



E - NEWSLETTER

October 2012

ISSUE: 7

DV lawyers' commitment to victims extends beyond the courtroom

Domestic violence is a crime of power and control. It can take many forms, ranging from emotional, financial and physical abuse to murder. The thread that ties this range of activity together is the pattern of abusive behavior used by one intimate partner to instill terror, shatter self-esteem and crush the autonomy of another. Domestic violence destroys the trust and love that characterize healthy families, and nobody escapes its collateral damage. Children living in abusive environments cannot learn the values of respect, love and care that are normally passed on by parents; these children are substantially more likely to be abused again, or to become abusers themselves. Ending domestic violence is one of the most basic responsibilities we as a society share.

The City Attorney's Office is committed to the bold vision in the Domestic Violence Prevention Council's 2010-12 Strategic Plan to combat domestic violence: "that Seattle will become a community where domestic violence does not exist." To pursue this goal, the CAO's Domestic Violence Unit, headed by Assistant City Attorney Cindi Williams and staffed by a team of dedicated professionals, is tasked to deal with cases of misdemeanor violence between intimate partners as well as elder abuse and child abuse or neglect.

Every legitimate case of domestic violence is followed by an arrest, police report and CAO review. The result of this review determines whether charges will be brought in Seattle Municipal Court, where the DVU maintains a strong trial record. More than 70 percent of all domestic violence charges from 2008-10 have returned convictions, guilty pleas or other acknowledgments of wrongdoing. Partnering with the King County Prosecutor's Office, we have referred 312 defendants to the county for felony charges, ensuring tougher sentences where appropriate.

Continued next page

INSIDE THIS ISSUE:

[DV lawyers' commitment to victims extends beyond the courtroom](#)— Pages 1-3

[LEAD](#)—Pages 4-5

[CAO walks the talk for City's Race and Social Justice Initiative](#)—Page 6

[News Stories](#)—Page 7

[Events](#)—Page 8

Because of the real threat posed by some domestic violence offenders, the DVU selects some for special prosecution through the Specially Targeted Offender Program (STOP), which is designed to target suspects who have a history of domestic violence investigations, are suspected of elder abuse or are otherwise designated "high risk." Extra attention and handling is awarded these STOP prosecutions. Despite their challenging nature, more than half of the STOP cases result in conviction or a guilty plea for at least one count, which is a testament to the hard work of the prosecutors and the DVU as a whole.

DVU prosecutors own their cases. An individual prosecutor is assigned a given case and shepherds it through the courts from start to finish, instead of passing cases off to coworkers depending on the date of trial. While this means a little more effort is needed to make sure that workload is balanced between our attorneys, the extra work is more than paid back. Victim advocates and defense attorneys always know whom to contact, resulting in excellent trial preparation. Giving our attorneys ownership of domestic violence cases has made them more passionate and effective advocates.

As part of its mission to serve victims of domestic violence, the unit maintains nine victim advocates who assist victims in navigating Seattle's court system. These advocates help the victims in safety planning, to prevent future assaults. They also contact the victim to gather additional information about the case, explain the City's many support services, and help them understand the legal proceedings they might be involved in.

Because the City -- and not the victim -- is responsible for prosecuting domestic violence, victim advocates meet with attorneys and the court to make sure that the victim's voice is heard during trial, where it might otherwise get lost while the City seeks conviction. It is the victim advocate's job to convey the victim's wishes to the court, as well as to keep him or her informed of filings and pretrial hearings. As a result of having victim advocates act as consistent defenders of the victim's wishes, the courts more carefully consider the desires and safety needs of victims when deciding matters of bail, issuing no-contact orders to the suspects, and other matters in which the victims might have an interest. Victim advocate Theresa Phillips said that she and her colleagues "are here because we care deeply about ending intimate partner violence and social injustice, and we see that providing direct services to domestic violence crime victims is one of the many pieces of a coordinated community response." Phillips also noted that one of her biggest responsibilities was providing emotional support and education for victims about safety, the court system and the cycle of domestic violence, as well as providing representation for the victim. "Advocates are not prosecutors," she said. "We represent the victim's wishes, and inform the prosecutor and courts of what they want to see happen as a result of the process."

The City's commitment to victims does not end with the conclusion of their cases. The City has contracted with Kristen Kleinsasser, a victim advocate with the Salvation Army, who provides emotional, housing and legal advocacy support to victims. Because she receives her clients mainly as referrals from victim advocates working directly for the City Attorney's Office and assists only those who are interested in receiving service, Kleinsasser is able to provide more focused, confidential, and personalized assistance over a longer term. She sees her role as supporting that of other victim advocates, by providing her clients with resources that allow them to

rebuild their lives after their legal cases end.

As a further effort to reach out to the community, the City Attorney's Office is working to create a Family Justice Center in Seattle. Family Justice Centers, conceived in San Diego in 2002, are meant to be an "all-in-one" police, prosecution, probation and social services building where victims and families can access the help they need as easily as possible. The more than 30 such centers around the country have resulted in more victims finding safety and services, better collaboration between different branches of law enforcement, and a higher level of public awareness about domestic violence.

At the proposed Family Justice Center in Seattle, the DVU's attorneys and staff, victim advocates and county prosecutors would collaborate with Seattle police to better serve the victims and families seeking help. By having the DVU and their police partners working in the same building, side by side, we believe less time will be spent on administrative tasks, and more effort will go to working on behalf of victims. Communities with Family Justice Centers, like Phoenix, report significant increases in clients over time, suggesting that more victims seek aid when it is available in one centrally located center. This translates into tangible effects as well: in Alameda County, Calif., there were 26 domestic violence-related homicides in 2001, compared with just eight in 2006. Seattle's Family Justice Center in Seattle is still in the planning stages, but we have high hopes for our proposed programs and look forward to working with other City departments to make this center a reality.

Domestic violence is a crime that destroys the bonds of families and too often leaves victims in frightened isolation. The CAO commits to an integrated approach, as represented by our victim advocates as well as by the Family Justice Center proposal, which engages with the Greater Seattle community to finally end domestic violence. Every day, law enforcement is becoming more effective at holding batterers accountable for their actions, but domestic violence will only truly cease to exist in Seattle when members of the public, of all genders and backgrounds, refuse to commit violence against their families and refuse to tolerate it in their communities.

Seattle crackdown targets sex buyers (featuring Chief of Staff Darby DuComb)

<http://www.king5.com/news/local/Seattle-crack-down-targets-johns-prostitution-167042325.html>

LEAD

LAW ENFORCEMENT ASSISTED DIVERSION

"We want to give officers a tool besides a hammer," City Attorney Pete Holmes answered. I had asked him why our office signed the memorandum of understanding that created LEAD, the City's pre-booking diversion program for low-level offenders in Belltown. His reference was to a saying I've heard many times in the office: that if all you have is a hammer, every problem looks like a nail.

For years, the Belltown neighborhood has been home to an open-air drug market and a population of people who Seattle police officers have arrested so many times, they are recognized on sight. It was these officers, said Assistant Chief Jim Pugel of SPD, who were some of the first to ask their commanders for new ways of dealing with repeat offenders. Their requests, Pugel said, were born out of a growing awareness at SPD that the old tactic of arresting dealers and users wasn't adequate. No matter how many times officers arrested many of these people, eventually they would return to Belltown, and to using or selling drugs.

The repeated arrests also drew the attention of two major organizations, the ACLU of Washington and The Defender Association, a law firm that specializes in indigent legal defense as well as race and social justice issues. Both groups were concerned by the massive racial disparity in the people arrested for drug crimes, and The Defender Association had filed a number of discrimination lawsuits against the City and SPD. Fortunately, The Defender Association and SPD's representatives agreed to meet, and in many ways it was this meeting that created LEAD, which stands for Law Enforcement Assisted Diversion.

Pugel credits the success of LEAD to representatives from all of the major partners, but he reserves special praise for Lisa Dugaard, supervisor of the Racial Disparity Project at The Defender Association. He recounted a story from a meeting, when an exasperated Cap. Steve Brown (ret.) of SPD asked Dugaard what she would do in his place to prevent biased policing and decrease recidivism. "She didn't have an answer then," Pugel said. "But she got everyone together. Success has a thousand fathers, but Lisa got us all talking."

LEAD, which is being tested in Belltown, empowers SPD's patrol officers to offer low-level drug offenders and prostituted people alternatives to booking and imprisonment. Instead of the lockup, people who are not brought in for violent crimes are offered what CAO's West Precinct Liaison Sumeer Singla calls "wraparound intervention," a set of social services that include drug treatment, emergency housing and counseling, financial planning, as well as job training and opportunities.

The offenders who are offered the chance to enter LEAD are selected by veteran police officers, who use their judgment to ensure that anybody who poses a threat to the public is referred for prosecution. LEAD is directed and assessed by a coordinating group, which includes SPD's Pugel, Singla and representatives from the King County Prosecutor and Executive to oversee the diversion of felony suspects. Also with the group are representatives from the ACLU's drug policy project, Belltown community groups, and The Defender Association, which has remained a key partner in LEAD from the very start.

LEAD's focus on services stems from institutional knowledge that each group developed independently, which led to the same conclusion: Drug crime and prostitution, some of the most difficult crimes to combat with traditional policing, are also crimes of poverty and desperation. A person with no other options, because he or she is addicted to drugs and has a criminal record, routinely returns to a life of crime for the income. Ending these low-level, nonviolent crimes is a matter of improving living situations, a conclusion supported by SPD leadership and the King County Sheriff as much as by the ACLU or The Defender Association.

After hearing about LEAD's many community partners, I couldn't help but ask Pugel if he ever ran into friction while working with the coordinating group. "Sure," he allowed, noting some hesitance on the part of the non-police partners about giving up prosecutorial discretion in favor of officers' individual judgments. But he added that disagreements usually stem from the fact that everyone in the room is committed to improving their community. "We all got into our professions to help. Sometimes we have different ideas about how to do it, but when you peel back the onion that's what we're all here for." As to smoothing over disagreements? The coordinating group was able to reach an agreement whereby City and County prosecutors retain filing authority over potential LEAD participants, meaning they can charge those deemed a risk to public order, and decline to charge those not perceived as threat.

LEAD is still in its experimental stages. It aims to demonstrate not only that there is an alternative to jail, but that this alternative can return better results than imprisonment in terms of lower numbers of people choosing to reoffend. The coordinating group assesses it based exclusively upon the numbers: The group will compare people who were tracked into LEAD and provided with social services with those who were imprisoned, in line with old-style enforcement, for similar crimes but who could not be diverted because of the program's limited scope.

By the middle of October, the LEAD Coordinating Group will issue its first annual report, detailing the progress of the program so far, the number of people enrolled, and its associated costs.

Whatever LEAD's ultimate fate, it certainly represents the best of Seattle. As a public and private partnership to end drug abuse in our streets, it shows that Downtown, City Hall and indigent advocates can collaborate to tackle stubborn issues of racial inequality and substance addiction. The City Attorney's Office is committed to the success of LEAD and to exploring more programs like this, because Holmes believes that engaging the community is crucial to make this city healthier, safer and more equal.

The City has high hopes for the participants in LEAD, who have taken a meaningful step to bettering their own lives and defeating their addictions. One of LEAD's components is particularly hopeful: Participants -- as they undergo drug treatment, receive secure housing and financial planning assistance, or simply have a night off the streets and away from a violent pimp -- will soon be offered leadership and advocacy training. They will be trained as community organizers, develop skills as public speakers, and will participate in public policy debates. The goal is that the people who find success through LEAD will go back to Belltown as leaders with deep ties to a displaced community, and begin to affect change they can call their own.

CAO walks the talk for City's Race & Social Justice Initiative

On July 20 a couple dozen CAO employees, a few with children in tow, contributed to another successful Operation Sack Lunch effort. Starting early in the morning, our crew chopped potatoes, washed pots and pans and prepared chicken thighs for an organic and hot lunch at the Compass Center in Pioneer Square. The troops then served the same menu to the homeless at the City-sponsored feeding station under I-5 at Columbia Street. "It was so inspiring to hear how the project evolved from one woman and her kids handing out a few sack lunches in random parking lots into an efficient, professional organization that serves thousands of hungry people hot meals every week," observed Criminal's Mindy Longanecker. Added Civil's Danielle Tovar: "It was fun meeting coworkers you pass in the hall every day, throw smile or a hello to and then see them in a different environment where they can let their hair down and share another side of their personality."



LINKS TO NEWS STORIES :

7/31/2012 A federal monitor is a big step for oversight of SPD reforms -- The proposed agreement between the Department of Justice and the city of Seattle to introduce systematic reforms within the Seattle Police Department has two key features to promote accountability. (Seattle Times)

http://seattletimes.com/html/editorials/2018812219_editpolice31xml.html

8/16/2012 Beach Drive slide lawsuit settled, repairs ahead, says city -- Earlier this year, when repaving was ahead for a section of Beach Drive close to the ravaged section caught in a dispute over slides, the city revealed more mediation was ahead. Now, there's word it has succeeded. (West Seattle Blog)

<http://westseattleblog.com/2012/08/beach-drive-slide-lawsuit-settled-says-city>

8/25/2012 Federal judge wants more say over Seattle police reforms -- The federal judge overseeing a historic settlement between the city and the Department of Justice to curb excessive force by the Seattle Police Department said he wants more say in picking the monitor who will track reforms and more frequent reports on how the changes are working. (Seattle Times)

http://seattletimes.com/html/localnews/2018987010_spruling25m.html

9/24/2012 Firing of SPD officer for dishonesty is upheld -- A civil-service board concluded in the long-running case of former Seattle police Officer Eric Werner that officers must tell the truth, especially when they use force.

http://seattletimes.com/html/localnews/2019185908_werner18m.html

9/22/2012 Seattle asks to vacate conviction of man charged after filing complaint -- Seattle City Attorney Peter Holmes said he will ask a judge to vacate a conviction against a man prosecuted by his office. (Seattle Times)

http://seattletimes.com/html/localnews/2019227391_vacate22m.html

EVENTS

10/11/12 – Pete will support **The Mockingbird Society's** quest to build a world-class foster system by attending the statewide advocacy group's sixth annual luncheon at 11:30 a.m. at the Sheraton Seattle Hotel. <http://www.mockingbirdsociety.org/the-mockingbird-society%E2%80%99s-6th-annual-benefit-luncheon/>

10/14-10/18/12 – Pete will attend the 18th annual convention of the **National Association for Civilian Oversight of Law Enforcement** in San Diego. <http://www.nacole.org/>

11/2/12 – Pete will attend the annual meeting and luncheon of the **Bench-Bar-Press Committee of Washington**, held at the Washington Athletic Club. http://www.courts.wa.gov/committee/?fa=committee.home&committee_id=77

Veterans Treatment Court marked its first anniversary on Sept. 18 with a courtroom full of veteran defendants who are successfully reintegrating into society, some after struggling for decades. City Attorney Pete Holmes, near right, addressed the crowd; Judge Steve Rosen, far right, kicked off the festivities. The veterans were given special coins adorned with the symbol of their branch of military service.



NIGHT OUT

On Aug. 7 the City celebrated the 28th Annual Night Out Against Crime. Below, Pete greets Café Racer owner Kurt Geissel in the Roosevelt neighborhood.

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AnnualReport_latest.pdf](http://www.seattle.gov/law/docs/AnnualReport_latest.pdf)

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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.

With more than 90 lawyers, the City's Law Department is one of the largest law offices in Seattle and is the third largest public law office in the state.

The City Attorney's Office has three 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.

How to apply for an internship/externship in the Civil and Criminal Divisions: [http://
www.seattle.gov/law/volunteer_program/](http://www.seattle.gov/law/volunteer_program/)



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