MONROE CITY COUNCIL
Public Safety
Committee Meeting

Tuesday, December 3, 2019, 6 P.M.
Monroe City Hall, Passport Table

2019 Committee
Councilmembers
Patsy Cudaback
Ed Davis
Kevin Hanford

AGENDA

I. Call to Order

II. Special Orders of the Day

III. Approval of Minutes

A. Committee Meeting Minutes of October 1, 2019 [Page 2]

IV. Unfinished Business

A. Municipal Court Assessment (Court) [Page 4]

V. New Business

A. LEMAP Update [Page 28]

B. SODA Regulations [Page 29]

C. Underage Drinking Regulations [Page 40]

VI. Other

VII. Next Committee Meeting (February 25, 2020)

Quick Service Dress Code (Police)

VIII. Adjournment

MONROE CITY COUNCIL
Public Safety Committee Meeting
Tuesday, October 1, 2019, 6 P.M.
Monroe City Hall

2019 Committee
Councilmembers
Patsy Cudaback
Ed Davis
Kevin Hanford

DRAFT MINUTES

I. Call to Order

A regular meeting of the Monroe City Council Public Safety Committee was held on Tuesday, October 1, 2019. The meeting was called to order by Councilmember Hanford at 6:04 p.m.; Passport Table, Monroe City Hall.

Council Present:	Patsy Cudaback, Ed Davis, and Kevin Hanford
Mayor:	Geoffrey Thomas
Staff Present:	Elizabeth Adkisson, City Clerk; Jeffrey Jolley, Police Chief; Pam Haley, Court Administrator; Ben Warthan, Human Resources; Becky Hasart, Finance Director
Others Present:	Heather Rousey

II. Special Orders of the Day

A. Selection of 2019 Chairperson

Councilmember Cudaback moved to appoint Councilmember Davis as the Public Safety Committee Chairperson. Councilmember Hanford seconded the motion. Motion carried (3-0).

B. 2019 Work Plan

Review and discussion of the 2019 Committee Work Plan.

III. Approval of Minutes

There were no minutes to approve.

IV. Unfinished Business

There was no unfinished business.

V. New Business

A. Police Department Assessment (Police)

Police Chief Jolley reviewed the Monroe Police Department Organizational and Staffing Study conducted by Matrix Consulting Group and answered questions from the Committee.

B. Municipal Court Assessment (Court)

Ms. Haley and Mr. Warthan provided background information on the Monroe Municipal Court and briefed the Committee on the City's 2019 strategic plan place holder for a Monroe Court Strategic Plan.

Discussion ensued regarding the scope of work for the court assessment and strategic plan.

VI. Other - NONE

There were no other topics discussed.

VII. Next Committee Meeting (December 3, 2019, 6 p.m.)

Agenda Items: LEMAP Update; SODA Regulations; Underage Drinking Regulations (Police); and Municipal Court Assessment (Court)

VIII. Adjournment

Councilmember Cudaback moved to adjourn the Tuesday, October 1, 2019, Public Safey Committee Meeting; the motion was seconded by Councilmember Hanford. Motion carried (3-0).

The meeting was adjourned at 6:48 p.m.

MONROE CITY COUNCIL
Public Safety
Committee Meeting

Tuesday, December 3, 2019, 6 P.M.
Monroe City Hall

2019 Committee
Councilmembers
Patsy Cudaback
Kurt Scarboro

SUBJECT:	***Municipal Court Assessment***

DATE:	**DEPT:**	**CONTACT:**	**PRESENTER:**	**ITEM:**
12/3/2019	Municipal Court	Pam Haley	Pam Haley/ Ben Warthan	**Unfinished Business A**

Discussion: 12/3/2019
Attachments: 1. Proposal submitted by Anne Pflug and Karen Reed DBA The Other Company
2. Monroe Municipal Court Assessment PowerPoint Presentation

REQUESTED ACTION: Direct Mayor Thomas and city staff to bring a contract for services to the full city council for action.

POLICY CONSIDERATIONS

The City Council's 2019 strategic plan includes a place holder for a "Monroe Court Strategic Plan". A court strategic plan begins with an assessment of court functions. Mayor Thomas and city staff are seeking input from the committee on receiving approval to begin contract negotiations with the selected company to complete a court assessment.

DESCRIPTION/BACKGROUND

In addition to our own need for an assessment the City of Lake Stevens and City of Sultan have agreed that a court assessment is necessary to determine whether or not it would be feasible to contract with City of Monroe for court services. An interlocal agreement to share the cost of the assessment is currently being discussed. A joint court assessment could evaluate fixed and variables costs, advantages/disadvantages of scale, facility needs, and contracting alternatives if the city were to provide court services to other communities

The City received three proposals for the court assessment. On November 25, 2019, representatives from The Other Company, Justice Planners, and National Center for State Courts were interviewed by Monroe City Administrator Deborah Knight, Lake Stevens City Administrator Gene Brazel, Sultan City Administrator Will Ibershot, Monroe Human Resources Director Ben Warthan, and Monroe Municipal Court Administrator Pam Haley. After hearing from all representative and rating the proposals the consensus of the interview team was to move forward with the proposal submitted by Ann Pflug and Karen Reed DBA The Other Company.

RECOMMENDATIONS

Discuss the selected vendor's proposal and the possible interlocal agreement for funding.

REQUESTED ACTION

Direct Mayor Thomas and city staff to bring a contract for services with The Other Company to the full council for action.

Proposal
City of Monroe Washington
Court Services Study 2019

I. Purpose of Consulting Contract

The purpose of the contract work desired by the City of Monroe, Washington is to develop a graphic report that lays out and evaluates available alternatives for its infraction and misdemeanor court and probation service. City of Monroe is assessing three options: continuing to operate its own Municipal Court, joining the Snohomish County/Evergreen District Court or forming a joint court with other cities.

II. Contract Approach

Graphic report

Using site visits, interviews, internet sources, published documents and analysis of available data prepare a formal written report in electronic format for decision makers. The graphic report will be submitted through the project coordinator by the end of April 2020 assuming contract execution at the beginning of December 2019. The parties are the Other Company, a sole proprietorship of Anne Pflug, Karen Reed Consulting, LLC, owned by Karen Reed, and the City of Monroe.

Data elements and analysis
At a minimum, documentation and data will be collected from Monroe, its contractors, the Washington State Office of the Administrator of the Courts, Snohomish County and other relevant state agencies. Documentation of historical service and potential future strategies including at a minimum: contracting with the county for District Court services including probation, creating a joint municipal court with one or more cities in Snohomish County and the existing stand-alone Monroe Municipal Court. Current and future capacity, caseload demand and facility requirements would be explored, along with financial, legal, customer service and criminal justice implications for each option at a high level. Appropriate service models, demand management strategies, benchmarks and best practices would be gathered from available sources.

Interviews and Site Visit
On site and/or phone interviews will be conducted with City and County officials and staff and any additional stakeholders identified by the parties. Jurisdictional interests including scope of service requirements, customer service expectations, service demand, cost limitations, funding and alternative cooperative arrangements will be explored in the interviews. The City has an interest in exploring probation and/or community court services.

Analysis and alternatives
Using the data, interviews and service requirements of the City, as outlined above, a graphic report in a format suitable for presentation and publication will be developed that includes alternatives available for consideration by decision-makers and:

- Identification of the current and estimated future demand and capacity for infraction and misdemeanor services for Monroe and the combined parties
- Statements of existing and alternative infraction and misdemeanor service program scope, service area and demand management strategies
- Statement of future facility requirements, including size and assumptions for each identified alternative
- Discussion of the cost and funding of each court alternative
- Discussion of local control; customer service; criminal justice system cost, efficiency and effectiveness; and level of service implications of each alternative
- Discussion of recommendations, next steps, implementation requirements and timeline.

II. Products

The following products are anticipated:

1) A draft graphic report for approval by the project coordinator in the form of a graphic report (MS Publisher) and any needed appendices that can be adapted for web publication and/or Power Point presentation**.**
2) A final graphic report. Final graphic report in the form of a graphic report and any needed appendices delivered within 10 days from receipt of final comments on the draft from the project coordinator.
3) Three presentations to designated groups of the report's findings.

This project *does not* include additional or updated cost estimates of facility modification or construction or site planning, environmental or land use review, building design or preliminary planning.

Project would commence in early December 2019 and be completed by the end of April 2020. The project will require five months to complete and the timeline can be adjusted to meet the city's needs. A later start will need to adjust for holiday break.

III. City Responsibilities

In order to reduce contract cost, the City would provide at least one staff person to work with the consultant team to gather data, schedule interviews and arrange any interview logistics, provide introductory and any follow up material to interviewees and other logistical support that would allow the City to keep costs of the study down.

The City would provide introductions of the consultant team and the study to interviewees and other appropriate county and city officials in Snohomish County. The City would also be responsible for determining, which, if any, other cities in the County would consider participation in a joint municipal court arrangement. This information would be available to the consultant within two weeks of the study's start date.

Access to the City's Attorney, at the City's expense, may be necessary in order to interpret the terms of state law and/or contracts for the purpose of the study.

The City would cover travel expenses for hotel and meals at city rates. No mileage will be charged. Karen Reed will charge at her regular hourly rate for travel time in excess of 1.5 hours per trip.

IV. Consultant Hours and Cost Estimate

- Kick off meeting (Confirm scope, study questions, basic information and schedule) – 2 hours on site plus 1 hour travel time and 3 hours prep
- On-site/phone interviews, follow up and data gathering (15 to 22 interviews) – 45 hours
- Potential and existing site visits and data/photos (two to three) – 12 hours including travel time
- Collection of quantitative data and analysis of data and interview material - 30 hours
- Draft Report - 25 hours
- Final Report – 6 hours
- Three presentations of report - 20 hours (includes preparation, travel time)
- Check in and project coordination - 10 hours

Total graphic report project hours @ $200.00 per hour = $30,800 plus reimbursable expenses and State custom data costs.

V. Proposed Contract Terms

Hourly rate: $200.00 per hour

Reimbursable Expenses: Hotel expenses at customary City rates. Any printing or other logistical costs will be billed at cost. There is no hourly or mileage charge for travel to and from Monroe or other locations for the project for Anne Pflug. Karen Reed will charge travel time for meetings when in excess of 1.5 hours per trip.

Billing: The city contract coordinator will be billed **monthly** for costs to date. Anne Pflug (The Other Company) and Karen Reed (Reed Consulting) will be separately paid directly by the City based on joint project invoices delineating services provided by each. W-9's will be provided by the consultants to the City.

Contract administrator: The city designates _____ as the contract coordinator. The City Administrator's office will assign an individual to work with the consultant throughout the project and provide any needed guidance, feedback and support as defined below.

Contract Coordinator Support: When interviews and meetings are required then a staff person would be assigned to make introductions to stakeholders as needed, gather

documents, coordinate meetings and make appointments so that the city is not charged for those tasks at the consultant's hourly rate. Assistance from an attorney providing general legal counsel to the City may also be required. Assistance from a City staff member(s) knowledgeable about the existing contract(s), budget and monthly revenue and expenditure receipts would be used to gather appropriate data.

VI. Contractor Contact Information

The Other Company
Anne Pflug
790 Fields Road
Ellensburg, WA 98926

Phone: 509-925-2608
Cell: 425-785-8557
E-mail: AnnePflug@gmail.com

Karen Reed
Karen Reed Consulting LLC
4951 SW Forney St.
Seattle, WA 98116

Phone: (206) 932-5063
Cell: (206) 948-3556
Email: kreedconsult@comcast.net

Specific Responses to RFP Requirements

1) Cover Letter –
   E-mail conveying our proposal.
2) Proposal Summary
   See above.
3) Acceptance of Terms and Conditions –
   Terms and conditions appear to be typical standard and are acceptable with the potential exception of insurance requirements which would need to be discussed in more detail given the scale and scope of the contemplated study. Any insurance requirements beyond typical standard that require additional insurance coverage would result in an additional direct cost to the city as part of the contract.
4) Scope of Services –
   See Proposal above.
5) Price Proposal –
   See Section V above. Changes in scope would be negotiated and may effect price proposal.
6) Three Customer References of Similar Scope and Size –
   Jennifer Phillips
   City Manager City of Bothell

'Jennifer Phillips' <jennifer.phillips@bothellwa.gov>

Charlie Bush
City Manager City of Sequim
Charlie Bush cbush@sequimwa.gov

Adam Lincoln
City Administrator City of Pullman
Lincoln, Adam adam.lincoln@pullman-wa.gov

7) Key Project Staff Background Information –

Anne Pflug is retired after 30 years of service in local and state government. She currently teaches public management topics part time at Central Washington University in her home town of Ellensburg and at the University of Washington Evans School of Public Policy. She has served in local government as a City Manager, City Administrator, Finance Director and Planning Director. She has also served state government as a public policy research manager advising the legislature and governor's office. She has worked with the legislative branch throughout her career starting as an intern in the Governor's Office in Olympia and later participating in over 1,000 city and county council meetings.

Ms Pflug has worked in local government management positions in Washington and Oregon including the communities of Bothell, Kirkland, Bellevue, Poulsbo, Shoreline, Springfield and two regional service providers. She has taught, conducted research and facilitated intergovernmental agreements in eastern and western Washington on many subjects including criminal justice, courts, growth management, county governance, public infrastructure and city/county finance. She currently serves as a senior advisor to City and County Managers for the International City County Management Association.

Ms. Pflug holds a M.B.A. in Management and Finance from Seattle University and a BA with an emphasis in community planning from The Evergreen State College.

Karen Reed has worked with cities, counties and other local governments in Washington for over 30 years. Her consulting practice focuses on public process facilitation, strategic planning, and facilitating the development of interlocal agreements among multiple government agencies. Karen began her career practicing municipal law in Seattle. She then moved to the City of Bellevue where she worked as Assistant City Manager handling the city's intergovernmental work for several years. She later worked in King County leading a major restructuring of the parks division and budget policy work. She launched her consulting practice in 2003.

Karen's recent projects include completion of a court options study for the City of Bothell, facilitating the merger of the two 911 dispatch agencies in Snohomish County (SNOCOM and SNOPAC), and facilitating creation of a regional fire authority combining the Lynnwood Fire Department and Snohomish County Fire District 1.

Karen has an undergraduate degree in economics and public policy from Pomona College and J.D. from Stanford University.

8) At least two example reports -- provided to City on 9.24.2019 by separate email from Anne Pflug (Sequim and Bothell)

Preliminary Interviewee List

Name	Title	Meeting Place	Phone	E-mail
Sultan Lake Stevens	Group meeting – Elected or appointed Official Representative(s) – Snohomish County Cities with potential interest in joint court			
	Group meeting -- Police chiefs and staff of cities with interest in joint court			
	Mayor and/or other Council representatives – City of Monroe			
Deborah Knight	City Administrator —City of Monroe			
	Municipal Court Judge and staff			
	Evergreen District Court Judges			
	District Court Administrator – including site visit to existing courtrooms and offices in Munroe and discussion of consolidation in Everett building (2016 study)			
	Evergreen District Court Probation			
	Munroe Public Defense contractor			
	Munroe Prosecutor contractor			
	Monroe Finance Department for Actual expense and revenue data			
	Police Chief (and other staff desired by Chief to discuss jail and police data)			
	City Attorney			

	Monroe staff member with knowledge about City Facilities and facility costs			
	Interview City of Snohomish regarding District Court services in Evergreen Division			
	Snohomish County Sheriff's Office – Jail Administrator and other staff			
	Snohomish County – group meeting Budget/Finance/Auditor/Treasurer			
	Snohomish County lead negotiator on County District Court Contract			

Monroe Municipal Court Assessment

ANNE PFLUG

KAREN REED

Who we are and what we have done

ANNE PFLUG, THE OTHER COMPANY

KAREN REED, REED CONSULTING LLC

Anne Pflug – The Other Company

- Retired City Manager with MBA in Finance
- Teach at University of Washington Evans School of Public Policy and Governance and Central Washington University in Ellensburg
- Court and criminal justice studies since 1993 for over thirty jurisdictions in Washington State – counties and cities plus State of Washington Governor-Legislature
- Most recent studies are for Clallam County, Port Angeles and Sequim; Pullman; Bothell; Statewide Adult Detention
- Work as an independent consultant or content expert in consulting teams based on size of study.

Karen Reed -- *Karen Reed Consulting LLC*

- 34 years experience working with local governments in Western Washington. Last 16 years as consultant.
- Consulting practice focuses on facilitating intergovernmental projects, public taskforces, strategic planning
- Experience working on variety of criminal justice matters, including municipal court services options analysis, district court contract negotiations, jail services contracts
- Recent work in Snohomish County includes: Snohomish County Housing Affordability Taskforce (ongoing); SNOCOM-SNOPAC merger; SERS-SNO911 consolidation; Snohomish County Executive's Ad Hoc Advisory Panel for the Surface Water Management Utility Business Plan; Regional Fire Authority merger facilitation – City of Lynnwood and Fire District 1; Snohomish County Dept. of Emergency Management Strategic Plan
- Past employers include private law firm, municipal law practice; assistant city manager, City of Bellevue; King County budget office. J.D., Stanford University.

Examples of Work

PROJECT SCOPES AND APPROACHES FROM RECENT STUDIES

Executive Summary: Scope

PROBLEM STATEMENT

Sequim is evaluating establishing a Municipal Court as an alternative to its existing ten year contract for court related services with Clallam County. The existing contract covers prosecution, public defense, detention and adjudication of traffic infractions and misdemeanors.

Misdemeanors are less serious criminal offenses such as theft, driving without a license or insurance, driving while intoxicated and assault. Felonies are more serious offenses such as murder, sexual assault, burglary and sale of drugs.

KEY QUESTIONS

1. What would be the range of startup and on-going net costs of a stand alone Sequim municipal court located in Sequim and staffed with city employees and/or contractors for court operations, defense, prosecutor, probation and indigent defense screening services ?
2. How would the alternative methods of operation of a stand alone municipal court impact the quality and outcomes of justice services; customer service; overall criminal justice costs; and local control?

Project Scope

Evaluate **three municipal court service options**:

- **Status quo Municipal Court**, with either an appointed or elected judge (includes youth court)
- **Contract for district court services** with the East Division of King County District Court located in Redmond (includes community court and youth court)
- **Contract for municipal court services** with another Municipal Court (such as the City of Kirkland Municipal court).

City of Bothell

Bothell: Criteria for evaluating the options

- **Net cost** (after accounting for revenue) of court and associated services
- **Service levels** (access, hours, online service, case processing time, convenience, etc.)
- **Justice outcomes and local control**
- **Judicial philosophy and consistency**
- **Impact on associated services** – police, probation, detention, prosecutor, public defense, victim support and community restitution
- **Impact on operations** – timing, collection of fines and fees, transition costs and implementation

Study process – Clallam Joint Criminal Justice Study

Phase 1
Information and Data Collection

- Interviews
- Data collection and analysis
- Focus on describing the baseline and historical trends
- Initial strategies

Phase 2
Analysis and Preliminary Conclusions and Potential Strategies

- Develop potential strategies with the goals of lowering net costs to the Parties and/or improving service to the Parties and the public they represent and/or achieving public safety outcomes.

Sept 6 Workshop presenting Phase 1 findings

Phase 3
Final Report and Recommendations

- Present final "menu" of strategies, actions, policies, etc. that the Parties may wish to pursue.
- Final report will have more context for elected officials and the general public .

Executive Summary: Scope

Problem Statement

The current Whitman County contracts cover court, jail, probation, public defense and prosecutor services.

Pullman is assessing three criminal justice services options;

a. Status quo, contracting with Whitman County

b. Creation of a stand-alone Municipal Court

c. Regional contracting with other cities for municipal court and/or related services

Key Questions

Compare the three options based on the following criteria:

- Net cost (after associated revenue) of court and associated services
- Justice outcomes alignment and local control
- Judicial philosophy and consistency
- Court and associated office facility options and impact on net costs
- Service levels including therapeutic court services and use of common caseload management practices
- Impacts on associated services such as police, probation, detention, prosecutor, public defense and county service capacity
- Impacts on city operations – timing, collection of fines and fees, transition costs and implementation

Monroe Approach

COMPARE THREE COURT OPTIONS – CITY COURT, JOINT COURT, EVERGREEN DISTRICT

-- OR --

ASSESS MUNICIPAL COURT AND POTENTIAL STRATEGIES MOVING FORWARD

Products

Project coordination with client from kick off meeting to review of draft

Graphic Report – Power Point on Steroids, what we are looking at now

Presentations to client designated groups – usually elected officials

Spectrum of Criminal Justice Approaches

Traditional "Jail as a Deterrent to re-offense" approach

- Defendants charged at maximum levels to jail
- Little or no use of diversion by court
- Little or no use of detention alternatives or evidence based behavior change programs in sentencing or probation.

Transitioning towards a more restorative justice approach

- Begin offering / referring more cases to specialty courts and diversion
- Increase focus on detention alternatives (Electronic home detention or alcohol monitoring programs, weekend reporting, etc.)

Strong emphasis on diversion and evidence-based behavior change of defendants, especially those not imposing a public safety risk to the community-

- High number of referrals to specialty courts and diversion
- High use of alternatives to detention and evidence based treatment programs

XX's overall approach – a combination of the policy and practices of police, prosecutor and the Court, is about here on the spectrum

Project Steps

AGREE ON APPROACH/SCOPE AND REFINE ESTIMATE AND CONTRACT

KICK OFF MEETING – CONFIRM SCOPE, CITY STAFF INVOLVEMENT, INTERVIEW LIST AND DATA ASK

PERIODIC CHECK INS WITH CLIENT

INTERVIEW AND DATA GATHERING

DRAFT AND FINAL GRAPHIC REPORT

PRESENTATION

Client Responsibilities

Project lead to coordinate project with consultant, determine potential joint court jurisdictions and introduce study to stakeholders

Designated city staffer(s) to assist with scheduling interviews and gathering data

Provide **access to attorney** to clarify any legal issues

Attend Kick Off meeting; project check-ins; review draft

Coordinate presentation of final report

MONROE CITY COUNCIL
Public Safety
Committee Meeting

Tuesday, December 3, 2019, 6 P.M.
Monroe City Hall

2019 Committee
Councilmembers
Patsy Cudaback
Kurt Scarboro

SUBJECT:	***Loaned Executive Management Assistance Program (LEMAP)***

DATE:	**DEPT:**	**CONTACT:**	**PRESENTER:**	**ITEM:**
12/03/19	Police	Jeffrey Jolley	Jeffrey Jolley	**New Business Item A**

Discussion: N/A
Attachments: N/A

REQUESTED ACTION: LEMAP Update postponed until the 1st or 2nd quarter of 2020.

POLICY CONSIDERATIONS:
N/A

DESCRIPTION/BACKGROUND:
The Loaned Executive Management Assistance Program (LEMAP) is a valuable and relevant resource to law enforcement. This is a program overseen by the Washington Association of Sheriffs and Police Chiefs (WASPC) to provide management consulting and technical assistance to law enforcement entities.

The goal of LEMAP evaluation is to provide a critical review of the organization utilizing a team consisting of experienced peers. Another important component is assessing the agencies position and feasibility in terms of seeking accreditation. Accreditation ensures that agencies adhere the best practices and serves to keep operations contemporary. Monroe Police Department has been an accredited Washington State agency previously having allowed this designation to expire.

FISCAL IMPACTS:
The base cost for a full LEMAP review is $2,000 plus staff time (approximately $3,750) for a total estimate cost of $5,750.

TIME CONSTRAINTS:
N/A

ALTERNATIVES:
N/A

MONROE CITY COUNCIL
Public Safety
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Tuesday, December 3, 2019, 6 P.M.
Monroe City Hall

2019 Committee
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Kurt Scarboro

SUBJECT:	***SODA Regulations, Stay out of Drug Areas (SODA)***

DATE:	**DEPT:**	**CONTACT:**	**PRESENTER:**	**ITEM:**
12/03/19	Police	Jeffrey Jolley	Jeffrey Jolley	**New Business Item B**

Discussion: 03/06/2018; 03/20/2018; 06/12/2018

Attachments:
1. Ordinance 005/2018
2. Resolution 012/2018
3. Map

REQUESTED ACTION: Discuss regulations

POLICY CONSIDERATIONS:
N/A

DESCRIPTION/BACKGROUND:
All SODA Orders will be entered into WACIC/NCIC and uploaded into the SODA orders folder in Planit (our new electronic work schedule software). This will allow officers to access this information out in the field since some of the prohibitions vary depending on the defendant.

Pamela Haley, Monroe Municipal Court Administrator, is meeting with Katrina Thornton, Zachor and Thomas Prosecutor, to discuss processing.

FISCAL IMPACTS:
None

TIME CONSTRAINTS:
With this ordinance in place, the police and the Monroe Municipal court will have new tools to enforce a clean, safe environment in our downtown area.

ALTERNATIVES:
N/A

CITY OF MONROE
ORDINANCE NO. 005/2018

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING TITLE 9 MMC BY THE ADDITION OF A NEW CHAPTER 9.25 STAY OUT OF DRUG AREAS (SODA) ORDERS THERETO; AUTHORIZING THE MONROE MUNICIPAL COURT TO CONDITION THE PRETRIAL RELEASE AND/OR POST-CONVICTION SUSPENSION OF SENTENCE FOR CERTAIN DRUG-RELATED OFFENSES UPON THE DEFENDANT'S EXCLUSION FROM AREAS KNOWN FOR HIGH LEVELS OF ILLEGAL DRUG ACTIVITY; PROVIDING FOR THE PERIODIC DESIGNATION OF SUCH AREAS BY CITY COUNCIL RESOLUTION; ESTABLISHING STANDARDS, PROCEDURES AND PENALTIES THEREFORE; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE

WHEREAS, protecting the Monroe community from the dangerous and socially detrimental impacts of illegal drug activity is a fundamental priority of the Monroe City Council; and

WHEREAS, the City Council desires to designate certain areas within the City as Stay Out of Drug Areas, and to authorize the Monroe Municipal Court to condition the pretrial release and/or the post-conviction deferral or suspension of sentence for drug offenses upon the defendant's continued physical exclusion from such areas; and

WHEREAS, excluding drug offenders from Stay Out of Drug Areas will reduce the likelihood of recidivism by the defendant and will decrease the incidence of illegal drug activity within such areas.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Legislative Findings. The above recitals, together with the content of Agenda Bill Nos. 18-068 and 18-074, are hereby adopted as legislative findings in support of this ordinance.

Section 2. Amendment of Title 9 MMC—Adoption of New Chapter 9.25. Title 9 of the Monroe Municipal Code is hereby amended by the addition of a new Chapter 9.25, Stay Out of Drug Areas (SODA) Orders to provide in its entirety as follows.

Chapter 9.25 - STAY OUT OF DRUG AREAS (SODA) ORDERS

Sections:

9.25.010 Orders—Conditions.
9.25.020 Person subject to court order defined.
9.25.030 Stay out of designated areas orders – Issuance - Other court orders.
9.25.040 Violation of order - Rearrest.
9.25.050 Prohibited areas – Designation - Modification and termination.

9.25.010 Orders - Conditions.

Any judge or judge pro tempore of the Monroe municipal court may issue written orders to criminal defendants describing conditions of their pretrial release or the post-conviction conditions of suspension or deferral of their sentences. Orders must be substantially in the form described in this chapter.

9.25.020 Person subject to court order defined.

As used in this chapter, "person subject to court order" means any person who is subject to an order issued under MMC 9.25.010.

9.25.030 Stay out of designated areas orders – Issuance - Other court orders.

A. Any order issued pursuant to this chapter that specifically orders as a condition of pretrial release and/or deferral or suspension of sentence that the defendant stay out of areas with a high level of illegal drug trafficking shall be hereinafter referred to as a "SODA" ("Stay Out of Drug Areas") order.

B. SODA orders may be issued to anyone charged with or convicted of possession of drug paraphernalia, manufacture/delivery of drug paraphernalia, delivery of drug paraphernalia to a minor, selling/giving drug paraphernalia to another person, possession of controlled substances, or any violation of the Controlled Substances Act, RCW 69.70.

C. Nothing within this section shall be construed as precluding the court from issuing an order pursuant to this chapter that is not specifically a SODA order.

9.25.040 Violation of order - Rearrest.

A. Written orders issued under this chapter shall contain the court's directives and shall bear the legend:

> WARNING: Violation of this order subjects the violator to arrest under this chapter and shall constitute a separate criminal offense and may result in imposition of suspended or deferred jail time and/or fine.

B. Whenever a law enforcement officer shall have probable cause to believe that a person subject to an order issued under this chapter and the person knows of the order, and that a violation of the order is occurring in the officer's presence, the officer shall have the authority to bring the person before the court wherein the order was issued, and for such purpose may rearrest such person without warrant or other process.

9.25.050 Prohibited areas – Designation - Modification and termination.

A. Whenever an order is issued under this chapter, the subject of the order may be ordered to stay out of certain areas that are set forth within the written order. These areas will hereinafter be referred to as "prohibited areas."

B. Prohibited areas that are set forth in SODA orders may be established, modified, or eliminated by a resolution of the city council. The police department will provide information to the city council to support establishing, modifying, or eliminating prohibited areas.

C. Prohibited areas that are set forth in orders issued under this chapter other than SODA orders may be set by court discretion and are not required to be set in accordance with subsection (B).

D. Upon request for modification or termination of any order issued under this chapter, the court shall consider the requested modification or termination by allowing for a process by which the subject of the order can provide relevant testimony or other evidence in support of his/her request.

E. Unless otherwise ordered by the court, an order issued under this chapter shall have as its termination date two years from the date of its issuance.

F. Whenever an order is issued, modified or terminated pursuant to this chapter, the clerk of the court shall forward a copy of the order on or before the next judicial day to the Monroe police department. Upon receipt of the copy of the order, the Monroe police department shall enter the order until the expiration date specified on the order into any computer-based criminal intelligence information system(s) available to Monroe police officers. Upon receipt of notice that an order has been terminated, the Monroe police department shall remove the order from the computer-based criminal intelligence information system(s).

G. Nothing in any provision of this chapter related to SODA orders shall be construed as prohibiting the subject of a SODA order from participating in a scheduled court hearing or from attending a scheduled meeting with his/her legal counsel within a prohibited area.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 20th day of April, 2018.

First Reading:	March 6, 2018
Adoption:	March 20, 2018
Published:	March 23, 2018
Effective:	March 28, 2018

CITY OF MONROE, WASHINGTON:

Geoffrey Thomas, Mayor

(SEAL)

ATTEST:

Elizabeth M. Adkisson, MMC, City Clerk

APPROVED AS TO FORM:

J. Zachary Lell, City Attorney

CITY OF MONROE
RESOLUTION NO. 012/2018

A RESOLUTION OF THE CITY OF MONROE, WASHINGTON, ADOPTED IN ACCORDANCE WITH CHAPTER 9.25 MMC; ESTABLISHING A STAY OUT OF DRUG AREA (SODA) IN THE GENERAL VICINITY OF STATE ROUTE 2 AND MAIN STREET; SETTING FORTH SUPPORTIVE FINDINGS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

WHEREAS, on March 20, 2018, the Monroe City Council adopted Ordinance No. 005/2018, which provided for the future designation of certain areas within the City as Stay Out of Drug Areas (SODAs), and further authorized the Monroe Municipal Court to condition the pretrial release and/or the post-conviction deferral or suspension of sentence for drug offenses upon the defendant's continued physical exclusion from such areas; and

WHEREAS, the substance of Ordinance No. 005/2018 was subsequently codified at Chapter 9.25 MMC; and

WHEREAS, pursuant to MMC 9.25.050, the City Council is authorized to establish a SODA by resolution based upon supporting information provided by the Monroe Police Department; and

WHEREAS, the Monroe Police Department has provided sufficient information to support the City Council's designation as a SODA of the area identified in Exhibit A and described in Exhibit B, attached hereto and incorporated herein by reference as if set forth in full; and

WHEREAS, designating said area as a SODA will serve, promote and protect the public interest by decreasing the likelihood of recidivism by criminal defendants and reducing the incidence of illegal drug activity within said area.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Findings. As legislative findings in support of this resolution, the City Council hereby adopts the recitals set forth above, the content of Agenda Bill No. 18-136 and the findings set forth in Ordinance No. 005/2018. The City Council further finds as follows:

A. The area designated herein as a SODA has a lengthy, documented history of criminal activity generally and drug-related criminal activity in particular.

B. The City Council acknowledges the criminal activity statistics compiled by the Monroe Police Department and set forth in Exhibit C, attached hereto and incorporated herein by reference as if set forth in full.

C. There is no lawful, permitted drug treatment facility located within the area designated herein as a SODA.

D. The area designated herein as a SODA comprises approximately 0.07 square miles, which is less than one-half of one percent (0.5%) of the City of Monroe's total land area.

E. There are ample areas of the City located outside the area designated herein as a SODA within which to obtain medical treatment, employment, food, shelter, and similar necessities.

Section 2. SODA Established. Pursuant to Chapter 9.25 MMC, the City Council hereby designates the area identified in Exhibit A and described in Exhibit B as a Stay Out of Drug Area within which criminal defendants may, as a condition of pre-trial release or post-conviction suspension or deferral of sentence, be prohibited by order of the Monroe Municipal Court.

Section 3. Effective Date. This resolution shall take effect immediately upon passage.

PASSED by the City Council of the City of Monroe, at its regular meeting thereof this 12th day of June, 2018.

Effective: June 12, 2018

CITY OF MONROE, WASHINGTON

Geoffrey Thomas, Mayor

(SEAL)

ATTEST:

Elizabeth M. Adkisson, MMC, City Clerk

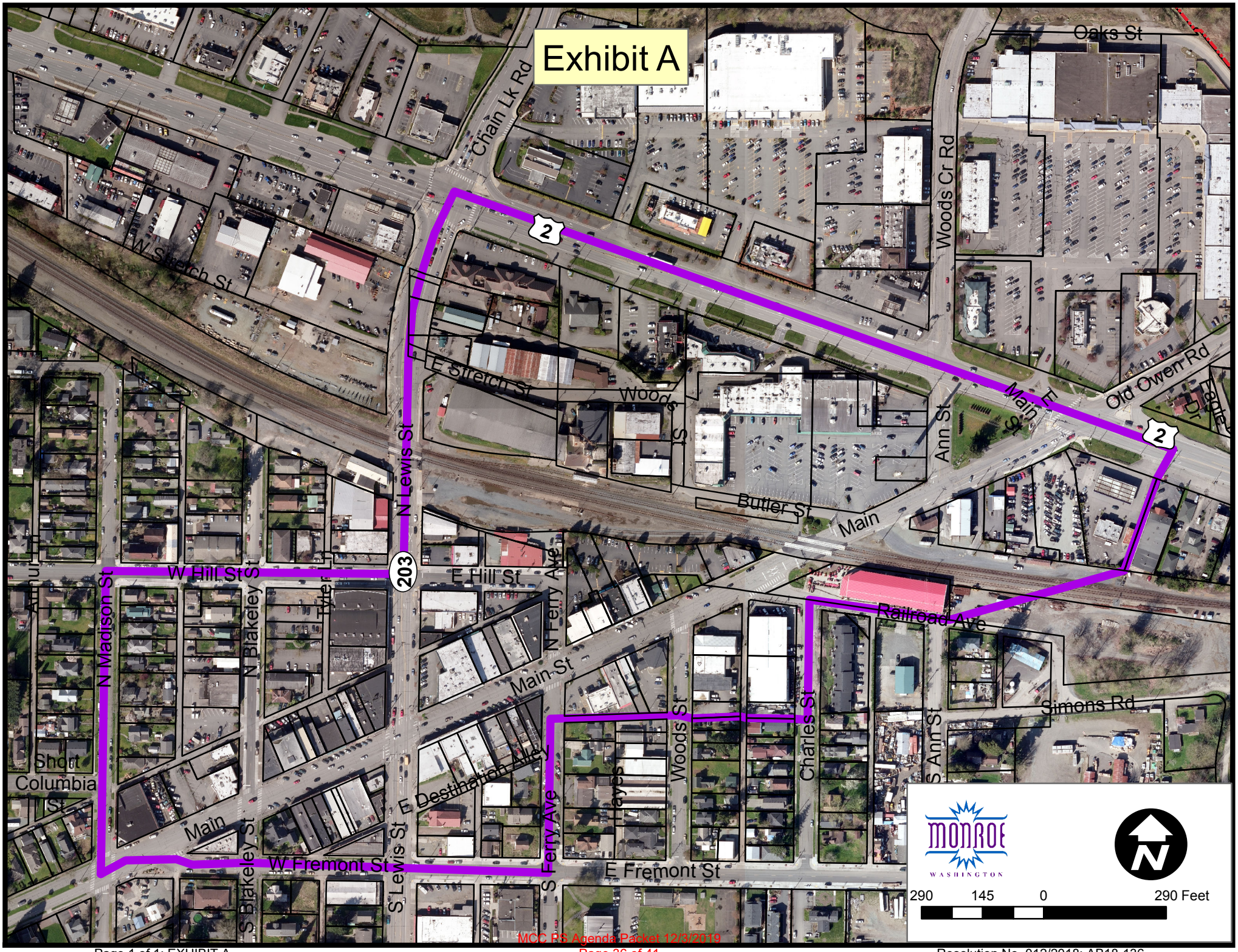
Exhibit A
Oaks St
Chain Lk Rd
Woods Cr Rd
W Strerch St
E Strerch St
Woods St
E Main St
Old Owen Rd
Ann St
Butler St
Main
N Lewis St
W Hill St
E Hill St
N Madison St
N Blakeley St
Tyler Ln
N Ferry Ave
Main St
Railroad Ave
Simons Rd
Charles St
S Ann St
Woods St
Hayes
Short
Columbia St
Main
S Blakeley St
W Fremont St
S Lewis St
E Destination Ave
S Ferry Ave
E Fremont St
2
203
MONROE
WASHINGTON
N
290 145 0 290 Feet

EXHIBIT B

Area included within the Stay Out of Drug Area (SODA):

The area bordered by the following: N. Madison Street and N. Lewis Street on the west; W. Fremont Street, Simons Road and Railroad Avenue on the south; Ferry Avenue, Charles Street and the property line between the Chevron and Monroe Fireplace on the east; and W. Hill Street and State Route 2 on the north, all as depicted on Exhibit A. Where the boundaries of the SODA are indicated by a street, the boundary shall be the centerline of that street.

EXHIBIT C

Drug and Other Crime Statistics

Incident Type	2016 - 2017	total	
Burglary	68	169	40%
Vehicle Prowls	64	159	40%
Substance	378	658	57%
Incident Type	2018 YTD	total	
Burglary	12	23	52%
Vehicle Prowls	3	17	18%
Substance	71	134	53%

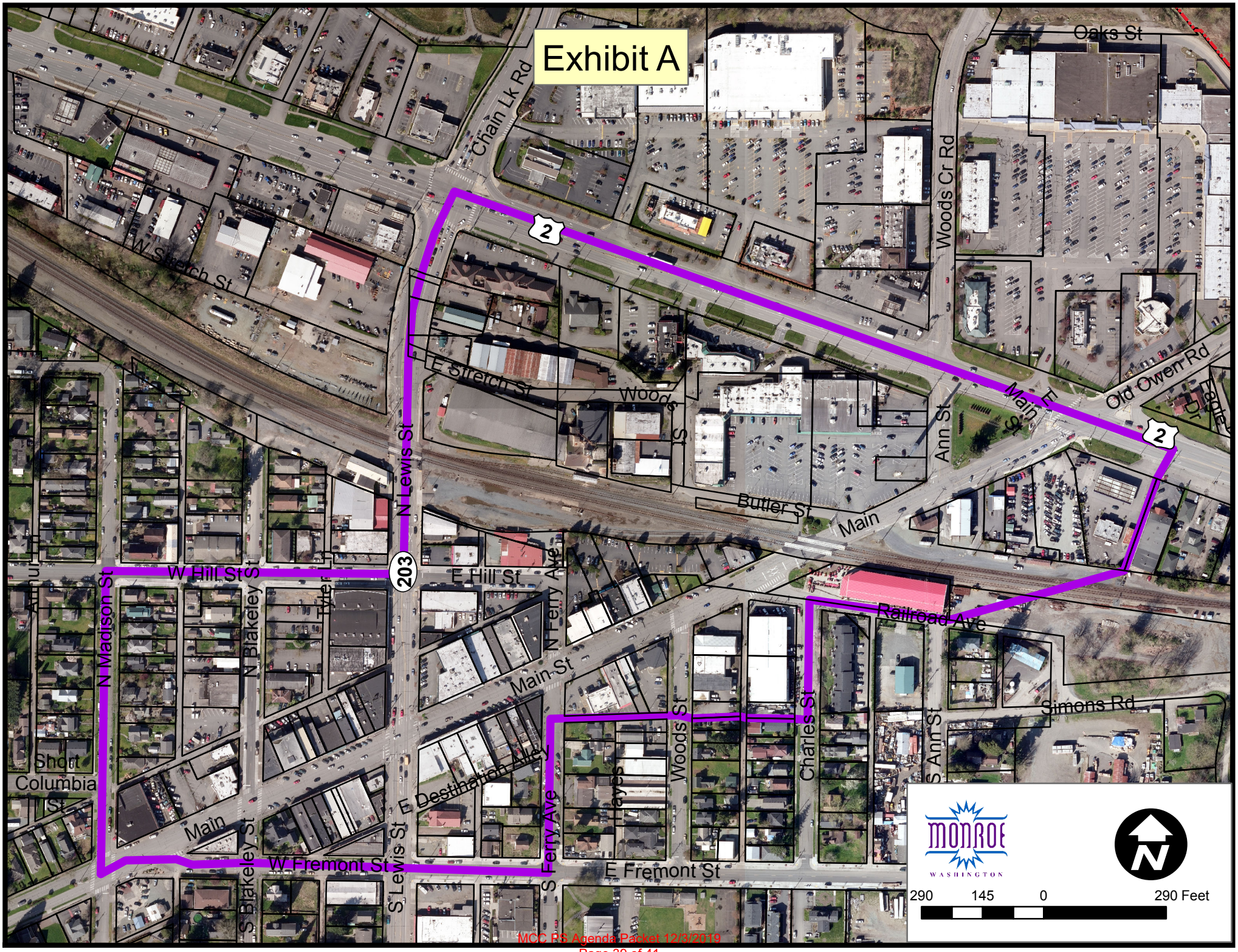
Exhibit A
Oaks St
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Butler St
Main
N Lewis St
W Hill St
E Hill St
N Madison St
N Blakeley St
Tyler Ln
N Ferry Ave
Main St
Railroad Ave
Simons Rd
Charles St
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MONROE CITY COUNCIL
Public Safety
Committee Meeting

Tuesday, December 3, 2019 6 P.M.
Monroe City Hall

2019 Committee
Councilmembers
Patsy Cudaback
Kurt Scarboro

SUBJECT:	***Underage Drinking***

DATE:	**DEPT:**	**CONTACT:**	**PRESENTER:**	**ITEM:**
12/03/2019	Police Department	Chief Jolley	Chief Jolley	**New Business Item C**

Discussion: 09/24/2019
Attachments: 1. 2019 Health Youth Survey – Alcohol Use

REQUESTED ACTION: Councilmember Kevin Hanford requested information on underage drinking in Monroe.

POLICY CONSIDERATIONS
The City Council is responsible for enacting legislation and establishing policy for public safety services. Neither the state constitution nor state law mandates a level of law enforcement services. This is primarily a policy decision for the city council.

DESCRIPTION/BACKGROUND
Joe Neigel, prevention services manager with the Monroe School District presented information to the City Council on September 17, 2019. The presentation outlined the *Community Prevention and Wellness Initiative Strategic Plan* and the outcomes of the *Healthy Youth Survey*.

The Coalition was initially started in 2013 to address underage drinking and substance abuse. The Coalition was formed after the Monroe School District was selected by the Washington State Department of Social and Health Services to participate in an initiative to reduce youth alcohol and other drug use in the community. The project included funding for staff, training, technical assistance and community and school-based prevention services designed to create healthier and safer neighborhoods.

Attachment 1 shows the decline in underage drinking between 2016 and 2018. The number of 8th and 10th graders reporting they currently drink fell from 11% in 2016 to 9% in 2018 for 8th graders and from 25% to 16% for 10th graders.

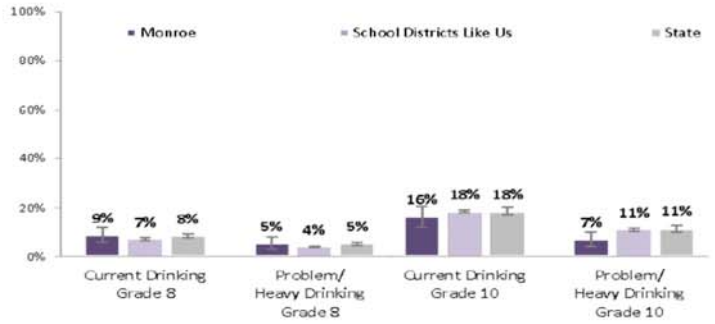
Following are the list of underage drinking cases filed by the Monroe Police Department. Some involve multiple violators:

2016 – 3
2017 – 6
2018 – 3
2019 – 2

RECOMMENDATIONS

Discuss underage drinking data and direct Mayor and staff to areas of concern.

Alcohol



HYS Measures of Youth Substance Use	Grade	Monroe 2016	Monroe 2018	School Districts Like Us 2016	School Districts Like Us 2018	State 2016	State 2018
Current Drinking. During the past 30 days, on how many days did you: Drink a glass, can or bottle of beer? *(District results: Drink any days)*	8	11%	9%	6% [b]	7%	8%	8%
	10	25%	16% [a]	18% [b]	18%	20%	18%
Problem/Heavy Drinking. *(District results: 3-5 days drinking in the past 30 days and/or 1 binge past 2 weeks, or 6+ days drinking in the past 30 days and/or 2+ binge past 2 weeks)*	8	5%	5%	4%	4%	5%	5%
	10	15%	7% [a]	11%	11% [b]	13%	11% [c]

- Underage drinking is **sharply declining** in Monroe!
- Change in 10th grade rates are statistically significant compared to district's like us and the State.
- **At 16%, 10th Grade regular drinking rates are the lowest ever recorded!**
- 10th Grade binge drinking is the second lowest rate ever recorded.