

E-NEWSLETTER

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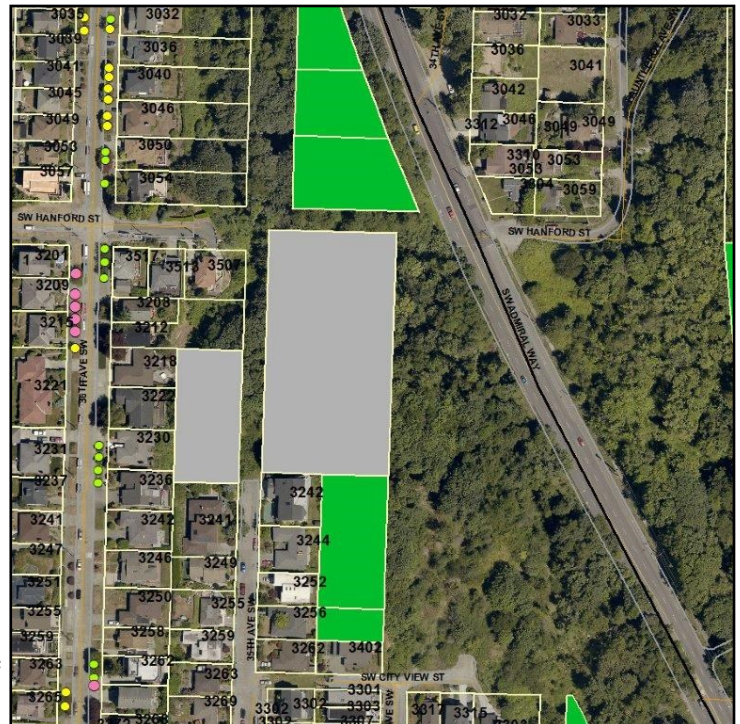
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Holmes pledges to bring tree-cutters to justice

On Jan. 15 this year, a community member emailed SDOT arborist Nolan Rundquist and reported that tree branches had been cut on City property. Before SDOT went to the site to investigate, the Superintendent of the Department of Parks and Recreation received a letter dated Feb. 5 from attorney Clayton Graham of Davis Wright Tremaine notifying the Superintendent that his client and others had been involved with improper tree cutting on City property in West Seattle near the 3200 block of 35th Ave.

SW. Graham did not identify his client but stated that the tree cutting was carried out in a manner that did not reflect his client's respect for the City and that his client wished to rectify any damage. On Feb. 12, SDOT and Parks employees went to the site and found that the tree cutting had been extensive and may have occurred in stages over time. The property is in an environmentally critical area on a steep slope. Approximately 150 trees of varying sizes, including many big-leaf maples and Scouler's willows, appear to have been felled.

My office was subsequently notified and began coordinating with relevant City departments. We launched an investigation to assess the extent of damage and identify the responsible parties. To that end, we have retained a consulting arborist to assess the damage and prepare a comprehensive restoration plan. Restoration costs are expected to be at least several hundred thousand dollars.



Parks owns the area in green; SDOT owns the areas in gray.

I share in the community's anger over this loss of critical habitat and am aggressively pursuing this matter. I have requested SPD initiate a criminal investigation and my office is pursuing all civil avenues to restore the site and hold the responsible parties accountable. In the meantime, we ask that everyone refrain from disturbing evidence at the scene and respect the privacy of the nearby residents while the investigation proceeds.



A butchered native big-leaf maple on City property near 3200 block of 35th Ave. SW.

If anyone in the public has information to share, please contact the non-emergency line at SPD, 206-625-5011.

Criminal Division offers students courtroom experience

The Washington State Bar Association grants a limited license to law students under the “Admission and Practice Rule (APR) 9. These students are most commonly referred to as Rule 9 interns. For at least the past 20 years the City Attorney’s Office has offered Rule 9 positions within its Criminal Division. Rule 9 interns are given the chance to participate in the criminal justice system and gain experience in and out of the courtroom while under a mentor’s supervision.

At the CAO, Rule 9 interns either work with an infractions (tickets) team or a general trial team that prosecutes simple and gross misdemeanors. On a trial team, they work closely with assistant City prosecutors to try cases, work on pre-trial hearings and prepare motions to the court. Generally, an infractions intern deals with contested tickets in Seattle Municipal Court.

When applying to be a Rule 9, CAO asks for writing samples, a cover letter, school transcripts and a resume, according to Criminal Division Manager Brialle Engelhart. Additionally, in order to be the most competitive



CAO attends job fairs at area universities to talk with prospective Rule 9s.

candidates, students are encouraged to take classes involving evidence, professional responsibility, trial advocacy, criminal law, and criminal procedure before or during the time of the internship. To qualify for an internship, the applicant must be a third-year law student, or be graduated and studying for the bar, Engelhart said. Before applying, he or she must also be Rule 9-certified by the state bar. Once a student is offered an internship position, he or she is paired with a supervising lawyer, and the internship requires a minimum commitment of one quarter's time.

To be a Rule 9 supervisor, the prosecutor must have practiced law at least three years. Being selected as a supervisor also "depends on the interest of the lawyers and what teams need and want Rule 9 interns," says Engelhart.

CAO advertises for Rule 9 slots on its website (<http://www.seattle.gov/cityattorney/about-us/careers/criminal-internships>) and at job fairs. Engelhart along with a trial attorney and a supervising attorney usually attend these events. Some notable fairs have been the Northwest Minority Job Fair, public service career fairs, as well as on campus interviews and applications.

Mentor, mentee now CAO colleagues

Assistant City Prosecutor Meagan Westphal has walked a mile in the shoes of a Rule 9 intern before. With the combination of a love for teaching and having lived the Rule 9 experience, Westphal knew that she wanted to be a Rule 9 supervisor. What she did not know, however, was that her first ever Rule 9 mentee, Jacob Kelly, would follow in her own footsteps. Just like Westphal, Kelly interned at the CAO and has now become a part of the Criminal Division team. After this shared Rule 9 experience, both Kelly and Westphal have become colleagues and close friends.

Before becoming a Rule 9, Kelly had previous experience as a summer intern at the CAO. He was involved in research projects under the supervision of Craig Sims and developed relationships with multiple people within the CAO. "I think what set me apart from other Rule 9 applicants was the opportunity I had to network with other people in the office," Kelly remarks about his journey to becoming a Rule 9. Kelly found the Rule 9 program to be extremely valuable and states that, "You get all of the same opportunities as a real lawyer, but with a smaller work load." Furthermore, "The Rule 9 program is very immersive. Very few lawyers actually get to go to court and participate in trials," says Westphal.

Rule 9 interns have the opportunity to learn what it means to be a lawyer and having previous court experience is extremely valuable to future employers. Kelly also adds that he would definitely recommend other law students to participate in the program. "It gives you an idea about what you like versus what you dislike. It really allows you to find your passion."

Westphal first became interested in being a supervisor because she originally wanted to be a teacher, and the Rule 9 supervisor position seemed to be a perfect fit. "I was a peer tutor in law school, and then I was a Rule 9

intern at the CAO,” Westphal explains. Being a supervisor was a continuation of her past mentorship experience. Over the years, Westphal has supervised approximately five different interns.

“Jacob was the first intern that I supervised. He says he was originally super intimidated by me,” Westphal says as she talks about the initial time she met Kelly. On the first day on the job, Kelly and Westphal were going to the court house and the revolving doors into the building are built to accommodate only one person. “Instead of stepping into his own section, he stepped into mine. There was hardly any room between us! Once we got out, I turned to him and said ‘never do that again’.” She says that to this day Kelly still does not know why he stepped into the same section. Laughing, Westphal states that, “He was very embarrassed, but it never happened again!”

The first trial Kelly participated in was completely supervised by Westphal and concerned a first degree charge of driving with a suspended license. “I was so nervous that I hadn’t eaten breakfast that morning. During the trial my stomach started growling so loudly,” Kelly says while laughing. After this, it became Westphal’s duty to bring Kelly snacks. Despite his nerves, the trial went extremely well according to Westphal. The defendant, who the jury ruled was guilty, even asked for the CAO to defend him in the future ironically.



DUI prosecutor Meagan Westphal with former trainee Jacob Kelly

Westphal found that Kelly was a quick study and learned new material quickly. “Kelly has a knack for public speaking and thinking on his feet,” and she thinks this is what set him apart from other Rule 9’s and ended up eventually landing him a career at the CAO.

After Kelly’s Rule 9 experience, he participated in an externship at the CAO in the spring of 2014. “I ended up passing the bar in August of the same year. I did a contract job here from January to March in 2015 and then left to do a different contract job elsewhere.” After coming back to the CAO in June for another contract job, in August 2015 he became a permanent member of the CAO team.

Advice that both Westphal and Kelly would give to future Rule 9’s would be to get their feet wet. “It’s okay to be afraid, but they shouldn’t let that stop them from taking on as much as they can, even the hard cases,” Westphal says. Having a strong work ethic is extremely important and makes Rule 9’s stand out, especially when they are ready and willing to take on daunting tasks. Furthermore, Kelly states that prospective Rule 9’s should, “Take the opportunity to meet everyone and build relationships with the people they do not cross paths with constantly.” The CAO is a close knit community, and forming connections with others is a great way to develop professional skills.

Seattle Channel does deep dive into SPD accountability



As the City's legal counsel in the multiple-stakeholder effort to reform the Seattle Police Department, Pete joined Councilmember Lorena Gonzalez, SC host Brian Callahan, Community Police Commission Director Fe Lopez and Office of Police Accountability Director Pierce Murphy on a program examining the progress. See it here: <http://www.seattlechannel.org/CityInsideOut?videoid=x62402>

EVENTS

- 4/8** Pete will attend the Mariners' opening night game.
- 4/28** EastPAC Community Meeting at Seattle University (Chardin Hall) from 6:30 to 8:00 p.m.
- 5/6** Pete will attend a day-long seminar at Seattle University titled "Addressing Seattle's Urban Disorder."
- 5/9** Pete will attend the Alliance for Gun Responsibility's 4th Annual Luncheon at the Westin Hotel.
12:00 PM

LINKS TO NEWS STORIES

- 03/31 An expensive, clear-cut crime in West Seattle** – The smug arrogance that dispatches people onto to public property to destroy trees comes with an expensive price to pay. (Seattle Times)
<http://www.seattletimes.com/opinion/editorials/an-expensive-clear-cut-crime-in-west-seattle/>
- 03/30 Homeowners cut 100+ trees for better views. It's time to lower the boom** – Cold blood revenge is seldom the proper motivation for setting urban policy. But it may be time for Seattle leaders to make an exception. (Crosscut)
<http://crosscut.com/2016/03/to-improve-their-view-homeowners-cut-100-city-trees-its-time-to-lower-the-boom/>
- 03/29 Seattle tree cutters could face felony charges** – The public outcry over an illegal clear cutting in West Seattle has put a lot of pressure on the city to figure out who did it. Monday, the city attorney says some of the culprits have been identified. (KING 5)
<http://www.king5.com/news/local/seattle/city-has-identified-some-of-the-parties-responsible-for-tree-cutting/106867906>
- 03/28 Homeowners come forward in city's tree removal investigation** – More than 100 trees in West Seattle were destroyed near the 35th Avenue SW and City View intersection. The city is now assessing the damage and trying to determine who's responsible. (Q13 FOX)
<http://q13fox.com/2016/03/28/homeowners-come-forward-in-tree-removal-investigation/>
- 02/29 Chemical Safety Bill Could Help Protect Monsanto Against Legal Claims** – Facing hundreds of millions of dollars in lawsuits, the giant biotechnology company Monsanto last year received a legislative gift from the House of Representatives, a one-paragraph addition to a sweeping chemical safety bill that could help shield it from legal liability for a toxic chemical only it made. (New York Times)
http://www.nytimes.com/2016/03/01/business/monsanto-could-benefit-from-a-chemical-safety-bill.html?_r=1
- 02/29 Private Seattle police reform meetings start Tuesday** – Stakeholders from federal, local governments and community will discuss reform legislation. (KING 5)
<http://www.king5.com/news/private-seattle-police-reform-meetings-start-tuesday/87737044>

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To view the SCAO's annual
reports, please click here:

[http://www.seattle.gov/
cityattorney/news/reports](http://www.seattle.gov/cityattorney/news/reports)

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The Seattle City Attorney's Office is committed to providing the City of Seattle with the highest caliber legal advice to help protect the health, safety, welfare, and civil rights of all.

The City Attorney's Office has four divisions:

The Civil Division represents the City in lawsuits and advises City officials as they develop programs, projects, policies, and legislation. The sections within the Civil Division include torts (claims), governmental affairs, land use, environmental protection, labor and employment, and contracts/utilities.

The Criminal Division represents the City in prosecuting traffic infractions, misdemeanors, and gross misdemeanors in Seattle Municipal Court. The types of cases prosecuted by the Criminal Division include driving under the influence, traffic infractions, domestic violence, theft, assault, and trespassing.

The Administration Division staff provide budgeting, accounting, human resource, clerical and information technology services for the City Attorney's Office.

The Precinct Liaison Division assigns an assistant city attorney as a liaison to each of the City's five police precincts as another way of addressing public safety and neighborhood livability problems.

How to apply for an internship/externship in the Civil and Criminal Divisions: [http://
www.seattle.gov/cityattorney/about-us/
careers](http://www.seattle.gov/cityattorney/about-us/careers)



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