret evidence.*

Some jury participants noted that their judge assumed that jury members understood the letter of the law, rather than providing the critical information to ensure that they were informed. Others raised

questions about whether or not opening and closing statements were to be taken at their word, or how to consider those arguments within the broader body of evidence.

Most jury participants agreed (10) or strongly agreed (3) with the statement, “I felt free to vote my conscience, even if I didn’t agree with the other jurors.” One (1) participant disagreed with the statement, and 2 indicated neutral.



Only a few jury participants were familiar with jury nullification. Individuals in both the jury and criminal cases focus group commented that the jury should be informed of what to do if they disagree with the law involved in the case.

*“If a juror knows about jury nullification, then it’s an option. If not, then it’s not an option.”*

*“It’s odd that juries aren’t briefed on the nullification option. It relies on the jury being knowledgeable about it coming in.”*

## Recommendations

Participants were asked how the SMC might improve guidance to the jury. They suggested:

- > Brief the jury on the applicable laws in the case.
- > Provide implicit bias training for members of the jury, and provide reminders from the judge throughout proceedings.
- > Explain to the jury about how to perceive opening and closing arguments compared to other evidence or arguments provided in the case.
- > Provide a briefing to jury members about jury nullification, so that they are aware of this option.

Given the length of time that candidates spend waiting in the jury pool, this might provide a window of time to provide training on implicit bias or other educational resources to help jurors better understand their role and address issues of inequity when they arise.

## Everyone has someone on their side.

*In a fair and equitable court, focus group participants imagined that whether it's a public defender, a private attorney, a community representative, or some currently un-considered role, each individual has someone that they feel is truly on their side, helping them convey their case effectively. In such a court, public defenders would provide a regular cadence of updates to those they represent, and would set clear expectations about when individuals will hear from them next and how to get in touch with questions.*

Many participants with criminal or infraction cases shared ideas related to ensuring that someone is on their side. A popular idea was to have a third-party advocate based within the SMC who could help individuals navigate the process and system. Subjects brainstormed that this individual might look at a person's income and any mental health or substance abuse issues they're working through. This person would then be able to help the SMC assign an appropriate sentence for the situation and individual.

*"I love the idea of having someone on your side."*

*"This would make it more equitable."*

Participants who had used a public defender were generally divided about whether public defenders at SMC currently fill the role of "someone on your side." Several participants commented on their public defender when asked what was fair about their experience at the SMC. They shared stories of public defenders who gave of their time, made people feel welcome and listened to. Most participants felt that their attorney had listened to them.

*"She was very qualified for a public defender. I felt that she gave a warm ear to my case and really listened to me."*

*"Our initial meeting was 90 minutes. She gave me time, took time to listen."*

*"I felt very heard by my public defender. He translated the legal language, helped bring me what I needed in the courthouse in order to present to the judge. He eased the gap of being in the theatre of the court."*

*"Public defenders are really hard-working folks who are not lawyering for the money."*

*"My public defender was good, she's actually trying."*

Other participants commented on how time-strapped their public defender was, resulting in a lack of response or updates about their case, missed hearings, or an additional week in pre-trial incarceration. They shared stories of receiving little insight or preparation to help them make their case effectively.

*"Not enough time."*

*"If they had taken the time to look at the prior case, they would have understood."*

*"The person representing the accused should spend more time understanding their case before representing them."*

One participant shared that their first public defender dropped their case, and that they had to come physically to the SMC every Monday for over a month with no information, only to be told each time that their new public defender hadn't gathered their documents yet and wasn't ready.

In general, participants felt that public defenders had too many people on their caseloads. When public defenders experienced delays over the course of their day – perceived by participants as a frequent occurrence – defendants were notified at the last minute. Because many participants traveled from a distance, arranged for childcare, paid for parking, and lost money from time off work, to be notified minutes before their hearing did not constitute appropriate advance warning. Several noted that they made enormous sacrifices to get there, and that to not have their case heard on the date that was agreed upon was not fair.

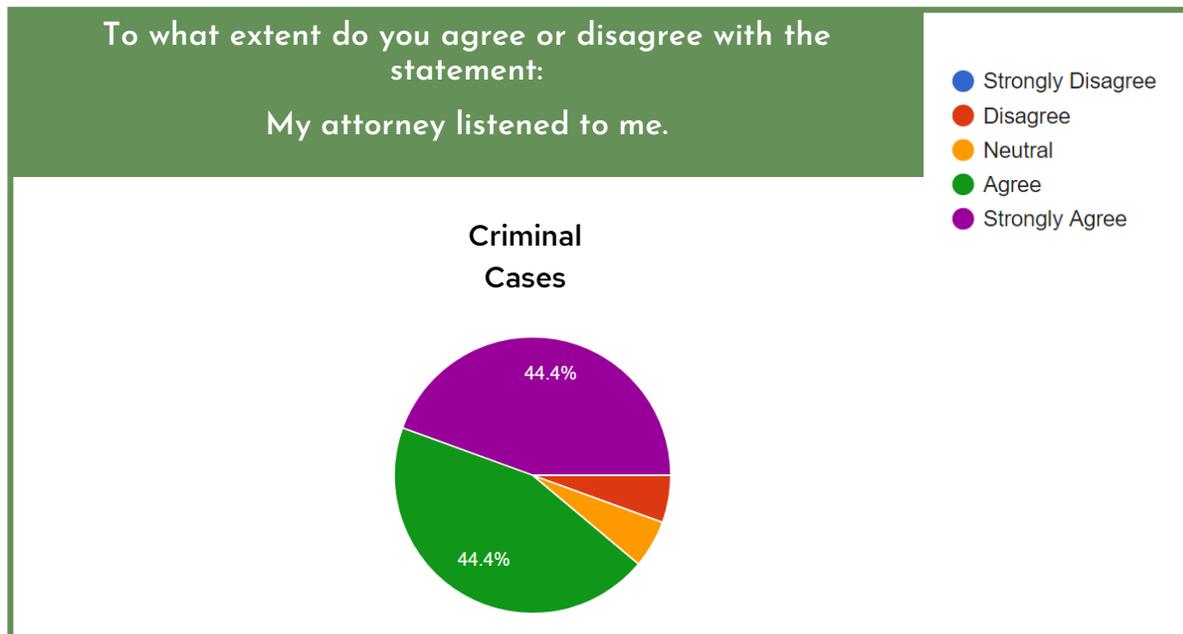
Several noted that their public defender had recommended them to take a plea due to either an attempt to reduce their workload to something that is humanly possible, or due to concerns over a white majority/racially biased jury. This is explored further in the section, "Race and religion do not determine the outcomes of a case").

*"My public defender said, 'If I were you, I would plead guilty, the majority of people know that.' It was my first interaction with someone who was supposed to be my defender, supposed to be there to help me. It was shocking."*

A few who felt that their public defenders had listened to them, also perceived that their public defender was not listened to by the judge or prosecutor.

*"The judge and prosecutor didn't listen to my attorney."*

*"He listened, but his hands were tied."*



Several individuals with infraction cases shared that they had had difficulty getting information or help from SMC staff.

*“The process was difficult for me, particularly due to COVID but also due to the lack of hours a court representative was available.”*

*“No one can talk on the phone. I’ve been writing and writing and writing.”*

*“To not get a response from the court was frustrating.”*

*“The staff is unresponsive.”*

One individual shared that they were assigned to a probation officer who was retiring, and that while they developed a good rapport and fairness with the first, they were reassigned after five months which caused difficulty.

### Recommendations

Participants were asked how the SMC might ensure that everyone has someone on their side. They suggested:

- > Have third-party advocates (such as Participatory Defense) available to help individuals navigate the process and system.
- > Better fund public defenders to ensure they have time to provide individual service to each client.
- > Evaluate public defenders on “how many cases they win, rather than how many cases they handle.”

Building on the suggestion to revise criteria for which public defenders are evaluated, the SMC may also consider evaluation of prosecutors based on equitable sentencing rather than number of wins or plea bargains.

## Clear and in-language communication ensures that individuals understand the process and what is expected of them.

*Participants in all five focus groups prioritized clear communication and language access.*

### Case Process Transparency

*Focus group participants prioritized transparency about the case process and decisions. In a fair and equitable court, they imagined that individuals are aware of where they need to be and what’s expected of them. When the court realizes it has treated individuals differently based on race, they take action to rectify and prohibit it from occurring again.*

Many of those with criminal cases commented on the lack of information about what was happening with their case, and two raised concerns over lack of evidence sharing. One of these individuals described waiting for months to see the evidence held against her, and the other noted that they still haven’t received evidence.

*“It would have been good to know what was going on.”*

*“It’s never a smooth process.”*

*“I didn’t even realize what the options were until after arriving in court.”*

One subject noted that once they discovered the SMC portal, they found the process more understandable.

*“Once I learned how to use the SMC portal, it made things much easier. Before I learned how to use it, things were harder.”*

Multiple participants with criminal cases noted a lack of transparency around what to expect from the booking process.

*“I didn’t have a sense of when things would happen. The two-hour booking process was unexpected, and I only found out it would take that long when I got there. I had scheduled an interview that day that I ended up missing.”*

*“The booking process took forever. There weren’t many people in the room, so there didn’t seem to be a need for the wait time to take so long.”*

*“Having to just sit there for any length of time was stressful.”*

Two participants noted that they haven’t received responsive updates during the coronavirus pandemic. One shared that they haven’t been able to get in touch with their public defender or probation officer because they’re out of the office during COVID-19 (as of August 2020). The other noted that the hearing had been delayed but that no notification was sent.

*“I had to contact my attorney to find out that my court date was delayed.”*

Many participants with infraction cases noted that the instructions for contesting or mitigating a ticket were unclear, and several noted that they weren’t aware of this option.

*“I wasn’t aware of the option to contest.”*

*“I think that they should simplify the instructions as much as possible. I consider myself to be an intelligent person but the instructions for contesting the ticket via mail was very confusing.”*

Subjects suggested that the SMC improve access to information about the mitigation process and provide resources for individuals to help them represent themselves in court.

*“It would be helpful to know how to structure your argument, where to get information to support your case. That’s not clear right now.”*

*“It’s hard to get the information you need to make a full case.”*

*“You could encourage people, help us make our own case.”*

One subject shared that some of what they heard in court wasn't clear, but that their attorney did a good job of explaining things to them.

*"My attorney explained what wasn't clear."*

## Recommendations

Participants were asked how the SMC might improve case process transparency. They suggested:

- > At the start of the case, provide individuals with a simple check list of how the process will more or less go. It may include a few example cases.
- > Create resources about the different processes of the court.
- > Ensure that public defenders provide regular updates to their clients about what to expect and key dates and timeline.
- > When court dates are rescheduled, notify all participants in the case immediately.
- > Provide resources to help individuals represent themselves in court.
- > Simplify instructions and increase education about how to mitigate a ticket.
- > Host a community forum quarterly or once a year, invite community to ask questions. Interact, have 2-3 language interpreters.

## Multilingual Proceedings

*In a fair and equitable court, they imagined that many of the staff and judges are bilingual, and that the court provides simple and clear information in all of the major languages spoken in Seattle. In this court, a person who speaks English as a second language has a variety of resources and people to help them convey their case effectively, and no individual is expected to represent their case in a language they are not fluent or comfortable in. In-language court sessions are available with judges that speak the same language as those involved in the case so that no translator is needed.*

As noted above in "Language Access," some participants spoke English as a second language, but did not express consensus about whether they felt the court had made reasonable efforts to remove language barriers.

Many subjects with criminal or infraction cases urged the SMC to hire bilingual staff, including clerks and judges, so that people who speak Spanish or other major Seattle languages would be able to speak directly and for themselves, rather than through an interpreter.

One participant suggested offering computer interpreters on demand. Another noted that they have had a bad experience with online interpreters not knowing the context. Participants agreed that an advanced computer interpreter would need to be certified for court context.

*"Languages are complex. Sometimes regional difference aren't taken into account."*

*"When I entered the court, I couldn't find anyone who spoke Spanish."*

*"Not everyone can represent their case in a second language. It doesn't mean they're not smart."*

## Recommendations

Participants were asked how the SMC might ensure that English proficiency does not determine the outcome of a case. They suggested:

- > Hire bilingual staff, including clerks and judges.
- > Provide in-language court for major languages spoken in Seattle, so that individuals can speak to a judge in their first language.
- > Station a bilingual navigator at the entrance to the court to welcome visitors and help them find the way to their courtroom.
- > Provide in-language signage at the entrance with directions for accessing language support services.
- > Don't expect translators to serve as legal representation.

## Race and religion do not determine the outcome of a case.

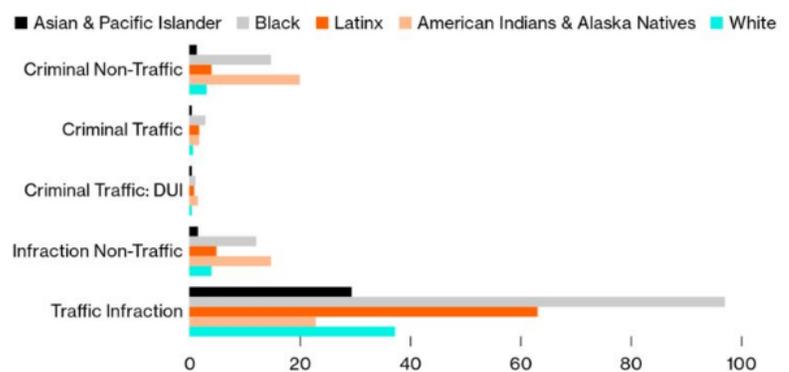
*Participants prioritized addressing racial bias in the SMC. In a fair and equitable court, they imagined there are widespread implicit bias and anti-racism trainings as well as methods for screening against racial bias during the jury selection process. In this court, the judge does not appear biased in any way, and people of color are not disproportionately represented in the system.*

Participants in all five focus groups raised concern about the disproportionately high rates of people of color within the SMC system. In a recent study commissioned by the City of Seattle's Office for Civil Rights<sup>1</sup>, *An Analysis of Court Imposed Monetary Sanctions in Seattle Municipal Courts*, researchers found that:

- Between 2000-2017, People of Color in Seattle were consistently charged with more fines and fees per capita than White people, across all types of cases.
- Black men and women were found to be significantly more likely than their peers to be sentenced to incarceration through a Washington superior court following a paid or unpaid SMC legal financial obligation sentence (LFO).

### People of Color Face More Cases With Fines & Fees

Cases involving monetary sanctions filed in Seattle Municipal Court in 2017 show marked racial disparities, especially with traffic infractions.



Data: Seattle Municipal Courts, prepared by Frank Edwards of Rutgers University and Alexes Harris of the University of Washington. Figures are shown per 1,000 cases.

CITYLAB

<sup>1</sup> Edwards, F., & Harris, A. (2020, August 15). *An Analysis of Court Imposed Monetary Sanctions in Seattle Municipal Courts, 2000-2017*. <https://doi.org/10.31235/osf.io/ajpqc>

- People of color have a higher likelihood than White people to be charged with a DWLS3 following a SMC LFO. This is especially pronounced for Black Seattle drivers.

Researcher Alexis Harris noted, “people can wind up ensnared in a series of traps because they mess up once, and it all goes on their record. All of these practices create these negative marks against poor people and people of color in the criminal justice system, which starts with them being overpoliced.”

In focus group discussions, participants echoed this sentiment of being caught within a cycle.

*“The only thing that seemed to be color blind or fair was the random calling of case numbers.”*

*“If the court was fair, then there wouldn’t be such a disproportionate number of the BIPOC population in the system.”*

Several participants noted that their public attorney had recommended that they plead guilty even though they felt they were innocent, due to fears of a racially biased jury making a harsher conviction.

*“My public defender said, ‘If I were you, I would plead guilty, the majority of people know that.’ It was my first interaction with someone who was supposed to be my defender, supposed to be there to help me. It was shocking.”*

One participant with a criminal case noted that the evidence against her was a video. After months of waiting for a copy of the video, and wondering what had caused the case against her, when she was finally allowed to watch it she realized that it wasn’t even her in the video. Believing that it was an obvious mistake, she told her public defender she had been mis-identified, and requested a faster process for getting the judge to review the footage. She remembered her public defender telling her that if her case goes to jury that “most will be white, so we shouldn’t do that.”

*“They all have the video, and they’ve seen me, but they don’t seem to realize that the person in the video is not me.”*

Cross-racial misidentification has been well studied and documented, and has led to large percentage of false convictions. In this particular case, the subject noted that video evidence should have made it simple for the SMC to see the mix-up. Instead, her case has proceeded forward because she is told there are no other options.

## Recommendations

Participants were asked how the SMC might ensure that race and religion do not determine the outcome of a case. They suggested:

- > Don’t assume that jury members are aware of own-race bias. Provide instruction for the jury or expert testimony about the problems surrounding cross-racial identification.
- > Require implicit bias and anti-racism training for all SMC staff, judges, and public defenders.
- > Early in the jury screening process, screen potential jurors to identify existing biases in order to select the most unbiased jury possible.
- > Provide implicit bias training to all jury members selected.

- > Judge provides explicit reminders to the jury about putting aside bias, throughout the court proceedings.
- > Have a jury pool that is representative of Seattle’s community.

## Jury is representative of Seattle’s diverse communities.

*In jury and criminal case focus groups, participants prioritized ensuring that juries represent the ethnic, gender, and socio-economic diversity of Seattle. In a fair and equitable court, they imagined that no individual would be expected to present their case to an all- or majority-white jury.*

Not all participants with criminal cases had a jury, but most perceived SMC juries in general to be predominantly white and middle-class, which was generally reflective of the participants in the jury focus group.

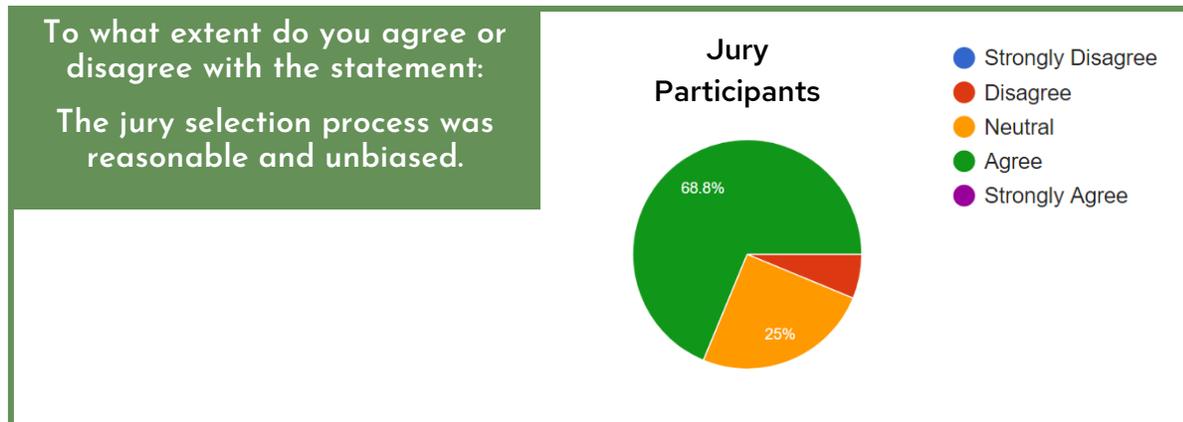
Jury participants were divided about whether their jury had been reflective of the defendant’s community. In a written exercise, several (6) indicated that they disagreed or strongly disagreed with the statement, “the prospective jury pool was a representative cross-section of the defendant’s community.” An equal number (6) indicated that they agreed or strongly agreed with the statement. Four participants felt neutral about whether their jury was a representative cross-section.

A few commented that advance screening questions for jury members seem geared to eliminate people with the lived experience that many communities of color in Seattle have, such as having had a negative interaction with a police officer. Several noted that the voir dire process had been used during their case to reduce the number of people of color on the jury.

Almost all (14/16) jury participants indicated that they served on a jury because it is their civic duty. Zero participants indicated that financial stipends were a primary incentive for their participation. Nine (9) of participant employers paid for their time on jury duty. Five (5) took time off work to take part in the jury.

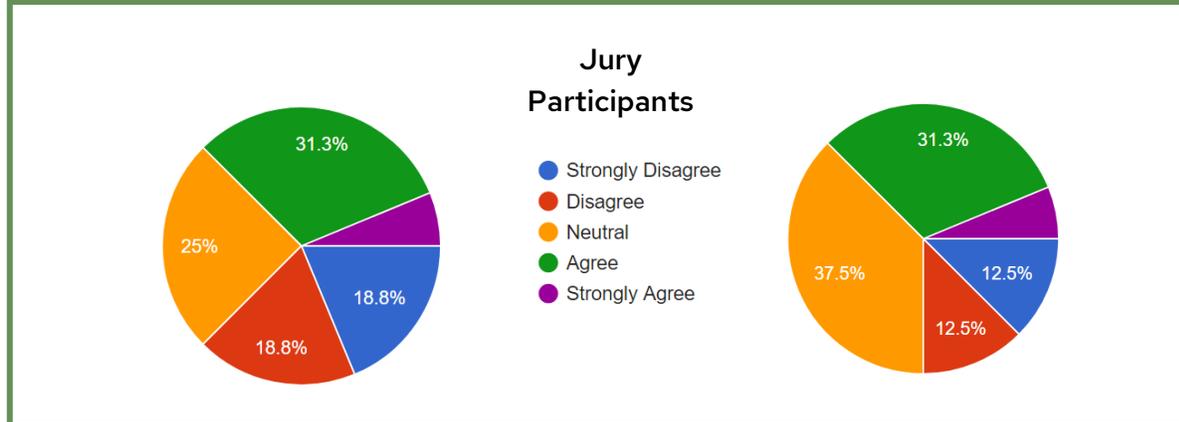
Participants recommended that the SMC adopt financial support for individuals who lose hourly wages in order to participate in a jury.

A majority of participants (11) agreed with the statement: “the jury selection process was reasonable and unbiased,” while four (4) indicated “neutral” and one (1) indicated “disagree.”



The prospective jury pool was a representative cross-section of the defendant's community.

The final jury selected was a representative cross-section of the defendant's community.



### Recommendations

Participants were asked how the SMC might ensure that juries are diverse. They suggested:

- > Reform the voir dire process to ensure that those with lived experience outside the white dominant culture are not eliminated based on those experiences.
- > Actively recruit jury participants from within communities of color.
- > Do not proceed with case if representative jury is not achieved.
- > Offer in-language court, with in-language jury.
- > Make additional financial support available for individuals whose jobs do not pay them wages if they miss work to serve on a jury.

## Wealth does not determine the outcomes of a case.

*Participants with criminal cases prioritized the need to ensure that all who engage with the court receive the same level of service and humanity, regardless of how wealthy they are. In a fair and equitable court, they imagined that cash bail would be eliminated, and that non-financial means of proving one's reliability would be encouraged. In this court, individuals would be held in custody only as a last resort.*

Many participants with criminal cases perceived that wealth plays a critical role in the outcomes of SMC cases.

*"It's about the money. Whoever has the money wins."*

*"Money should not be a means of getting out of jail, when not everyone has access to that opportunity."*

*"Finances should have nothing to do with justice but unfortunately that is how we show our value. This is based on years of structural racism and stolen labor to accumulate wealth. That will never be equitable, but it's how decisions are based."*

Most of the participants with criminal cases had a public defender, with about a quarter using a private lawyer, and one individual using a community advocacy or support agency (such as Participatory Defense).

Perceptions and experiences with public defenders are outlined above in the section, *“Everyone has someone on their side.”*

Several individuals with private attorneys noted that they felt comfortable in proceedings, had a number of preparation meetings with their attorney, and were communicated with on various platforms.

*“They responded to my texts.”*

*“I could describe how easy and light things were for me, but that’s just a sign of how unfair the system is.”*

One participant suggested that the SMC make all infractions probationary. They noted that fines themselves are a financial hardship and create inequality.

## Recommendations

Participants were asked how the SMC might ensure that wealth does not determine the outcome of a case. They suggested:

- > Eliminate cash bail.
- > Provide a variety of non-financial means of proving one’s reliability.

## Mental health is taken into account and supported.

*Participants with criminal or infraction cases prioritized support for individuals with mental health challenges. In a fair and equitable court, they imagine that mental health and substance abuse are treated with care, rather than treated as a moral failing. Such a court would have methods of identifying when mental health issues are involved in charges, and provide an alternative court setting that does not traumatize the individuals involved.*

Several participants with criminal cases shared that they struggle with mental illness and noted a sense of stigma and lack of support at the SMC. They urged the SMC to create more support and avenues for those with mental illness or substance abuse.

*“Mental illness is stigmatized. It’s traumatic to go through this ordeal.”*

*“Don’t treat substance abuse or mental health disorders as a moral failing.”*

*“There are so many people in the system who may have mental health or substance abuse issues, the infractions could be screened before having to go through the whole judicial process.”*

*“It shouldn’t be up to one person to determine huge number of cases. There are too many cases, they need to triage. Separate out those cases with mental health issues.”*

One participant shared a story of having their case accepted into the mental health court, where they felt they were approached with a bit more respect and that staff came from a kindred space.

*“That was the fairest shot I got. They handle the cases with more delicacy, give opportunities to utilize the resources in my community for rehabilitation.”*

## Recommendations

Participants were asked how the SMC might improve mental health support. They suggested:

- > Educate SMC staff about mental illness, destigmatize it and train people in how to identify and support.
- > Adopt methods of identifying when mental health issues are involved in the charges and provide an alternative format of court.
- > Drop mental health-related charges if individuals follow through with all the court proceeding requirements.
- > Hire more judges with addiction or mental health recovery experience.

## Juveniles with a record have a fresh start as adults.

*Participants with criminal cases prioritized the need to give young adults a fresh start. In a fair and equitable court, charges incurred in one’s youth stop following them as soon as they reach adulthood.*

Several of the participants with criminal cases had a juvenile record that they described as following them through life. They noted that while they had been told that their juvenile records would not be used against them in adulthood, each noted that this has not been the case for them.

*“As soon as you catch your first adult case, then they use your juvey history against you.”*

*“My accumulating charges keep being held against me. I’ve been labeled as a ‘career criminal’ based on my juvenile history.”*

*“Youth records predetermine future case outcomes. You need to give people a fresh start rather than holding them to the same outcomes as before.”*

*“It has long lasting impacts, not only on your history but on your health.”*

## Recommendations

Participants were asked how the SMC might mitigate impact on individuals with juvenile records. They suggested:

- > Automatically seal juvenile records rather than requiring individuals to do so.

## Beyond the SMC

Several participants with criminal cases raised the need for SMC to take into account the broader local justice system. Policing was noted as having an impact on cases prior to individuals engaging with the

SMC. They perceived that the SMC cannot become fair on its own, and that financial gains in the prison system and mandatory minimums pose significant barriers.

*“Effective policing would be about making the community healthy, rather than devouring it.”*

*“The process of the court isn’t always the problem. If the legislative piece isn’t carved out enough, or if there’s an exemption in the legislation, then it makes it hard for the court to make a fair decision within the law.”*

*“The outcome of my case was upstream of the court process.”*

One individual, who had been arrested in their home and held in jail, reflected that the charge against them had been related to paperwork, and the use of force to bring them to court seemed disproportionate. They shared:

*“I was living in an apartment building, and the cops were coming after me but when they came I wasn’t home. So they broke into the building. It was overwhelming. I hadn’t read the paperwork, and I blew it. But they were treating me like I had a weapon or something violent. The morning I got back from jail, the landlord had to replace the door lock.”*

Another noted that a friend had her hands held behind her back for over seven hours, and now has chronic shoulder issues as a result.

## Recommendations

Participants suggested that the SMC influence the broader criminal justice system by:

- > Educate the court and police about mental health and how to help.
- > Abolish the police, fund community.
- > Remove arrest and incarceration quotas.
- > Work with system stakeholders to reduce overall financial impact and fees.
- > Provide resources to help individuals mitigate inequitable aspects of their experience prior to arriving in court.
- > Analyze the locations that most parking tickets happen in. Instead of continuing to issue tickets for that area, advocate that SDOT create signage and education about how to park appropriately there.

## Participant Questions for the SMC

In each session, participants were invited to share any questions they have for the SMC. Once answered, TVA will relay answers back to focus group participants. Questions for the SMC to respond to include:

- > Is it possible to handle a case through Zoom?
- > Are you allowed to bring a relative with you to court? (raised in relation to language access)
- > How is the SMC handling the current situation with the coronavirus? Are people able to contest their tickets online? Are there changes to the timeline for the process?

- > What resources can the court provide to help mitigate issues that arise before people arrive in court?
- > What kinds of service does “community service” include? Is this available to anyone with an infraction case?
- > What are my options to:
  - Contest in person vs online?
  - Contest a ruling by the SMC?
  - Mitigate my fine with community service?
  - Reschedule a court appearance?
  - Access language support services?
- > Do I have a better chance of having my ticket mitigated in person or via mail?
- > What does a representative jury mean? Is it representative of the defendant’s community, or of the Seattle community more broadly?
- > Do you make a point of trying to push a case through before it goes to jury?
- > Are there quotas for how many infraction tickets you must uphold? Any limits for how many you’re permitted to reduce?
- > Are there interpreters available for blind or deaf individuals?
- > A defendant who has been unable to get ahold of their newly assigned public defender or probation officer due to COVID-19 asked when they can expect to receive information on when their case will be handled.
- > Am I ever going to see the person who charged me present their case? I was told by my public defender to just plead guilty in order to get out, so I’ve never had the chance to confront the charges or hear why I was charged by that individual. Is that standard, for a person to be charged by someone they never see in court?
- > How much advance warning do we have about construction or road work? Do you require them to flier the block so that residents are aware?