

E-NEWSLETTER

February 2017

ISSUE: 31

Taking to the streets in support of EVERYONE

INSIDE THIS ISSUE:

[Women's march](#)
Page 1

[Seattle joins](#)
[coalition opposing](#)
[mandatory detention](#)
[of immigrants](#)
[without due](#)
[process—](#) Page 2

[Intervening in a](#)
[downward spiral](#)
— Pages 3-4

[Employees donate](#)
[gently used clothing](#)
[to Seattle Municipal](#)
[Court defendants—](#)
Page 5

[Taking firearms](#)
[away from](#)
[abusers—](#) Pages 6-8

[CAO plays Santa for](#)
[Seattle Indian](#)
[Center —](#) Page 9

[News Stories/](#)
[Events—](#)Page 12



Some 60 CAO employees, families and friends congregated at 4th and Columbia on Jan. 21 to join the women's march from Judkins Park to Seattle Center. Pink was the color of the day and the mood was mellow and reflective.

Seattle joins coalition opposing mandatory detention of immigrants without due process

Twenty cities and counties across the nation have joined together in filing an amicus curiae or “friend of the court” brief with the U.S. Supreme Court, asking the Court to uphold important constitutional protections for immigrants held in prolonged mandatory immigration detention by the federal government.

The brief, authored by the County of Santa Clara, California and joined by a diverse group of local governments, was filed in *Jennings v. Rodriguez*. The brief supports the arguments of a group of immigrants who were ordered into immigration detention while awaiting deportation proceedings, often for months or years at a time, with no opportunity to be considered for release. The Supreme Court is reviewing a decision of the Ninth Circuit Court of Appeals, which held that immigrants in prolonged mandatory detention must be given a bond hearing every six months where an immigration judge can consider whether they can safely be released based on their individual facts and circumstances.

“Seattle was proud to support Washington Attorney General Bob Ferguson’s legal challenge to President Trump’s executive order banning travel from seven predominantly Muslim countries, and we are just as proud to join with Santa Clara to make sure that when immigrants are arrested, that they have the same right to judicial hearings as citizens do,” City Attorney Pete Holmes said.

Counties and cities involved in the amicus brief argue that immigrants held in mandatory detention must be given the same basic constitutional protections granted by all 50 states, the District of Columbia, and the federal government to every person who is arrested for a crime. These basic rights include a hearing where a judge can consider each individual for release based on his or her risk of flight and risk to public safety. Most immigrants do not present a significant flight risk or risk to public safety. When immigrants are not given the right to a bond hearing, many who could safely be released remain stuck in federal immigration detention facilities for months or years, costing billions in taxpayer dollars annually.

The amicus brief argues that holding immigrants in mandatory detention without bond hearings also harms their children and families, many of whom are U.S. citizens or lawful residents. Detention of an immigrant parent deprives families of the parent’s income and associated health benefits, and may lead to loss of housing and food insecurity. Children of detained parents often fall behind in school and suffer from psychological problems. The cities and counties filing the brief provide critical services to their local residents, and face increased and costly demands for social services when parents are detained, including foster care, health and mental health care, housing assistance, other public assistance, and law enforcement involvement.

The cities and counties that joined the County of Santa Clara in the filing include the County of Alameda, California; the City of Austin, Texas; the City of Baltimore, Maryland; the Town of Carrboro, North Carolina; the Town of Chapel Hill, North Carolina; the City of Chicago, Illinois; the City of Cincinnati, Ohio; the City and County of Denver, Colorado; the District of Columbia; King County, Washington; the City of Minneapolis, Minnesota; the City of Oakland, California; the City of Portland, Oregon; Salt Lake City, Utah; the City and County of San Francisco, California; the City of San Jose, California; the County of San Mateo, California; the City of Seattle, Washington; and the City of Tucson, Arizona.

Intervening in a downward spiral

Editor's note: Kelly L. Harris is chief of the Criminal Division in the City Attorney's Office.

The Criminal Division of the City Attorney's Office and the Municipal Court have spent several months planning a pre-filing diversion program for certain misdemeanor offenses committed by young adults. The program's goal is to give young people with little to no criminal history a chance to keep a minor misdemeanor offense completely off their record.

Many young adults do not realize that being simply charged with an offense, regardless of the ultimate outcome of the case, can literally change their lives. Job applications, student loan applications, and forms for some public services (such as public housing) require disclosure or inquiry of individuals if they have ever been "charged or convicted of a crime."



In a crowded, competitive job market, applications with that particular box checked "yes" will often mean automatic disqualification. The inability to enter college or a vocational program can significantly derail a young person's plan to pull themselves out of poverty or public assistance. For communities of color, losing out on these opportunities hits especially hard.

As prosecutors, whose primary responsibility is to ensure justice and prevent crime, we are fully aware and extremely concerned that the long-lasting consequences of these charges, in some cases, set people on the path to commit more serious offenses. It is our duty as prosecutors and public servants to do what we can to end that cycle.

With City Attorney Pete Holmes in the lead, we pitched our program to the City Council. We lobbied, we negotiated, and we explained. Ultimately, the City Council agreed there is great value in our program and our pilot program received funding. Beginning the first of the year, we were given a strategic advisor position, and a full-time prosecutor position to launch this program. While the CAO is primarily responsible for the program, it is not possible without the partnership and support of the Municipal Court. Despite receiving minimal funding for its portion of the task, the Court is fully committed to seeing this program established, operational and successful.



The program will start by taking non-violent misdemeanor charges, such as theft and criminal trespass, along with minor drivers' license violations, and allowing those with no or relatively minor criminal histories to enter the pre-filing diversion mainstream program.

The CAO, working with the court's probation staff, will provide an opportunity for the young offender to perform up to 24 hours of community service, but more importantly, bring the young person to the Court Resource Center, have them sit with a counselor and try to determine if there are any needed services or assistance.

Many times these offenses are committed because the person was never offered or received job counseling, housing assistance, access to drug or alcohol treatment, or mental health counseling. All these services are readily available once a person has entered into the criminal justice system. Someone in need of such services should not have to first obtain a criminal conviction before we endeavor to help them.



Once the community service hours and engagement with the Court Resource Center is completed, the CAO will decline to file charges. This is their chance -- in some cases, their only chance -- to remove themselves from the downward spiral of under-employment, substance abuse, homelessness and endless contacts by the police and the criminal justice system.

Part of our funding will also allow the CAO to engage the community more directly as we expand our Restorative Justice Program:

see <http://www.seattle.gov/Documents/Departments/CityAttorney/Newsletters/2016OctNewsletter.pdf>.



With this program, where the offense and offender meet criteria developed in partnership with community-led restorative justice professionals, offenders will engage with people in their own community, and hopefully even the victim of their offense, to work to solve the root causes of their behavior, atone for their actions in the community, and establish relationships with individuals dedicated to keeping them on the path to responsibility. Again, completion of the Restorative Justice Program would result in the CAO declining to file charges in their case.

One of our long-time city prosecutors, Jenna Robert, will lead our efforts, assisted by one of our brightest new attorneys, Kerry Werner. In early February, the Criminal Division will present our initial pilot plan to the City Council as we continue to lay the groundwork for both facets of the overall Pre-Filing Diversion Program. We hope to be fully operational this spring.

The CAO and the Municipal Court are grateful to the City Council for funding this project, and we anticipate their continued support as we grow and expand this progressive and exciting program.

CAO steps up to help fulfill an ongoing need at Seattle Municipal Court



The Court Resource Center is a vital component of Seattle Municipal Court's Community Involved Justice initiative. It is a dedicated resource physically operating in the Seattle Justice Center to facilitate on-site delivery of social services and treatment programs to defendants and the community. Some of the resources offered are: free GED prep classes; referrals to chemical dependency treatment; DSHS Benefits; free employment readiness classes; alcohol and drug school classes; mental health services; and many more.

Back in November, a request to help fulfill an urgent need for clean coats and clothing (in good repair) and hygiene items, was sent to the Law Department (go Team City!) from the Court Resource Center at Seattle Municipal Court. The demand had been so great that they had distributed all of the clothing items for men. The Court shared this story with us:

"We had an individual who came out of our court and served a sentence that began in August of this year. This person was homeless and was arrested with whatever clothing he had on his back. When he was released from jail in the middle of the night last week he exited in a pair of shorts and a t-shirt and had no place to stay and no idea about what might have happened to any of his belongings that were left behind. The man slept in a business doorway and showed up at the Court Resource Center's doorway when it opened at 8am. Although they weren't a great fit, he was grateful and relieved to receive a pair of pants, a shirt, a gently worn jacket and a dry pair of socks. He left a little better equipped to face what hurdles he may have to re-integrate back in to our community."



The Law Department responded, and continues to respond, in a big way. The initial request was met with a generous outpouring of much-needed clothing. More than a dozen large bags of pants, shirts, jackets, socks, shoes, and even some hats and gloves, have been donated so far.

The Court Resource Center is on the 2nd Floor of the Seattle Justice Center, Room 235. The Court is pleased to be a gateway to services within the Justice Center.

Taking firearms away from abusers

Editor's note: Chris Anderson supervises the Domestic Violence Unit in the City Attorney's Office.

“Among women who are abused the biggest risk factor for homicide is when an abuser has access to a gun.”

—Dr. Jacquelyn Campbell, Professor
John Hopkins University

The Washington State Department of Public Policy conducted a study in 2014 and found that domestic violence is the single greatest predictor of future criminal acts and the single greatest predictor of future violent crime.¹ Someone who has been convicted of a domestic violence offense is significantly more likely to commit future violent crime than someone who has been convicted of kidnapping or robbery.²

In the last 25 years, more intimate partner homicides have been committed with firearms than all other means combined. The likelihood that a woman will be murdered by her intimate partner increases by 500% if there is a firearm in the home. A recent study by the Mayors Against Illegal Guns Coalition found that 57% of mass shootings from 2009 to 2015 were domestic violence related and that 43% of those victims were children. These are national statistics but we don't need to look any farther than our own backyard to see similar examples.



Washington State Voters and Lawmakers respond to the Lethality of Firearms and Domestic Violence.

These sobering statistics lead to one simple conclusion that an abuser's access to firearms drastically increases the risk of lethality. In 2014 the Legislature enacted RCW 9A.18.000, mandating that courts must order the respondent to surrender firearms when protection orders are issued.³ In 2015, the Legislature enacted "Sheena's Law," requiring law enforcement to notify family members when a firearm previously surrendered will be returned to the respondent, or an authorized representative. In 2016, Initiative 1491 was approved, allowing family members and law enforcement to petition courts for removal of firearms from those who pose a risk of harm to themselves or others.

Implementing these laws effectively requires changes to many elements across court systems and coordination among judicial officers, court staff, prosecutors, advocates and others. The authority to require firearm surrender is clear. What is not clear is a single point of accountability or responsibility to implement it. The complex and multi-systemic nature of the criminal and civil legal systems, along with a lack of resources and technical assistance built into the legislation, makes effective implementation challenging.

¹ see WSIPP statistic risk studies 2007 and 2014.

² Id.

³ 54% of victims of a domestic violence homicide had a protection order prohibiting contact with the killer.

2016 Work Group to Implement Statutory Firearm Prohibitions

In April 2016, a group of King County stakeholders came together to identify barriers and gaps and to develop best practices related to enforcing the surrender of firearms ordered pursuant to RCW 9A.41.800. The group included representatives from King County Superior Court, District courts, Seattle Municipal Court, the King County Prosecutor's Office, the King County Sheriff's Office, the Seattle City Attorney's Office, the Seattle Police Department, King County jail, and community-based domestic violence advocates.

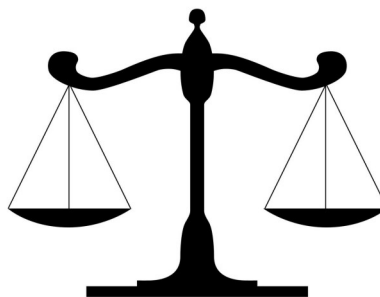
An extensive list of barriers and gaps were identified and fundamental changes were proposed to implement a regional response to enforce firearm surrender. In October 2016 a funding request for three new positions was presented to the Seattle City Council to address three fundamental and critical gaps in enforcement.

1. A Court Coordinator to gather firearms information for the judges issuing domestic violence and stalking protection orders and to monitor, track and report non-compliance with firearm surrender orders to the appropriate law enforcement agency. ⁴
2. A High-Risk Firearms Prosecutor to coordinate with law enforcement agencies to facilitate the surrender of firearms, assist in drafting search warrants and file charges and prosecute non-compliance with surrender orders pursuant to SMC 12A.06.195.
3. A Project Manager to develop and coordinate policies and procedures to facilitate a regional response to firearm surrender and to provide single point of contact and accountability to the development of this body of work.

The project manager position was funded by the City Council and work began in January. The funding for the Court Coordinator and High-Risk Firearms Prosecutor is expected to be released in the first quarter of 2017.

***“Removing firearms from abusers
is the one thing we can do this year
that will save lives”***

-Seattle City Council Member Sally Bagshaw



⁴ Currently, only 10% of respondent's subject to a protection order and firearm surrender order surrender their firearms.

Seattle City Attorney's Office takes a Progressive Proactive Approach to Gun Violence

Domestic violence does not recognize jurisdictional boundaries. The Seattle City Attorney's Office has taken on the responsibility of developing a regional response to firearm surrender laws, not only to protect the victims of domestic violence within the City limits, but to develop a regional model to protect domestic violence victims throughout the county and state.

The office's Domestic Violence Unit will supervise the development of a program to monitor compliance, enforce surrender orders and facilitate the removal of firearms from prohibited possessors. Our criminal justice system is traditionally reactive—once violence occurs the system reacts but unfortunately under that model the damage and harm to the victim and community is done. The research in domestic violence over the years has consistently identified the lethal recipe of firearms and domestic violence. The City Attorney's Office will act on that research by taking a proactive evidence-based approach, bringing our criminal justice system into uncharted waters, as we attempt to remove a statistically significant risk factor (firearms) from an offender before violence occurs. The Legislature has given us the tools not just to react to the violence, but to prevent the violence before it occurs.



CAO plays Santa for Seattle Indian Center



We had another EXCELLENT turnout for our RSJI Volunteer Committee project benefitting the Seattle Indian Center (SIC). The Law Department “adopted” four families, each lead by a single parent with two or three children, who range in age from 18 months to 15 years old. We received a wish list for each family and we checked off every gift from the list (and then some!) Gifts included clothing, hats and gloves, pots, drawing supplies, a princess palace, lots of socks, electronic reading toys, Elmo, and two adorable, large stuffed animals (Darlene the duck and Ellie the elephant!) Additionally, our office purchased gift cards totaling \$375 for the families, and made cash and check donations directly to SIC totaling another \$490. Everything was delivered to SIC on Dec. 21. SIC expressed much gratitude for our donations. The following day additional gifts were brought in to the office, so a second delivery was made!

Special thanks to Anne Molina-Sarinas for safekeeping and tracking gift cards and money donations, Tara Gillespie and Sara O’Connor-Kriss for sorting gifts, William Foster, Stephen Karbowski and Tim Harris for loading up the gifts, and Stephen and William for delivering them to SIC.



The mission of Seattle Neighborhood Group is to prevent crime and build community through partnerships with residents, businesses, law enforcement and other organizations.

Seattle Neighborhood Group | 206-323-9666 | info@sngi.org | www.sngi.org

CRIME PREVENTION PRESENTATIONS

WE OFFER **FREE** PRESENTATIONS TO THE SEATTLE COMMUNITY!

- ▶ 30-60 minute hands-on presentations
- ▶ Need interpretation? Assistance available.
- ▶ Available for community meetings, events, multi-family buildings, neighborhoods, etc.
- ▶ Contact us by phone or e-mail to make arrangements

Suspicious Activities

How to recognize and report suspicious activities

How do you know what to report to the police?

Reporting crime is important

Calling the non-emergency number

Behavior that indicate criminal activity

Calling 9-1-1

When to call?

Tips when calling

Interpreter services

Methods to report

Personal Safety

How to protect yourself from crime

Preventing theft

What thieves look for?

Transportation safety

Safety on the street

What should I do?

Identity Theft & Fraud

Increase awareness of identity theft & fraud

Prevent identity theft & fraud

Common ways identity theft happens

What can you do if you become a victim?

Vehicle Security

How to protect your car from crime

If your car is stolen or vandalized

If your car is stolen and recovered

What attracts a car thief?

We look forward to working with you!
Gina Lee, Kylie Helmuth &
Jake Hellenkamp
info@sngi.org

Workshop

We offer workshops for property owners and managers that give them the information and tools needed to create and maintain safe rental housing. All workshops are offered at very low cost, and cover important skills.

Click [here](#) for more information.

Keeping Your Property Safe & Crime Free

**For new & experienced
property managers & landlords**



**Check out the Upcoming
Preparedness Classes we
have going on in
February and March!**

Earthquake Home Retrofit

Saturday February 4th 1:30-3:00PM

Phinney Neighborhood Center

6532 Phinney Ave N

Register by calling Phinney Center at 206-783-2244

Learn to become an informed consumer or how to do home retrofit yourself. Retrofit experts will show how to assess your home's needs and how to use the City of Seattle's pre-engineered Home Retrofit plans to permit and retrofit your home. Register early space is limited!

Disaster Skills Workshop

Wednesday February 8th from 6:00-8:00PM

American Red Cross

1900 25th Ave S

Register at <https://goo.gl/3lyxeW>

This workshop provides training on key skills needed after a disaster and more in depth instruction on key preparedness actions: Fire Extinguisher Use, Utility Control, Water Storage and Purification

Earthquake Home Retrofit

Sunday March 5th from 2:00-4:00PM

Phinney Neighborhood Center

6532 Phinney Ave N

Register by calling Phinney Center at 206-783-2244

Learn to become an informed consumer or how to do home retrofit yourself. Retrofit experts will show how to assess your home's needs and how to use the City of Seattle's pre-engineered Home Retrofit plans to permit and retrofit your home. Register early space is limited!

Disaster Skills: Basic Aid

Saturday March 25th from 10:30AM-12:30PM

Douglas-Truth Library

2300 E. Yesler Way

Register at <https://goo.gl/4O4LBS>

Learn how to care for and respond to injuries after a major disaster when 9-1-1 is overwhelmed or unavailable. This session provides guidance on how to recognize and treat life-threatening conditions, how to conduct a patient assessment and how to creatively use household items as first aid materials. Class does not meet requirements for certification.

EVENTS

- 2/8 Pete will attend oral arguments presented before U.S. District Judge Robert Lasnik in the City's case against Monsanto for polluting the Duwamish River with PCBs.
- 2/15 Pete will attend the Be Loud Breakfast at the Sheraton in support of the King County Sexual Assault Resource Center.
- 2/16 Pete will attend oral arguments presented at the Washington Supreme Court in Watson v. City. The City is defending an ordinance that levied a tax on the sale of firearms and ammunition.
- 2/27 Pete will teach a cannabis law seminar at the University of Washington Law School.

LINKS TO NEWS STORIES

1/26 Seattle leaders promise to fight immigration executive order -- Seattle City leaders are promising to fight back against President Trump's immigration related Executive Orders issues Wednesday, including one that takes aim at so-called Sanctuary cities. (KING5) <http://www.king5.com/news/politics/seattle-leaders-promise-to-fight-immigration-executive-order/393172989>

1/17 Seattle: A test case in Uber's fight against unions— Ride-hailing giant Uber is suing Seattle in an attempt to stop the city's rollout of a first-of-its-kind chance for drivers to unionize. (crosscut) <http://crosscut.com/2017/01/seattle-a-test-case-in-ubers-fight-against-unions/>

1/17 Man convicted in drone crash that injured woman during Seattle's Pride Parade— A Seattle Municipal Court jury found a man guilty Friday of reckless endangerment stemming from a June 2015 incident in which a woman was knocked unconscious when she was struck by a small drone during the Pride Parade in downtown Seattle. (Seattle Times) <http://www.seattletimes.com/seattle-news/crime/man-convicted-in-drone-crash-that-injured-woman-during-seattles-pride-parade/>

1/16 Man convicted after out-of-control drone hits building, knocks woman unconscious during Seattle Pride Parade— It is not a great time to be a drone pilot in Seattle right now. On the heels of a [drone crashing into Seattle's Space Needle](#) just before New Year's Eve, the pilot of a wayward drone was convicted Friday of reckless endangerment after his machine hit a 25-year-old woman in 2015. (Geekwire) <http://www.geekwire.com/2017/man-convicted-after-out-of-control-drone-hits-building-knocks-woman-unconscious-during-2015-seattle-pride-parade>

1/6 Judge allows Seattle police reforms to move forward, but with a major change—In a major step toward police-accountability reform, U.S. District Judge James Robart cleared the way Friday for the Seattle City Council to consider sweeping legislation ranging from officer discipline to broad oversight of the Police Department. (Seattle Times) <http://www.seattletimes.com/seattle-news/crime/judge-allows-seattle-police-reforms-to-move-forward-but-with-a-major-change/>

1/4 On police reform, city must reckon with unions—There's no way around it: When it comes to reform, the City of Seattle must deal with the police unions. That was Judge James Robart's conclusion in a Wednesday status conference on the settlement agreement between the U.S. Department of Justice and the City of Seattle to overhaul the Seattle Police Department. (crosscut) <http://crosscut.com/2017/01/seattle-police-reform-unions/>

12/21 Seattle hotels sue to overturn new worker safety protections— The hospitality industry this week filed a lawsuit seeking to void a voter-approved measure that protects Seattle hotel workers from on-the-job sexual harassment and workplace injuries. (Puget Sound Business Journal) <http://www.bizjournals.com/seattle/news/2016/12/21/seattle-hotels-sue-to-overturn-new-worker-safety.html>

**SEATTLE CITY
ATTORNEY'S OFFICE**

**Civil and
Administration Division**

Columbia Center
701 Fifth Avenue, Suite 2050
Seattle, WA 98104-7097

Phone: (206) 684-8200
Fax: (206) 684-8284

Criminal Division

Phone: (206) 684-7757
Fax: (206) 684-4648

WEBSITE:

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

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

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

COMMENTS AND SUGGESTIONS

If you have suggestions for
stories or comments on how
we can make this newsletter
better, please email
kimberly.mills@seattle.gov.

To SUBSCRIBE to this
newsletter click here:
[CITYATTORNEYNEWSLETTER-
subscribe-
request@talk2.seattle.gov](mailto:CITYATTORNEYNEWSLETTER-subscribe-request@talk2.seattle.gov)

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)



LIKE US ON FACEBOOK!