

2012 Budget Proviso Response King County Court's Uses of Remote Video Technology

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**Presentation to the
Law, Justice, Health and Human Service Committee
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Today's Presentation



- The 2012 Adopted Budget included a proviso instructing the Office of Performance, Strategy and Budget (PSB) to work with criminal justice agencies, as well as the Facilities Management Division (FMD), King County Information Technology (KCIT), and Harborview Medical Center to explore how the County can increase the use of remote video technology to reduce costs and improve service in the criminal justice system.
- In response to this proviso, PSB convened a work group, which brainstormed project ideas, selected ten for further evaluation, and developed two work plans that will carry projects forward into implementation in 2013.

Reminder: What is the Court of the Future?

- Integrated Information--the paperless courtroom
- **Linking people with video and document sharing technologies—hearings and meetings without leaving your home, office, or the jail**
- E-filing—bringing the Court Clerk to your home or office
- Computer Assisted Self-help for Pro Se litigants—using a computer to help individuals understand the court's processes, to easily fill in forms, and to help be ready for court
- Improving outcomes through data



Reminder: Using Technology to Link Remote Sites and People

- Video technology to make Hearings and Court Appearances more efficient
- Using remote video/computer chat conferences and communication for:
 - Attorney/Client meetings
 - Expert/Client/Defendant/Court appearances in court or at hearings,
 - Judge and Attorney meetings
 - Sharing information with Victims/Advocates/Prosecutor,
 - Assessing Defendants for alternatives to secure detention or other Pre-trial Services
 - Communicating between Litigants and the Clerk
 - Public Access to hearings
- Using video technology for training staff or informing litigants



2012 Budget Proviso

P₁ PROVIDED THAT:

“...The work plan and report shall describe how the county can increase the use of remote video technology to reduce criminal justice agency costs and improve the provision of services. The office of performance, strategy and budget shall convene a work group of representatives of the superior and district courts, the department of judicial administration, the prosecuting attorney's office, the office of public defense, the department of adult and juvenile detention, jail health services, Harborview Medical Center, the facilities management division and King County information technology regarding the county's current use of remote video technology, including how some county agencies use video technology to serve contract agencies and how the use of this technology can be expanded for court hearings and other uses. The report and work plan should, at a minimum, identify how remote video is currently being used by county law and justice agencies, describe options for the expansion of the use of video for court hearings and other purposes and develop a work plan for the identification, evaluation and implementation of video for use by law and justice agencies.

The executive must file the motion, report and work plan required by this proviso by May 17, 2012.”

District Court Remote Video Technology Today



District Court Current Uses

- In 2011, several District Court contract cities began booking defendants into non-County jail facilities.
- To minimize transport expense for its contract cities, the Court began conducting first appearance hearings by video for defendants booked into non-King County jails.
- Approximately 2,400 hearings, or almost 20 percent of the total first appearance hearings, were conducted by video in the 1st quarter of 2012
- Recently began using video for Probation Initial Screenings for defendants at non-County jails.

Remote Video Used Today in the Superior Court



Superior Court Current Uses

- Superior Court operates the Involuntary Treatment Act (ITA) court at the Harborview Medical Center where persons with alleged mental illness or alcohol issues may be civilly committed to hospital or treatment settings.
- Persons involuntarily detained are typically housed in one of five Evaluation and Treatment facilities around the county (Harborview along with Fairfax Hospital, Navos Mental Health Solutions, Northwest Hospital and Medical Center, and Seattle Children's Hospital).
- Respondents transported to ITA Court in vans or ambulances.
 - Roughly 20 percent of the people transported to ITA Court are restrained on gurneys.
- In March 2011, ITA Court began conducting administrative hearings—agreed orders, continuances, trial setting, and other non-substantive matters—via video.
- 225 hearings, or almost half the total hearings, were conducted by video in the 1st Quarter of 2012

Other Video Uses in the County's Courts

- Video conferencing used daily by courts for meetings that involve staff at multiple locations.
- On an ad hoc basis, such as when the audience overflows the courtroom.
- The Prosecuting Attorney's Office has five carts with basic video equipment that attorneys bring to court when needed.
- Private attorneys will often bring in video equipment for use in civil cases in Superior Court.
- Most remote witness testimony, which is limited, is done telephonically.

Proviso Process Attachment 3

- The Office of Performance Strategy and Budget (PSB) convened a work group of Criminal Justice agencies, King County Information Technology, Facilities Management Division, and council staff.
- The work group identified 18 ideas for how video technology might be used in the criminal justice system.
- The work group focused on ten potential project areas.
- The work groups employed a set of cost-benefit criteria to evaluate each of the ten projects. Criteria included:
 - Meeting a business need
 - Capital costs and ongoing operating costs or savings,
 - Alignment with the Strategic Plan and ESJ impacts,
 - Speed of implementation and risks or challenges.
- Projects were scored and only those scored with high benefit and relatively low cost received work plans.

The 10 Projects Evaluated

ITA Court	Testimony by Western State Doctors
Video Hearings in Mental Health Court	Video Visiting
Internet Streaming Inquests	Family Law Hearings in the King County Courthouse
Courtroom 21	Dependency Hearings in the King County Courthouse
Remote site for Disruptive Defendants	Video Hearings

Proviso Recommendations

The two projects for which work plans were developed are:

- 1) **Courtroom 21:** A pilot to build the infrastructure necessary to display evidence electronically and allow for video testimony when all parties agree and to test the utility of a fully outfitted courtroom vs. the cart model; and
- 2) **Video Visiting:** A project to allow members of the public, and potentially professionals such as attorneys and probation officers, to visit with inmates in the County's adult jails via video conferencing.

Work Plan for Courtroom 21 Pilot

- **Concept is to bring King County's courtrooms into the 21st century in terms of technology:**



- Computers & large monitors
- Video conferencing capability
- Related power, network and equipment

- **Work Plan**



- Project manager assigned – Lea Ennis
- Project team formed and scope defined
- Developing implementation plans and evaluation criteria
- Purchase equipment in 4th Q 2012 with federal grant funding
- Install equipment in 1st Q 2013 - pending availability of funding
- Evaluate and identify issues by December 2013

Work Plan for Video Visiting

- **Why does the County want to undertake video visiting?**
 - Reduces number of people, including children, visiting facilities
 - Makes it easier for people to visit inmates
 - Greater contact with friends and families positively impacts recidivism over time
 - Funding available in Inmate Welfare Fund
- **Work Plan**
 - Project Manager assigned – Captain Michelle Fields
 - Working and Steering Committees have been formed
 - Will research types of technology available over the summer
 - Develop an RFP and implementation plan in 4th Q 2012
 - Anticipate a budget request in September or October 2012



Issues to be Resolved for ITA Court & Video Court Hearings

Expansion of Video in ITA Court

- Evaluation team not able to reach consensus on scoring
- The Superior Court has engaged the National Center for State Courts (NCSC) to review the entire ITA Court process. Reasonable to wait for the outcome of the NCSC study before expanding the use of video.
- Identified issues for resolution before decision making: logistics for attorneys, families, and witnesses of multiple sites where cases heard; impact of video on people with mental illness; and managing paperwork.

Video Hearings

- Evaluation team did not able reach consensus on scoring
- Issues identified for resolution: logistics when all parties are not in the same location; potential impact of using video on outcomes of hearings, and need for greater comfort and familiarity with the technology by all system participants.

Proviso Conclusions

- Consensus that the County should further explore uses of video technology in the Criminal Justice System.
- However, there is no one-size-fits-all approach and each project should be evaluated for its costs and benefits to ensure the County uses the technology appropriately to generate efficiencies, improved service and cost savings when possible.
- The proviso process highlighted the complexity of issues surrounding the use of technology, such as the impact of video on outcomes, the potential of lost efficiencies when all parties are not in the same room, and the logistics of building a system that works.
- The two pilot projects will give Criminal Justice System participants a chance to gain experience with various uses of video technology to inform evaluation of other potential uses for video.