

# 2020 Seattle Municipal Court Access & Fairness Survey Results

## Introduction

### Purpose

The 2020 access & fairness survey measured the satisfaction level of court users and their perception of accessibility and fairness. The court conducted similar surveys in 2011 and 2015. This feedback helps court leadership better understand the experience of individuals who come to the court and solicit input on ways the court can improve the delivery of our services to clients and community.

### Background

Judges have adopted three guiding principles to shape 2020 court initiatives:

1. Engage the community to guide court programs
2. Eliminate disproportional impacts upon Black, Indigenous, and People of Color
3. Collaborate with our stakeholders to transform the system and improve outcomes

The SMC Access & Fairness survey is one of three large 2020 projects, along with court user focus groups, and a restorative justice initiative, that aim to seek meaningful feedback that leadership can use to shape current and future delivery of services.

Access & Fairness are key foundations of an effective justice system and assessing the extent to which the public finds SMC services to be accessible and fair is an important key performance indicator (KPI). The court has completed two previous access and fairness surveys in 2011 and 2015. To promote transparency, SMC publishes these KPIs on our website. Previous access and fairness surveys found that the court was generally perceived favorably in the community. A few areas of potential improvement for the court included court timeliness and clarity of forms. In 2020, the court added some additional questions to the survey that seek more complete demographic information and focused on equity and inclusion.

### Methodology / Response Rate

The 2020 Court Survey was conducted from January 24 to February 7, 2020. The in-person survey was administered by volunteers who were situated at the court's exit during regular business hours. Volunteers administered the survey via laptops and were able to assist individuals with the survey on an as needed basis. The online survey was available with no time restrictions between the survey dates and was available to users after they visited the court's website to make an online payment for an outstanding ticket. 703 individuals completed the in-person survey and 340 individuals completed the online survey.

## Report Contents

The survey questions and responses are broken down into five distinct categories:

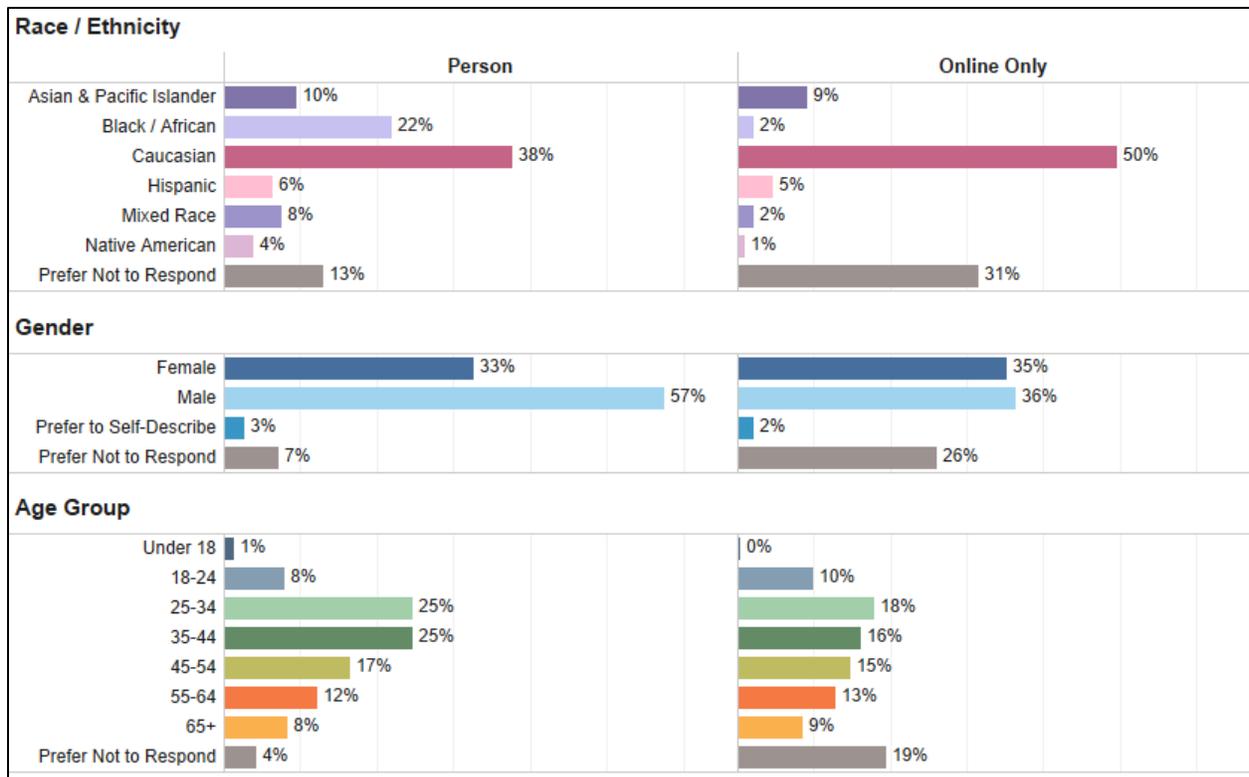
- I. Profile of the Court Users
- II. Access Perception
- III. Fairness Perception
- IV. Payment Reasonable Perception
- V. Notable Survey Responses by Demographic Groups
- VI. Conclusion
- VII. Average Access & Fairness by Demographic Group Scorecard

The report will follow the above sequence of categories and provide charts detailing trends in each section. At the end of each section, brief discussion of results and takeaways as to how different demographic groups responded is provided. The report concludes with a separate section with key takeaways and recommendations from the analysis.

Attached to this report is **Appendix A** as **Section VII**, a “scorecard” of the average Access and Fairness scores broken down by race groups, gender groups, and age groups.

- I. **Profile of Court Users** – The following charts offer demographic and socioeconomic data, along with reasons why and how individuals were accessing court services.

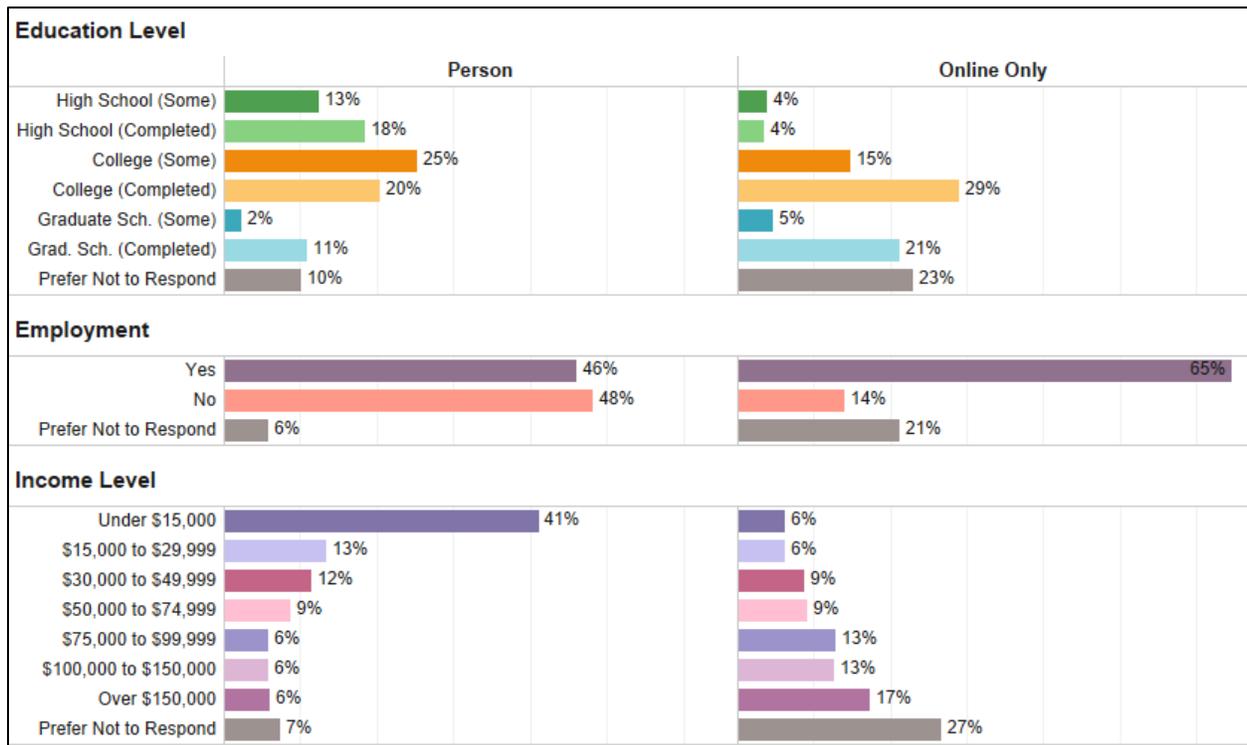
### Demographic Data, 2020 In-Person / Online Survey, All Respondents



Demographic data is separated into Person vs. Online Only categories, based on which survey the individual responded to. SMC does not collect “Hispanic” and “Mixed Race” demographic categories in court case file data for race and ethnicity. Similarly, “Prefer to Self-Describe” is also a new value available as a response for gender.

Race/Ethnicity and gender online responses have the lowest response rates at 69% and 74% respectively. The Age Group data have the lowest level of nonresponses. The general pattern of the age group demographic is similar between In-Person and Online survey respondents.

**Education, Employment, and Income Data, 2020 In-Person / Online Survey, All Respondents**

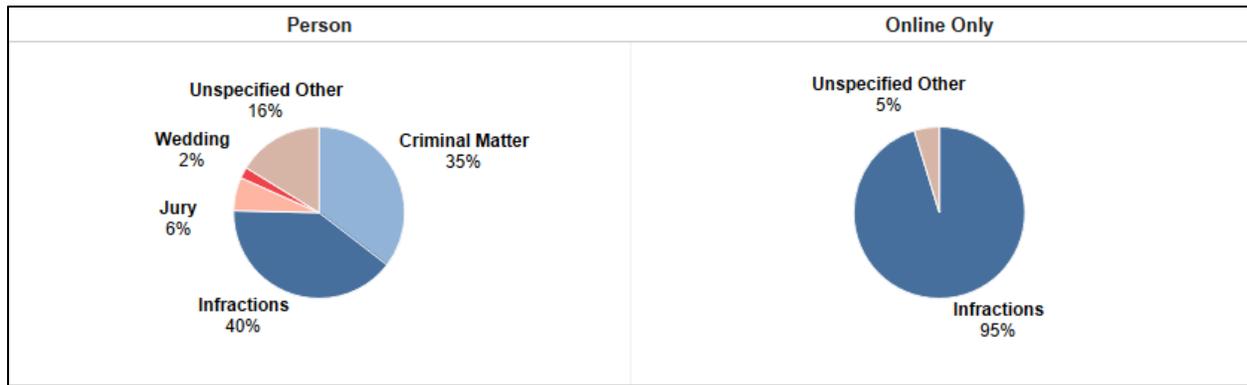


The Education, Employment, and Income data are similarly separated into In-Person versus Online Only survey responses.

Online users tend to have higher levels of education and tend to be employed at a greater rate compared to in-person users. Income levels are also different between in-person users versus online users, with more in-person users in lower income levels and more online users in higher income levels. It is worth noting that online survey respondents were accessing the court survey after using the website to pay outstanding tickets.

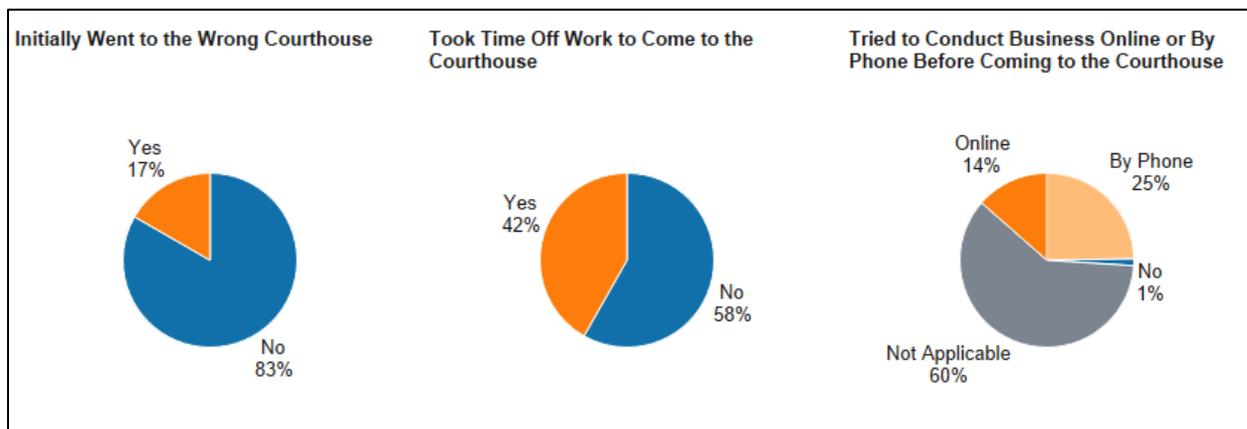
An interesting finding in both the above “race/ethnicity, gender, age” and the “education, employment, income” data, is the one piece of information that people were most reluctant to provide was race/ethnicity identification. Race/ethnicity had the highest nonresponse rate for both in-person and online users at 13% and 31% respectively. This could be something to consider when the court implements self-identifying race and ethnicity data collection in the future.

### Reason for Accessing the Court, All Respondents In-Person or Online



The above data provides the general reason why the survey respondent accessed court services. The “Infraction” value for in-person includes addressing an infraction by way of hearing or payment. The online “Infraction” value is exclusively for payment.

### Other Measurable Qualities for Court Access, All In-Person Respondents



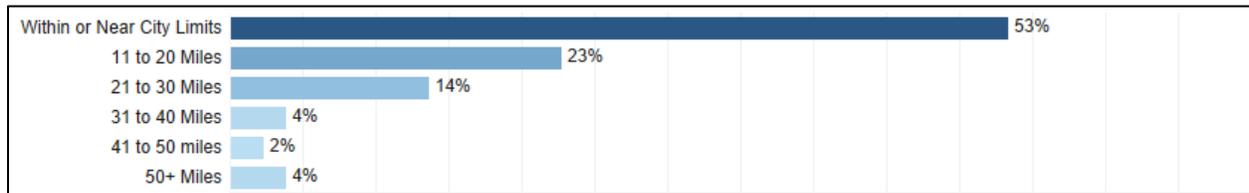
The above data on barriers to coming to court only pertains to in-person users as the questions are not applicable to online users. Almost one in five people who come to the courthouse originally went to the courthouse, most likely the King County Courthouse due to its proximity and similar case matters with district court. In the 2011 survey, 12% of court users went to the wrong courthouse initially. The number improved to 9% in the 2015 survey. Now in 2020, the rate almost doubled to 17%.

More than four out of ten people who came to the court took time off from work. This likely only pertains to the 46% of in-person users who were identified as employed. This may be a key (in)convenience factor or point of hardship for people coming to court.

Of all the people who came to the court, 60% of them responded “Not Applicable” when asked whether they tried to conduct their business online or by phone prior to coming to the courthouse. This suggests two things. First, there should be more innovation or convenience in court business that could allow for more people to complete their business online. The fact that 95% of online users go to the court’s website for the sole purpose of making payment could suggest there are not enough online or remote

options for people to handle their business with the court, however this finding is limited given the survey was accessed after individuals made online payments. Second, those who answered “Not Applicable” may have not be aware of some available options to conduct business online.

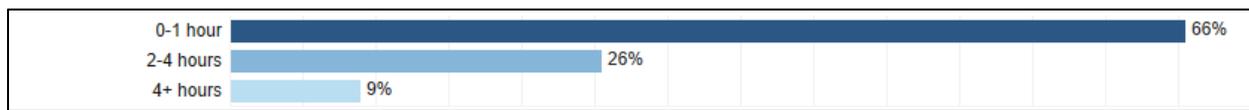
### Distance Traveled to Courthouse, All In-Person Respondents



This data indicates more than half of the in-person court users traveled from within or near city limits. One in ten in-person court users traveled to court from more than 30 miles away.

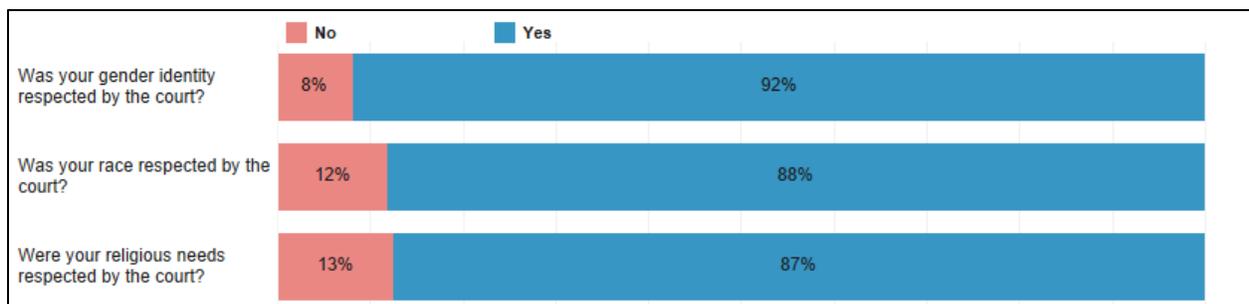
The survey question allowed for free text input. Some responses were given in distance, some in time traveled, and some with qualitative descriptions. The responses were compiled within response values by manual and individual interpretation of each response.

### Duration of Time Spent in Courthouse, All In-Person Respondents



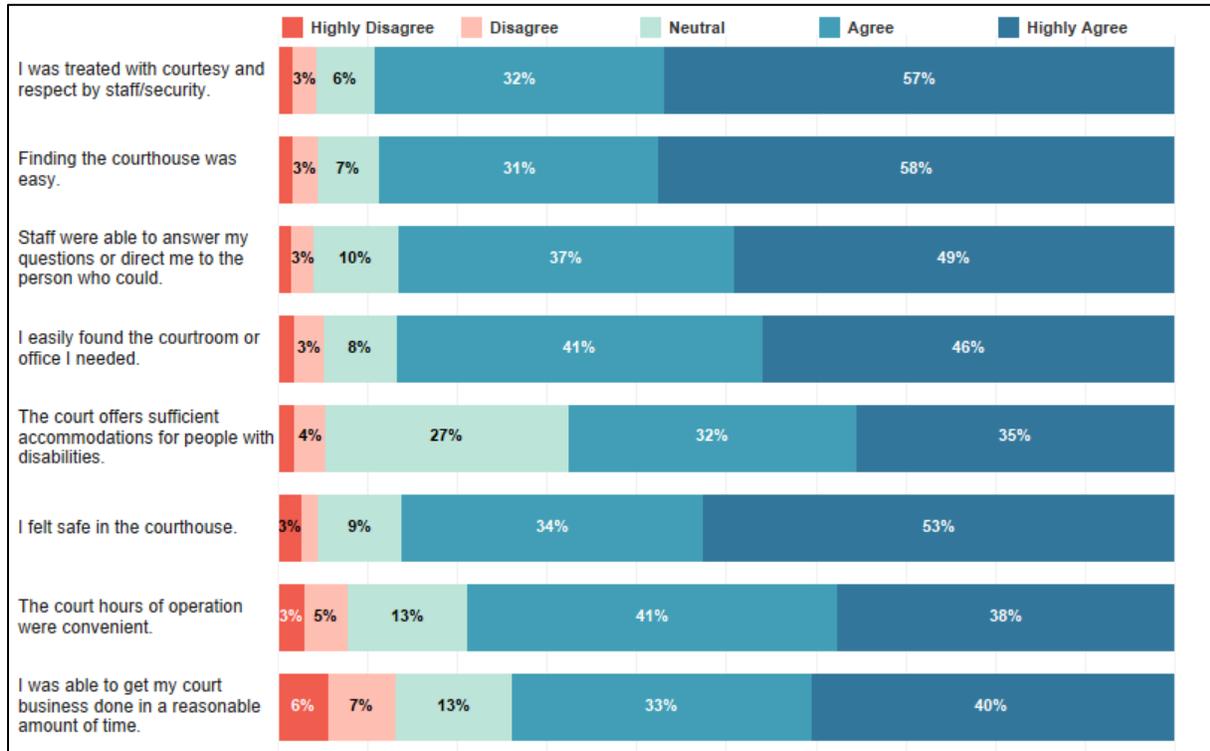
For in-person court users, two-thirds spent under an hour to conduct their business in the courthouse, while the remaining respondents spent over two hours in the courthouse. One in ten people were in the courthouse for over four hours. This metric directly relates to the “*I was able to get my court business done in a reasonable amount of time*” survey response, which had the highest level of dissatisfaction among the “Access Perception” survey responses to be discussed later in this report.

### Respect Perception, All In-Person Respondents, based on Gender, Race, and Religion



For 2020, the court added three questions around respect and equity relating to whether one’s gender identity, race, and religious needs were respected when accessing court services. This was not a Likert scale question, but simply a yes / no question. One in ten people who came to the court had a negative response to the court’s ability to respect race, gender, and religious diversity, with religious needs the most negative. However, without further information, it may be hard to address specific concerns.

**II. Access Perception** – Survey respondents were asked eight different questions that focused on different aspects of court accessibility. The following chart displays results from these questions.



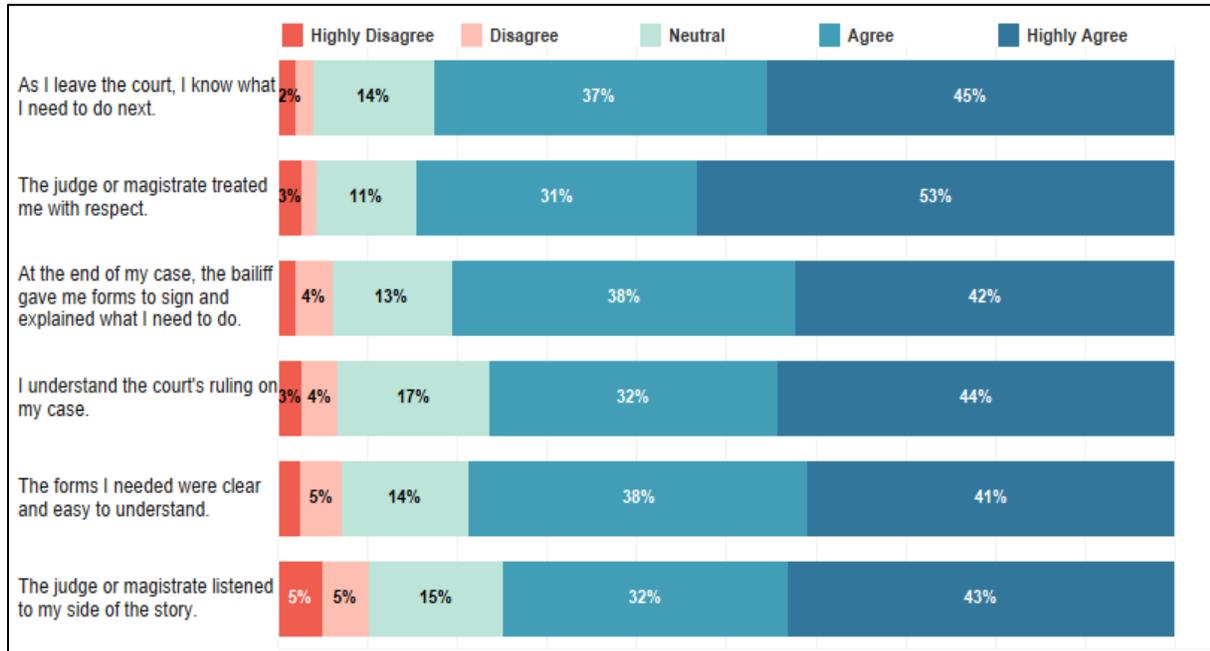
The statements above all concern forms of access that 703 in-person court users responded to when coming to the courthouse. The graph above shows the percent of responses in each response category from highly disagree to highly agree. The statements are ordered highest to lowest in terms of overall percent positive rate.

**Takeaways:**

- In-person court users were largely satisfied with access to the court.
- “I was able to get my court business done in a reasonable amount of time” was identified as the statement with the highest negative response at 13% highly disagree or disagree. This statement also had the highest negative response rate in the 2011 survey with 28% negative and in the 2015 survey with 13% negative.

Overall, to improve customer accessibility to court services, survey results suggest focusing on making efforts to reduce time spent in court, expanding court hours of operation to increase convenience, and increasing the perception of safety while in the court house.

**III. Fairness Perception** – Survey respondents were asked six different questions that focused on different aspects of court fairness. The following chart displays results from these questions.

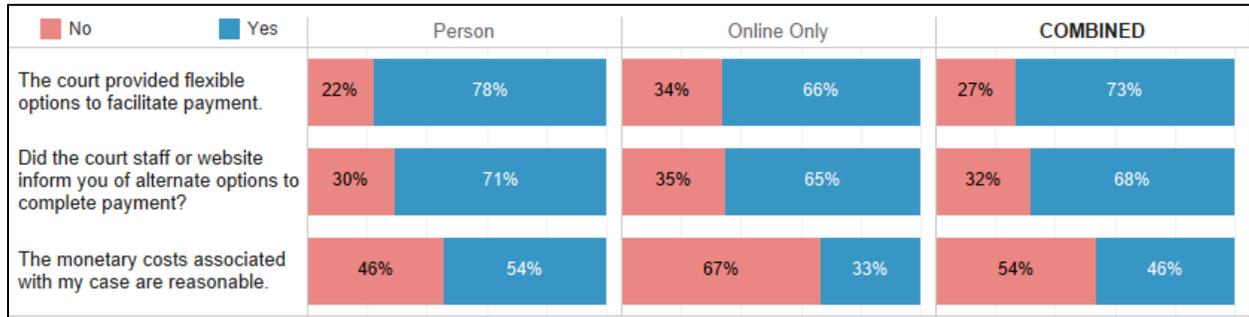


The responses above were from 562 individuals who answered questions related to their perceptions of fairness in their interactions with judicial officers and court staff. Like the accessibility responses, the bar charts are ordered from most to least favorable responses. Areas for improvement centered around the judicial officer listening to an individual’s input and clarity around forms and understanding the court’s decision.

**Takeaways:**

- While 2011 and 2015 only had 40% and 55% of survey respondents respectively indicate they interacted with a judicial officer, the 2020 rate was significantly higher at 80%.
- In-person court users were largely satisfied with fairness in the court. While responses were not aligned with the 2011 and 2015 surveys, the only response with double-digit negativity was “The judge or magistrate listened to my side of the story” at 10%. In the 2015 survey, this question also garnered the most negative response rate, but it was substantially higher at 17%.
- There are slightly conflicting results here with regards to knowing the next steps after a court hearing, which scored the highest of the fairness question, and the clarity of court forms, which scored the second lowest. This suggests court forms may not be the primary way individuals are informed and communicated about next steps in their court matter.

**IV. Payment Reasonableness Perception** – Survey respondents were asked three questions focusing on different aspects of the court payment process. The following chart displays results from these questions, separated by in-person versus online payment responses.



The three statements above relate to making payments to the court. The first two questions are about the court’s ability to provide and inform about alternative payment options. The third question concerns the users’ perception on the reasonableness of the assessed amount. The responses are separated into in-person users and online users. The third column is the aggregated responses of all users. Like the other charts, questions are sorted from most to least favorable response.

**Takeaways:**

- There were 453 individuals out of 703 total in-person survey respondents (64%) who answered the payment questions.
- Over 95% of online users accessed the court’s website to make a payment. A total of 299 out of 340 online survey respondents answered this portion of the survey (88%).
- “The monetary costs associated with my case are reasonable” is the statement with the highest rate of negative response in the whole survey. Over half of the responses indicate the perception that the court’s current rate of monetary costs associated with users’ cases are not reasonable. This is a difficult challenge for the court to address considering many court fines and fees are statutory in nature.

**V. Notable Survey Responses by Demographic Groups** – One priority of the 2020 survey was to get better information on court user demographics and potential equity concerns the court might begin to address. This section examines if individuals from different demographic groups demonstrated different response rates to particular questions.

The first two charts below identify rates of dissatisfaction (“Disagree” & “Strongly Disagree” responses) for each demographic group. Isolating these results help the court better understand the experiences of people of different races.

**Percentage of Dissatisfied Individuals Within Race Category for each Access Survey Question**

Access Perception 2020 In-Person Survey	Asian/ Pacific Islander	Black/ African	Caucasian	Hispanic	Mixed Race	Native American	Prefer not to respond
I was treated with courtesy and respect by staff/security.	4%	1%	5%		9%		9%
Finding the courthouse was easy.	6%	4%	5%	2%	6%		5%
Staff were able to answer my questions or direct me to the person who could.	1%	1%	6%	4%	4%		7%
I easily found the courtroom or office I needed.	3%	5%	5%	7%	8%	4%	5%
The court offers sufficient accommodations for people with disabilities.	4%	5%	7%	4%	8%		2%
I felt safe in the courthouse.	4%	3%	5%	2%	8%		7%
The court hours of operation were convenient.	9%	5%	9%	9%	9%	4%	8%
I was able to get my court business done in a reasonable amount of time.	6%	8%	16%	7%	23%	15%	13%
<b>Average % Negative Response</b>	<b>5%</b>	<b>4%</b>	<b>7%</b>	<b>5%</b>	<b>9%</b>	<b>7%</b>	<b>7%</b>

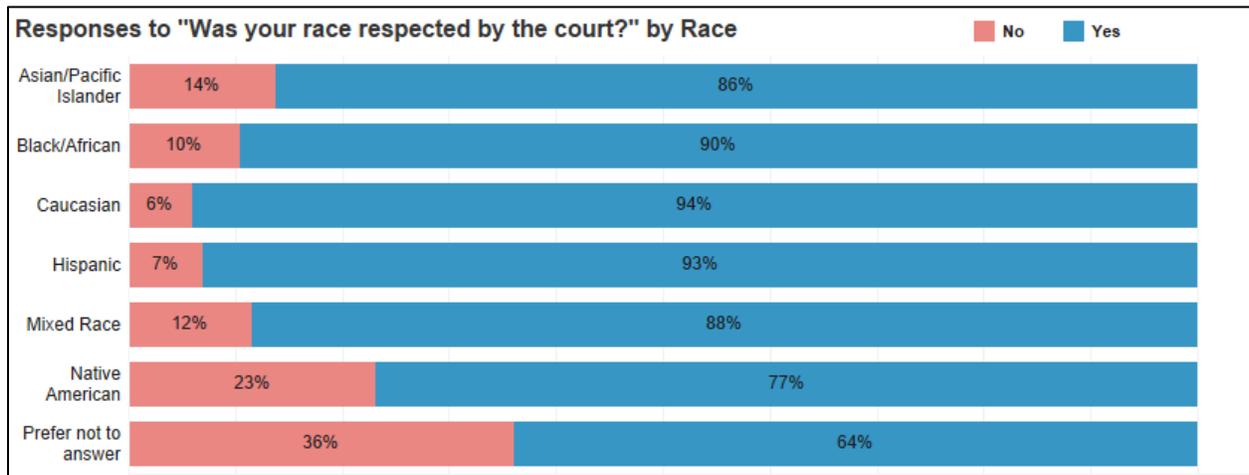
Individuals identifying as Mixed Race, Native American, and Caucasian had the highest average negative responses. These groups were particularly dissatisfied with the amount of time spent getting their business done. Hispanic survey respondents were the only group where “reasonable time” was not their highest dissatisfied response, instead showing greater negativity towards the court’s hours of operation.

**Percentage of Dissatisfied Individuals Within Race Category for each Fairness Survey Question**

<b>Fairness Perception - 2020 In-Person Survey</b>	<b>Asian/ Pacific Islander</b>	<b>Black/ African</b>	<b>Caucasian</b>	<b>Hispanic</b>	<b>Mixed Race</b>	<b>Native American</b>	<b>Prefer not to respond</b>
As I leave the court, I know what I need to do next.		5%	5%	2%	4%		4%
The judge or magistrate treated me with respect.		3%	5%	2%	4%		4%
At the end of my case, the bailiff gave me forms to sign and explained what I need to do.	1%	3%	5%	4%	2%		5%
I understand the court's ruling on my case.	1%	3%	6%	4%	4%	4%	10%
The forms I needed were clear and easy to understand.	1%	7%	7%	2%	11%	11%	10%
The judge or magistrate listened to my side of the story.	3%	5%	8%	7%	11%	7%	9%
<b>Average % Negative Response</b>	<b>2%</b>	<b>4%</b>	<b>6%</b>	<b>4%</b>	<b>6%</b>	<b>7%</b>	<b>7%</b>

Like the dissatisfaction results relating to the access questions, Mixed Race, Native American, and Caucasian races also had the highest average negative responses to fairness questions, however the differences were smaller on fairness questions. Native American and Black individuals were most dissatisfied with the clarity of court forms. Caucasian, Asian / Pacific Islander, Hispanic, and Mixed Race individuals found the extent to which the judicial officer “listened to my side of the story” most dissatisfying.

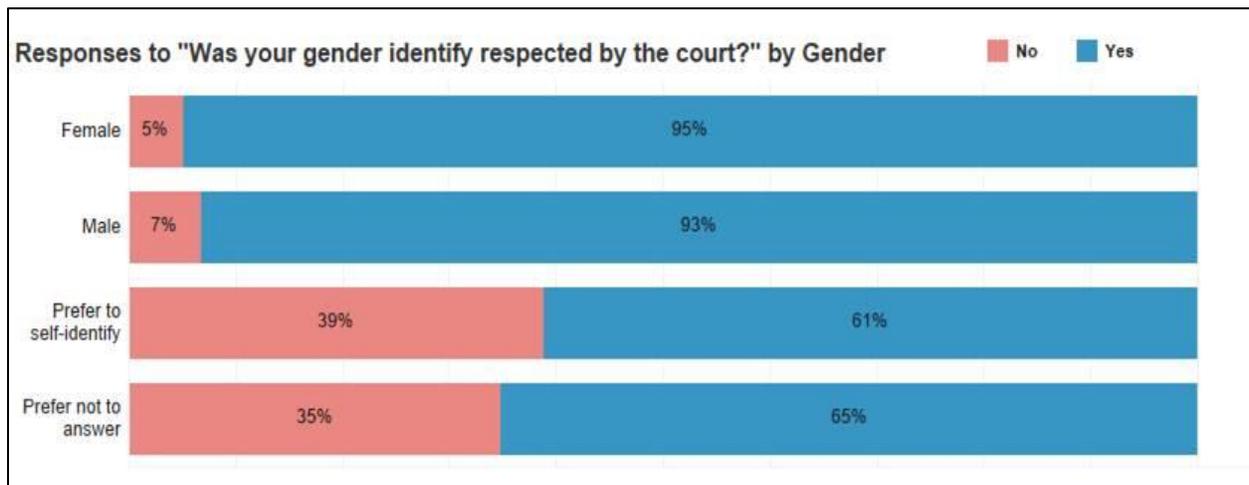
“Was your race respected by the court” was a question added to the 2020 survey to determine differences in perceptions of equity between demographic groups.



Compared to individuals in other race groups, individuals in the Caucasian, Hispanic, and Black race groups agreed the most with the statement that their race was respected by the court. Native Americans and those who preferred not to provide an answer for their racial identity highly disagreed with the statement that their race was respected by the court. Perhaps in feeling that their race was not respected by the court, the individuals in turn did not want to respond in identifying their race. Section I of this report identifies Race as having the highest rate of non-response compared to other demographic inquiries. This means individuals were willing to provide responses and identify with certain demographic groups, but specifically omit a response to racial identify in the survey.

In future surveys the court should consider making this question a Likert scale question to glean more nuanced information. Additionally, the court should consider qualitative approaches to follow-up on these results to better understand the underlying reasons contributing to the responses.

Another question added to the survey that focused on inclusion and equity was “Was your gender identity respected by the court?”



Individuals identifying as gender binary were highly satisfied with the respect shown to their gender by the court. However, those who preferred to self-identify or preferred not to provide an answer to their gender identity disagreed almost two out of every five times that their gender was respected by the court. Like the race and respect question above, it is possible individuals who feel their gender was not respected by the court, omitted their gender identify from the survey. In addition, those who did identify into the non-binary self-identifying gender group also expressed a high rate of dissatisfaction with the respect, or lack of, shown to their gender by the court. The court, in its commitment to be a more inclusive space, has an opportunity to improve in this area.

One final way to analyze equity in the survey results is to look at the percentage of individuals by race that appeared in-person at the court for various types of business. This final chart does not provide information on their perceived experience but is more similar to the charts in Section I, providing greater detail on the demographic makeup of court users by type of court service accessed.

**Percentage of Defendants by Race for Each Court Service Accessed**

<b>Court Service Accessed</b>	<b>Asian/ Pacific Islander</b>	<b>Black/ African</b>	<b>Caucasian</b>	<b>Hispanic</b>	<b>Mixed Race</b>	<b>Native American</b>	<b>Prefer not to answer</b>
Criminal Matter, incl. Probation and Day Reporting	6%	23%	38%	7%	9%	5%	11%
Traffic / Non-Traffic / Parking / Traffic Camera Infractions	14%	24%	34%	7%	2%	2%	16%
Court Resource Center	10%	21%	29%		24%	10%	7%
Community Service		17%	67%				17%
Jury Duty	2%	11%	77%	5%	5%		
Wedding	20%	27%	20%		20%		13%

Before interpreting these results, it is important to highlight that based on the U.S. Census July 1, 2019 population demographics data, Seattle’s population is 68% Caucasian. The same census data shows Seattle’s population to be 15% Asian, 7% Black, 6.6% Hispanic, 6.8% Mixed Race, and Native American at 0.6%.

Looking at jury representation shows that 77% of SMC jurors identified as Caucasian, which is 8% higher than their census representation level in Seattle. Blacks make up 11% of jurors, suggesting 4% overrepresentation. The race group with the highest degree of under-representation as an SMC juror was the Asian / Pacific Islander group. Mixed-Race, Hispanic, and Native Americans were also underrepresented in this category.

According to survey results, racial disproportionality that has been well substantiated in the criminal justice system exists in both criminal matters and infractions at the court. Blacks and Caucasians showed similar levels of representation in both categories, while Asian individuals had much higher representation in the infraction category, and Mixed-Race and Native Americans had higher rates in the criminal matters category. The Court Resource Center was heavily utilized by individuals identifying as Mixed-Race.

**VI. Conclusion** – The final section in the report presents key findings and recommendations for the court to consider in responding to these survey results.

This 2020 survey conducted by the court saw the highest participant yet with over 1,000 respondents in-person and online. Data was collected for demographic information for people who access the court as well as some criteria for court access, such as distance traveled to get to the court and whether individuals were forced to take time off work. In addition to answering who are the people accessing the court, the survey received respondents' perception of the court's performance in regard to Access, Fairness, and Payment.

**Key Themes, Findings and Recommendations:**

- **Court users were generally satisfied with access to the court.** The matter with the highest level of negative response, still only at 13%, concerns the length of time spent in court during their visit. The court should examine various court business processes and seek ways to provide efficiencies for its customer. This is especially critical as the court examines its businesses processes while undertaking a case management system replacement project. The court can also communicate more reasonable time estimates for various court business activities to set accurate expectations for court users.
- **Court users were satisfied with fairness in court.** Less than one in every ten people returned a negative response to the court survey's fairness questions. Judicial officers should appreciate the clear majority of people coming to the court feel like they were treated fairly. Any areas of improvement among the fairness questions could be focused on listening to individuals' side of the story and improving the clarity of court forms.
- **Court users were dissatisfied at perceived unreasonable monetary costs associated with their cases.** More than half of the responses perceived their monetary costs as not reasonable. The court should consider multiple ways to further decrease financial burdens on individuals coming to the court. Specifically, the court could consider:
  - a. Waive as many discretionary fines and fees as possible
  - b. Forgo the convenience fee charged on people who pay online and over the phone. Given this is a more convenient and efficient way to pay tickets, this fee only disincentives court accessibility and convenience.
  - c. Communicate the assessed amounts and waived amounts for each case, so the court user understands where fines and fees go and how much is was waived.
- **Make the court more equitable for certain groups. Solicit additional qualitative feedback to make the court a more inclusive environment.** The court should be commended for asking targeted questions about how people of different races, genders, and ages experiences differ at the court. Most demographic groups responded very positively regarding how their race and gender were

respected. However, there were some notable differences between groups and areas for improvement. Specifically:

- a. Those who do not identify into the gender-binary genders expressed a high rate of dissatisfaction with the perceived level of respect shown to their gender by the court. The court should commit to taking measures to improve the court's sensitivity and interaction with those who identify into the non-gender binary genders.
  - b. Native American survey respondents demonstrated a much lower level of satisfaction with how their race was respected than other groups.
  - c. Native American and Mixed-Race individuals experienced the highest rates of dissatisfaction with the accessibility and fairness survey questions. Further investigation should take place to try and highlight more specific feedback on where and how the court could improve.
- **Consider immediate strategies to diversify the pool of eligible jurors.** 77% of Caucasians serving on SMC juries is not only over representative of Caucasians in Seattle but is exacerbated by the high rate of disproportionality for people of color identified in the criminal matter category. A fundamental tenet of the American justice system is for individuals to be judged by a jury of their peers, and diverse juries are critical to upholding this principle. Recent local reports have also highlighted this challenge, with a 2018 Seattle Times opinion piece written by a SMC juror comparing her jury peers as "Mississippi in the 1930s". This was followed by an editorial titled "Seattle's Lack of Jury Diversity Is an Urgent Problem. We Must Do Something About It Now." which cited a 2016 UW report that only 4% of Seattle jurors were Black. In our locally collected data, Black jurors were actually slightly overrepresented at 11% versus a census rate of 4%. However, there was significant underrepresentation for Asians, Native Americans, Hispanics, and Mixed-Race individuals.
  - **Continue to examine rates of disproportionality for people of color in criminal and infraction cases.** Unsurprisingly, these survey results are consistent with other sources of racial disproportionality data the court collects, suggesting that Black, Hispanics, Native American, and Mixed-Race individuals are over-represented in criminal matters at the court. This is a systemic issue that all system stakeholders must tackle to improve equity in our system. The court should continue its commitment to community engagement, reducing negative impacts of the justice system to the Black, Indigenous, People of Color (BIPOC) community, and working with stakeholders to holistically address these issues.

**VII. Appendix A: Average Access & Fairness by Demographic Group Scorecard**

The chart below provides a complete picture of the average “Access” and “Fairness” scores for each demographic group (Race, Age, and Gender) identified in the survey. To come up with these “average indexed scores”, each of the responses in the survey using a five point Likert scale (Highly Disagree, Disagree, Neutral, Agree, and Highly Agree) were assigned a numeric value of one to five. Five indicating a strong concurrence with the positive statements in the survey (Strongly Agree). Then results were averaged within the eight-question Access category and six question Fairness categories, to provide an average indexed score. The Average Overall signifies the indexed average of all questions. This method provides an easy way to show average levels of agreement for each index across demographic groups.

	<b>Average Access Score</b>	<b>Average Fairness Score</b>	<b>Average Overall</b>
<b>Asian / Pacific Islander</b>	4.27	4.33	4.30
<b>Black / African</b>	4.33	4.29	4.31
<b>Caucasian</b>	4.19	4.12	4.16
<b>Hispanic</b>	4.29	4.27	4.28
<b>Mixed Race</b>	3.98	3.98	3.98
<b>Native American</b>	4.35	4.07	4.21
<b>Prefer Not to Respond</b>	4.04	3.95	4.00

<b>Female</b>	4.26	4.19	4.23
<b>Male</b>	4.20	4.15	4.18
<b>Prefer to Self-Describe</b>	3.97	3.98	3.98
<b>Prefer Not to Respond</b>	4.11	4.09	4.10

<b>Under 18</b>	4.18	4.44	4.31
<b>18 - 24</b>	4.09	3.96	4.03
<b>25 - 34</b>	4.11	4.09	4.10
<b>35 - 44</b>	4.26	4.22	4.24
<b>45 - 54</b>	4.22	4.23	4.23
<b>55 - 64</b>	4.22	4.14	4.18
<b>65+</b>	4.32	4.12	4.22
<b>Prefer Not to Respond</b>	4.35	4.29	4.32