



E - NEWSLETTER

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Assistant city attorneys will work out of SPD precincts

This month four assistant city attorneys will be deployed among Seattle's five police precincts to augment the City's response to emerging and increasingly complex neighborhood public safety and regulatory issues.

The precinct liaisons -- Melissa Chin (South/Southwest), Jana Jorgensen (North), Sumeer Singla (West) and Matt York (East) -- will provide critical legal services on the issues of high importance to their particular precincts. They also will be accountable for managing a number of regulatory provisions in a more effective and efficient manner because they will better understand the dynamics in the individual communities.

"It's an opportune time to launch a completely reengineered Precinct Liaison Program 2.0," said City Attorney Pete Holmes, "simultaneously bringing closer together SPD's five precincts, the City Attorney's Office and Seattle's diverse communities to better address local problems and concerns. Relying on input from across Seattle government, we have retained what worked and rethought the challenges ahead. Our selection process was inclusive and yielded excellent candidates from whom we've selected some of our most promising attorneys. They represent a direct link to me and will be instrumental in helping Seattle to move forward during the work ahead with the Department of Justice."

The original Precinct Liaison Program was created in 1995 to give direct and proactive legal advice to police officers and to act as a legal resource for public safety problem-solving efforts in the neighborhoods. The program has since fluctuated in size as grant funding has come and gone and city budgets have tightened. Last fall the City Council approved funding for four liaisons; all previously served under Holmes; Singla in the Civil Division and Chin, Jorgensen and York in the Criminal Division.

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City spurs improvements to Belltown apartments

By Jim Kenny, Assistant City Attorney

CAO and SPD (attorneys and police) teamed up to produce the first success in turning around a troubled building, the Franklin Apartments in Belltown, by deploying the Chronic Nuisance Property Ordinance passed by the City Council in November 2009.

The Franklin Apartments at Fourth Avenue and Bell Street had been the source of many 911 police calls in the past few years for assaults and drug-related activity. Police officers from the West Precinct regularly observed criminal activity in and around the apartments.

One source of some of the problems was a decline in the entry/exit security, including a main entry door that did not lock. Police responses increased in 2010, and SPD decided to try out the new law. The Chronic Nuisance Property Ordinance allows SPD to remedy properties with chronic nuisances that could not be addressed

in other ways. The law defines a chronic nuisance property as one where certain crimes, drug-related activities or gang-related activities occur three times within a 60-day period or seven times within a 12-month period.

West Precinct Community Police Team Officer Erik Warner documented all of the public safety problems at the Franklin, and the City declared the building a chronic public nuisance in October 2010. West Precinct Commander Capt. Joe Kessler and Warner met with the owner of the apartments to talk about the problems. Fortunately, the owner and his family recognized the deficiencies and agreed to cooperate.

The City and the owner entered a correction agreement in January 2011 for the owner to fix the problems, including installing secured



exterior doors and card security access points, and using written rental agreements.

After the changes were made, there were no 911 calls and no nuisance activity reports through December 2011. Working together, a problem property has been transformed into a responsible property.

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With 90 lawyers in the Civil and Criminal Divisions (and now back in the police precincts), something interesting is always happening in the City Attorney's Office.

Sometimes we can talk about it; sometimes we can't (attorney-client privilege, you know). Besides prosecuting misdemeanors like domestic violence, DUI,

theft and assault, CAO also defends every city department that is sued, over issues ranging from land use to employment to environmental mitigation.

Dig a little deeper into SPD

By Kimberly Mills, Communications Director

Behind the screaming headline about a cop who killed himself when caught in an undercover drug sting and the viral video of another who fatally shot a Native American wood carver carrying only his whittling knife, there is another truth:

Most SPD officers are never accused of excessive use of force; they end their long careers without firing their weapons, and even in trying circumstances, they treat citizens with respect.

Can these two disparate truths coexist?



Participants, staff at Jan. 14 Community Police Academy

Certainly. As the Justice Department said in December: “The great majority of the City’s police officers are honorable law enforcement professionals who risk their physical safety and well-being for the public good.

“However, a pattern of excessive force exists as a result of a subset of officers who use force improperly, and is caused by a number of systemic deficiencies that exist in spite of SPD’s recent reform efforts.”

Put succinctly, a few officers are tarnishing the badges of the many. That’s what the Justice Department said – although that part of the message didn’t come across loud and clear.

What’s a Seattle resident to think? One way to educate yourself -- independent of videos and headlines -- is to participate in SPD’s one-day Community Police Academy or its 11-week counterpart. The free program is open to anyone over 18 years old who passes a records check.

<http://www.seattle.gov/police/programs/policeacademy/default.htm>

The one-day version held Jan. 14 drew a classroom of people motivated by different reasons. Abigail Maxey attended out of interest in what her husband, our colleague Brian Maxey, deals with in defending police action cases for the Civil Division. I showed up because I wanted a different lens on the department; hardly anything is as black and white as what you read or hear in the media. Several people signed up because they volunteer for their neighborhood’s block watch. And a few came because they hope to become police officers.

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Our Saturday was split between the Seattle Police Support Facility on Walker Street near Airport Way South and the Seattle Police Athletic Association Range Facility in Tukwila.

During the morning we received a crash course in constitutional law that covered arrest procedures, search and seizure, and “Terry stops.” These stops are permitted if a reasonable person would believe criminal activity is involved, Sgt. Adrian Diaz said. The sergeant, a master instructor in the use of force, also broadened the definition of “seizure” in my book, saying it ranges from stopping someone to shooting them.

Diaz was followed by Seattle Police Officers Guild President Rich O’Neill, who represents the department’s 1,250 patrol officers and sergeants. (SPOG isn’t deemed a union because members cannot strike; instead the union has collective bargaining with the City, and binding arbitration if bargaining fails.) Capping off the first half of the program was a look at a patrol officer’s day from 11-year veteran Chris Lang, who works in the West Precinct.

Some attendees were surprised by the time involved in becoming an officer: an application and testing process of three to over six months; the state law enforcement training academy for five and a half months; further training at SPD for six weeks, and finally, field training for three and a half months.

Lang had two more surprises: the weight and volume of equipment she wears and carries while on duty (uniform, ballistic vest, duty belt, boots, patrol kit, assorted weapons, etc.) and the amount of paperwork required when she arrests someone.

In the afternoon the class decamped about seven miles south to the SPAA compound where the shooting range is located, along with the bomb squad’s massive mobile unit, which houses heavy bomb suits and robots that go where humans dare not.

Not to minimize the work of those who train officers in weapons skills or sweep buildings for potential bombs, the highlight of the second session was Dennis the bomb dog.

The young yellow Lab flunked out of guide dog school because he’s too inquisitive. But he’s adept at detecting the scent of gunpowder as well as commercial and military explosives when he’s given the command “seek” by his officer handler, who’s with him 24/7.

While Dennis was the most effusive “trainer” of the day, everyone at SPD’s Community Police Academy throughout that day exemplified the kind of professionalism and friendliness that Seattle deserves – and we as Law Department employees strive for.

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“Our officers and the neighborhoods they serve will benefit from consulting with the precinct liaisons on a raft of significant issues, ranging from medical marijuana to nightlife to constitutional questions,” Police Chief John Diaz noted.

“The enhanced precinct liaison program will help advance smart policing,” according to Councilmember Tim Burgess, who led the City Council effort to fund the program. “These attorneys, working closely with officers out in our neighborhoods, will bring



Pictured from left to right: Sumeer Singla, Jana Jorgenson, Melissa Chin and Matthew York

fresh thinking and innovation to preventing crime and will use both criminal and civil law to hold offenders accountable. It's all about making Seattle safer for everyone.”

The increased demands on precinct liaisons are varied and voluminous, Holmes said. Two of them -- nightlife regulations and liquor licenses -- relate specifically to the interplay between the entertainment industry and the neighborhoods, and Holmes' reformed program has been endorsed by industry leaders.

With more than 2,000 liquor licenses up for renewal each year in the City and dozens of new license applications, a large part of the liaison attorneys' time will be spent identifying and monitoring establishments with public safety concerns and helping formulate the City's position when it files an objection to a license before the Washington State Liquor Control Board. A precinct-based attorney will be able to identify potential problems earlier and attempt to work with the licensee to correct the problems before an objection is filed.

The precinct liaisons will also play a crucial role in the City's comprehensive strategy to promote a vibrant nightlife and ensure public safety. Another component of that strategy is the proposal to allow for extended service hours. The liaison attorneys will be essential in monitoring compliance with rules and regulations and assisting SPD and other departments in responding proactively to possible problems before they occur. Possibly the most topical issue for the City Attorney's Office is the transition in the medical marijuana landscape brought about by changes in state and local laws. A new regulatory process gives the City's Code Compliance Team (CCT) the responsibility for managing complaints and concerns. The precinct liaisons will work with City agencies and the community to ensure that medical marijuana activities comply with state and local laws. The City created this interdepartmental team initially to monitor code compliance of business and properties that could negatively impact public safety. The team is already responsible for nightlife, liquor licensing, street vending and nuisance issues. The precinct liaisons have traditionally played a large role on the team by providing legal advice to departments and helping to coordinate interventions and responses.

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Other major responsibilities of the precinct liaisons will be:

- Providing real-time proactive legal advice for each precinct, which will result in better decisions by officers and ultimately reduced liability for the city and better community relations. Experience has shown that officers are more willing to ask for legal advice when there is an established relationship with the liaison attorney who is also very familiar with the issues in the precinct and the concerns of officers.
- Helping neighborhoods rid themselves of chronic nuisance properties. Two years ago the City adopted an ordinance giving the police chief the authority to declare properties to be a chronic nuisance and, if corrective action is not taken, to initiate abatement proceedings. To this end, the City Attorney advises the chief, drafts documents and correction agreements and represents the City in court. Each precinct captain is responsible for monitoring and identifying potential nuisance properties and the liaison attorneys play a critical role in this process.
- Protecting SPD resources by working closely with other City agencies to address neighborhood problems before they become SPD criminal problems.

"I am very excited about the opportunity to work closely with the police and the community," said East Precinct Liaison Matt York, who graduated from Willamette University School of Law. "We all share the same goals of safe communities, protecting civil rights and creating an environment for local businesses to thrive. Having worked as a prosecutor for almost 10 years with King County and the City, I have witnessed that most disagreements are about how to accomplish these goals. I look forward to working with everyone in attempting to solve the problems of Seattle and helping to provide common ground."

New as the North Precinct Liaison will be Jana Jorgensen, who said she looks "forward to opportunities to develop new relationships, improve old ones and work for a better Seattle." Jorgensen, who graduated from California Western School of Law, added: "The position of precinct liaison provides a unique ability for the City Attorney's Office to take a proactive role outside the courtroom for our community. I am excited to work side by side with SPD and other city agencies to collaborate on and address community concerns. As a North Precinct resident I am excited to represent its citizens, as their concerns are mine, and look forward to doing some good in the neighborhood."

Melissa Chin, a Seattle University School of Law graduate, will split her time between the South and Southwest precincts. "I firmly believe that a community is only as strong as those who take part in bettering it," Chin said. "As a native Seattleite, I have every bit of passion to see this city prosper. As a proud West Seattleite, I want to ensure the community is safe and enhance the quality of life for my neighbors and myself. During my time as a criminal prosecutor, I was focusing on addressing crimes in the present tense by tackling crime on a case-by-case basis. Hopefully, my work now will focus on addressing crime in the future tense, stopping crime before it occurs by proactively addressing community concerns and contemplating systematic changes."

Assigned to the West Precinct is Sumeer Singla, a graduate of the University of Washington Law School. "As a long-time resident of Seattle, I am humbled to work as a Precinct Liaison in the West Precinct to help improve this City," Singla said. "I look forward to tackling the challenges in the West Precinct, from nightlife and liquor regulation to nuisance and abatement issues. My previous experience as a criminal prosecutor, civil attorney and policy analyst will enable me to address these issues."

EVENTS

2-2-12

Pete will be the guest speaker at a meeting of the Seattle Human Rights Commission from 6 to 8 p.m. in the Boards and Commission Room, L2R, City Hall. More information at <http://www.cityofseattle.net/humanrights/>

2-7-12

Pete will take part in a community meeting on “The Seattle Collaborative Process for Improving Police-Community Relations” from 6:30 to 8 p.m. in Seattle University’s Campion Ballroom. For details, email nancy.roberts@seattle.gov

3-22-12

Pete is a table captain for the King County Bar Foundation’s annual Breakfast with Champions from 7:30 to 9 a.m. at the Westin Hotel. The 2012 “election year” speaker will be Mara Liasson, NPR’s national political correspondent. More information at <http://www.kcba.org/newsevents/kcbaevents/bwc/>

LINKS TO NEWS STORIES :

Defying city, attorney asks Supreme Court to hear SPD tasing case:

http://seattletimes.nwsources.com/html/localnews/2017284428_tasercase20m.html

New rules in prostitution prosecution:

<http://kuow.org/program.php?id=25663>

Lawsuit filed over Seattle’s medical marijuana ordinance:

http://seattletimes.nwsources.com/html/localnews/2017017879_marijuana15m.html

Attorney files new request for SPD to turn over dash cam videos:

<http://www.kirotv.com/news/news/crime-law/attorney-files-new-request-spd-turn-over-dash-cam-nGKXM/>

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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 is made up of 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.