



Department of Community and Human Services
 Adult Services Division
 401 Fifth Avenue, Seattle, WA, 98104
 TTY Relay: 711

REQUEST FOR PROPOSALS (RFP)

ADVERTISED DATE: June 16, 2021

RFP Title:	Record Expungement and Collateral Financial Consequence Relief
Due Date:	July 29, 2021 by 1 p.m.
Procurement Lead:	Shannon Perez-Darby, sperezdarby@kingcounty.gov
Purpose:	Provide support for record expungement and collateral financial consequence relief for those burdened by drug conviction related criminal records and intersecting collateral impacts
Funding:	Up to \$2.8 million of Marijuana Enforcement Revenue funds
Investment Period:	September 1, 2021 – December 31, 2022 (subject to change)

Bidders Conference

An information session to discuss questions related to this RFP will be held:

June 25, 2021, 10:30 - 12 p.m.

Join by Teams:

https://teams.microsoft.com/l/meetup-join/19:meeting_NTM0MmNmODYtZjQ4ZC00NzBjLThlMTktY2lyYzI5NWQ4NDQw@thread.v2/0?context=%7B%22Tid%22:%22bae5059a-76f0-49d7-9996-72dfe95d69c7%22,%22Oid%22:%22d993e048-0bf0-42dd-82af-10f3b8edb9dc%22%7D

Join by phone:

[425-653-6586](tel:425-653-6586), [197123752](tel:197123752)# Phone Conference ID: 197 123 752#

This will be a remote session with speech to text captioning provided. For accommodations to participate, please contact the procurement lead by June 21, 2021.

Questions

Applicants will be required to submit any questions in writing prior to 5 p.m. on **July 22, 2021** in order for staff to prepare any response required to be answered in an FAQ document uploaded to ZoomGrants. Questions regarding this RFP should be sent to the procurement lead.

Submitting a Proposal

Proposals are hereby solicited and will be received using the link below through ZoomGrants no later than 1:00 p.m. on the due date noted above. The services procured through this RFP shall be provided in accordance with the following and the attached instructions, requirements and specifications. Applicants are responsible for regularly checking ZoomGrants for any updates, clarifications or amendments to this RFP.

Submit proposals through ZoomGrants at:

<https://kingcounty.zoomgrants.com/zgf/recordexpungement>

Alternate formats available upon request.

REQUEST FOR PROPOSALS

Record Expungement and Collateral Financial Consequences Relief

Due July 29, 2021

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I. Introduction

The King County Department of Community and Human Services (DCHS) is pleased to release this Record Expungement and Collateral Financial Consequence Relief Request for Proposals (RFP) to fund community-based and legal service providing organizations to provide support with record expungement and collateral financial consequences relief for those in King County burdened by marijuana conviction related criminal records and intersecting collateral impacts.

A. Equity and Social Justice

For many in our region, King County is a great place to live, learn, work and play. Yet we have deep and persistent inequities—especially by race and place—that in many cases are getting worse and threaten our collective prosperity. [The King County Equity and Social Justice \(ESJ\) Strategic Plan](#) is an integrated part of the County’s work. Our overarching goal is to ensure that all people, regardless of who they are and where they live, have the opportunity to thrive, with full and equal access to opportunities, power, and resources.

We seek to support community-led and community-informed organizations that are reflective of and embedded in the communities they serve across all aspects of their leadership and service. We further seek to support organizations that recognize and address the disparities that exist in our communities, both across the levy and by specific program area.

Applicants will be asked to demonstrate an understanding and a commitment to the principles of equity and social justice as shown through their staffing and board development, services tailored to community need and commitment to social justice and continuous improvement. One aspect of this work includes understanding – at both a program and system level – structural and institutional racism, and the disparate impacts on individuals’ collective experiences and outcomes compared to the population as a whole.

II. Strategy

A. Program Purpose Statement

The Record Expungement and Collateral Financial Consequence Relief Request for Proposals (RFP) will fund community-based and/or legal service providing organizations to provide support with record expungement and collateral financial consequences relief for those in King County burdened by marijuana conviction related criminal records and intersecting collateral impacts.

This funding focuses on three basic areas:

- Legal aid to support people seeking to expunge marijuana convictions
- Funds to assist with collateral financial impacts resulting from criminal legal system contact related to marijuana enforcement
- Support for community-based organization(s) to address structural and systems barriers to change the conditions that lead to the overcriminalization of Black, Indigenous, Latinx and other communities of color

The guiding principle of this request for proposals is that the carceral system¹ is a foundational result of the public health emergency that is racism, and that in order to restore health, its impacts must be mitigated, and we must proactively prevent its future spread into our communities. Although this fund will not solve the systemic issues that fortify the disease of racism, it seeks to provide financial, legal, and community supports to communities that have been targeted by the war on drugs as specific to marijuana, and left with life altering, long term, collateral consequences.² Our goal is to better connect individuals to community-rooted services and build the capacity of community-based organizations to leverage and connect to each other in the work to mitigate some of the damage done as a result of inequitable marijuana enforcement in King County.

This RFP acknowledges that the legacy of systemic racism in the carceral system has predominantly affected Black, Indigenous, and Latinx communities, poor communities, and those at the intersections of these identities. This RFP also recognizes that without significant legal and policy change, Washingtonians will continue to be without the relief they need, and money will continue to be redirected back into the system, instead of into the community.

This funding intends to benefit community members in King County who have been assessed a judicial or incarceration related fine or fee, in addition to those who are eligible for record expungement but have not yet accessed it as a form of relief with a particular focus on Black, Indigenous and Latinx communities.

B. Background

According to the Washington State Expungement Gap study published by Santa Clara Law and the King County Bar Association, the racialized impacts of Washington State's criminal legal system are significant: African-Americans represent 4.2 % of individuals in

¹ In the context of this RFP, Carceral System is best understood as a comprehensive network of systems that rely, at least in part, on the exercise of state sanctioned physical, emotional, spatial, economic and political violence to preserve the interests of the state. This includes institutions such as law enforcement and the courts, surveillance and data mining systems and those who manifest and/or financially benefit from mass incarceration.

² For the purpose of the RFP "collateral consequences" are legal, financial and other restrictions that limit or prohibit people convicted of crimes from accessing employment, business and occupational licensing, housing, voting, education, and other rights, benefits, and opportunities.

Washington but represent 11% of Washingtonians with a criminal record, 15% of Washingtonians with any felony record, and 22% of Washingtonians with a Class A felony record.³

Latinx individuals are also heavily targeted by the criminal legal system. Washington, like most other states, does not collect accurate data on its Latinx population, instead labeling Latinx people as simply Black or White⁴. This makes it impossible to understand how deep criminal legal system contact is in the Latinx community. Washington's indigenous population is also subjected to racially disparate criminal legal system contact with the Department of Corrections (DOC) reporting that while only 1.8% identify as indigenous, the indigenous community represents 6.0% of the incarcerated population.⁵

Legal Financial Obligations (LFOs)

The negative impacts of legal financial obligations (LFOs) and criminal records on these communities is significant. Criminal legal system mandated LFO's are widely known as tools that both criminalize poverty and extend the carceral system's ability to hold community members under surveillance. The cumulative impact of LFOs serves to sink communities deeper into intergenerational poverty. After eight years of interviews and research, Dr. Alexis Harris found the following related to LFOs in Washington State:

- Legal debt is often disproportionately high in relation to expected earnings
- Non-legal factors (such as gender, race, and ethnicity) significantly influence the amount of LFO imposed
- Monetary sanctions reduce family income and create long-term debt
- LFOs lead to financial constraint especially because of cost increases with interest
- LFOs create family stress and relationship strains affecting children
- A cumulated disadvantage is generated—accessing food, housing, employment, and medication, and avoidance of police and other institutions.
- LFOs bring more emotional strain and delegitimizing of the justice system⁶

³ **SOURCE:** Colleen Chien, Zuyan Huang, Jacob Kuykendall, and Katie Rabago, The Washington State Second Chance Expungement Gap (2020),

⁴ Features : [The Alarming Lack of Data on Latinos in the Criminal Justice System](https://apps.urban.org/features/latino-criminal-justice-data/)
<https://apps.urban.org/features/latino-criminal-justice-data/>

⁵ <https://www.doc.wa.gov/about/agency/tribal.htm> (According to the Department of Corrections for the state of Washington, 1.8% of Washington state's population identify as American Indian or Alaska Native while representing 6.0% of the Department's incarcerated population. 45.3% of incarcerated people identifying as American Indian/Alaska Native returned to prison within 36 months of release)

⁶ Criminalizing Poverty Through Fines, Fees, and Costs
<https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2016/criminalizing-poverty-fines-fees-costs/>

Access to Record Expungement Relief

Washingtonians overwhelmingly find it difficult to impossible to access expungement relief. A 2020 study on the issue determined that:

- 60% of those who live burdened with criminal conviction records, or as many as 1 million Washingtonians, are potentially eligible to receive relief. But less than 3% of individuals eligible for relief, and less than 1% of the charges eligible for relief have received the remedy
- At current rates of vacation, we estimate that it would take over 4,000 years to clear the backlog of charges alone, based on the gap and the actual number of charges that were vacated last year⁷

Advocates around the Country have long pushed for expungement to be made more **accessible** via Clean Slate Bills because for various reasons including cost, legal complexity and time, over 90 percent of people who are eligible for expungement do not apply.⁸

Recent caselaw and advocacy are changing the landscape of expungement and LFO relief⁹, but it remains true that affected community members will require assistance pursuing relief from associated barriers. This is particularly true in a state where relief is currently not automated, and data from 39 counties is not consolidated due to its decentralized court system.

C. The Request

1. Scope of Work

This RFP seeks entities and organizations that will assist community members with collateral financial consequence relief, and access to record expungement including but not limited to:

- Legal aid and advocacy to support eligible individuals in accessing available marijuana related record expungement and LFO relief
- Supporting people who have been burdened by drug conviction related criminal records and intersecting collateral impacts to navigate the criminal legal system

⁷ **SOURCE:** Colleen Chien, Zuyan Huang, Jacob Kuykendall, and Katie Rabago, The Washington State Second Chance Expungement Gap (2020)

⁸ Source: <https://theappeal.org/politicalreport/washington-governor-vetoes-clean-slate-bill/>

⁹ State V. Blake: <https://mrsc.org/Home/Stay-Informed/MRSC-Insight/March-2021/The-Status-of-Drug-Possession-in-Washington-State.aspx#:~:text=On%20February%2025%2C%202021%2C%20the,controlled%20substances%20without%20a%20prescription>

- Community engagement, education, and outreach to collaborate with and support communities eligible for record expungement and LFO relief services to learn about available relief
- Collateral financial relief through flexible financial assistance and direct legal financial obligation relief payments on behalf of community members when not otherwise available
- Upstream changemaking including but not limited to the development of continuing best practices, advocacy, and strategic planning to address structural and systems change work

Funded providers may be required to work with other LFO and expungement support providers that are funded by King County such that clients have access to a continuum of information and supports.

2. Focus Population(s)

The focus populations for this investment shall be Black, Indigenous, and Latinx communities impacted by marijuana enforcement related criminal records and marijuana related LFO's.

3. Outcomes:

This investment seeks to improve the lives of community members impacted by criminalization and related debt through, legal advocacy, community engagement and working upstream to address the conditions that lead to the over policing of Black, Indigenous and Latinx communities.

III. Eligibility

This request is open to nonprofit organizations and community-based organizations serving communities most in need of expungement services and financial consequences relief in King County. Small nonprofits, community-based and Black, Indigenous, and Latinx-led organizations are encouraged to submit proposals. This RFP intends to fund initiatives conceived by and intended for community members who have lived experience with the burden of carrying a criminal legal system record, and the burden of carrying LFOs.

Eligible applicants must meet the following qualifications:

- Demonstrated experience working within Black, indigenous and Latinx communities
- Demonstrated experience working with people disproportionately impacted by the criminal legal system
- Demonstrated experience and/or a willingness to build the capacity to work with program participants throughout King County.
- Submit an application within the scope of work outlined in Section II.C., STRATEGY: The Request, of this application.

IV. Available Funding

Up to \$2,800,000 is available for the program period of September 1, 2021 until December 31, 2022.

Applicants are expected to estimate and develop a 12-month budget covering proposed goals, activities and outcomes. See Section VII., APPLICATION PROCESS.

V. Contract Requirements

A. King County Boilerplate

Organizations awarded through this procurement process will contract with King County DCHS. Funded organizations will be required to meet baseline requirements, including insurance, equal employment opportunity, record keeping, and more. See a sample of the department's standard services contract boilerplate with terms and conditions in Attachment E.

B. Equity and Social Justice

In order to effectively operate and provide services within a culturally responsive framework, an organization shall intentionally consider equity and integrate it into its values and principles, decisions and policies. King County expects funded organizations to incorporate a racial and equity lens in their service delivery models and administration in order to challenge systemic and structural inequality, reduce prejudice and racism, and advance equity. As part of this effort, organizations will be asked to provide individual-level demographic information to inform analysis and understanding of barriers created by institutional racism. See Section V.D., CONTRACT REQUIREMENTS: Data Collection and Reporting below.

C. Evaluation

King County DCHS will work with funded organizations to develop a performance measurement and evaluation (PME) plan for funded programs. The PME plan will include an outline of the planned evaluation activities, key performance measures, type of data collection (individual client-level or aggregate), reporting cycle and activities that will support reviewing the data and engaging in continuous quality improvement. This co-developed plan may require reporting on basic demographic information of clients served, key dates of client milestones, length of service, exit status, etc. Both performance measures and targets, if any, would be informed by the program model and by the funded organization and will be set in partnership with King County. Baseline data may be collected prior to development of targets, if any. Further, as programs grow and evolve within the award period, King County DCHS staff will be available to make any necessary adjustments to the PME plan in collaboration with the funded organization.

While you are not required to submit a detailed, fully-developed evaluation plan as part of your application, it is important that your program model account for, or is sufficiently consistent with, this strategy's *anticipated* key performance measures as follows:

1. How many people were served/reached by this program?

- Your program can define people served/reached based on your model of service and on how your organization or program determines the reach of your service's impact beyond the direct client.

2. How well did your program serve people?

- Measures of program quality and efficiency for the range of services being procured through this RFP can include, but are not limited to:
 - Your program can define what it considers people served/reached based on your model of service and on how your organization or program determines the reach of your service's impact beyond the direct client.
- Your program may consider whether the model proposed was able to serve focus populations well and may evaluate the quality and efficiency of the program on this basis.

3. How are those you served better off?

- Measures of program effectiveness or impact

Data Collection and Reporting

1. Client-Level Data

When appropriate for the program model, information about clients served should be collected continuously by the funded program and will be reported quarterly via DCHS' online reporting system. Data will be used to assess the quality of the services that clients received and the outcomes of program participants. Performance measures and related required data will be developed in collaboration by contracted agencies and King County DCHS staff in the PME plan (See Section V.C., CONTRACT REQUIREMENTS: Evaluation above) during the first couple of months of the contracting period. Client-level data elements will include client demographics, basic information about services provided, client reporting surveys at consistent intervals throughout the contract period, including program entry-exit and outcomes of those services.

2. Aggregate and Narrative Reports

In addition to collecting client-level data, funded organizations will also submit an annual narrative report and possibly aggregate-level client data to share information about operations, client stories, system change efforts and other requested information.

VI. Timeline

The following timeline represents the tentative schedule of the entire RFP process, from solicitation to program implementation. The dates listed here are subject to change. Applicants are responsible for monitoring ZoomGrants for any changes prior to the submittal deadline.

RFP release date	June 16, 2021
Bidders conference and webinar Join Teams Meeting: https://teams.microsoft.com/l/meetup-join/19:meeting_NTM0MmNmODYtZjQ4ZC00NzBjLThlMTktY2lyYzI5NWQ4NDQw@thread.v2/0?context=%7B%22id%22:%22bae5059a-76f0-49d7-9996-72dfe95d69c7%22,%22Oid%22:%22d993e048-0bf0-42dd-82af-10f3b8edb9dc%22%7D Join by phone: 425-653-6586 , 197123752 # Phone Conference ID: 197 123 752# This will be a remote session with speech to text captioning provided. For accommodations to participate, please contact the procurement lead by June 21, 2021.	June 25, 2021, 10:30 - 12 p.m.
Final day to submit questions via ZoomGrants	July 19, 2021
Proposals due	July 29, 2021 by 1:00 p.m.
Responses reviewed and rated	August 2021
Notification of selected and non-selected applicants	August 2021 (Subject to change)
Anticipated program/contract start date	September 2021 (Subject to change)

VII. Application Process

Proposals are hereby solicited and will be received using the link below through ZoomGrants no later than 1:00 p.m. on the due date noted on this RFP. Applicants are

responsible for regularly checking ZoomGrants for any updates, clarifications or amendments.

Note: Applicants bear the risk that technical difficulties may result in late or undelivered applications. Therefore, applicants are encouraged to submit materials through ZoomGrants on a timely basis, and to reach out to the procurement lead noted on this RFP early in the process if encountering technical difficulties.

Submit proposals through ZoomGrants at:

<https://kingcounty.zoomgrants.com/zgf/recordexpungement>

Complete proposal packages will include the following:

- Responses to summary questions¹⁰ (Summary Questions tabs of ZoomGrants)
- A completed geographic service intent form¹¹ (Uploaded to the Required Documents section of ZoomGrants)
- Responses to narrative questions¹² (Narrative Questions tab of ZoomGrants)
- An estimated 12-month budget¹³ covering proposed goals, activities and outcomes (Uploaded to the Required Documents section of ZoomGrants)
- A completed organizational equity chart¹⁴ (Organizational Equity Chart tab of ZoomGrants)

VIII. Selection Process

A. Rating Criteria

Proposals will be reviewed and evaluated by a review panel. The process for choosing projects will include evaluation of the narrative and accompanying documents. Below are the selection criteria that will be used during the evaluation process.

CRITERIA	POINTS
ORGANIZATIONAL BACKGROUND AND EXPERIENCE	
Applicant’s mission and vision are aligned with the scope of work.	5
Applicant has expertise to provide legal services and/or community engagement to communities impacted by criminalization.	10
Applicant has clearly described experience serving the focus population . If they do not currently serve the focus population, or	10

¹⁰ See Attachment A for reference.

¹¹ See Attachment B for reference.

¹² See Attachment C for reference.

¹³ See Attachment D for reference.

¹⁴ See chart in Attachment C for reference.

wish to expand their services, they describe a clear plan on how they will do so.	
PROGRAM MODEL	
Proposal clearly describes the applicant’s program model and is responsive to the priorities in Section II.C., STRATEGY: The Request of this application.	20
Proposal clearly identifies the applicant’s readiness to implement the proposed program model.	10
Proposal clearly identifies how the organization will provide culturally and linguistically relevant services to the focus population.	10
EQUITY AND SOCIAL JUSTICE	
Proposal clearly illustrates and reflects deep understanding of equity and social justice (ESJ) issues and the underlying context in which culturally relevant services are provided to individuals who need assistance with expungements and LFO relief and describes a plan to provide these culturally relevant services. Applicant demonstrates a knowledge of the need to focus on Black communities, Indigenous communities, and Latinx communities.	10
Applicant demonstrates commitment to ESJ through organizational leadership and staffing, program design and service delivery. If needed, applicant includes actions to intentionally diversify staff and board.	10
BUDGET AND FISCAL	
Budget is complete, aligns with proposed activities and takes into account the full scope of funding needed to support the proposed program model.	5
Applicant addresses fully and transparently questions related to management or accounting of government funds, audit findings, and its financial management system. Application includes information on capacity development or mitigation strategies to ensure sound stewardship and management of funds.	5
DATA COLLECTION AND EVALUATION	
Applicant clearly identifies what success would be for the proposed program and how the program would measure success. The applicant clearly outlines its interest in building capacity to collect data.	5
TOTAL POINTS	100

B. Review Process

Review panels can consist of King County staff, external subject matter experts, evaluators, community members and participants with past or current lived experience.

Final selection of awardees will be made by King County division and department directors based upon recommendations from the review panel and based upon equity and geographic considerations to ensure services are responsive to levy priorities and community need. The King County Department of Community and Human Services reserves the right to make such selections based on the best interests of King County, and as a result, may not select the highest scoring or lowest cost proposals for award, and it will execute contracts based upon the final selections.

IX. Glossary of Terms

ZoomGrants: an online application portal where applicants can access and view RFP information and submit bids for programs/services outlined in the RFP.

X. General Terms

For general terms pertaining to the King County procurement process, see Attachment F.

XI. List of Attachments

- A. Summary Questions
- B. Geographic Service Intent Form
- C. Narrative Questions
- D. Budget
- E. King County Department of Community and Human Services 2019-20 Services Boilerplate
- F. General Terms