

A decorative border at the top of the page consists of white silhouettes of various evergreen trees, including spruce and fir, set against a dark grey background.

ANNUAL REPORT | 2019 & 2020

SEATTLE CITY ATTORNEY'S OFFICE

PETE HOLMES | SEATTLE CITY ATTORNEY

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Pete Holmes with Civil Division Attorneys advising on COVID-19 Response
- Seattle Emergency Operations Center, March 5, 2020 -

A MESSAGE FROM THE SEATTLE CITY ATTORNEY

In a year that brought a global pandemic, a renewed civil rights movement, and the ouster of an openly hostile President, I'm in awe how the public servants in my office responded while operating remotely and under a constantly shifting legal landscape.

Our Civil Division, which serves as the City's in-house law firm, was actively involved in COVID-19 response, providing legal advice to City policymakers and departments as they addressed new and unprecedented issues. Civil court hearings in many cases were rightly postponed while new safety protocols were established, and most hearings continued to occur digitally by the end of 2020. The team has fielded an array of legal challenges against pandemic response-related legislation, including an eviction moratorium for renters and premium pay for essential food delivery workers.



My office's Administration Division swiftly responded to work-from-home requirements with creativity and resourcefulness, mass-deploying technology and ergonomic equipment to our 200+ office employees. The division also led on developing return-to-work protocols for those who needed to appear at the office in-person.

At Seattle Municipal Court (SMC), the gears of the criminal justice system moved forward, albeit at a slowed pace in the wake of COVID-19. Like all courts in Washington State, SMC cancelled most hearings at the outset of the pandemic and began a slow scale-up return to jury trials in summer after public health accommodations were implemented. Unfortunately, increased King County COVID-19 infection rates resulted in a pause to all jury trials at SMC until at least March 2021. My Criminal Division Prosecutors and Victim Advocates worked to resolve cases remotely for the bulk of 2020, with the exception of the brief summer scale-up attempt.

My highest gratitude goes to those who aren't usually in the spotlight: the Legal Assistants, Case Prep, Paralegals, and Administrative support staff who were central to keeping the City moving forward. I'm grateful to have an incredibly adaptable team of caring and dedicated professionals who could shift into new and unexpected roles when faced with a global emergency.

Thank you for reviewing this report, which features a sampling of recent assignments and notable court cases. I hope it illustrates the vital and meaningful work produced by the CAO team.

Yours in service,

Pete Holmes
Seattle City Attorney

GOVERNMENT AFFAIRS

The Government Affairs Section advises on a variety of local government laws such as municipal finance and budgeting, initiatives and charter issues, legislation drafting, public disclosure and inter/intra-governmental relations. The Section represents the City in litigating constitutional and complex litigation, along with police civil rights matters. Government Affairs also litigates and advises on tax issues.

TIM EYMAN'S INITIATIVE 976



The City joined with a coalition to challenge Initiative 976, a multi-subject initiative sponsored by initiative proponent, Tim Eyman, which would have decimated transit service in Seattle. Government Affairs attorneys challenged I-976's legality to the Washington State Supreme Court, arguing the initiative was flawed on several grounds, including that it contained more than one subject, and its subject was not accurately expressed in its title. The Court [struck down](#) the initiative as unconstitutional, leaving elected policymakers a tool to properly finance transit in our growing city.

PREMIUM PAY FOR FOOD DELIVERERS



After the COVID-19 pandemic struck, the City adopted a law that ensures food delivery drivers are properly compensated for the hazards they brave to deliver groceries and meals to at-risk populations and to self-isolating Seattleites. The Instacart company moved to challenge the law, and attorneys from the Government Affairs and REEJ Sections responded to the challenge by moving to dismiss the case in its entirety. The motion was being considered by a Superior Court judge at the end of 2020.

TRUMP'S ANARCHIST CITIES

CITY OF SEATTLE,
CITY OF NEW YORK,
CITY OF PORTLAND

vs.

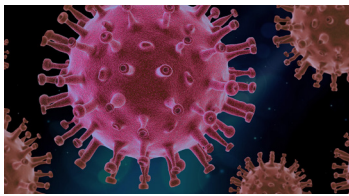
Donald Trump, in his capacity
as President of the United States

After President Trump announced his intention to withhold federal grant dollars from so-called "anarchist jurisdictions," Government Affairs Section attorneys contacted attorneys in New York and Portland to jointly file a lawsuit challenging the preposterous effort. The President's arbitrary decision appeared politically motivated and not founded in law. After developing and filing a [comprehensive lawsuit](#), the Trump Administration made no further attempt to withhold federal funding from the three cities.

CONTRACTS & UTILITIES

When a City Department pursues capital projects, property transactions, or purchasing agreements, the Contracts & Utilities Section steps in to draft agreements and legislation, provide legal advice, enforce contracts, and handle any resulting litigation. The Section further provides general counsel services to the City's electric, water, wastewater and solid waste utilities.

COVID-19 PANDEMIC IMPACTS



The Contracts & Utilities Section provided critical legal support to City departments that were faced with unprecedented contractual issues arising from the impacts of the 2020 pandemic on City leases, real property transactions, public works, human services contracts, and other existing contracts. Additionally, Section attorneys provided legal support to City departments on legal issues relating to obtaining federal and state funding and providing critical response services such as small business support, rent relief to non-profits and City tenants, COVID-19 testing sites, and emergency childcare.

AFFORDABLE CONDOS PROJECT



Section attorneys recently documented and closed the Madison-Boylston Condominium project, one of the largest and most complex multi-family affordable housing transactions for the Office of Housing. Whereas most typical Office of Housing projects are single provider projects limited to 3-8 story stick frame buildings, the Madison-Boylston Condominium project consists of a 17-story, steel-framed high-rise project with two different developers controlling different condominiums within the building.

OIG AUDIT INVESTIGATION



Section attorneys, together with one of the Section paralegals, teamed to respond to the federal Office of the Inspector General's subpoena to SDOT for a wide variety of documents related to federally funded City projects. The project is largely complete, having produced more than 800,000 documents, including 118,000 that had to be reviewed for privilege by paralegals across all Sections of the City Attorney's Office. This is the largest ever in-house document production for the City Attorney's Office demonstrating new capabilities and the ability to save taxpayer dollars.

REGULATORY ENFORCEMENT & ECONOMIC JUSTICE

The Regulatory Enforcement and Economic Justice (REEJ) Section enforces City Codes, including civil rights, labor standards, housing, zoning and licensing regulations. REEJ enforces abatement actions, and pursues collection actions on delinquent accounts owed to the City. REEJ also provides civil rights advice to City departments.

WORKER PROTECTIONS



REEJ attorneys provide advice regarding wage and labor standards to OLS, the City Council and the Mayor's Office; enforce OLS Ordinances, including the Minimum Wage, Paid Sick and Safe Time, Wage Theft and Scheduling ordinances; and provide advice and draft proposed rules and ordinances. In 2019 and 2020 combined, REEJ handled 13 labor standard cases and litigated six cases which resulted in \$158,650.73 recovered for workers.

Worker Rights case highlight: When a local painter complained that his employer was not paying him the overtime he was owed, the painter's employer fired him. REEJ attorneys prevailed in a legal action alleging that the painter had been refused work in violation of the City's ordinances preventing retaliation against workers for asserting their right to fair pay. The painter was awarded lost wages, liquidated damages and civil penalties exceeding \$8,000.

CIVIL RIGHTS ENFORCEMENT



REEJ attorneys provide advice to the Office of Civil Rights which enforces the City's discrimination ordinances, including the Housing, Employment and Public Accommodation ordinances. In 2019 and 2020 combined, REEJ handled seven discrimination cases and litigated four which resulted in recovery of \$14,378 in payment of damages to the injured parties, penalties and anti-discrimination training.

LAND USE CODE COMPLIANCE



REEJ attorneys advise SDCI and enforce violations of codes including the Residential, Building, Housing and Building Maintenance, Shoreline, Land Use, Environmentally Critical Areas (ECA), Tree Protection and technical codes (e.g., Grading, Electrical, Plumbing). REEJ attorneys are currently litigating 61 SDCI cases and in 2019 and 2020 obtained judgments in the amount of \$872,342 and collected \$363,091 in civil penalties. These cases involve work performed without proper permits, vacant buildings open to entry, buildings that are unfit for human habitation, illegal tree cutting and maintenance of nuisance properties, among others.

TORTS

The Torts Section pursues large claims on behalf of the City for damages due to the negligence of others. The Section also defends the City against lawsuits brought by plaintiffs who allege the City or its employees caused personal injury or property damage. Attorneys advise and train City departments on liability issues and risk management, meant to reduce lawsuits and liability exposure.

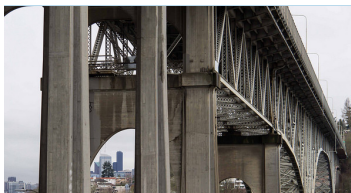
SUING OPIOID MANUFACTURERS



The City of Seattle has [sued](#) the nation's leading manufacturers and wholesale distributors of prescription opioids for their role in causing the opioid crisis impacting the City and its residents. The manufacturers contributed to the crisis by deceptively understating the risks, and overstating the benefits, of their drugs. The wholesale distributors failed to implement required systems to monitor and prevent shipments of prescription opioids from being diverted into illegal distribution channels where they are readily available for misuse and abuse. Through this litigation, Seattle seeks to recover the funds it has spent to combat the opioid crisis, and those that will be required remedy its adverse effects.

Seattle's case has been consolidated with similar lawsuits brought by cities and counties across the country. The pretrial phase of all consolidated cases is being conducted by a federal court in Ohio. If Seattle's lawsuit is not resolved or settled as part of the consolidated proceedings, it will be transferred back to a federal court in Seattle for trial.

RIDE THE DUCKS TRAGEDY



A Ride the Ducks tourism vehicle crashed into a motor coach on the SR99 Aurora Bridge causing many injuries and several deaths in 2015. A coalition of 40 plaintiffs subsequently filed a lawsuit against companies responsible for the Ducks, the State of Washington, and the City of Seattle. After a four-month civil trial, a jury [awarded](#) \$123 million to the victims and assigned all responsibility to the vehicles' manufacturer and the local operator. The jury heard the City's Torts attorneys' arguments and found the City of Seattle was not at fault for the truly terrible event.

PUBLIC SEWER COMPENSATION

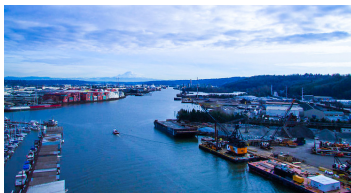


The Torts section initiated a number of lawsuits involving damage to City sewer lines. In three separate instances, private construction excavators either inadvertently pumped concrete or drove underground pin piles through Seattle Public Utilities sewer lines. Torts attorneys recovered nearly \$1.7 million in damages to restore the obstructed lines to normal operations.

ENVIRONMENTAL PROTECTION

The Environmental Protection Section provides legal counsel on a full range of environmental issues, including Superfund cleanups, water resources, recovery actions, the Endangered Species Act, and long-term policy development.

MONSANTO PCB CONTAMINATION



The City of Seattle sued the Monsanto corporation (now Bayer) for causing decades-long PCB-related damage to the City's drainage system and the Lower Duwamish Waterway. As a result, people who rely on fishing and collecting shellfish from the Lower Duwamish for food have been warned not to eat any resident seafood from the waterway due to PCB contamination.

In 2020 Monsanto sought to settle similar lawsuits brought by jurisdictions nationwide and to foreclose any future lawsuits by creating a class action and settling with the entire class. Seattle refused to join the class action and settlement agreement because it is unjust. The \$550 million total offer Monsanto made to split among over 2,500 jurisdictions is less than the amount of damage suffered by Seattle alone. The City of Seattle continues to spend millions to reduce PCBs identified in the City's stormwater system and in the Lower Duwamish Waterway. The City's case against Monsanto has been set for federal trial in March 2022

CONTAMINATION ENFORCEMENT



Section attorneys work closely with inspectors at Seattle Public Utilities to help them enforce environmental regulations, including an incident where inspectors discovered a construction project discharging high levels of hydrogen sulfide to a city outfall. The construction company was issued a Notice of Violation and subsequently redirected the discharge to a hydrogen sulfide treatment system onsite.

FOSSIL FUEL INDUSTRY



Recognizing the great harm the fossil fuel industry contributed to Seattle and the health of our planet, CAO retained counsel to investigate and develop a potential lawsuit against fossil fuel companies for their contribution to climate change. The initial assignment is to complete the exploration of facts specific to Seattle, including what scientists know about the impact of climate change in our region, and the City's available legal options. While work paused in 2020 as the pandemic spread and the Monsanto PCB lawsuit required more dedicated focus, development of a potential lawsuit against fossil fuel companies will continue in 2021...

LAND USE

The Land Use Section provides legal counsel and litigates on issues including zoning, planning, growth management, code enforcement, the state Environmental Policy Act, low-income housing development, preservation of historic properties, and acquisition of public property for open space, parks, and other public facilities.

TINY HOUSE VILLAGES



As cities across the nation face increased homelessness, three different lawsuits were filed to challenge the placement of a City-sanctioned tiny house village in the South Lake Union neighborhood. A Land Use Section attorney successfully defended the City in all three lawsuits, which each brought their own distinct legal arguments. Thanks to the outcome, City policymakers can [continue](#) their efforts to aid and shelter the unhoused.

HOUSING AFFORDABILITY



After two years of nearly continuous litigation, the City's Mandatory Housing Affordability program (MHA) [emerged](#) from under a cloud of legal challenges. As part of rezoning to provide more development capacity, MHA requires that new commercial and multifamily buildings provide for affordable housing. A Land Use Section attorney led a team that successfully represented the City in twenty-one days of hearings, managed tens of thousands of pages of document discovery, and submitted hundreds of pages of legal briefs to the Growth Management Hearings Board.

OVERTURNING BAD PRECEDENT



In a pair of cases, Land Use Section attorneys convinced the Washington State Supreme Court to uphold the City's "[first-in-time](#)" tenant access ordinance and clear the way for the "[fair chance housing](#)" ordinance. These were victories not just for those ordinance—the Court itself acknowledged the decisions “will have consequences beyond the particular claims at issue.” Overruling more than 60 prior opinions, the Court's decisions provided much-needed clarity to regulatory takings and substantive due process law in Washington. The decisions—the result of smart litigating from the Land Use Section—enhance the tools elected policy makers need to govern our modern American city.

EMPLOYMENT

The Employment Section helps navigate employment laws, collective bargaining agreements, civil service regulations and City policies that apply to over 13,000 City employees. Section attorneys also defend the City (and sometimes its employees), advise departments, and litigate when necessary.

RESPONSE TO COVID-19



Employment Section attorneys faced new and time-sensitive challenges when the City sought to implement new federal, state and local programs in response to the COVID-19 global pandemic. Attorneys managed and advised City officials how to lawfully implement new programs and policies and how to update citywide personnel policies that align with new state and federal laws. The Employment Section advised on COVID-related issues ranging from disability accommodation to employee privacy to the Families First Coronavirus Response Act, all while laws and federal guidance were constantly changing.

WORKERS' COMPENSATION



Employment attorneys continued to manage Workers' Compensation cases to ensure that injured workers receive appropriate benefits in accordance with the law. Workers Compensation brought a heavy workload in 2020, including a case involving an employee who passed away at home, which brought dynamic challenges with pension and workers comp issues.

OVERTURNING ARBITRATION



An SPD officer was terminated from City employment after he punched a handcuffed suspect in the face while she was seated in the back of a patrol car, fracturing her skull. The officer challenged the termination, and an arbitrator reinstated his employment. An Employment Section attorney took the case to King County Superior Court on behalf of the City and successfully argued the arbitrator's reinstatement decision was so lenient that it violated the public policy against excessive use of force in policing. The trial court ordered that the [arbitrator's decision be overturned](#) and that the officer's employment be terminated. The officer's union appealed, and the Employment Section briefed and argued before the Court of Appeals, where the matter is pending.

AMICUS CURIAE BRIEFS

The City Attorney is empowered to weigh-in on lawsuits nationwide that affect Seattleites, even when the City is not a party in a case. Outside parties can submit *Amicus Curiae* briefs (“friend of the court” briefs) to provide judges a different perspective as they contemplate cases of significance. In the recent biennium, the City Attorney has signed the City of Seattle onto *Amicus Curiae* briefs in nearly 70 cases, including:

AMICUS CURIAE BRIEFS



- Upholding the Affordable Care Act’s validity -- (*Texas v. United States*)
- Supporting Community Health Engagement Locations (Supervised Consumption Sites) -- (*United States v. Safehouse*)
- Opposing increased costs to apply for asylum, naturalization, and other immigration benefits -- (*Northwest Immigrant Rights Project v. USCIS*)
- Supporting access to family planning via Title X -- (*Washington v. Azar*)
- Opposing attempted policy changes at the US Postal Service in advance of the 2020 election -- (*New York v. Trump*)
- Opposing discrimination based on sexual orientation or gender identity -- (*Bostok v. Clayton County*)
- Supporting Deferred Action for Childhood Arrivals (DACA) -- (*New York v. Trump*)

SEATTLE-DRIVEN AMICUS

Standing up for racial justice initiatives, the City of Seattle and the Public Rights Project [drafted an amicus curiae brief](#) on behalf of a nationwide coalition of local governments in support of a lawsuit challenging President Trump’s Executive Order 13950, which attempted to ban the use of comprehensive diversity trainings by federal contractors. (*Santa Cruz Lesbian & Gay Comm. Ctr. v. Trump*)

REVIEW & FILING

The Review & Filing Unit (RFU) determines whether there is enough evidence in a case for a jury to return a guilty verdict so that it can be filed with the courts for all non-domestic violence cases. RFU has an eye towards the quick and efficient (i.e., early) resolution of as many cases as possible, thereby reducing the number of cases needed for trial.

Sworn trained Assistant City Prosecutors review all misdemeanor-level reports referred by the Seattle Police Department. Filers work to determine whether there is sufficient evidence to charge the offense, whether a Seattle jury would find a defendant guilty beyond a reasonable doubt, which charges are appropriate, and sets the City's initial sentencing recommendation. RFU also handles all non-DV arraignment hearings.

In 2019 the Criminal Division received 13,014 reports from SPD for consideration of criminal charges. Of those reports, 7,305 cases were filed in Seattle Municipal Court (SMC).

Breaking down those numbers, the division received 2,613 domestic violence (DV) reports and filed DV charges on 1,059 cases, and received 1237 DUI reports and filed charges on 992 cases. (Note: Some reports may have been received in 2018 but not filed until 2019).

This document will be updated with 2020 information once the data is compiled.

80% of all cases declined in 2019 were for the following four reasons:

- 29% - Insufficient Proof
- 26% - Lack of Victim Participation
- 20% - Unlikely to Prevail at Trial
- 6% - DWLS3 ("Driving While Poor")

Other Decline rationales include: Sent to Diversion Program or LEAD, Sent case to County Prosecutor to charge as a felony; Erroneous Report; Used in plea bargain

2018 Reports Received	14207
2019 Reports Received	13014
2020 Reports Received	TBD
% Change (2019 to 2020)	TBD%
2018 Cases Filed	8201
2019 Cases Filed	7305
2020 Cases Filed	TBD
% Change (2019 to 2020)	TBD%
2018 % Reports Received were Declined	52%
2019 % Reports Received were Declined	53%
2020 % Reports Received were Declined	TBD
2018 Avg. # Days From Date Rec'd to Disposition	304
2019 Avg. # Days From Date Rec'd to Disposition	519
2020 Avg. # Days From Date Rec'd to Disposition	TBD
% Change (2019 to 2020)	TBD%
2018 Jury Trial Settings	1100
2019 Jury Trial Settings	1243
2020 Jury Trial Settings	TBD
% Change (2019 to 2020)	TBD%
2018 Jury Trials with Finding	93
2019 Jury Trials with Finding	125
2020 Jury Trials with Finding	TBD

TRIAL TEAM

The Trial Team is made up of 11 prosecutors who handle all the trials set in Seattle Municipal Court not assigned to the Domestic Violence Unit. The team prosecutes criminal traffic cases, persons crimes, property crimes, and other offenses. TTU prosecutors also negotiate cases at pre-trial hearings, respond to defense motions and probation violations, and address defense appeals from criminal convictions.

TRIAL TEAM WORK DURING COVID-19



While the pandemic put jury trials on pause in 2020, Trial Team Unit (TTU) prosecutors prepared cases set for trial in the future, responded to motions, and negotiated to resolve cases that did not necessitate a trial. Additionally, TTU prosecutors aided other office units who had large workloads to manage, including the Review & Filing Unit.

When the court resumed jury trials in summer, COVID-19 exposure continued to impact operations. As an Assistant City Prosecutor was in the process of selecting a jury for a physical control case, he learned that one of his witnesses had a family member who had just tested positive for COVID, so the trial had to be continued to a later date. Soon after, jury trials were halted for the remainder of 2020.

The shift to remote operations also necessitated accelerating the City Attorney's Office's planned move to a paperless prosecution system. Prior to 2020, prosecutors would cart boxes of paper criminal case files to the courthouse. Attorneys can now participate in most court hearings without hard copy files thanks to the creative work of an internal workgroup who quickly established new protocols at the outset of the pandemic.

Remote Court Hearings during COVID-19



DOMESTIC VIOLENCE

Prosecutors and Victim Advocates in the Domestic Violence Unit work together to address gender-based violence in Seattle by holding abusers accountable and providing victims/survivors with information, support, and resources. The DV Unit manages misdemeanor cases involving inmate partner violence, family violence, elder abuse, stalking, and child abuse/neglect.

DV UNIT PROSECUTORS



The COVID-19 pandemic led a significant portion of Seattle's population to isolate in their homes while facing financial strain in 2020. The Domestic Violence Unit saw an increase in more serious domestic violence incidents in 2020, including strangulations, and at the same time lost SPD detective resources to assist in follow-up investigations. Non-intimate partner domestic violence incidents (roommates, adult family members) stood apart as the largest increase in DV police report referrals in 2020 compared to prior years.

The unit continues to implement a risk-based approach prioritizing resources for the highest risk cases such as violent assaults, assaults with sexual motivation, stalking, and cyberstalking. The DV Unit Prosecutors and Advocates have worked tirelessly to triage resources toward those who pose the most harm, and to keep victims of domestic violence safe by holding offenders accountable [through intervention](#).

FIREARMS ENFORCEMENT



The Regional Domestic Violence Firearms Enforcement Unit is dedicated to enforcing Court Orders to surrender firearms issued out of domestic violence protection orders, extreme risk protection orders and criminal no-contact orders. The goal is to ensure immediate surrender of firearms, concealed pistol licenses and other deadly weapons through swift and certain enforcement of firearms laws. For the first time in 2020, families could petition for Extreme Risk Protection Orders online.

The Unit is responsible for proactively assisting with the service of court orders, immediate removal of firearms based on those orders to reduce risk, and for criminally charging those who fail to comply or who otherwise possess firearms unlawfully. Partnering with the King County Prosecuting Attorney's Office, Seattle Police Department, and the King County Sheriff's Office, harm reduction is the foundation of the Unit's work.

The team drew special attention recently, after assisting federal law enforcement secure firearms from a local area [neo-Nazi](#) who had been amassing weaponry.

DOMESTIC VIOLENCE

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VICTIM ADVOCATES



Victim Advocates connected with survivors of domestic violence who are increasingly at risk due to the isolation and economic uncertainty brought by the pandemic in 2020. As processes changed, Advocates pivoted to ensure they provided accurate information. They cheered changes that increased access for victims, such as King County's online petition for protection orders, Seattle Police electronic order service, and Seattle Municipal Court's virtual hearings. Throughout remote operations, the DV team built bridges and found solutions to maintain their mission of safety and accountability.

The 6 Victim Advocates in the domestic violence unit work closely with prosecutors to respond to almost 3,000 reports of intimate partner violence, family and child violence, stalking (regardless of relationship) and sexual assault (regardless of relationship). Advocates' calls were essential for intervention as victims found themselves further restricted from family, friends, and other opportunities to get help. Victim Advocates offer safety planning and resources, and gather input regarding the impact prosecution would have on a victim. If charges are filed, Advocates explain the court process and encourage a victim's voice to be heard throughout the pendency of the case, which can be anywhere from 2 months to 2 years. Prosecutors and Advocates work together closely to ensure that the goals of victim safety and offender accountability are balanced throughout the process.

SPECIALTY COURTS

The Specialty Courts Unit handles cases routed to Mental Health Court, Veterans Treatment Court, Pre-Filing Diversion, LEAD, LINC, and the Infraction program. These courts operate in collaboration with other agencies including the King County Prosecutor's Office, Western State Hospital, King County Crisis and Commitments, the Department of Veterans Affairs, defense agencies and the Seattle Municipal Court.

COMMUNITY COURT



As the community seeks alternatives to traditional prosecution for lower-level misdemeanor offenses, [Community Court](#) opened for business in summer 2020 after years of planning. Unlike in an adversarial traditional prosecution, in Community Court the prosecutor, defense counsel, probation, and the court all work in concert to achieve success for the individual and provide accountability for the community without the need for a jail cell. The Court conducts individualized assessments and develops treatment recommendations that take each defendant's specific needs into consideration. Additionally, all defendants will be required to complete community service. Upon completion of the defendant's obligations, the case will be dismissed with prejudice. The City Attorney's Office is a proud partner in this restorative non-punitive approach to achieving a safer, more just Seattle

LEAD DIVERSION



The Seattle City Attorney's Office maintains a strong commitment to its partnership with the [LEAD Program](#). The Law Enforcement Assisted Diversion (LEAD) program provides an opportunity for the community to refer for services, and for police officers to divert individuals engaging in low-level criminal activity that stems from unmet behavioral health needs or poverty to a trauma-informed intensive case management program, instead of jail and prosecution. Once enrolled in the program, CAO and other community partners work with case managers to ensure all contact with LEAD clients going forward, including new offenses, are coordinated to maximize the opportunity for the client to achieve behavioral change and reduce their impact on our community.

2020 saw an explosion of growth for LEAD, and a name change that more accurately reflects the goals of the program. REACH doubled their LEAD case management and leadership teams to better serve the almost 1000 enrolled clients. With re-allocated LEAD funding, the LEAD project management team at the Public Defender Association (PDA) created Co-LEAD, which utilizes a hotel lodging outreach approach. A second CAO prosecutorial liaison was added to support LEAD/Co-LEAD clients. All filing decisions, negotiations, and Seattle Municipal Court hearings for LEAD/Co-LEAD clients are coordinated by the CAO liaisons.

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PRE-FILING DIVERSION



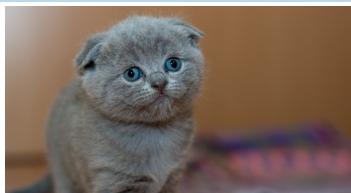
The Seattle City Attorney’s Office in partnership with a community non-profit organization, [CHOOSE 180](#), began offering a Pre-Filing Diversion opportunity for 18-24-year-olds beginning in 2017. Pre-Filing Diversion offers young people the opportunity to participate in the program instead of being processed through the traditional criminal legal system. Those participants who complete the workshop will not have criminal charges filed and instead be supported with case management for housing, employment support, domestic violence resources and referrals for mental health and chemical dependency. This restorative practice approach aims to steer young people down a path of personal responsibility and redemption rather than into criminal charges with lifelong collateral consequences.

In 2019, we created a “post-file” opportunity which gives young people who were originally referred to the program, but did not participate at the time, an avenue into the diversion. Young people who are charged after not having taken advantage of the program, have one final opportunity post-file to have their case diverted. In response to the 2020 pandemic, CHOOSE 180 transitioned to virtual one-on-one workshops with direct engagement between a CHOOSE 180 staff member and a young adult. In May 2020, the City Attorney wrote to the City Council recommending that we develop a misdemeanor pre-filing diversion program for older adults that mirrors the massive success of the CHOOSE 180 diversion program for 18-24-year-olds. A racial equity toolkit exploring options for expansion will occur in 2021.

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ANIMAL ABUSE / DV CONNECTION



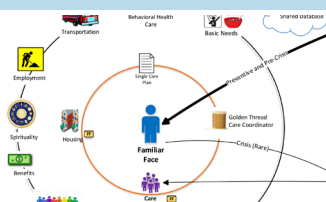
The City Attorney’s Office established an [internal team](#) dedicated to addressing the nexus between animal abuse and domestic violence in 2019, recognizing 67% of animal cruelty perpetrators in Seattle have criminal domestic violence history. CAO engaged with both SPD officers and Animal Shelter Investigators to help them recognize the correlation and identify signals of abuse. DV and animal cruelty are crimes that thrive in isolation, so the increase in animal abuse search warrants during the global pandemic is no surprise.

DRIVING WHILE POOR DIVERSION



The Seattle City Attorney’s Office, in collaboration with the Finance and Administrative Services Division, in partnership with the community non-profit, Legacy of Leadership, Equality and Organizing (LELO), began offering a [Pre-Filing Diversion opportunity](#) for Driving While License Suspended Charges in the third degree (DWLS 3) in 2018. LELO offers participants individualized support to restore their driver’s license. In 2020, the City Attorney further expanded his use of prosecutorial discretion citing the racially disproportionate effect that DWLS 3 has on historically marginalized communities and the program has evolved into a voluntary opportunity.

FAMILIAR FACES INITIATIVE



The CAO LEAD prosecutorial liaisons coordinate criminal legal system involvement for the King County-run [Familiar Faces Initiative](#). The “Vital” program provides comprehensive and integrated services to adults identified by their high utilization of the King County Jail who are experiencing behavioral health challenges, need an intensive level of community-based support, and may be experiencing homelessness.

SPECIALTY COURTS

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MENTAL HEALTH COURT



Seattle Mental Health Court (MHC) works to improve public safety, reduce jail use and interaction with the criminal justice system for persons with mental illness, and connect participating defendants to mental health services. MHC can be an effective tool in assisting defendants with behavioral health issues to stay on medications and stay engaged with community mental health services. MHC is a voluntary program in which defendants must be willing and competent to comply with conditions set out by the Court.

The Mental Health Court also continues to resolve all competency issues. When a Court-appointed forensic psychologist determines a defendant is incompetent to stand trial because of their behavior health issues, the City cannot proceed with the criminal charges. Some cases qualify for the defendants to be transferred to Western State Hospital for inpatient treatment. To ensure the safety of both the community and defendant, defendants are referred to mental health professionals at the State-run Involuntary Treatment Act Court to determine whether civil commitment is appropriate prior to release.

LINC LEGAL COMPETENCY



The City Attorney's Office dedicates a prosecutorial liaison to the King County-run Legal Intervention & Network of Care (LINC) program to address needs of individuals who have a history of or at risk of cycling through legal competency services. The LINC program provides short term intensive case management to adults with behavioral health conditions who have been booked into jail and have a history of legal mental health competency being raised.

SPECIALTY COURTS

The Specialty Courts Unit handles cases routed to Mental Health Court, Veterans Treatment Court, Pre-Filing Diversion, LEAD, LINC, and the Infraction program. These courts operate in collaboration with other agencies including the King County Prosecutor's Office, Western State Hospital, King County Crisis and Commitments, the Department of Veterans Affairs, defense agencies and the Seattle Municipal Court.

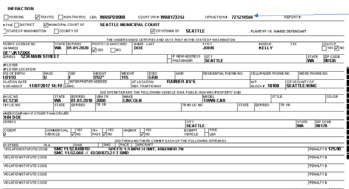
VETERANS TREATMENT COURT



Seattle Veterans Treatment Court (VTC) was created to serve the needs of veterans negatively impacted by their military service. It is a voluntary court-monitored therapeutic treatment program that balances the mental health and/or substance abuse needs of the veteran defendants with the need for public safety.

VTC operates differently than traditional courts. Following the mental health court model, veteran defendants must attend treatment, maintain abstinence from alcohol and non-prescribed drugs, and attend frequent court reviews. Graduated sanctions are employed to encourage compliance, with termination from the program as the last resort. The most significant difference from a traditional court is the cohort effect achieved by having veterans assemble as a group for the hearing. Rather than leaving court when their hearings are finished, veterans must stay for the entire calendar, so they observe the struggles and accomplishments of their fellow veteran defendants.

INFRACTIONS TEAM



The Infractions Unit represents the City of Seattle at contested infraction hearings, including speeding through school zones or red-light camera violations. Recognizing the growing number of unresolved contested infractions during the COVID-19 courtroom closure, the unit supervisor developed new procedures to remotely enter negotiated agreements reached with the infraction recipient. Like the rest of the Criminal Division, the Infractions team seamlessly shifted to a paperless process in response to remote work. By the end of 2020, contested infractions hearings occurred 100% remotely.

ADMINISTRATION

The Administration Division provides executive leadership, communications and operational support for the 200-employee department as well as numerous interns and volunteers. The division is comprised of the City Attorney, his immediate staff and the Budget and Finance, Human Resources, Facilities and Front Desk, a Business Process Coordinator, and Information Technology Sections.

BUDGET & FINANCE



The Administration Division was instrumental in helping the office achieve its budget goals for 2019 and 2020 and managing budget reductions for 2020. As part of the 2019 and 2020 Adopted Budgets, the department added multiple new positions to address a variety of needs:

- An Assistant City Attorney to support Labor Standards work (2019);
- Temporary paralegal support (2019);
- A Video Specialist to assist with the growing video evidence available due to body worn video (2019);
- Two civil attorneys to reduce reliance on outside counsel (2020);
- A HR Specialist to expand HR services for the department (2020); and,
- A victim advocate and threat assessment paralegal to support the Firearms Surrender Regional Program (2020).

While many positions added in 2020 were held vacant to absorb drastic revenue reductions due to COVID-19, the Department was able to continue hiring the most critical positions to maintain service levels. The three-person accounting team continued stabilization of accounting operations in PeopleSoft 9.2 implementing new procedures and filing systems to maintain proper accounting files.

HUMAN RESOURCES



The Human Resource Section of Administration facilitates hiring processes, oversees the management of annual performance evaluations, personnel leave benefits, and the hundreds of transactional entries for human resource information management.

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FACILITIES & FRONT DESK



This small section is responsible for all office and facilities coordination and staffing the public reception area which is open from 8:00am to 5:00pm Monday through Friday except on City holidays. Our Office Coordinator enters approximately 220 work orders annually to keep our office environment running smoothly in addition to coordinating badging, emergency operations training, and office orientations for new employees and volunteers. In 2019, the front desk received or made nearly 16,000 phone calls to or from external non-City line numbers. In 2020, the front desk moved to a mostly remote system of telephone monitoring via voicemail; however, staff continued to rotationally work in office to maintain critical in-person work to keep the office operational.

INFORMATION TECHNOLOGY



Daily, the department's IT staff supports staff desktop computers, laptops and department-specific servers for staff in Columbia Center, Seattle Municipal Court, Seattle Police Department headquarters and five Seattle police precincts, as well as the servers that support our document management system. In addition, the IT team works collaboratively with the senior planning and management staff in the Seattle Information Technology Department (ITD) to implement improvements to City-wide data systems and security.