

## Legislation Text

---

**File #:** 2018-0181, **Version:** 2

---

Clerk 06/13/2018

AN ORDINANCE related to district court; allowing the use of county funds to provide incentive rewards with a financial value to participants in the therapeutic courts housed within district court as the district court budget permits; and adding a new section to K.C.C. chapter 2.68.

### STATEMENT OF FACTS:

1. King County district court administers the regional mental health court and regional veterans court and is in the beginning stages of planning a community court.
2. Mental health courts started in 1997 and veterans courts in 2008. Both courts, a type of problem-solving and therapeutic courts, are being implemented in jurisdictions throughout the country with over two hundred fifty mental health courts and approximately two hundred veterans courts in existence. Community courts started in 1993 and are being replicated throughout the country with several dozen courts in stages of planning and implementation.
3. These specialized, therapeutic courts and associated programs, as established by King County government and King County courts, are a proven means to change behavior, reduce recidivism, and increase productivity among program participants, thus saving taxpayer dollars in the short and long term.
4. According to the National Institute on Drug Abuse: Treatment for Criminal Justice Populations Research Guide (September, 2007), a balance of rewards and sanctions encourages pro-social behavior and treatment participation. The contingency management approaches,

utilized in treatment courts and evidence-based juvenile justice programs, require the provision of tangible incentive rewards, such as coffee cards, movie passes and similar rewards, and intangible incentive rewards such as praise and encouragement as rewards for constructive activities that are incompatible with crime and drug use, such as attending treatment, following program guidelines, attending school and obtaining employment. As is stated by a lead drug court researcher in the National Drug Court Institute Benchbook (February, 2011), "failing to reward accomplishments makes those accomplishments less likely to recur." According to the National Center for States Courts, veterans treatment courts "operate similar to other specialized courts:...rewards and sanctions are appropriately applied." Similarly, according to the MacArthur Foundation and the Council of State Governments Justice Center, in an article entitled Mental Health Courts: A Guide to Research-Informed Policy and Practice, "incentives reward adherence to the treatment plan or other court conditions, motivate continued engagement, and their use, paired with sanctions are considered one of the 10 Essential Elements of a Mental Health Courts." According to an evaluation of the District of Columbia Superior Court's East of the River Community Court in 2012, the program brought down rates of re-offending among misdemeanor defendants.

6. Taxpayers benefit significantly from cost benefits generated by therapeutic court programs and incentive rewards are an integral component to success in the programs. Use of incentives and rewards in evidence-based programs is a best practice. Use of incentives and rewards contributes to successful program participant outcomes and to the subsequent reduction in criminal recidivism and related cost savings to citizens.

6. The expenditure of county funds on incentive rewards to support juvenile court therapeutic programs and adult drug diversion court therapeutic programs serves a fundamental government purpose. In addition, incentive rewards are provided in consideration for successful

achievement by program participants, and not with donative intent.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 2.68 a new section to read as follows:

The district court is hereby authorized to use county funds to pay for incentive rewards for participants in its therapeutic court programs. The purpose of the incentive rewards shall be to recognize the achievement of programmatic successes and to encourage further participation and successful outcomes. The financial value of individual incentive rewards may vary depending on the program and the circumstances that warrant the incentive. However, no single incentive reward shall exceed twenty-five dollars, unless approved in advance in writing by the district court chief administrative officer.