



# Criminal Division Quarter II, 2022 Report

SEATTLE CITY ATTORNEY'S OFFICE  
ANN DAVISON



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## Letter from City Attorney Ann Davison

Dear Councilmember Herbold,

When I took office in January, I was intent on transforming this corner of the criminal justice system and delivering on reforms. In this second quarterly report on the activities of the Criminal Division, I am pleased to report that our office has made significant strides to improve justice for victims. We are also continuing to provide unprecedented transparency into the work of the City Attorney's Office and our municipal criminal justice system.

As you will see in this report, our close-in-time filing policy continues to prove highly effective at reducing the backlog of nearly 5,000 criminal cases left by my predecessor and bringing real-time accountability back to Seattle's misdemeanor criminal justice system. Notably, the median time to make a filing decision has been reduced to 3 days from 124 days, a 98% drop compared to the prior 5-year average. Since the beginning of the year, our office is filing more cases, more quickly, than we have in years.

Since taking office, I have been committed to re-centering the voices of victims in Seattle. With faster case filing, we are seeing more victims willing to participate in their cases. The number of cases declined because a victim cannot be contacted or is not willing to participate has dropped 69% compared to the 5-year average from 2017-2021. Previously, due to long case filing delays, many victims lost interest in participating in their cases and witnesses became harder to contact.

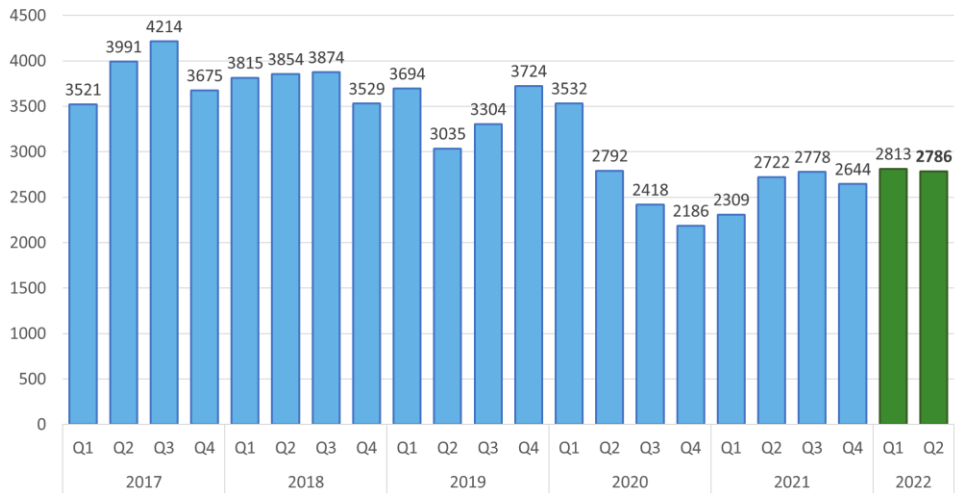
I am committed to expanding transparency around our municipal criminal justice system. Unfortunately, the City Attorney's Office inherited weak data systems and little analytical capability when I took over. This quarterly report helps address those data gaps. But much more remains to be done.

I am hopeful, with the partnership of City Council, we may continue to invest in transparency at the City Attorney's Office. I look forward to engaging with you on the information contained in this report.

Sincerely,  
City Attorney Ann Davison

# Police Referrals

Misdemeanor Referrals

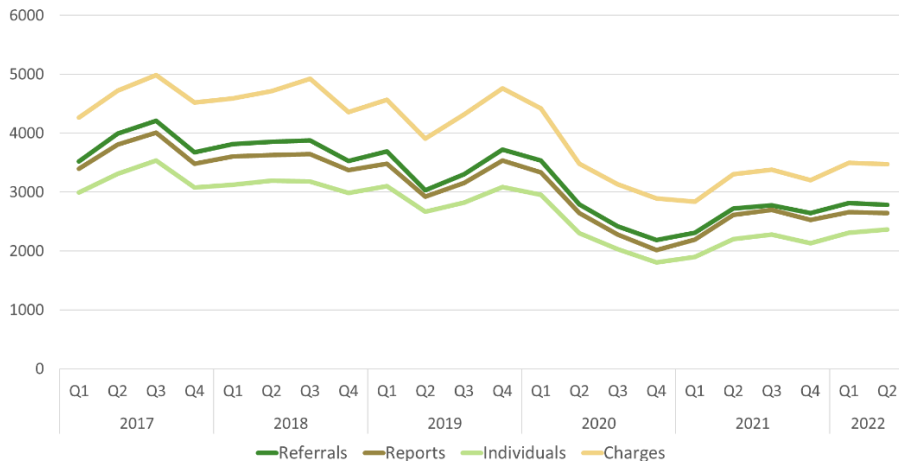


In the second quarter of 2022, the City Attorney’s Office received 2,786 referrals from the Seattle Police Department. This represents a 1% decrease from Q1 of 2022 and a 2% increase over Q2 of 2021. The number of current referrals is below pre-COVID levels and lower than before the loss of a significant number of SPD officers.

Potential cases coming into the City Attorney’s Office can be measured in multiple different ways. The terms often used are:

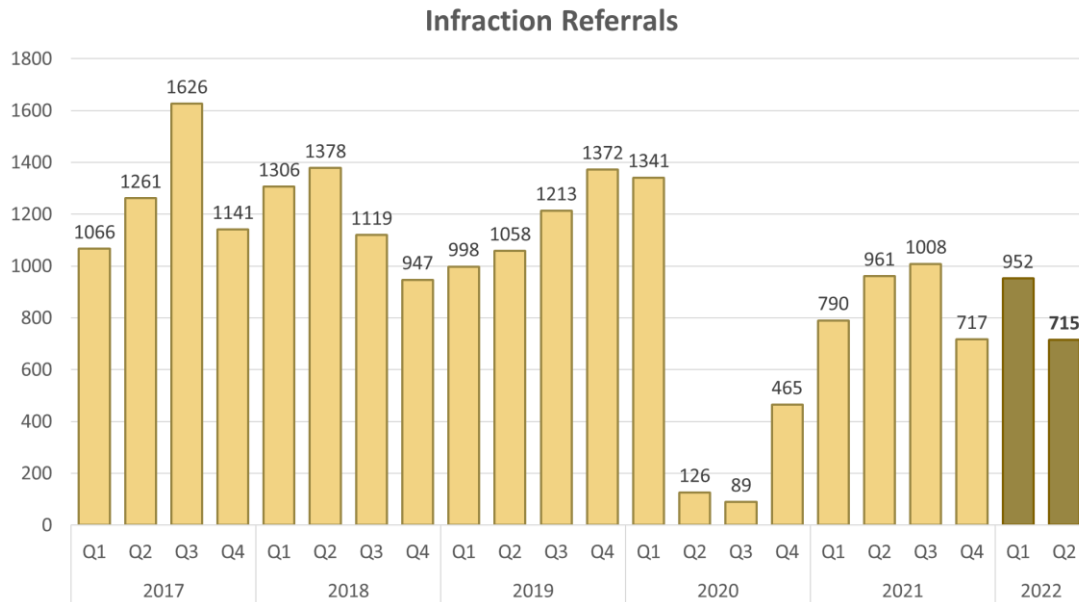
- **Referral:** represents a unique person from an SPD report; a single report with two suspects would be two referrals. This reflects the best measure of law department workload and is used in this analysis.
- **Report:** a single document sent from the Seattle Police Department.
- **Individual:** one, unique person referred to CAO; most individuals will only have a single referral, but some can have dozens like the criteria for the High Utilizer Initiative.
- **Charges:** are the actual criminal offenses. Each report and each individual can have many.

Referrals vs Reports vs Individuals vs Charges



## Infractions

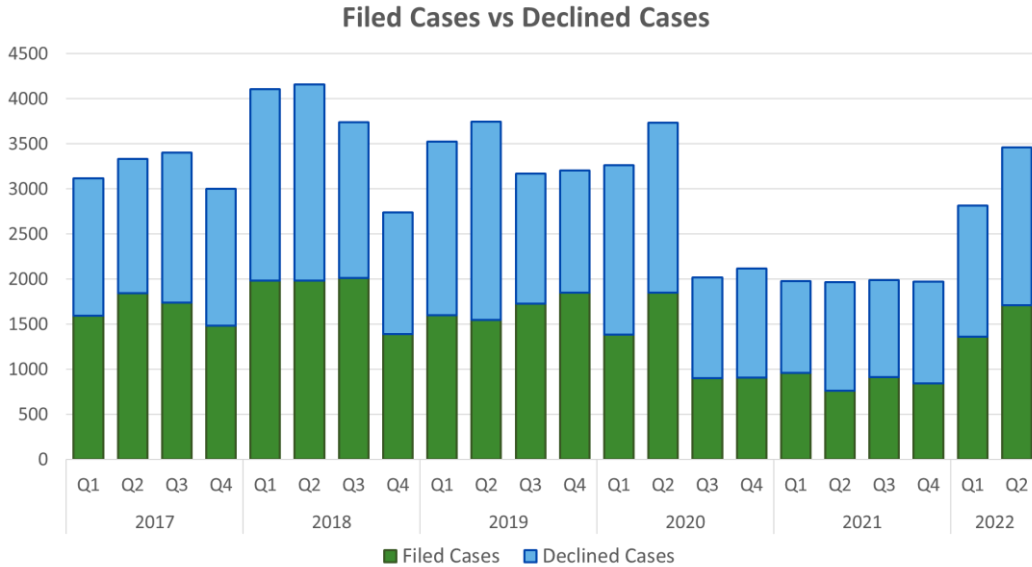
When an individual receives a citation for an infraction, it does not go to the City Attorney’s Office. If the citation is challenged, also called “contested,” then it is referred to the City Attorney’s Office by the court. Contested citations are almost always filed the same day they are received at the CAO. Contested citations are not part of the misdemeanor system and therefore are measured separately in the graph below.



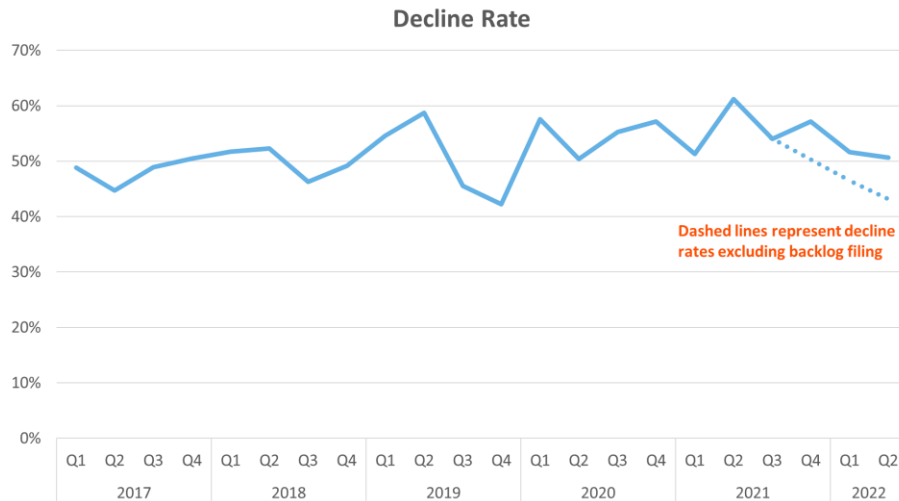
In Q2 of 2022, the City Attorney’s Office received 715 infractions that were sent from the Seattle Municipal Court. This represents a 25% decrease from Q1 of 2022 and a 26% decrease from Q2 of 2021.

# Case Filing

Referrals can either be filed cases with the Seattle Municipal Court or declined. Diverted referrals turn into declines after successful completion of requirements.



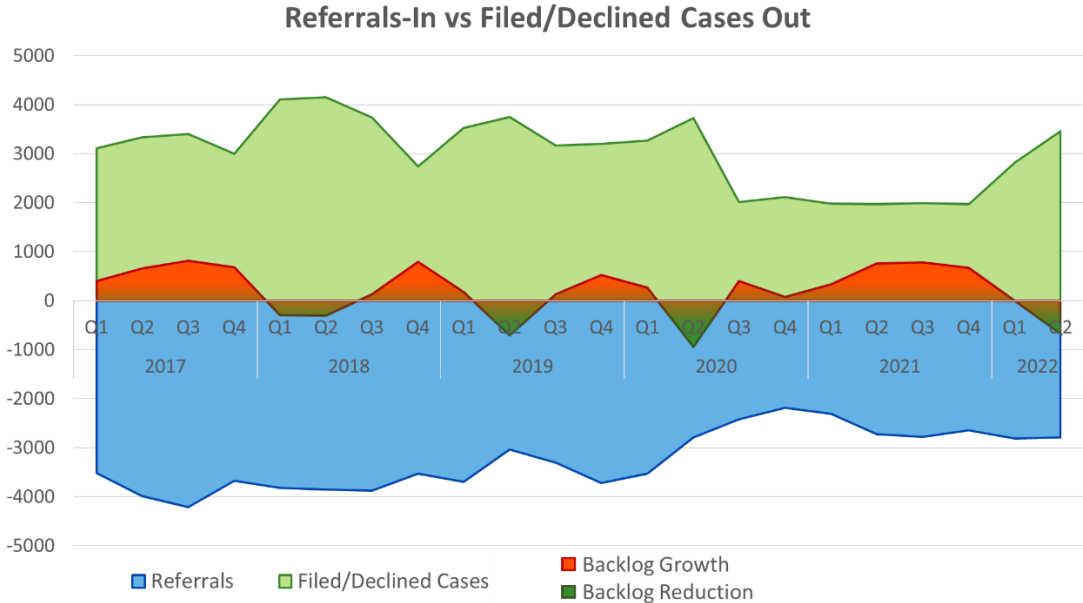
This chart shows the output of filing decisions from the City Attorney’s Office. In Q2 of 2022, the City Attorney’s Office filed 1,708 cases (an increase of 26% over Q1 2022 and 124% more than Q2, 2021) and declined 1,754 (up 21% from Q1 2022 and 46% from Q2 2021). Many of the declined cases in Q2 2022 come from the backlog of nearly 5,000 cases that existed at the end of 2021.



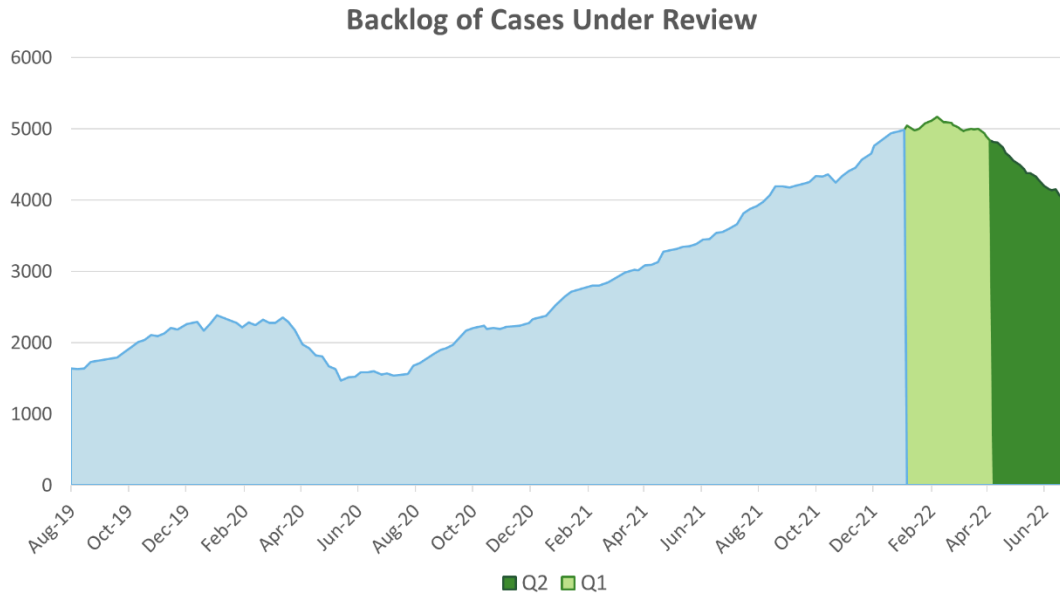
Decline rates as measured by  $\frac{\text{declines}}{\text{files} + \text{declines}}$  were mostly constant with a slight upward trend through the end of 2021. The decline rate for filing decisions made in Q2 2022 was 51%, down slightly from Q1 2022’s 52% and down significantly from Q2 2021’s 61%. The Q1 2022 decline rate includes declined referrals in the backlog from before 2022. Referrals received in Q1 of 2022 had a decline rate of 46% and referrals received in Q2 of 2022 had a decline rate of 43% (denoted by the dashed line).

# Backlog

Referrals awaiting a response are considered to be in the backlog.



Responses to incoming referrals lagged for years and resulted in a substantial backlog within the Criminal Division. Areas in orange represent times when the backlog grew and areas in green represent times when it was addressed and reduced.



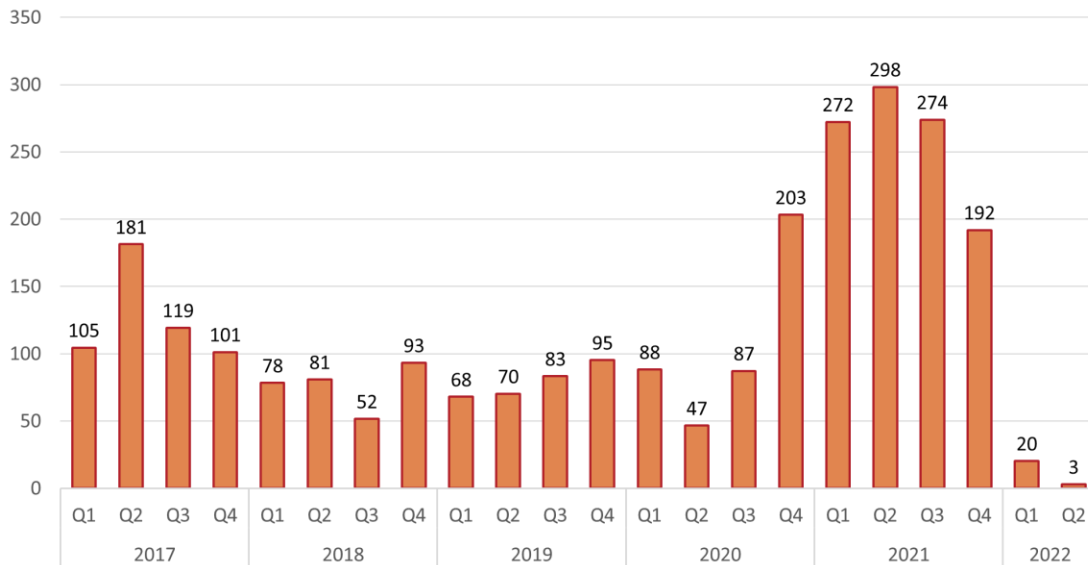
The backlog reached nearly 2400 referrals prior to the onset of COVID which temporarily closed the courts allowing for trial attorneys to assist with the backlog. It then steadily grew to 4990 referrals at the onset of Q1 2022. The department is making great progress at reducing the backlog.

The growth in the backlog slowed by 20% in the beginning of Q1 2022 and it saw a significant reduction after the implementation of the Close-in-Time filing policy. Q1 2022 ended with 90 fewer referrals in the backlog than the end of Q4 2021. Hard work by assistant city prosecutors enabled the division to clear an additional **900 referrals** from the backlog which has now reduced in size by 20%. Hard work and coordination among Assistant City Prosecutors and professional support staff in the Criminal Division continue to reduce the backlog.



# Close-in-Time Filing

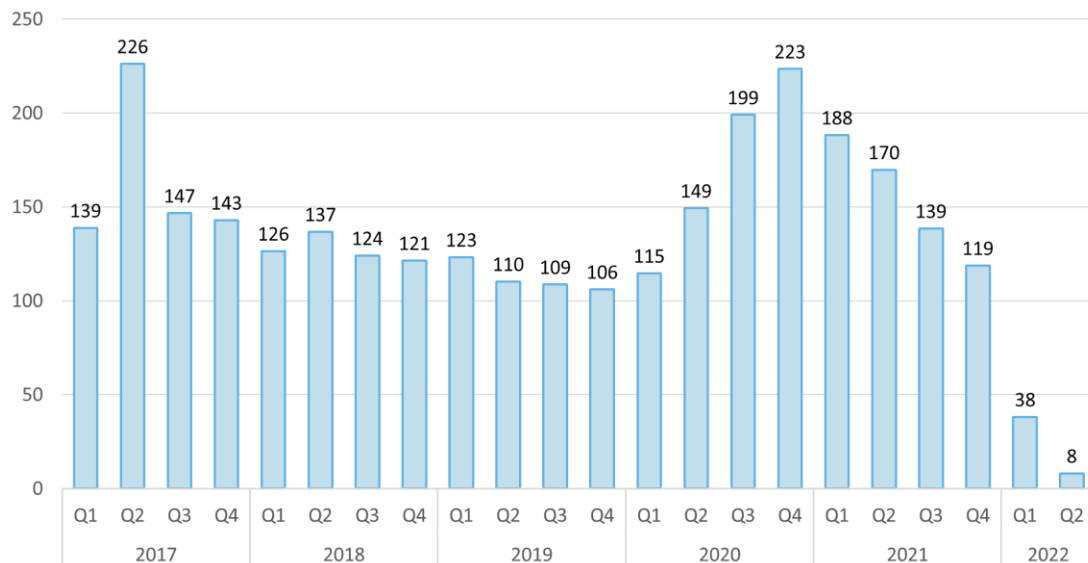
## Median Time to Make a Filing Decision



Prior to Q1 2022, the average median time to make a filing decision was 129 calendar days. Since the implementation of the Close-in-Time policy, the median time to make a filing decision has **dropped to 3 calendar days**. This represents a 98% reduction in the average time needed to make that decision.

The Q1 2022 report used mean to measure the average, but median is a better measure of skewed data like filing decision time. The median represents the amount of time a victim can expect to wait for the City Attorney’s Office to make a filing decision on the referral that harmed them.

## Mean Time to Make a Filing Decision

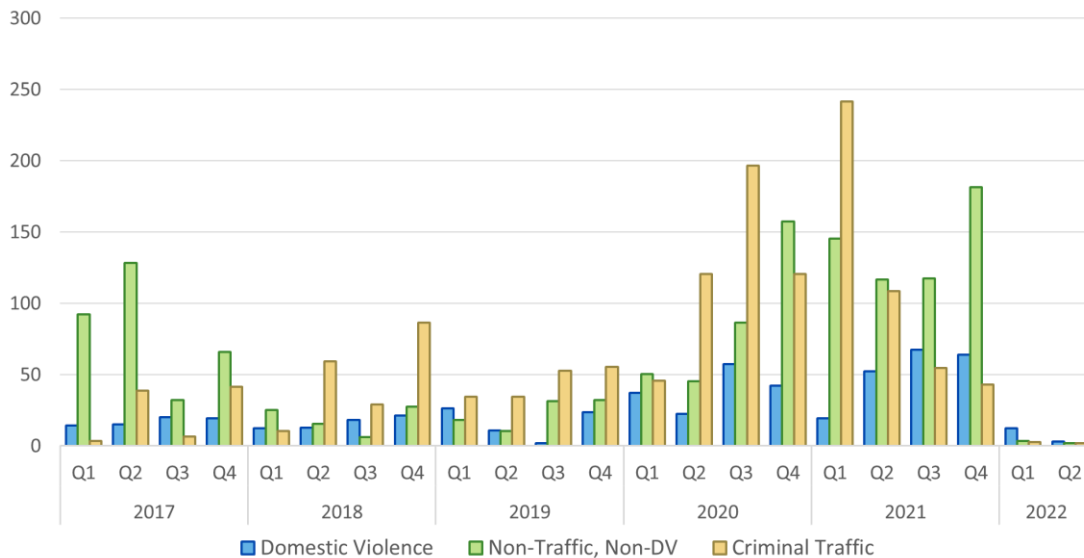


### Percent of Referrals with a Timely Decision



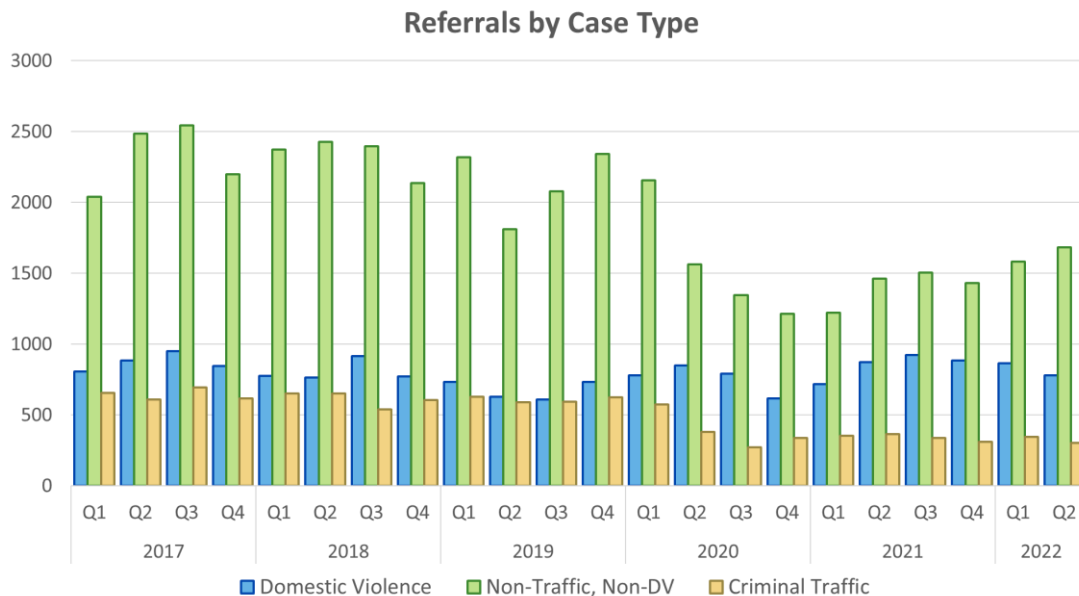
The Close-in-Time filing policy sets by City Attorney Davison created the goal of making a filing decision within five business days (seven calendar days). Domestic violence referrals are afforded an additional week to engage in a trauma informed approach, which considers input from the victim on their safety concerns. Referrals involving LEAD clients get 30 days for clients to engage in services. The chart above shows how successful the policy has been as over 80% of referrals now receive a timely filing decision.

### Median Time to Make a Filing Decision by Type

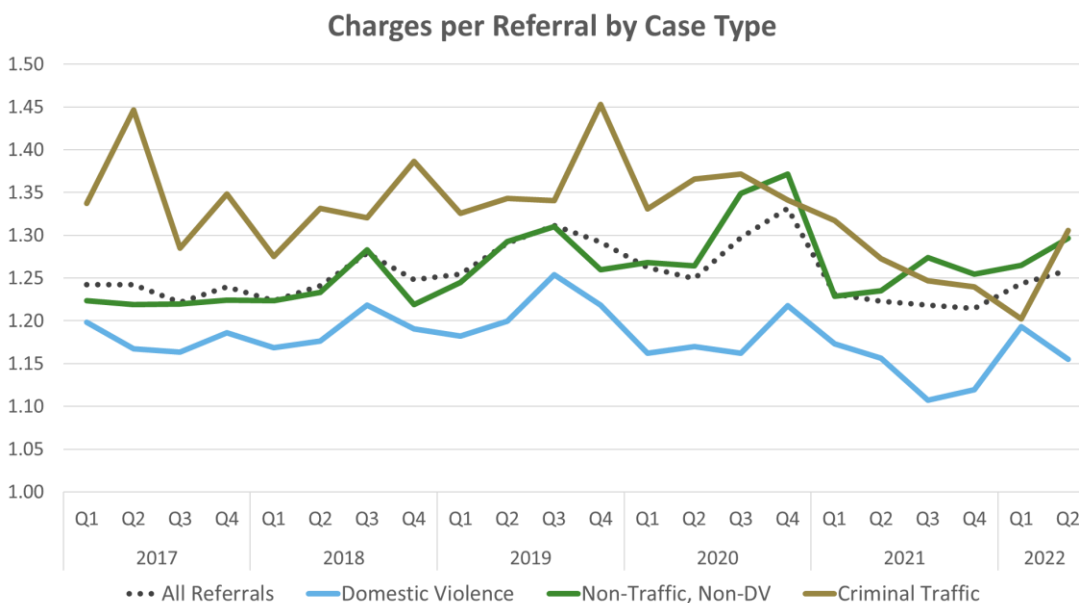


Every crime type has seen a remarkable decrease in how long a victim will have to wait to know if their suspect’s case has been filed or declined. Domestic violence referrals require more time flexibility to allow for a trauma informed approach, including outreach and services to the victim and a thoughtful consideration of the safety risks, impact to the victim and the victim’s desired outcome when making a filing decision.

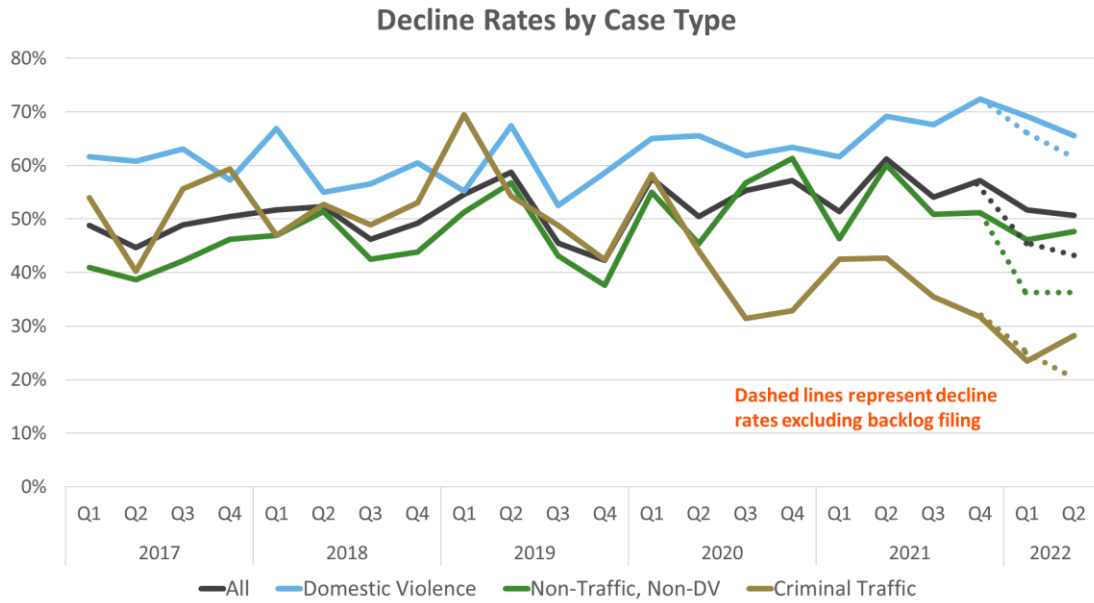
# Case Type Specifics



Criminal non-traffic, non-domestic violence referrals increased in Q2 over Q1 while domestic violence and criminal traffic referrals decreased slightly.



The number of charges on each police referral averages about 5 charges for every 4 referrals (1.25) and does not vary much between quarters.

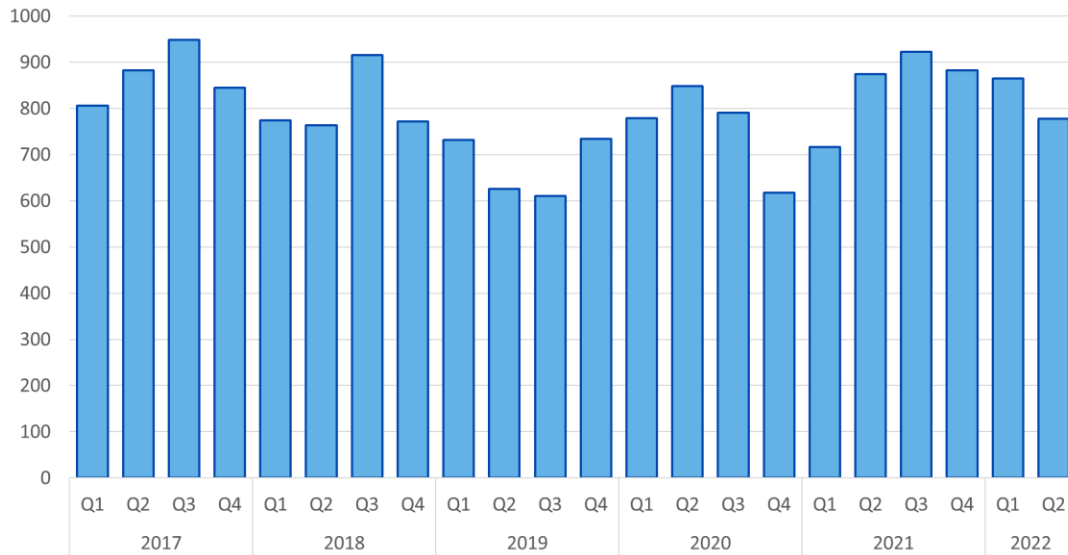


Domestic violence referrals historically have higher decline rates for a variety of reasons. Prosecutors carefully weigh the impact to the victim, the victim's desired outcome, lethality factors, and the nature of past referrals in addition to the evidence. Some referrals are declined as part of a consolidation of cases between other jurisdictions. The reduction in the decline rate for criminal traffic referrals is because a higher percentage of them now include DUIs.

The lines represent the decline rates for decisions made in each quarter. The dashed lines represent the decline rate for referrals that came in during Q1 and Q2. Backlog decline rates are very high due to the difficulties associated with very old referrals so they pull the average decline rates higher.

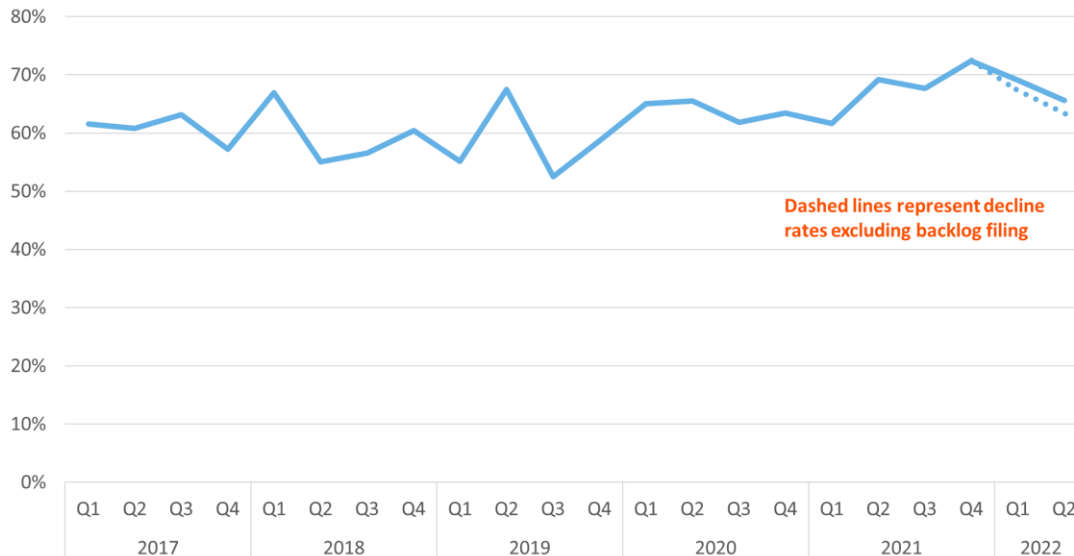
# Domestic Violence

### Domestic Violence Referrals

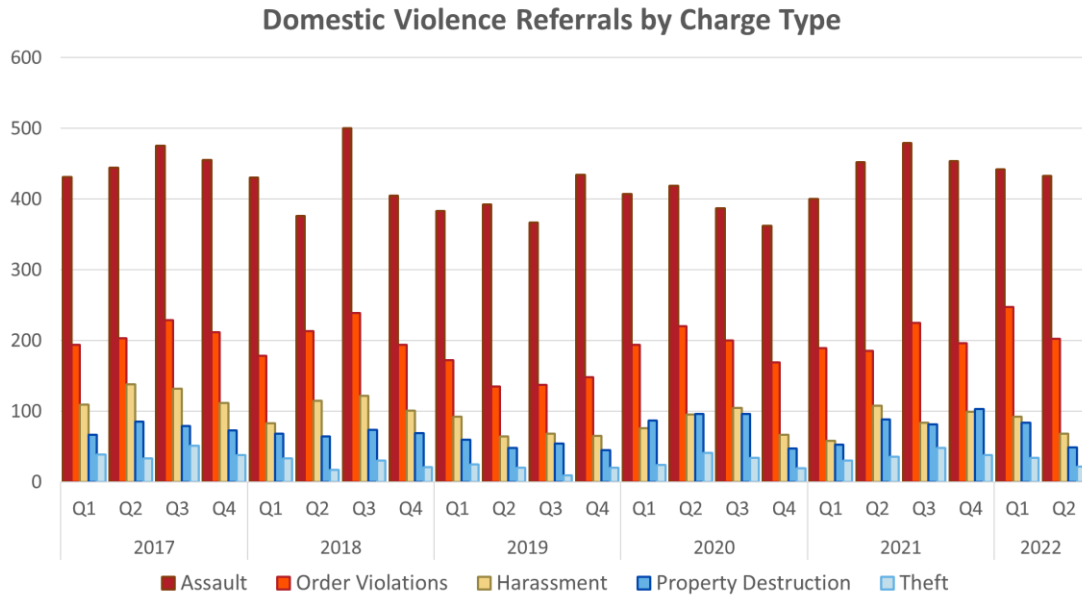


Domestic violence referrals did not see a sharp decrease during the pandemic, unlike other referrals. If Seattle followed the national trend of increased incidents of domestic violence during the pandemic, then these numbers could be under-reported due to SPD under-staffing. They were down slightly in Q2 compared with Q1 this year.

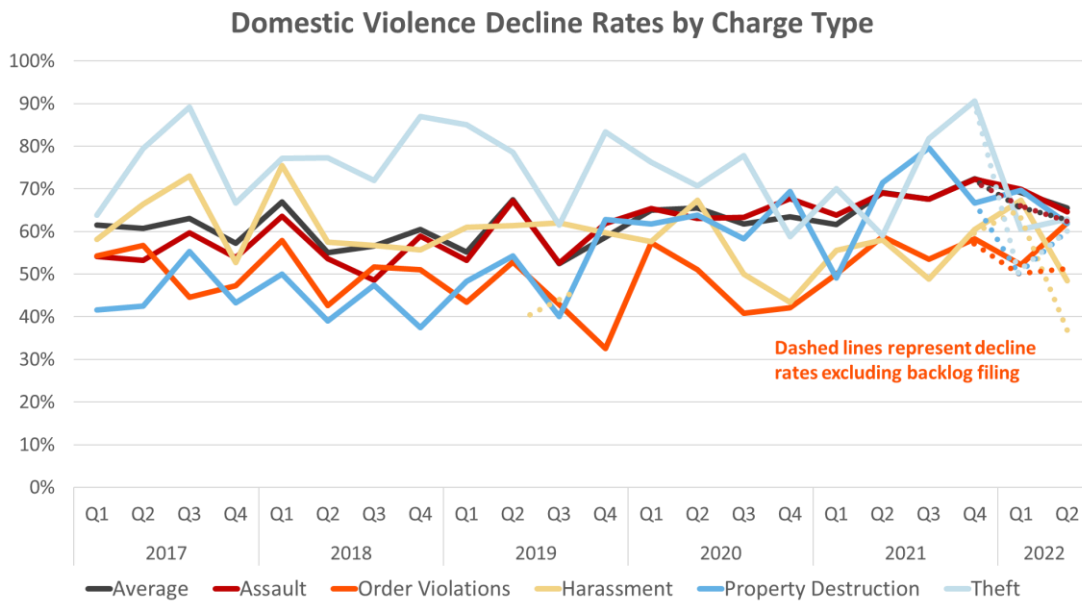
### Domestic Violence Decline Rates



Domestic violence referrals differ because of the impact charges may have on a survivor of intimate partner or family violence. Their ability to assist prosecution varies based on many factors, leading to a higher decline rate. These rates reflect when the filing decision was made. The decline rate only for referrals that were received in Q2 2022 was 61% (represented by dashed line).

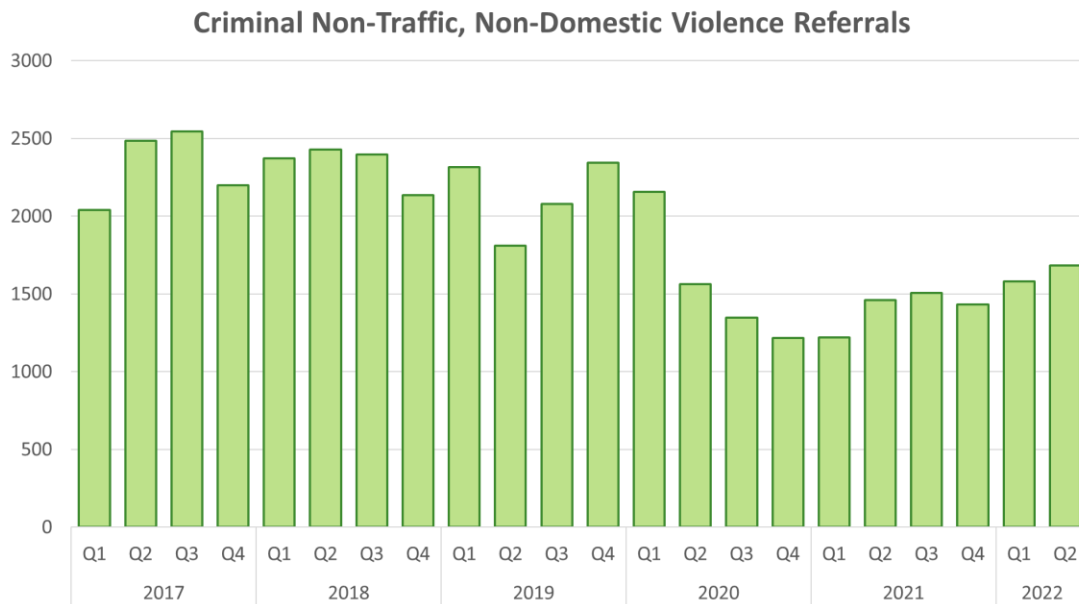


Assaults and protection order violations are the most common types of domestic violence charges. This is not an exhaustive list of domestic violence charges but represents the most common types.

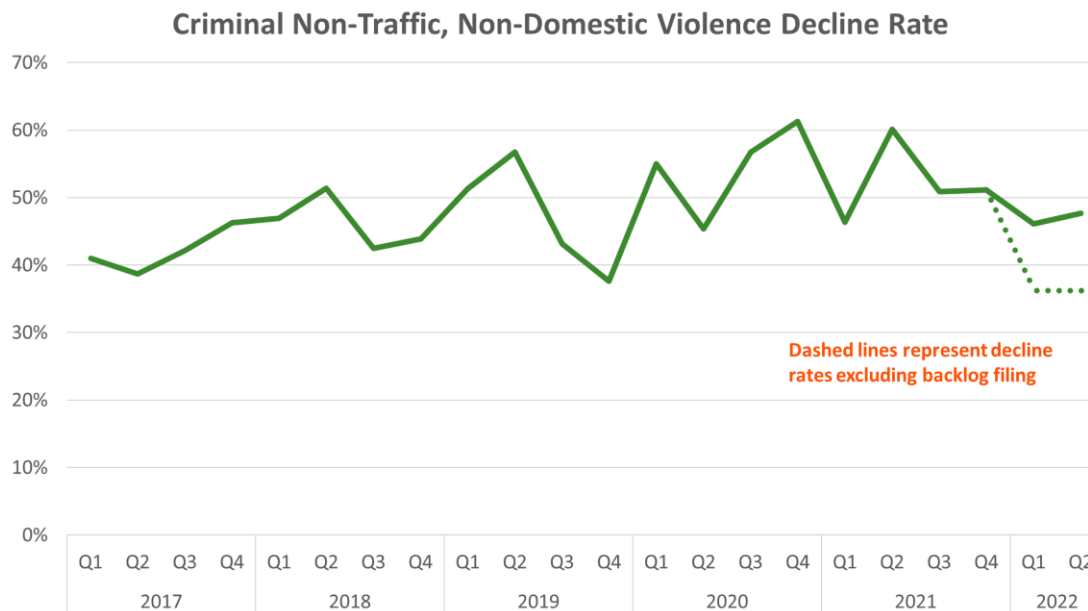


Decline rates for DV harassment and order violations were lower than other categories in Q2 2022.

# Criminal Non-Traffic, Non-Domestic Violence

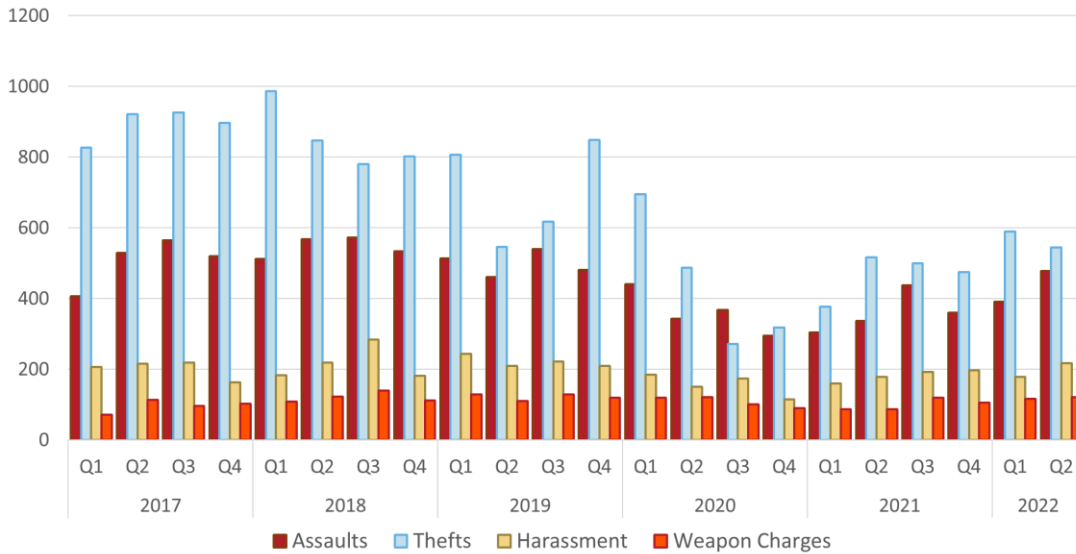


Criminal non-traffic, non-domestic violence referrals include many dozens of offenses and have a large proportion of thefts, trespasses, harassment, and assaults. They also include weapons charges and a myriad of less common offenses like reckless burning or false reporting.



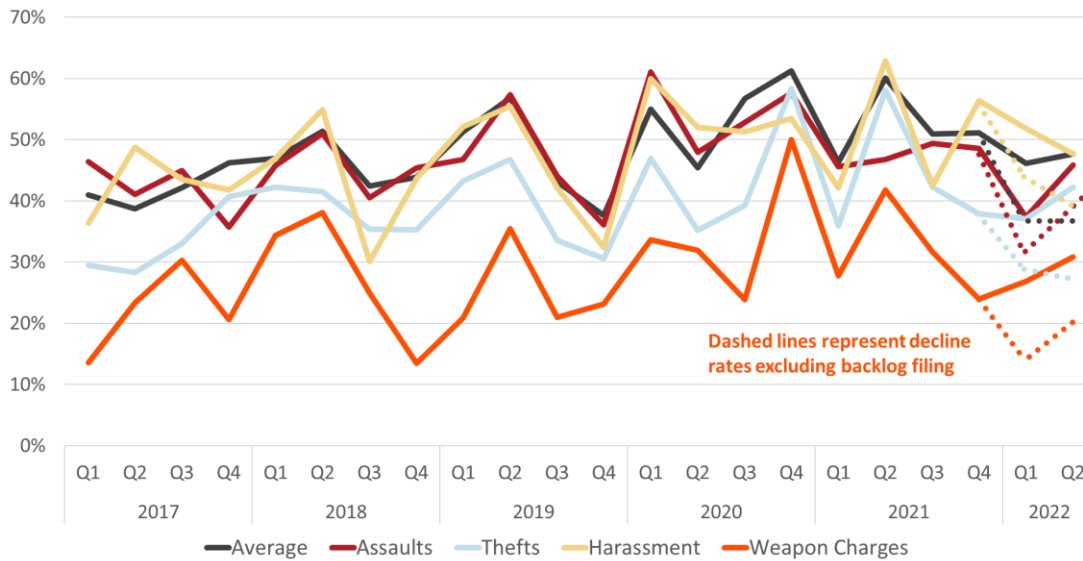
Decline rates for these misdemeanors had been rising more than any other category through 2021. Part of this can be explained by the backlog in referrals that was increasing until early 2022. These rates reflect when the filing decision was made. The decline rate only for referrals that were received in Q2 2022 was 37% (represented by dashed line).

**Criminal Non-Traffic, Non-DV Referrals by Case Type**



Assault and Theft are the most common non-traffic, non-domestic violence charges. Thefts are likely heavily under reported compared to assaults given the staffing challenges at SPD.

**Criminal Non-Traffic, Non-DV Decline Rates by Charge Type**

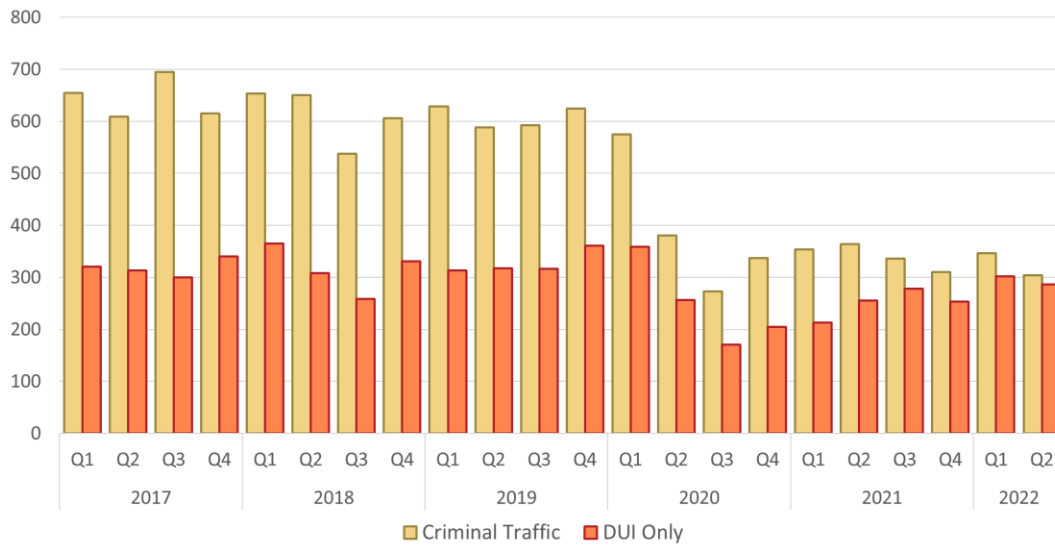


Weapons charges have the lowest decline rates, though their relatively smaller sample sizes lead to more variation.



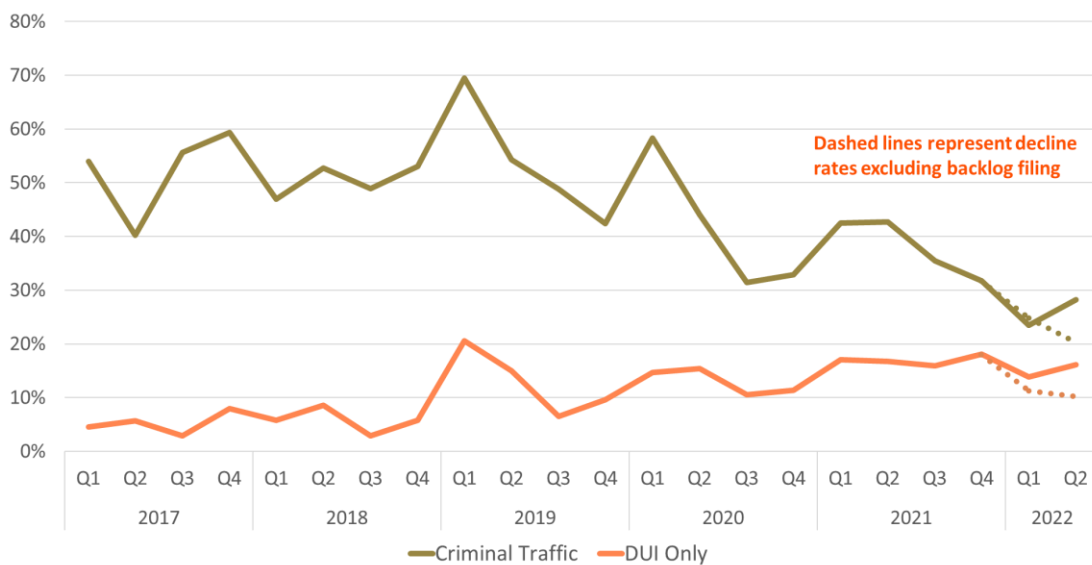
# Criminal Traffic

### Criminal Traffic Referrals



Non-DUI traffic referrals have slowed substantially since Q1 2020. DUIs dropped likely because the bars closed for the pandemic but have increased since.

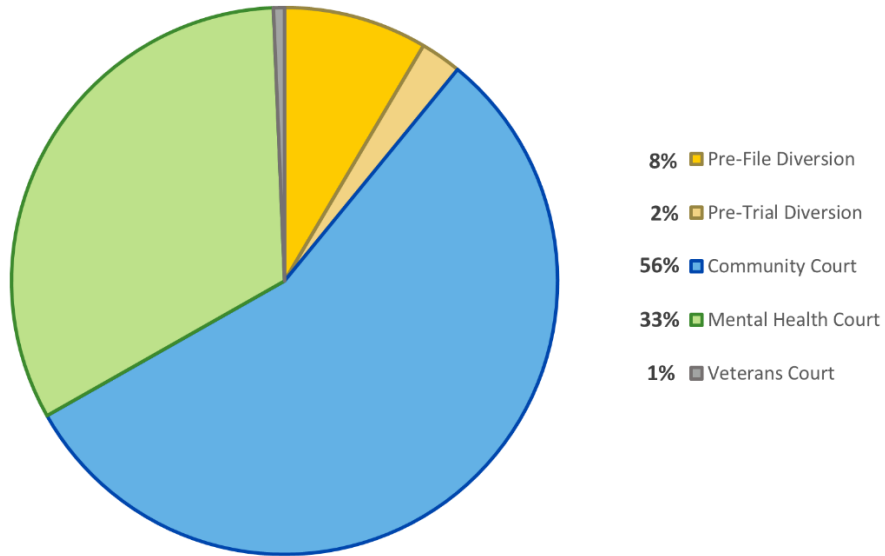
### Criminal Traffic Decline Rates



Historically DUIs have had very low decline rates but have been rising lately. This is potentially because of large delays at the state toxicology laboratory that has forced some declines. The overall traffic decline rate has dropped as DUIs have become an increasingly more dominant proportion of all traffic misdemeanors. The overall decline rate for criminal traffic referrals that were received in Q2 2022 was 20% (represented by the dashed line).

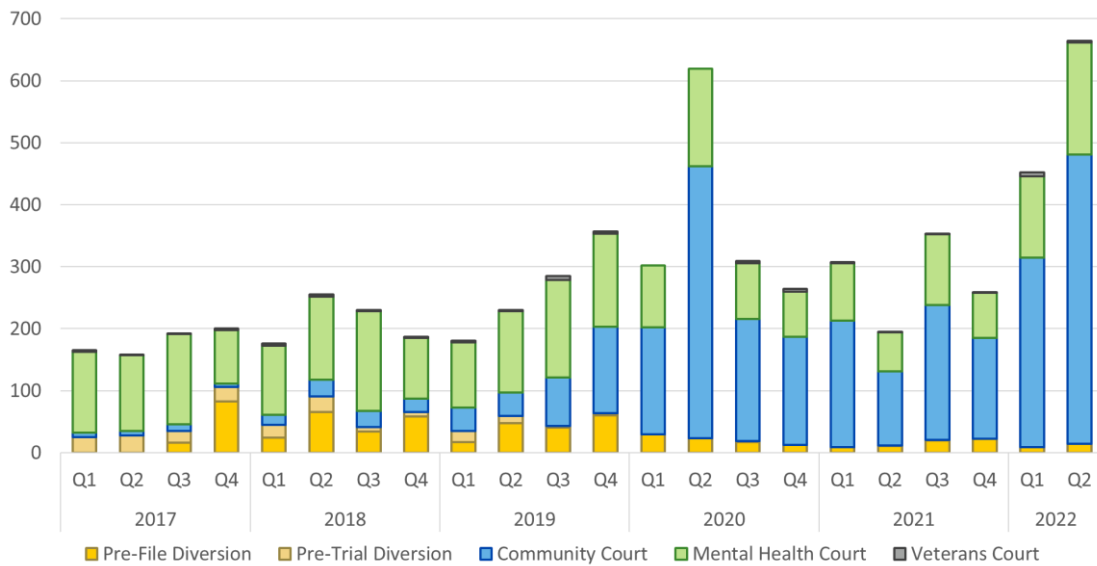
# Alternatives to Traditional Prosecution

Alternatives to Traditional Prosecution Breakdown



Alternatives to traditional prosecution take many forms that can overlap. Most of the data is shown by the final disposition date to compare each category on equal terms, but it is not a perfect comparison. LEAD interacts with clients throughout the process, Pre-File Diversion ends with a decline to file whereas the others take place after a case has been filed. LEAD is not graphed here because of its unique role and lack

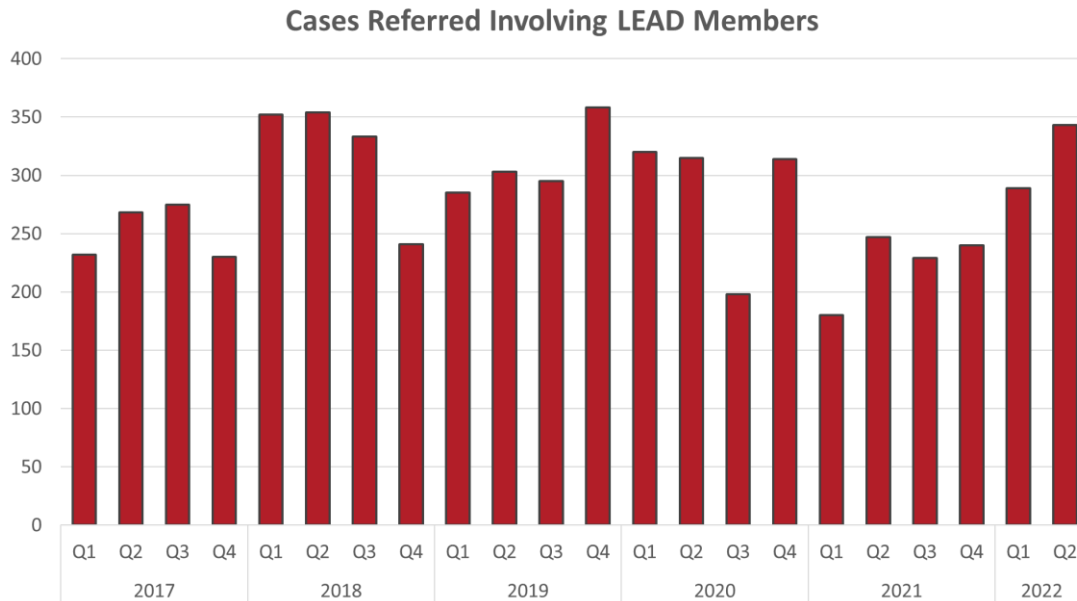
Use of Alternatives to Traditional Prosecution



Alternatives have increased in Q1 and Q2 along with overall filing activity.

## LEAD

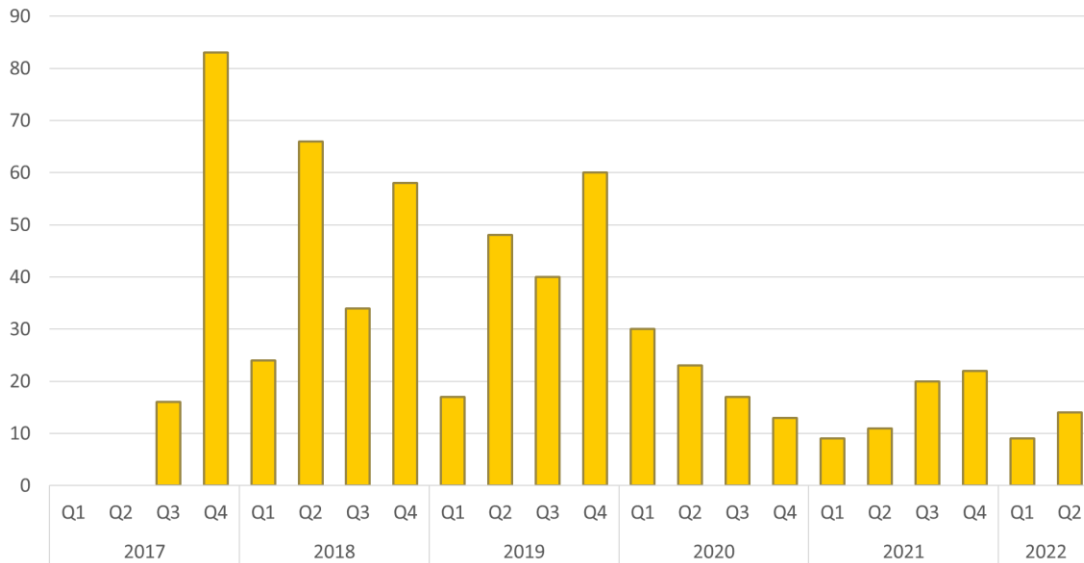
The Seattle City Attorney's Office LEAD liaisons coordinate legal involvement for LEAD's almost 900 enrolled clients.



LEAD clients are enrolled and disenrolled periodically and our current criminal case management system (DAMION) does not track their entry and exit so the above numbers are estimates that are more likely to overstate the total activity than understate it. LEAD data is constantly being improved, expect further details in the third quarter's report.

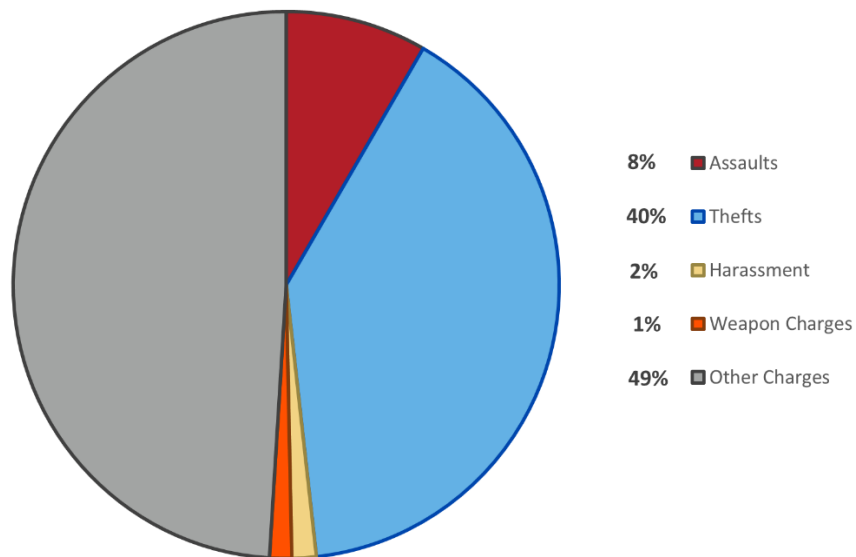
## Pre-File Diversion

Referrals Declined After Successful Pre-File Diversion

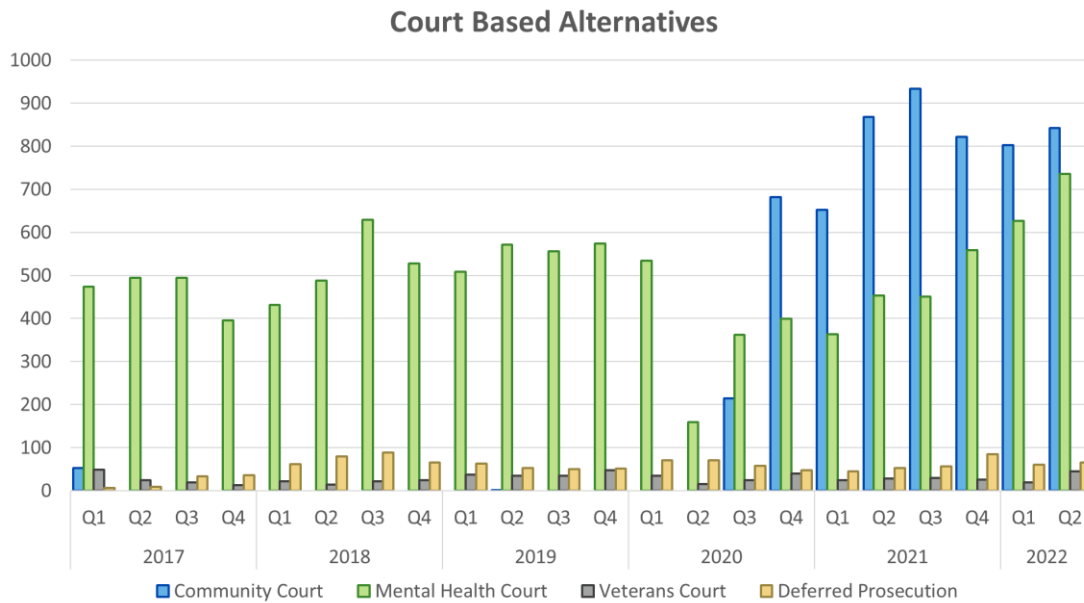


Pre-File Diversion declines increased slightly over Q1 but are still lower than pre-pandemic levels.

Breakdown of Charges in Pre-File Diversion Declines



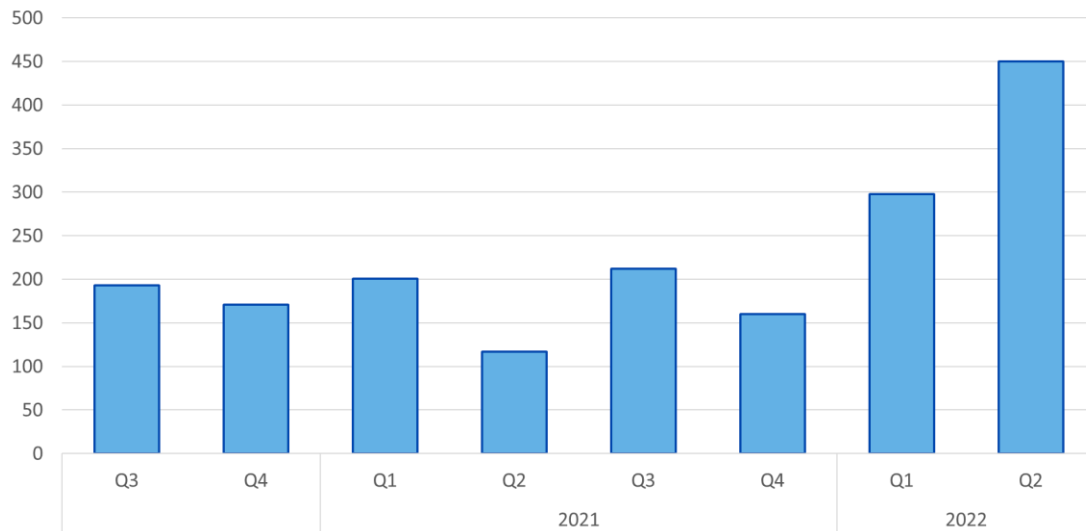
## Court Based Alternatives



To compare between alternatives, the rest of the charts use the disposition date, but this one uses the date of court hearings. The gap in community court represents the time in which it was closed between its second and third iterations.

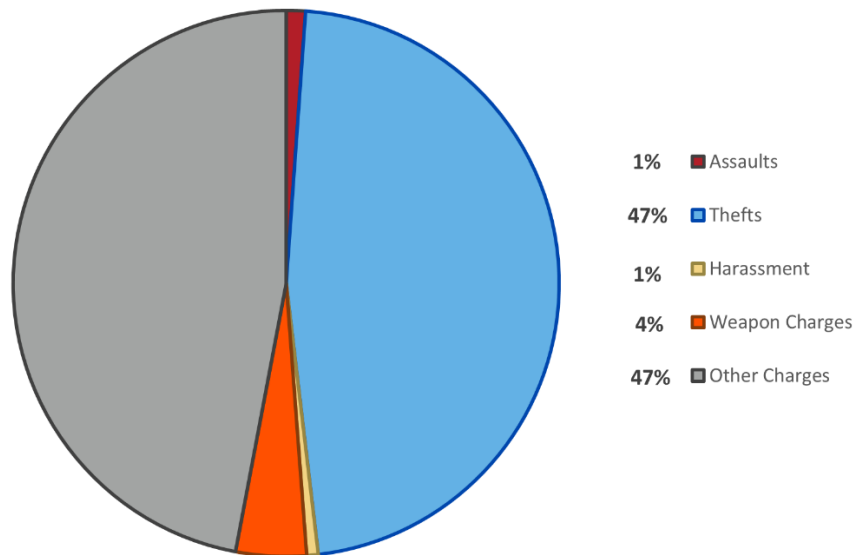
## Community Court

Referrals Involving Community Court  
(by filing date)



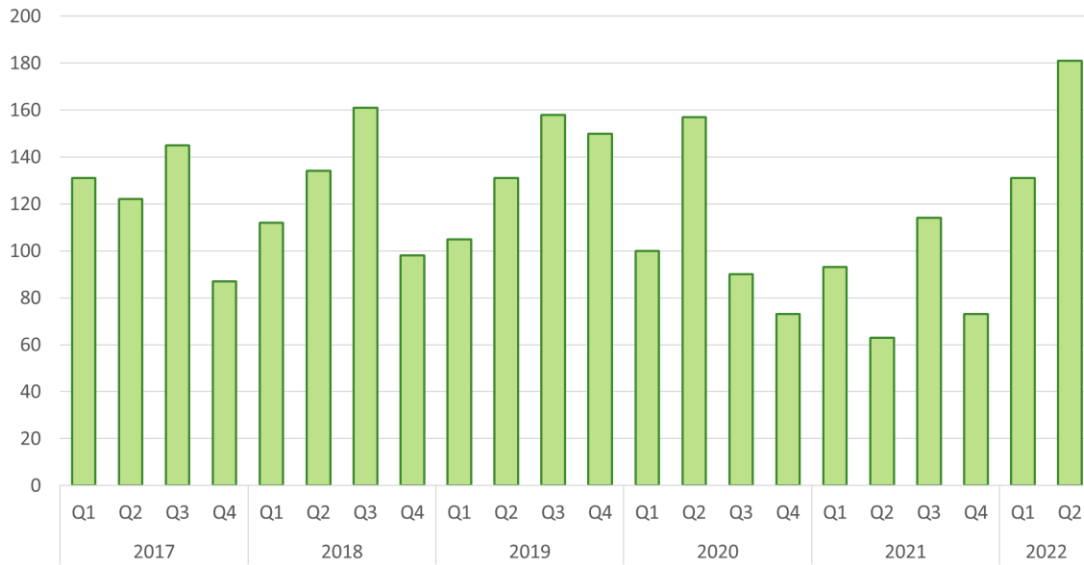
The dates used here are for the final disposition date and the few before the third iteration of community court started are likely leftover from the second iteration.

Breakdown of Charges in Community Court

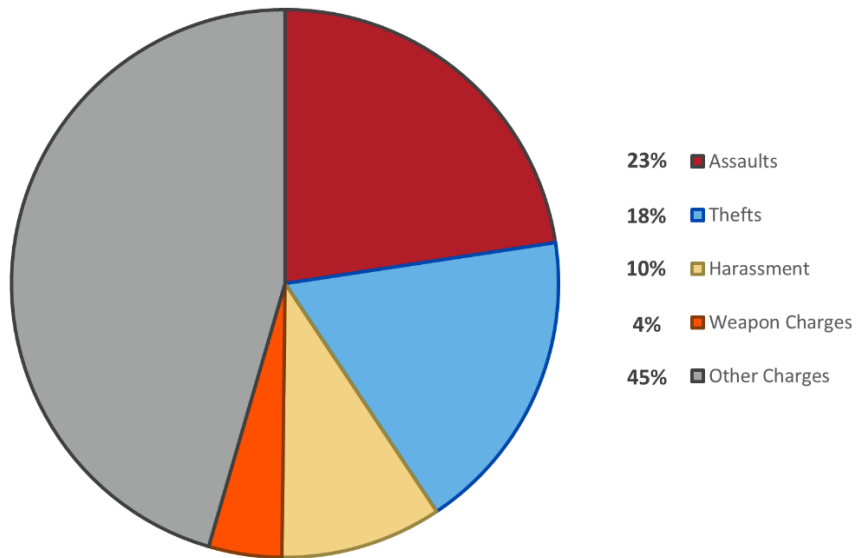


# Mental Health Court

## Referrals Involving Mental Health Court

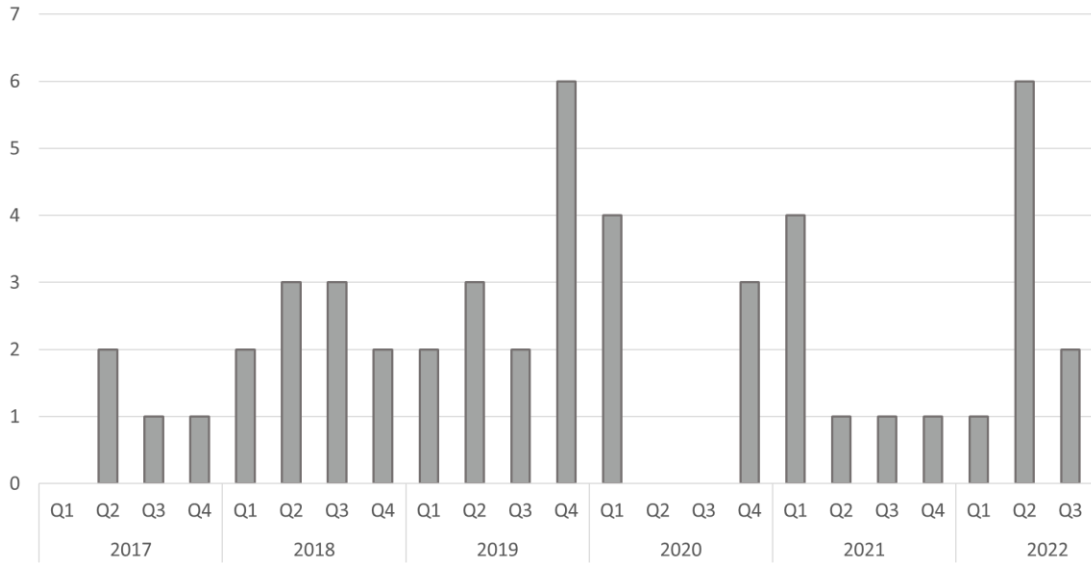


## Breakdown of Charges in Mental Health Court



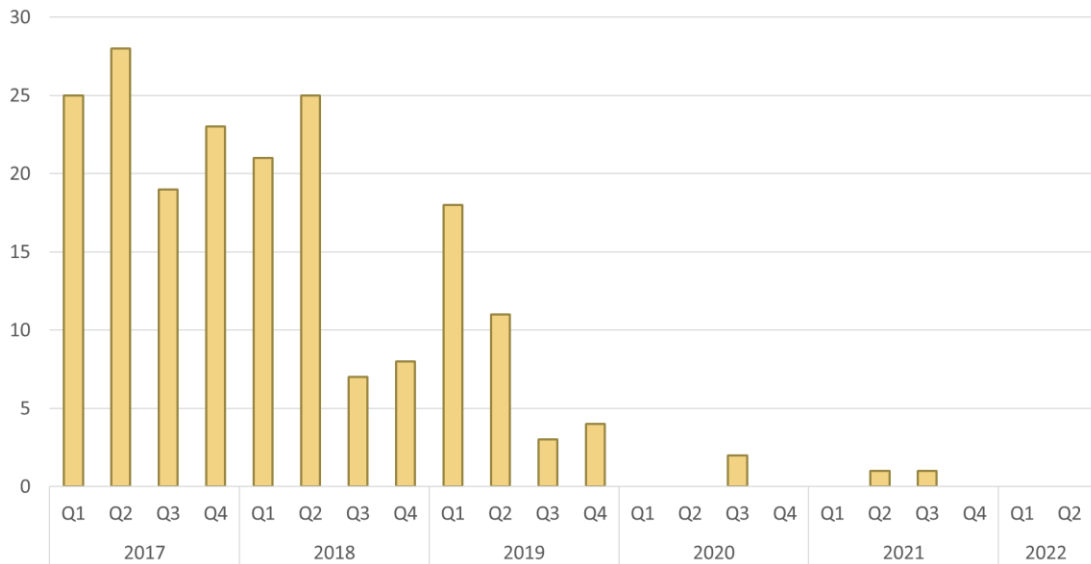
## Veterans Treatment Court

### Referrals Involving Veterans Court



## Pre-Trial Diversion

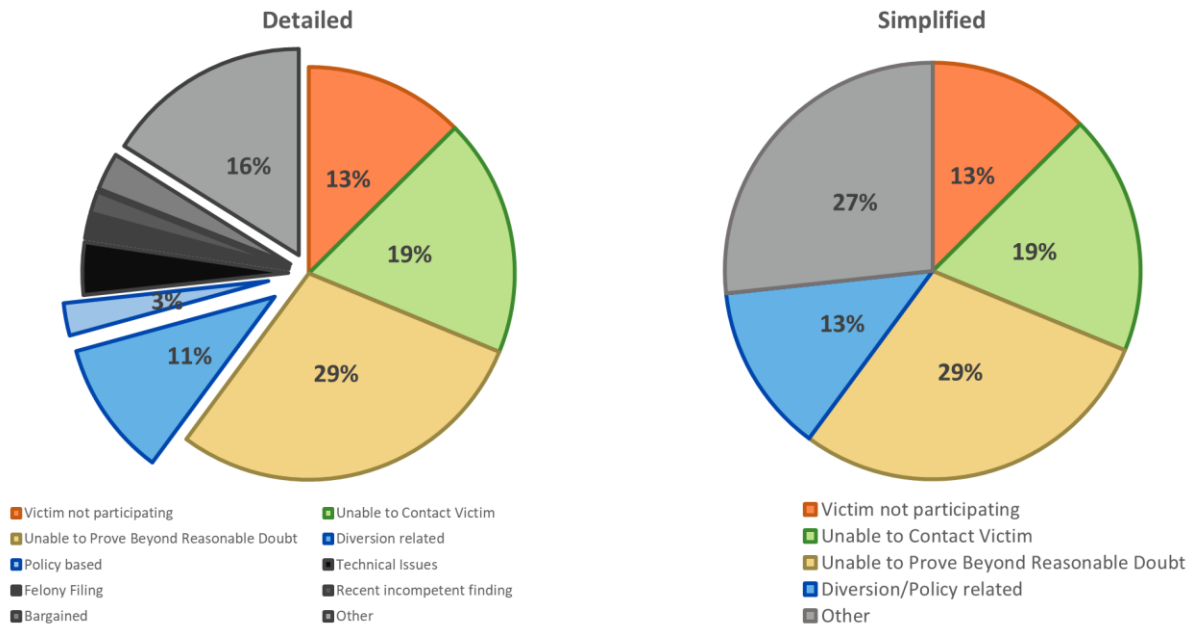
### Referrals With Pre-Trial Diversion





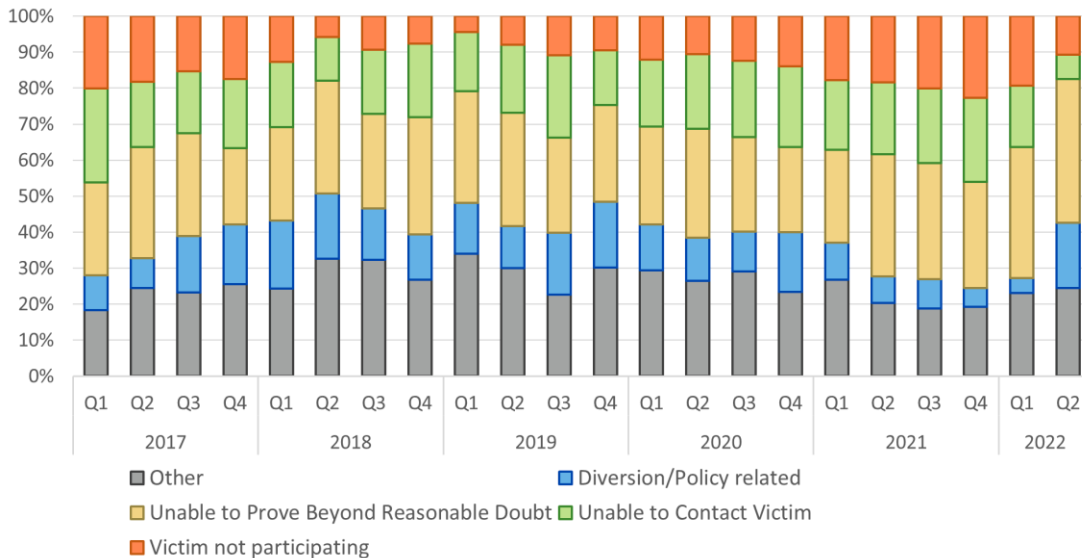
# Decline Reasons

## Breakdown of Historical Decline Reasons



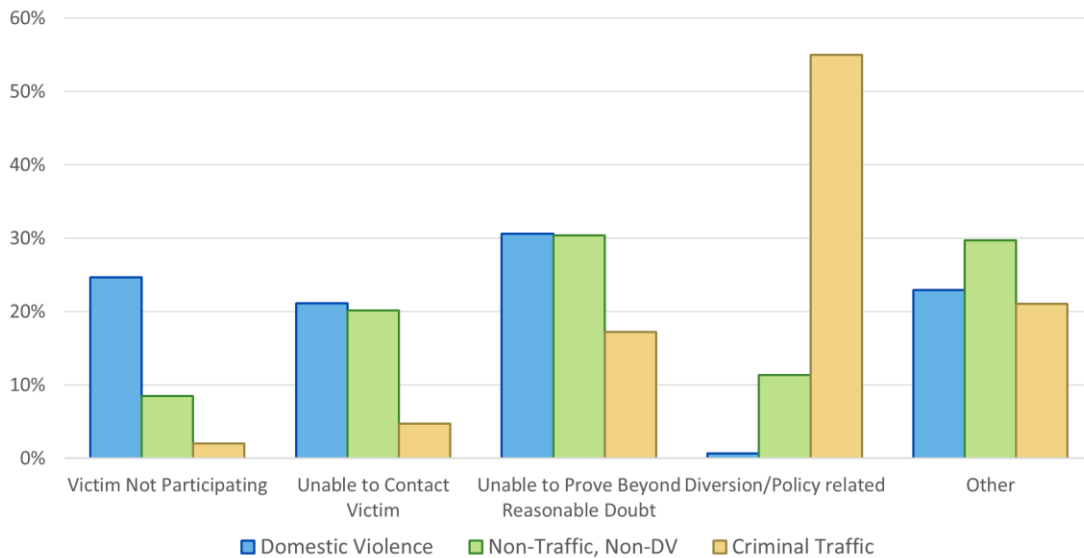
There are many reasons that the City Attorney’s office may decline to file a case. The major ones are listed above. The simplified one is used for reporting ease. These are based on 5-year averages.

## Timeline of Declines by Reason Category



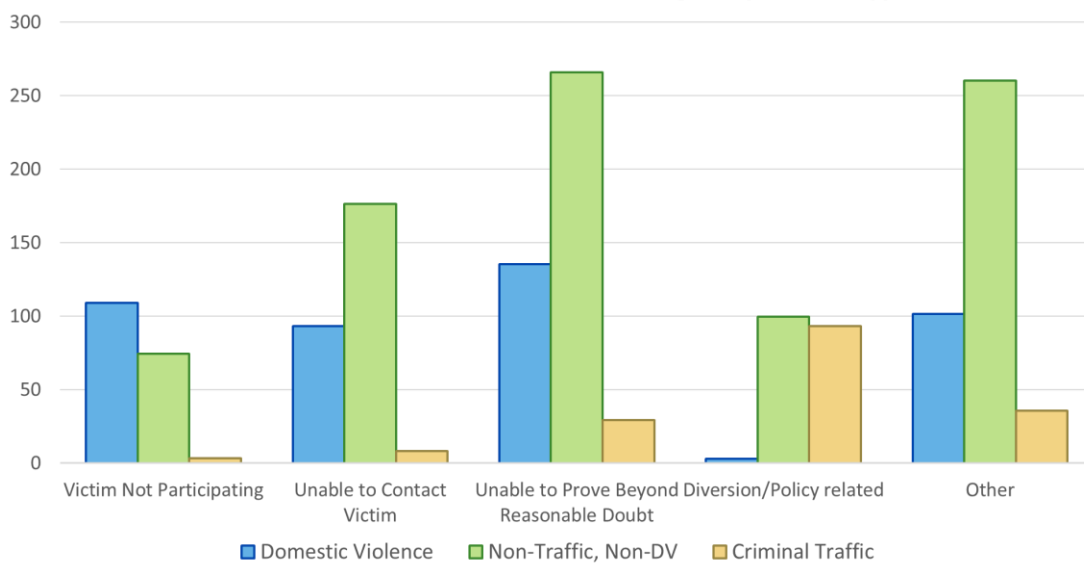
Victim related issues became a smaller proportion of decline reasons in Q1 and Q2 which is likely do the Close-in-Time policy. Policy based declines uncharacteristically made up a large proportion of Q2 and represent some of the very old referrals in the backlog being worked through.

**Breakdown of Decline Reason Proportions by Crime Type**



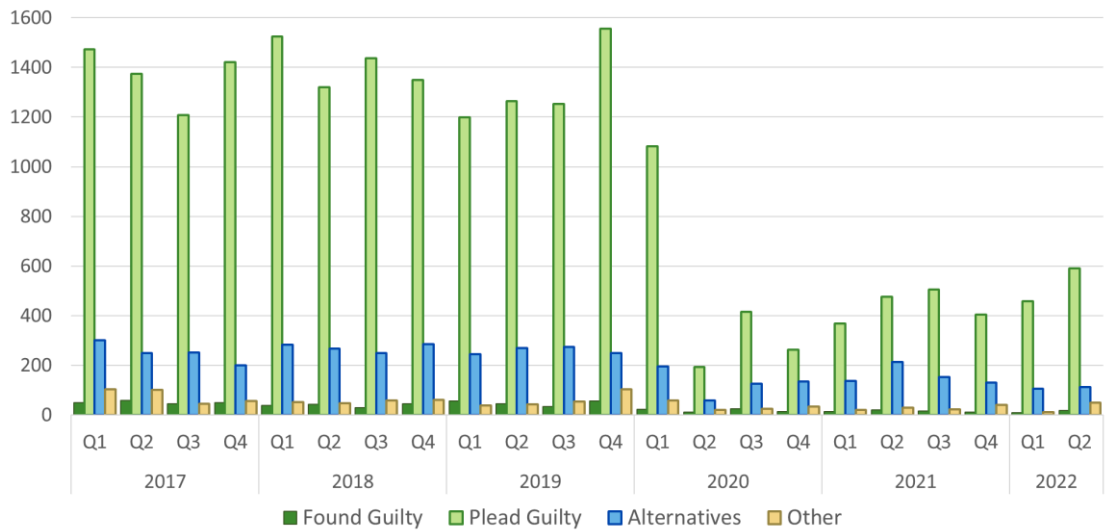
Over the past five years, a large proportion of domestic violence declines are related to the victim not wanting or being able to assist the prosecution. This is the primary reasons that domestic violence decline rates are higher than for other crime types. The large percent of declines in criminal traffic referrals come from the policy of not pursuing charges on driving while license suspended charges. As these referrals are currently rare, this does not reflect the current state in Q2 2022. The chart above shows the relative proportions of each type of decline for each crime type. The chart below shows the five-year average number of quarterly declines. The charts on the following pages give greater detail to these.

**Breakdown of Decline Reason Averages by Crime Type**

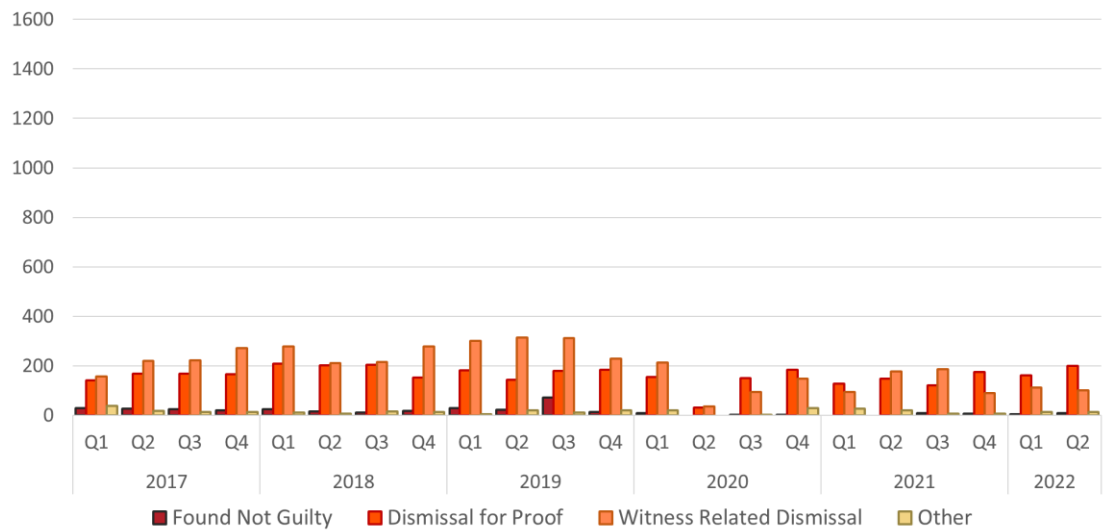


# Final Dispositions

Select Final Dispositions  
(part 1)

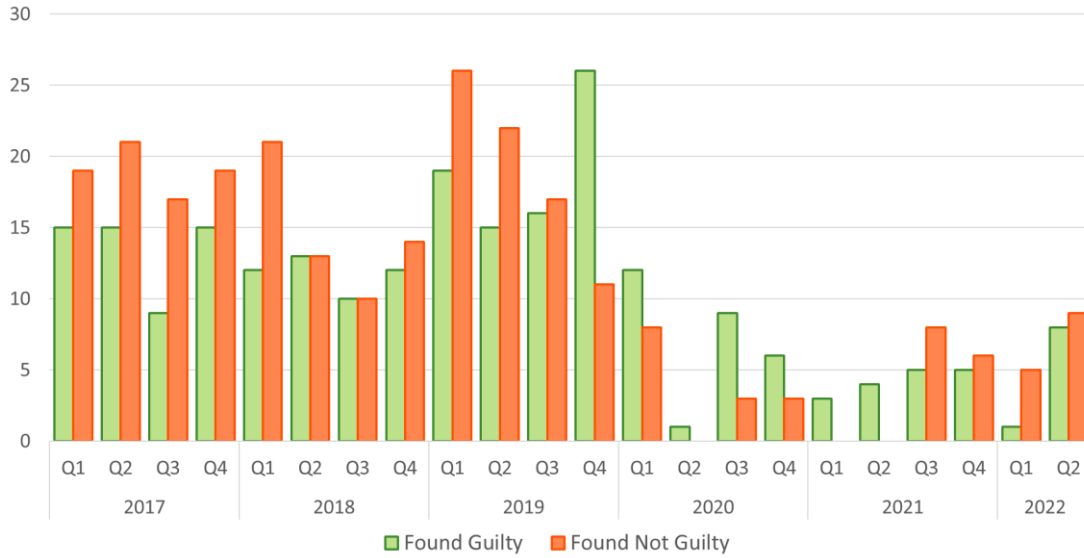


Select Final Dispositions  
(part 2)



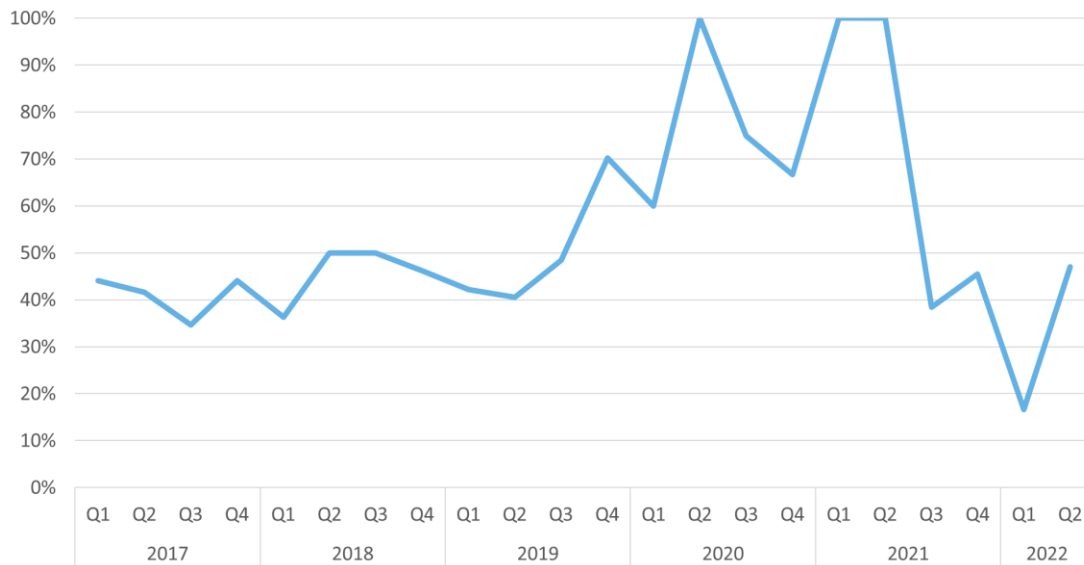
The most common final dispositions are guilty pleas. Dismissals related to successful completion of alternatives to traditional prosecution, proof issues, and victim or witness related dismissals are also common. Guilty and not guilty findings are rare. Major capacity issues originating with the pandemic still exist within the Seattle Municipal Court resulting in decreased levels of all final dispositions.

**Suspects Found Guilty vs Not Guilty in a Jury Trial**

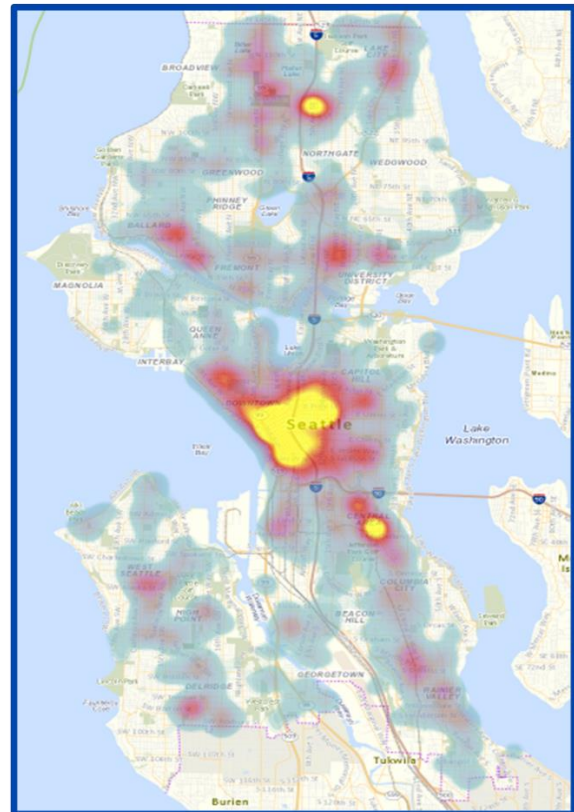
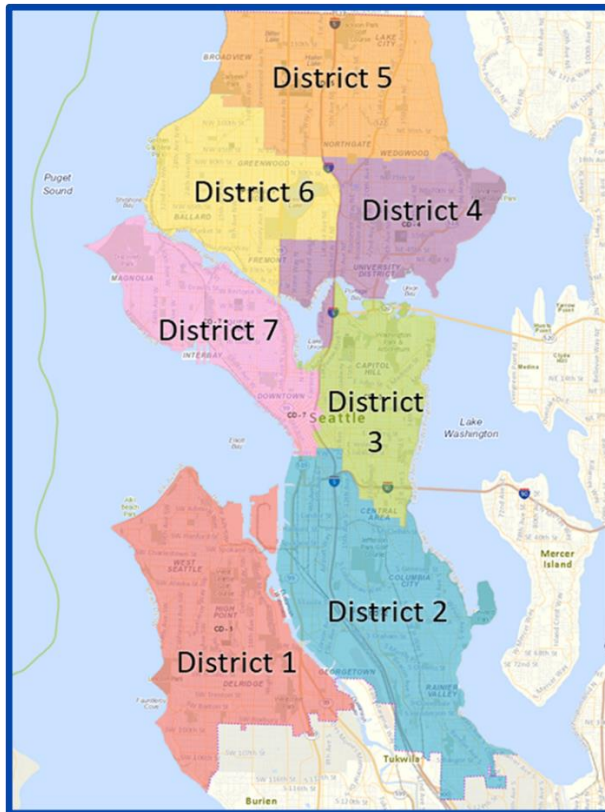


Findings of guilty and not guilty make up a very small proportion of outcomes and have mixed success.

**Percent of Suspects Found Guilty vs Not Guilty**



# District Specifics



The second quarter of 2022 had a typical distribution of police referrals with the bulk being centered around the downtown core and with hotspots around Northgate/Aurora, The U District, and the Central District.

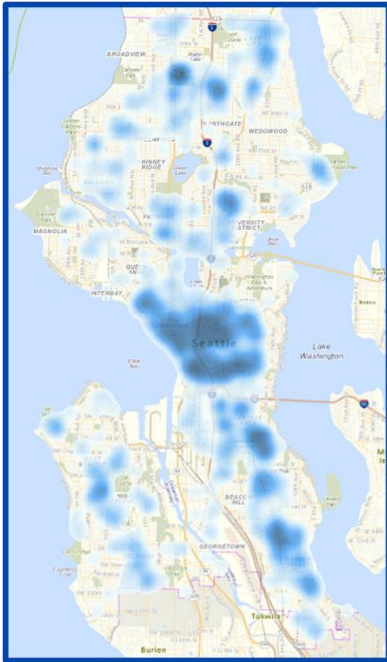
## Mapping Accuracy

Mapping a police referral relies on the accuracy of the information on a report. Even after manually correcting addresses, some either do not have enough information or are not tied to a physical address in the city’s GIS database. This quarter had substantially increased mapping accuracy.

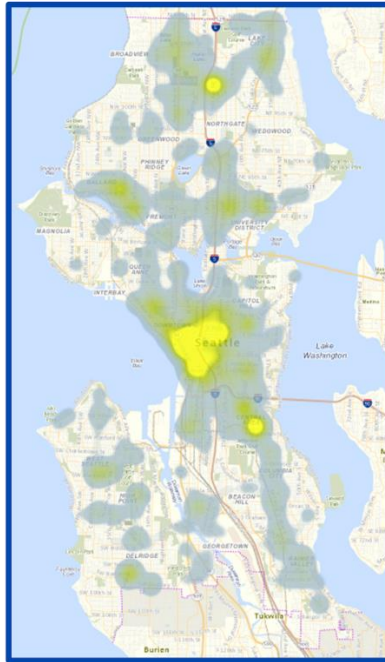
	Domestic Violence	Court Order Violations	Assault	Weapons Charges	Harassment	Theft	DUI	Total Referrals
Mapped	768	283	904	120	280	541	274	2704
UnMapped	10	6	8	1	5	3	12	82
Mapped %	99%	98%	99%	99%	98%	99%	96%	97%

# Maps

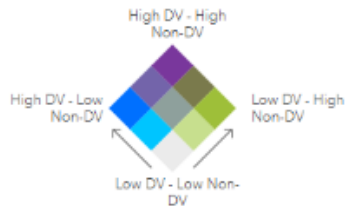
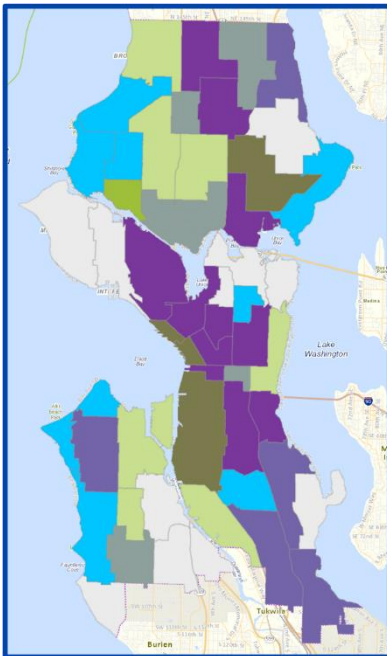
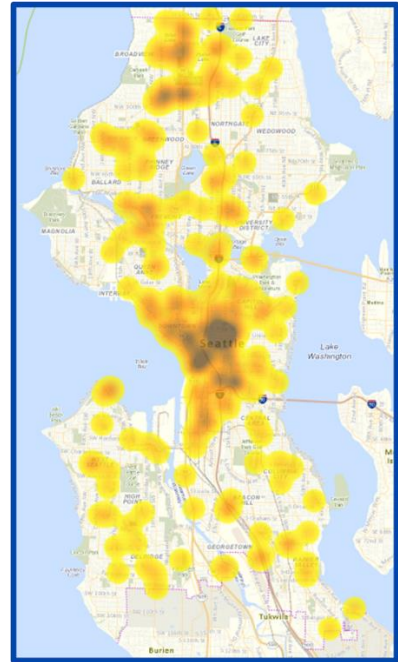
### Domestic Violence



### Non-Traffic, Non-DV

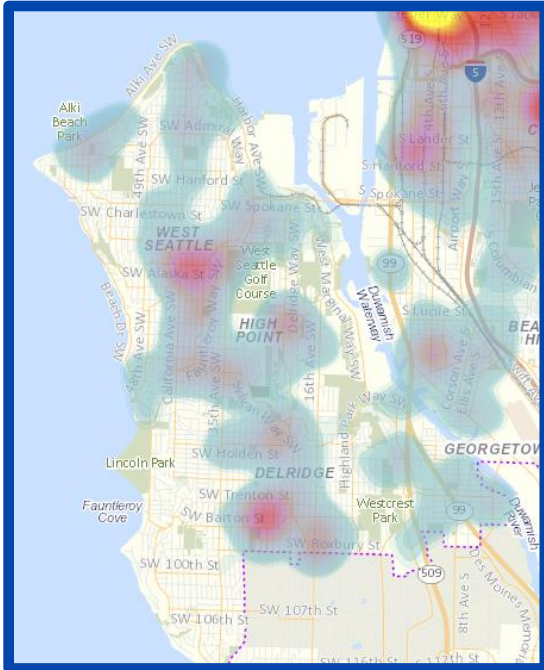


### Criminal Traffic



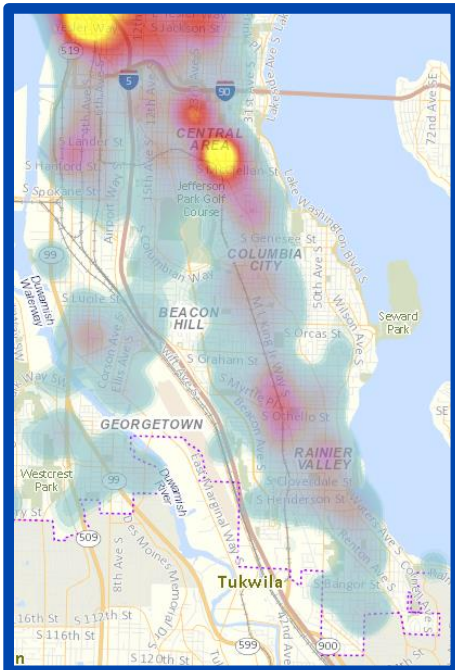
Domestic violence referrals are more prevalent in residential areas whereas non-traffic, non-domestic violence referrals concentrate in commercial areas. Traffic misdemeanor referrals are most common along major arterials especially near areas with many bars. The chart on the left shows how regions of the city vary in what sorts of crimes are committed. The more blue an area has, the more domestic violence referrals. The more green an area has, the more non-traffic, non-domestic violence referrals. Areas in purple have a lot of both and areas in grey have less of either.

## District 1



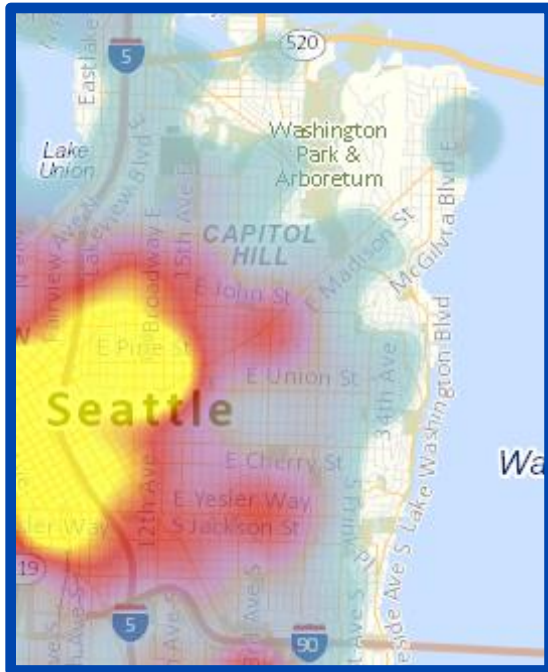
District 1, Q2-2022		
	Count	% of Seattle
Domestic Violence	83	11%
Court Order Violations	30	11%
Assault	86	10%
Weapons Charges	4	3%
Harassment	27	10%
Theft	46	9%
DUI	23	8%
<b>Total Referrals</b>	<b>229</b>	<b>8%</b>

## District 2



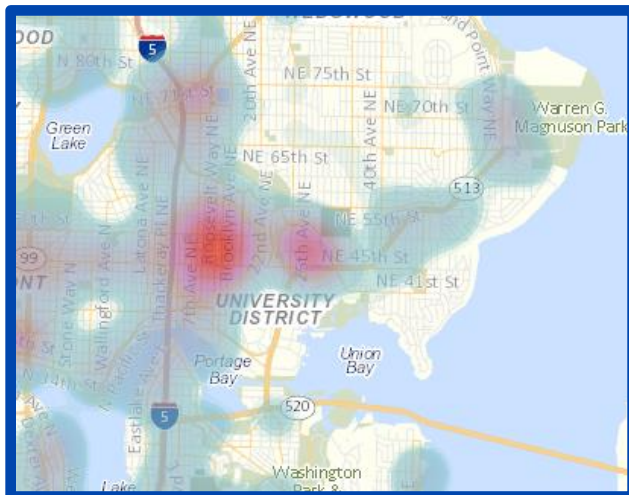
District 2, Q2-2022		
	Count	% of Seattle
Domestic Violence	186	24%
Court Order Violations	79	28%
Assault	171	19%
Weapons Charges	26	22%
Harassment	61	22%
Theft	106	20%
DUI	43	16%
<b>Total Referrals</b>	<b>499</b>	<b>18%</b>

## District 3



District 3, Q2-2022		
	Count	% of Seattle
Domestic Violence	167	22%
Court Order Violations	58	20%
Assault	207	23%
Weapons Charges	22	18%
Harassment	63	23%
Theft	63	12%
DUI	83	30%
<b>Total Referrals</b>	<b>590</b>	<b>22%</b>

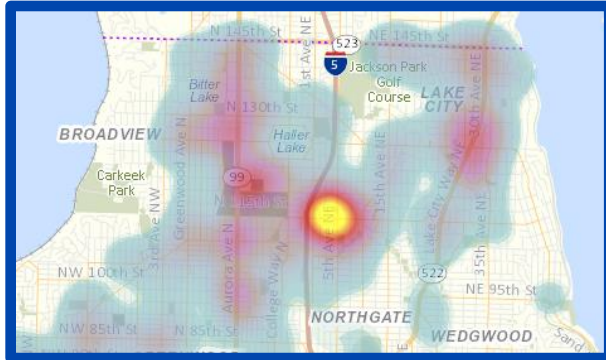
## District 4



District 4, Q2-2022		
	Count	% of Seattle
Domestic Violence	61	8%
Court Order Violations	19	7%
Assault	60	7%
Weapons Charges	8	7%
Harassment	22	8%
Theft	43	8%
DUI	15	5%
<b>Total Referrals</b>	<b>184</b>	<b>7%</b>

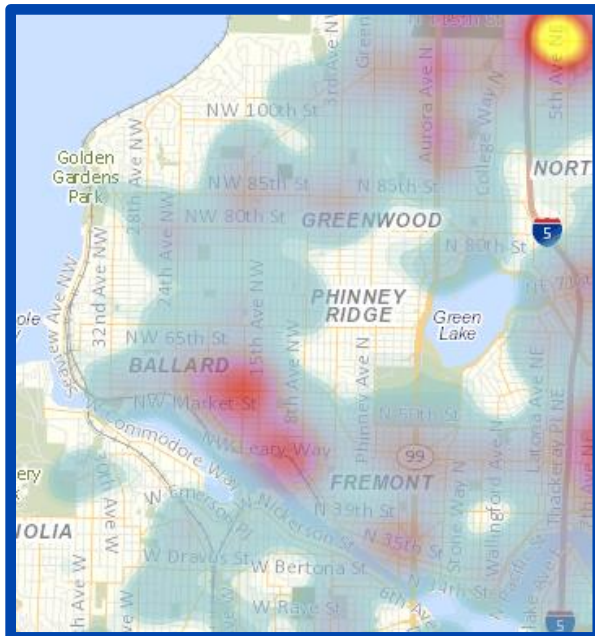


## District 5



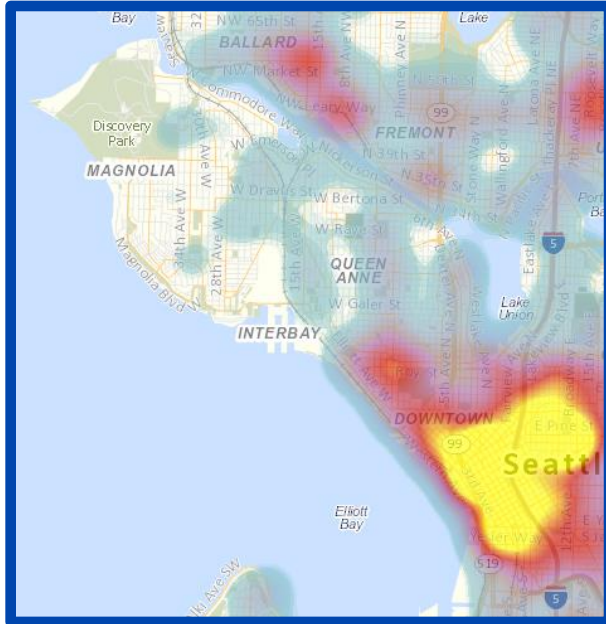
District 5, Q2-2022		
	Count	% of Seattle
<b>Domestic Violence</b>	102	13%
<b>Court Order Violations</b>	35	12%
<b>Assault</b>	110	12%
<b>Weapons Charges</b>	16	13%
<b>Harassment</b>	28	10%
<b>Theft</b>	89	16%
<b>DUI</b>	39	14%
<b>Total Referrals</b>	<b>370</b>	<b>14%</b>

## District 6



District 6, Q2-2022		
	Count	% of Seattle
<b>Domestic Violence</b>	49	6%
<b>Court Order Violations</b>	21	7%
<b>Assault</b>	51	6%
<b>Weapons Charges</b>	8	7%
<b>Harassment</b>	17	6%
<b>Theft</b>	55	10%
<b>DUI</b>	24	9%
<b>Total Referrals</b>	<b>208</b>	<b>8%</b>

## District 7

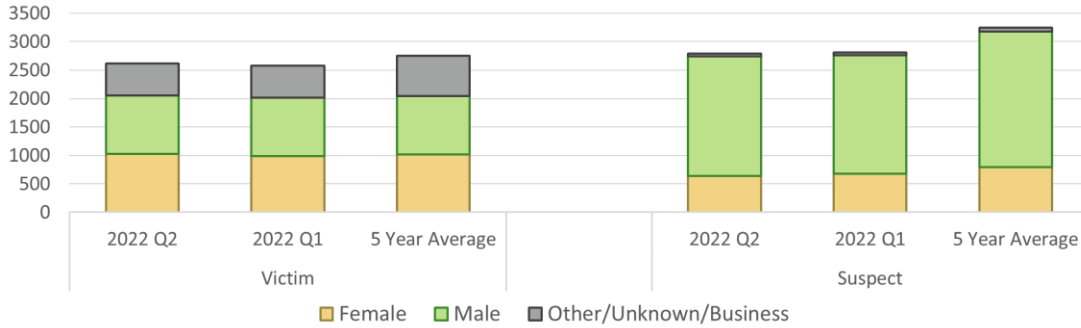


District 7, Q2-2022		
	Count	% of Seattle
<b>Domestic Violence</b>	120	16%
<b>Court Order Violations</b>	41	14%
<b>Assault</b>	219	24%
<b>Weapons Charges</b>	36	30%
<b>Harassment</b>	62	22%
<b>Theft</b>	139	26%
<b>DUI</b>	47	17%
<b>Total Referrals</b>	<b>624</b>	<b>23%</b>

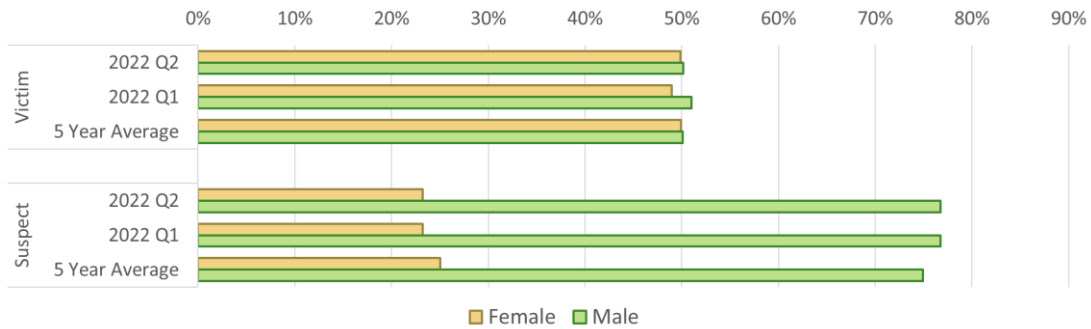
# Gender Specifics

Demographic information originates with police reports and are updated by SCAO staff.

### Incoming Referrals by Gender for Victims and Suspects

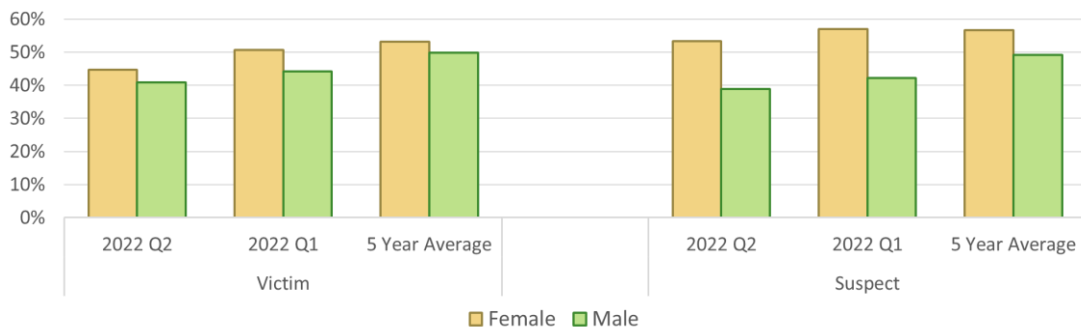


### Proportion of Incoming Referrals by Gender for Victims/Suspects



While males make up about three quarters of police referrals, crime victims are more proportional to the population with businesses making up a large proportion of the “other/unknown/business” category. Gender diverse individuals are less than one percent of victims and of suspects.

### Decline Rates by Gender for Victims and Suspects



Decline Rates for referrals with a female victim are slightly higher than for males and much higher for female suspects vs male suspects. While overall decline rates fell in Q1, decline rates for female suspects increased slightly.

## Tables

These tables provide the information on the next several pages in a condensed form. Blank sections refer to data that has too small of a sample size to be relevant.

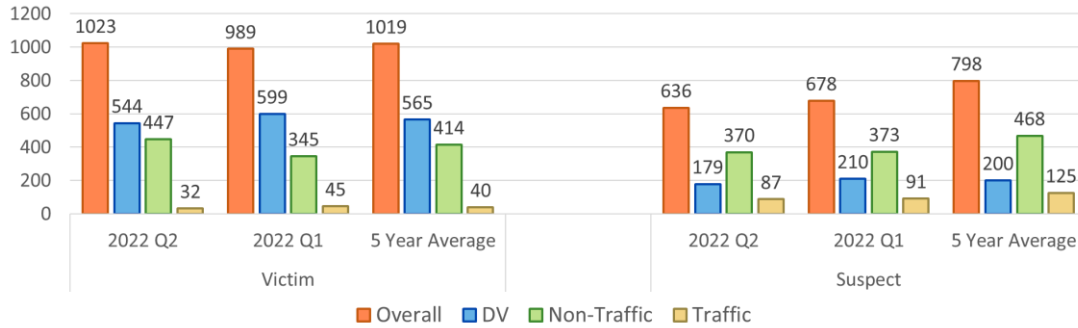
Referrals by Gender													
		Q2 2022				5-year Average				Change			
		Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic
Female	Victims	1023	544	447	32	1019	565	414	40	0%	-4%	8%	-19%
	Suspects	636	179	370	87	798	200	468	125	-20%	-11%	-21%	-31%
Male	Victims	1029	263	705	61	1023	255	709	60	1%	3%	-1%	2%
	Suspects	2102	592	1288	214	2385	582	1429	369	-12%	2%	-10%	-42%

Decline Rates by Gender													
		Q2 2022				5-year Average				Change			
		Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic
Female	Victims	45%	52%	38%	-	53%	58%	50%	18%	-8%	-6%	-11%	-
	Suspects	53%	82%	44%	17%	57%	74%	51%	48%	-3%	7%	-7%	-31%
Male	Victims	41%	69%	33%	-	50%	67%	45%	19%	-9%	2%	-13%	-
	Suspects	39%	54%	34%	21%	49%	58%	46%	46%	-10%	-4%	-12%	-25%

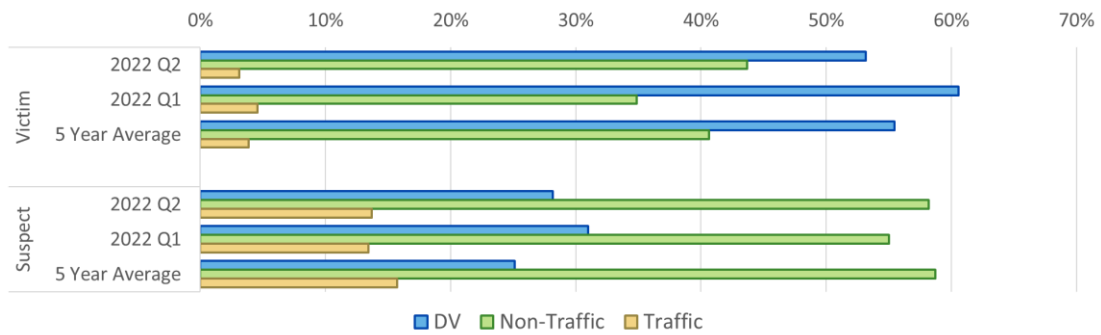
Final Dispositions by Gender											
		Q2 2022			5 Year Average			Change			
		% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	
Female	Victims	71%	0%	-	50%	4%	69%	20%	-4%	-	
	Suspects	62%	6%	-	57%	7%	79%	6%	-1%	-	
Male	Victims	-	0%	-	59%	3%	49%	-	-3%	-	
	Suspects	55%	7%	59%	61%	7%	65%	-7%	0%	-6%	

# Female

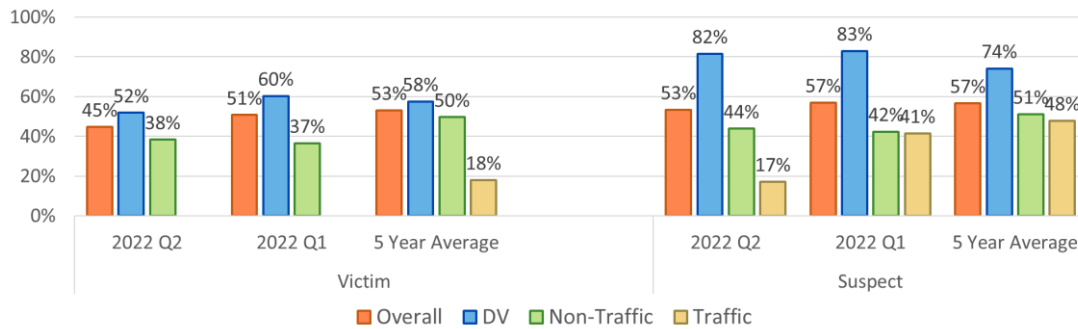
### Referrals by Category Involving Female Victims and Suspects



### Proportion of Categories for Female Victims and Suspects

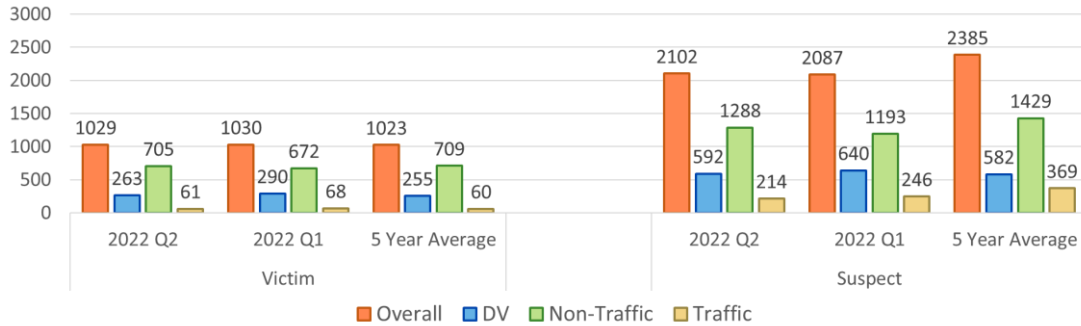


### Decline Rates for Referrals Involving Female Victims and Suspects

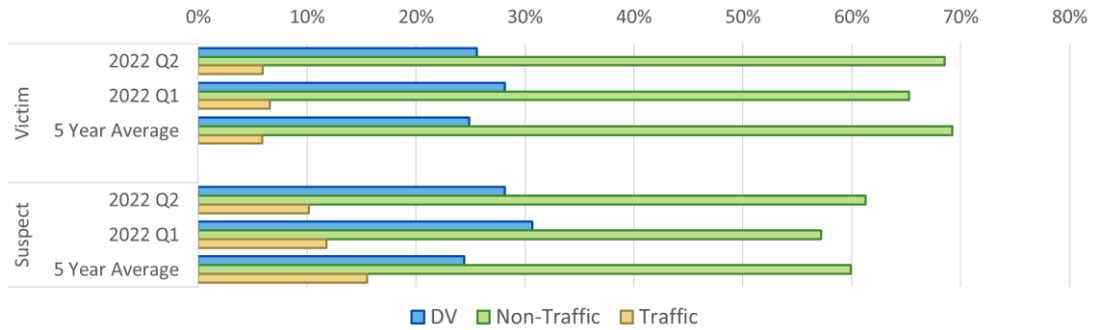


# Male

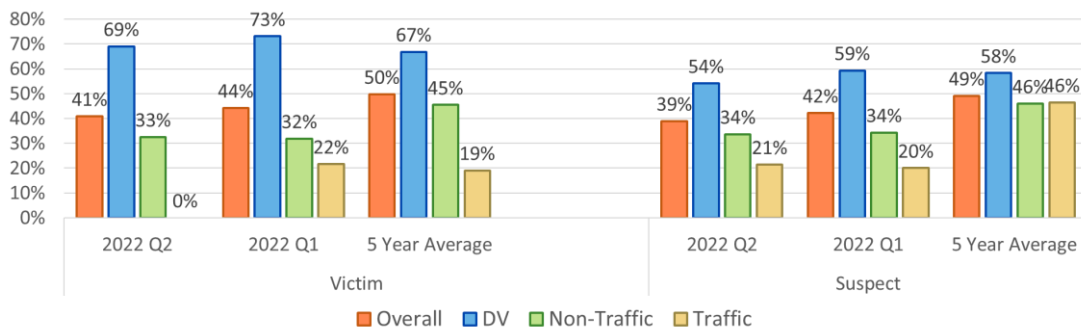
## Referrals by Category Involving Male Victims and Suspects



## Crime Type Proportions for Male Victims and Suspects



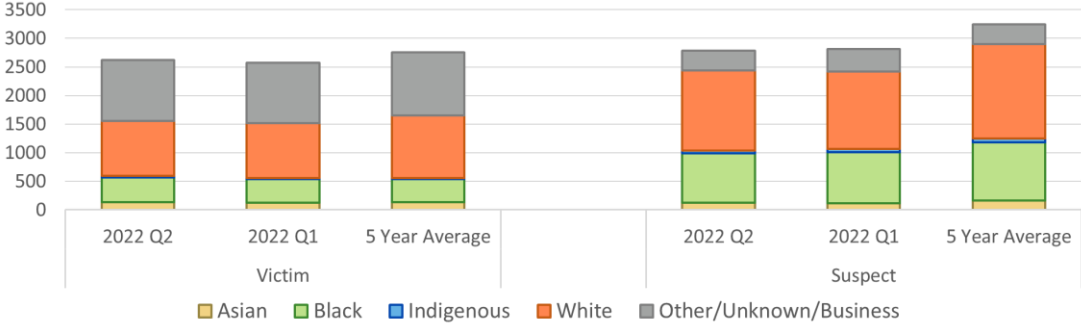
## Decline Rates for Referrals Involving Male Victims and Suspects



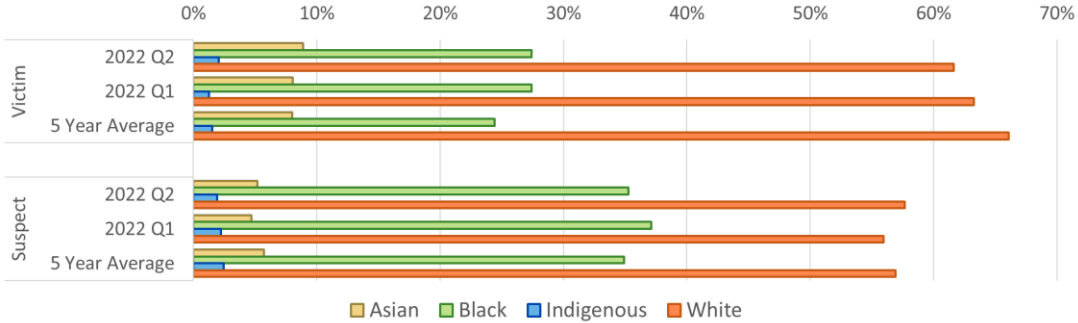
# Race Specifics

Demographic information originates with police reports and are updated by SCAO staff. *Small sample sizes for Asian and Indigenous peoples may reduce statistical relevance.*

**Incoming Referrals by Race for Victims and Suspects**

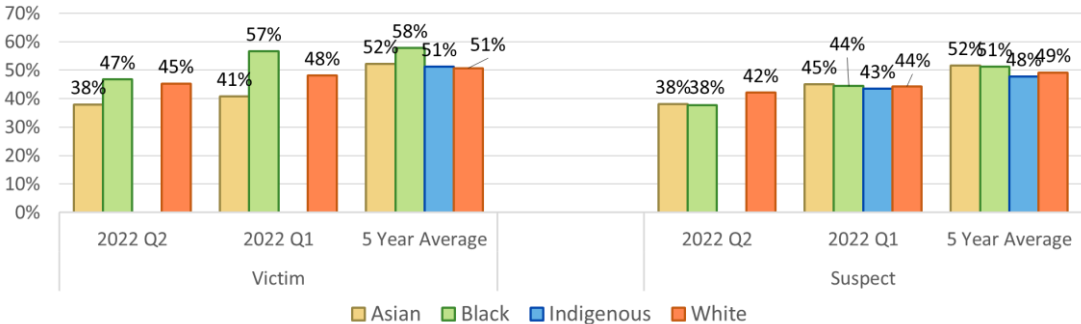


**Proportion of Incoming Referrals by Race for Victims/Suspects**



While the racial proportion of suspects on incoming referrals has remained consistent, recent referrals have had a higher proportion of black victims in recent quarters.

**Decline Rates by Race for Victims and Suspects**



## Tables

These tables provide the information on the next several pages in a condensed form. Blank sections refer to data that has too small of a sample size to be relevant.

Referrals by Race													
		Q2 2022				5-year Average				Change			
		Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic
Asian	Victims	138	52	75	11	132	50	76	6	5%	5%	-2%	-
	Suspects	126	34	78	14	165	46	87	33	-24%	-25%	-10%	-
Black	Victims	426	221	192	13	403	210	184	9	6%	5%	4%	-
	Suspects	860	288	491	80	1011	255	609	146	-15%	13%	-19%	-45%
Indigenous	Victims	32	17	14	1	25	16	9	0	-	-	-	-
	Suspects	126	34	78	14	165	46	87	33	-24%	-25%	-10%	-
White	Victims	958	357	582	19	1090	425	632	33	-12%	-16%	-8%	-
	Suspects	1407	322	913	165	1649	370	1020	253	-15%	-13%	-10%	-35%

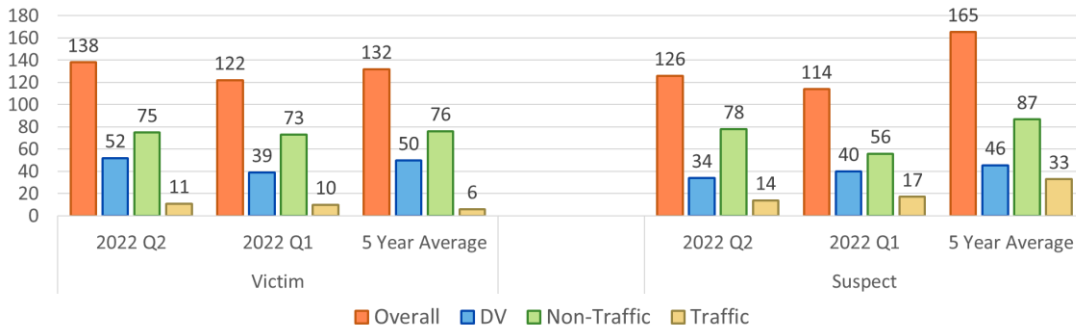
Decline Rates by Race													
		Q2 2022				5-year Average				Change			
		Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic
Asian	Victims	38%	47%	33%	-	52%	62%	47%	20%	-14%	-15%	-14%	-
	Suspects	38%	55%	30%	-	52%	62%	48%	46%	-13%	-8%	-18%	-
Black	Victims	47%	58%	36%	-	58%	63%	54%	19%	-11%	-4%	-17%	-
	Suspects	38%	55%	30%	-	51%	61%	47%	53%	-14%	-6%	-17%	-
Indigenous	Victims	-	-	-	-	51%	53%	49%	25%	-	-	-	-
	Suspects	-	-	-	-	48%	58%	46%	32%	-	-	-	-
White	Victims	45%	63%	36%	-	51%	60%	46%	18%	-5%	3%	-9%	-
	Suspects	42%	64%	36%	24%	49%	62%	46%	41%	-7%	2%	-10%	-17%

Final Dispositions by Race											
		Q2 2022			5 Year Average			Change			
		% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	
Asian	Victims	-	0%	-	-	2%	56%	-	-2%	-	
	Suspects	-	0%	-	56%	6%	69%	-	-6%	-	
Black	Victims	-	0%	-	40%	4%	52%	-	-4%	-	
	Suspects	52%	5%	44%	61%	7%	55%	-9%	-1%	-11%	
Indigenous	Victims	-	-	-	-	5%	60%	-	-	-	
	Suspects	70%	-	-	69%	6%	80%	1%	-	-	
White	Victims	-	0%	-	47%	3%	61%	-	-3%	-	
	Suspects	60%	10%	75%	62%	8%	74%	-1%	2%	1%	

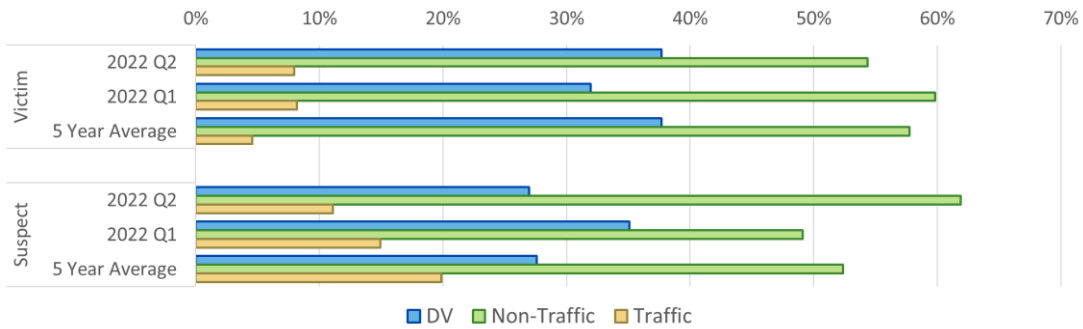
## Asian



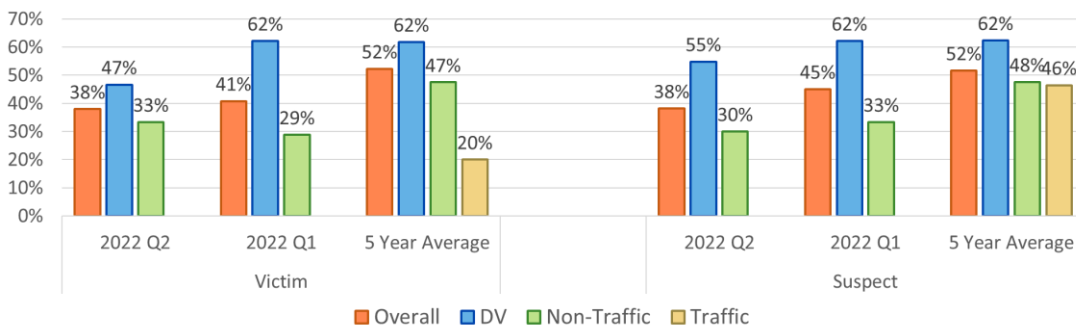
### Referrals by Category Involving Asian Victims and Suspects



### Crime Type Proportions for Asian Victims and Suspects

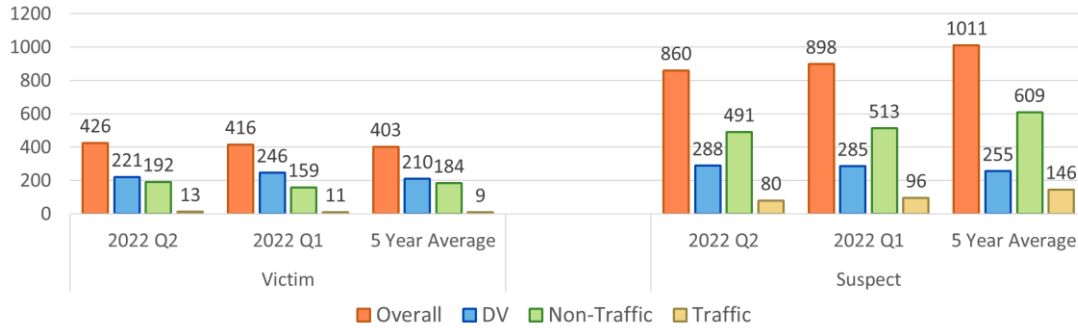


### Decline Rates for Referrals Involving Asian Victims and Suspects

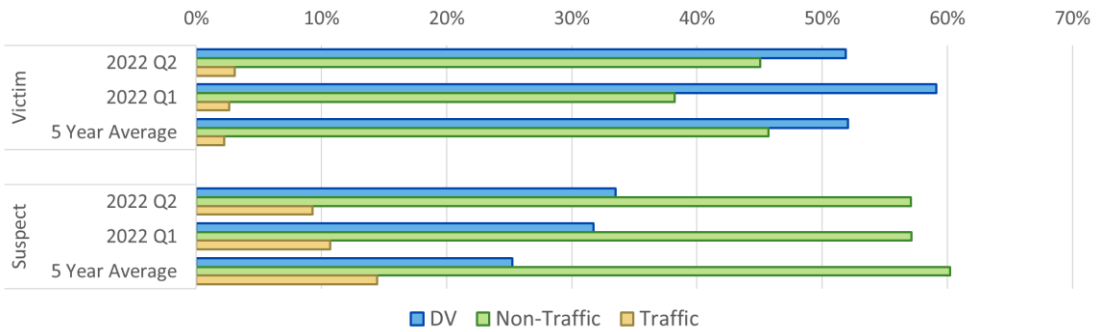


# Black

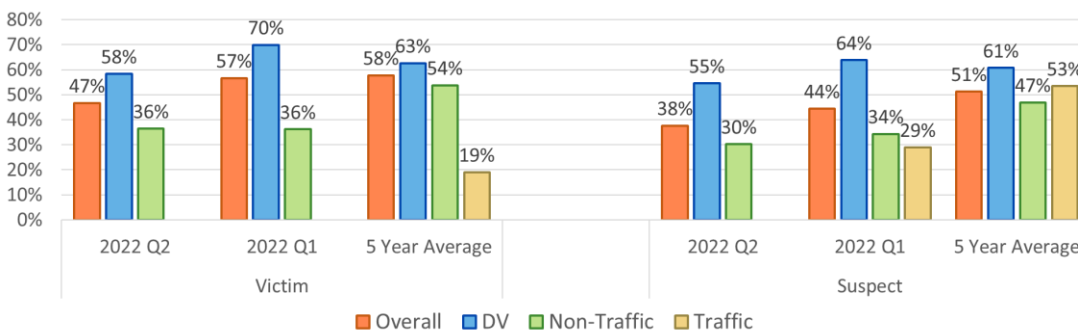
## Referrals by Category Involving Black Victims and Suspects



## Crime Type Proportions for Black Victims and Suspects

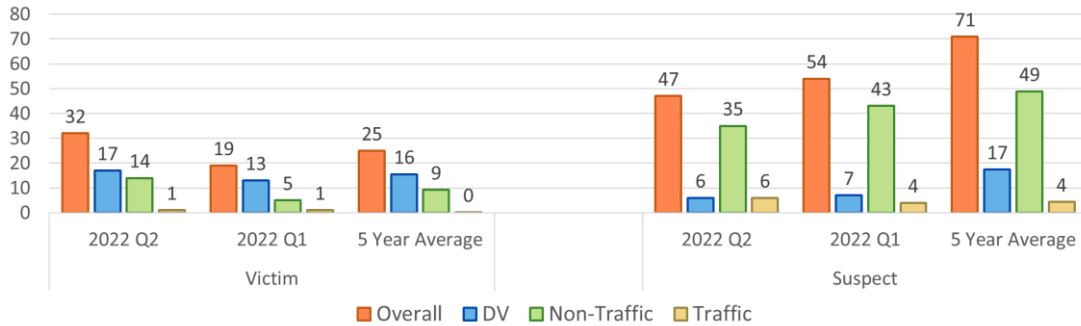


## Decline Rates for Referrals Involving Black Victims and Suspects

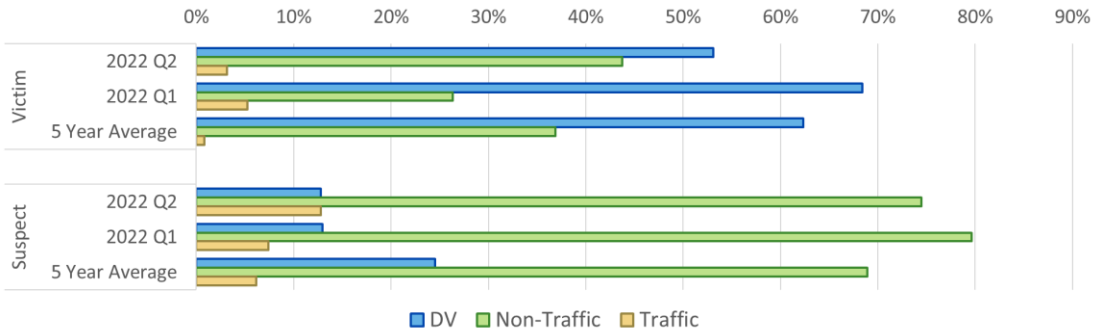


# Indigenous

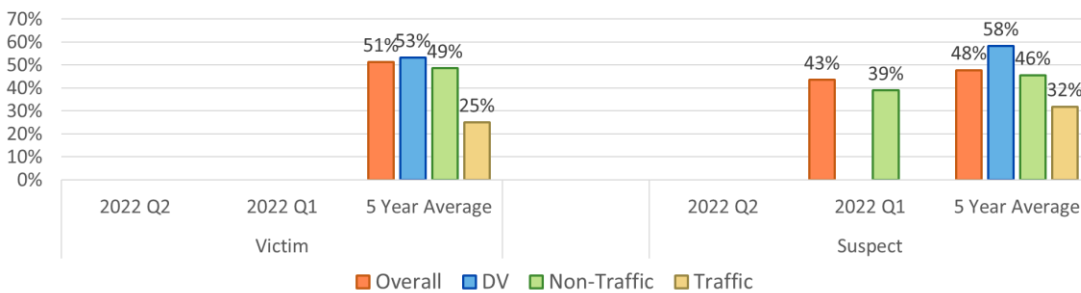
### Referrals by Category Involving Indigenous Victims and Suspects



### Crime Type Proportions for Indigenous Victims and Suspects



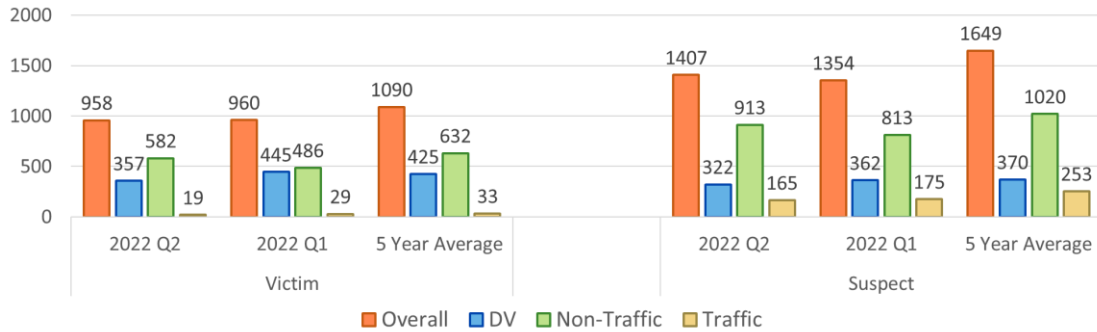
### Decline Rates for Referrals Involving Indigenous Victims and Suspects



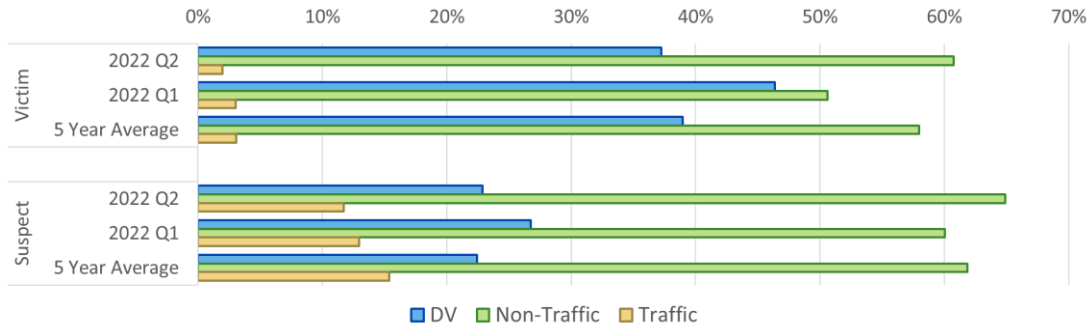
There were too few Indigenous victims and suspects that had filed or declined referrals for any meaningful decline rates in Q2 2022.

# White

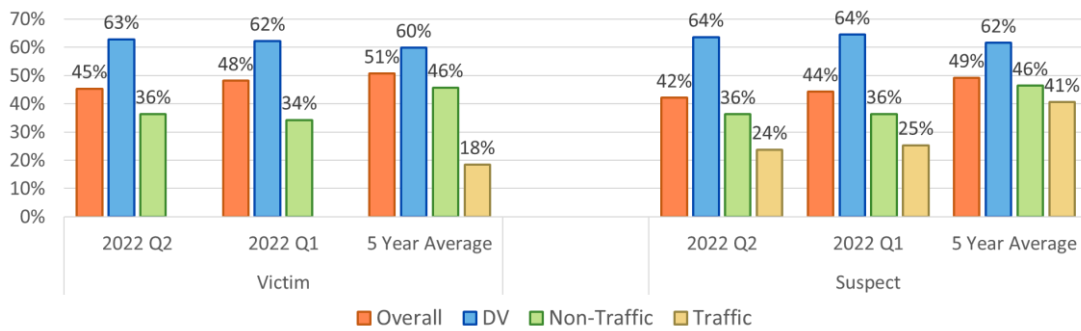
### Referrals by Category Involving White Victims and Suspects



### Crime Type Proportions for White Victims and Suspects



### Decline Rates for Referrals Involving White Victims and Suspects



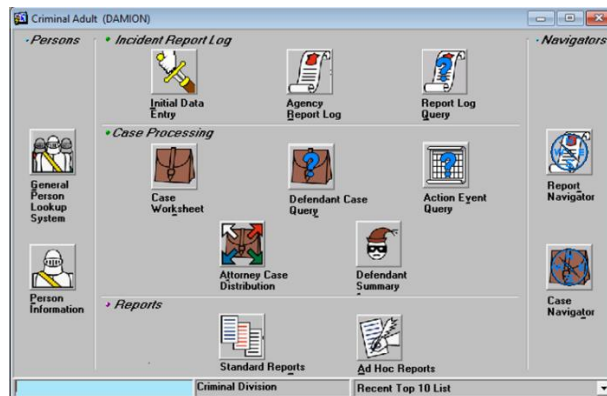
## Policy Changes

With respect to SMC 3.46.020D, there have been no changes to the relevant scope of work for attorneys working on pre-booking diversion programming.

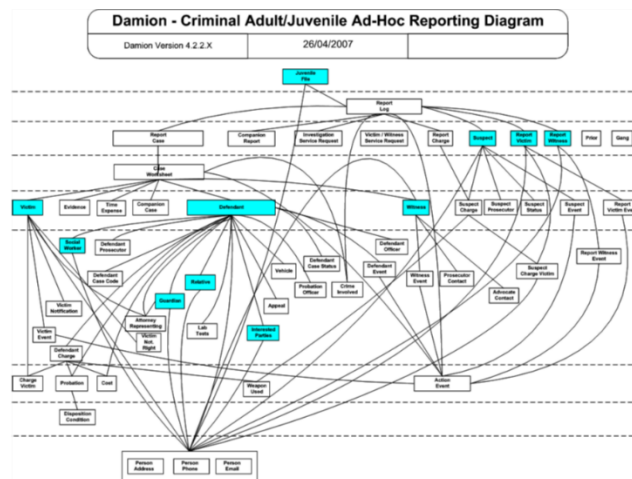
# Reporting Challenges

## DAMION

The criminal case management system currently used by the City Attorney’s Office is the District Attorney Management Information Office Network (DAMION.) It is very complex and archaic. It was introduced at a similar time to the idea of Windows, and it still reflects its time origination by using icons from contemporary video games. Below is what the program looks like.



The database that is housed within DAMION uses a hierarchical relationship model which means that data from different sections can only be viewed together if they have a direct link and are not on the same level. For instance, it is not possible to view information from the Victim and Suspect sections at the same time. Extracting any sort of aggregate data from the database requires writing a custom “Ad Hoc Report.” Below is a visual map of the data within the DAMION database that was created by this CAO Administration.



The City Attorney’s Office has been aware of data issues with DAMION and has been trying to replace it for 5 years. After a lengthy RFP process, the city settled on Justice Nexus and has spent millions of dollars over the past three years working on a new system. That process is still ongoing.

## Prior Versions of the SPAR

The Statistics of Prosecution & Analysis Report (SPAR) was coded decades ago to query the DAMION database and return a digital “ticker tape” of values. It was not created to handle any form of demographics that are now required by council ordinance, nor does it look at historical context. Prior reports relied on copying this information into an excel sheet to display that period’s data alongside the previous period’s data. Below is an example of this report as it was delivered in years past.

Criminal Division Overall: 1st Qtr. 2021**	Q1 2021 compared to same period 2020
2020 Reports Recd	3,314
2021 Reports Recd	2,718
DIFF 2021-2020	(596)
% Change	-18%
2020 Cases Filed	1,471
2021 Cases Filed	888
DIFF 2021-2020	(583)
% Change	-40%
2020 Reports Declined	1,887
2021 Reports Declined	1,017
DIFF 2021-2020	(870)
% Change	-46%
2020 % Reports Received were Declined	57%
2021 % Reports Received were Declined	37%
2020 Avg. # Days From Date Recd to Dispo	399
2021 Avg. # Days From Date Recd to Dispo	352
2020 In Custody Arrg.	1,573
2021 In Custody Arrg.	996
DIFF 2021-2020	(577)
% Change	-37%
2020 Total # Bookings	2,517
2021 Total # Bookings	709
DIFF 2021-2020	(1,808)
% Change	-65%
2020 Total Booked w/Case Declined at ICA	338
2021 Total Booked w/Case Declined at ICA	201
DIFF 2020-2019	(137)
% Change	-41%
2020 % of Total Booked W/Case Declined	17%
2021 % of Total Booked W/Case Declined	28%
2020 Intake	848
2021 Intake	429
DIFF 2021-2020	(419)
% Change	-49%
2020 Motion Setting	178
2021 Motion Setting	77
DIFF 2021-2020	(101)
% Change	-57%
2020 PTH Setting	3,497
2021 PTH Setting	2,712
DIFF 2021-2020	(785)
% Change	-22%
2020 Jury Trial Settings	288
2021 Jury Trial Settings	0
DIFF 2021-2020	(288)
% Change	-100%
2020 Jury Trials with Finding	22
2021 Jury Trials with Finding	0
DIFF 2020-2019	(22)
% Change	-100%

	2020	2021
Reports	3314	2718
Cases	1471	888
Decline	1887	1017
ICA	1573	996
Intake	848	429
PTH	3497	2712
Motions	178	77
Jury Sets	288	0
JT Findings	22	0

	2020	2021
Completed	448	821
Pending*	399	352

\*Pending dispo = start date of PTD, DP, SOC and DC

\*\*Effective 3/16/20 SMC began limited operations in response to COVID-19. SCAO also operated with some reduced capacity late Q1 2020 as a result of office di

Because the data in the department contains relatively high variability between quarters, a comparison to just one other period does not provide contextually accurate information to policy makers. It also lacked analysis to describe potential causes for high variance from previous periods in most instances or descriptions that would benefit readers from the general public.

The reports also contained information on outcomes provided by a companion query program. This was also copied into a spreadsheet most quarters and it showed counts of 20 “favorable” outcomes, 7 “unfavorable” and 2 others. An example is shown at the start of the following page.

OUTCOME MEASURES SUMMARY REPORT					
2019		2019		2018	
JANUARY - SEPT (FAVORABLE)		JANUARY - SEPT (FAVORABLE)		JANUARY - DECEMBER (FAVORABLE)	
Count	Description	Count	Description	Count	Description
122	Deferred Prosecution	116	Deferred Prosecution	158	Deferred Prosecution
10	Dismiss - Prison	21	Dismiss - Prison	25	Dismiss - Prison
126	Dismiss DP - Successful	136	Dismiss DP - Successful	176	Dismiss DP - Successful
46	Dismiss Pre-Trial Diversion	40	Dismiss Pre-Trial Diversion	76	Dismiss Pre-Trial Diversion
481	Dismiss- Dispo. Cont. Successful	437	Dismiss- Dispo. Cont. Successful	583	Dismiss- Dispo. Cont. Successful
171	Dismiss-SOC successful	151	Dismiss-SOC successful	193	Dismiss-SOC successful
1,590	Dismissed - Negotiated Plea	1,680	Dismissed - Negotiated Plea	2,146	Dismissed - Negotiated Plea
40	First Time Offender DWLS*	1	First Time Offender DWLS*	2	First Time Offender DWLS*
56	Dispositional Continuance - Red.	67	Dispositional Continuance - Red.	94	Dispositional Continuance - Red.
415	Dispositional Continuance	478	Dispositional Continuance	547	Dispositional Continuance
28	FG - Unsuccessful DP	16	FG - Unsuccessful DP	28	FG - Unsuccessful DP
2	FG - Unsuccessful DC	6	FG - Unsuccessful DC	8	FG - Unsuccessful DC
6	FG - Unsuccessful PTD	9	FG - Unsuccessful PTD	12	FG - Unsuccessful PTD
171	FG - Unsuccessful SOC	24	FG - Unsuccessful SOC	26	FG - Unsuccessful SOC
120	Found Guilty	89	Found Guilty	107	Found Guilty
2,262	Plead Guilty	2,579	Plead Guilty	3,173	Plead Guilty
437	Plead Guilty Reduced	312	Plead Guilty Reduced	388	Plead Guilty Reduced
21	Pre-Trial Diversion	38	Pre-Trial Diversion	31	Pre-Trial Diversion
181	Stipulated Order of Cont.	169	Stipulated Order of Cont.	258	Stipulated Order of Cont.
41	Dismissed - Felony Filing	47	Dismissed - Felony Filing	60	Dismissed - Felony Filing
6,325	<b>Total Favorable</b>	6,456	<b>Total Favorable</b>	8,091	<b>Total Favorable</b>
<b>JANUARY - SEPT 2019 Unfavorable</b>		<b>JANUARY - SEPT 2018 Unfavorable</b>		<b>JANUARY - DECEMBER 2018 Unfavorable</b>	
58	Dismissed Proof Problem	63	Dismissed Proof Problem	771	Dismissed Proof Problem
888	Dismissed - No Civilian Witness	731	Dismissed - No Civilian Witness	866	Dismissed - No Civilian Witness
6	Dismissed - No Non-Civilian	2	Dismissed - No Non-Civilian	2	Dismissed - No Non-Civilian
0	Hung Jury	0	Hung Jury	0	Hung Jury
136	Not Guilty	95	Not Guilty	68	Not Guilty
0	Stricken	0	Stricken	0	Stricken
0	Reduced Charge - No Officer	0	Reduced Charge - No Officer	0	Reduced Charge - No Officer
1,604	<b>Total Unfavorable</b>	1,427	<b>Total Unfavorable</b>	1,807	<b>Total Unfavorable</b>
3	Dismissed - Court Error	3	Dismissed - Court Error	3	Dismissed - Court Error
420	Dismissed - Age	11	Dismissed - Age	11	Dismissed - Age
<b>Summary</b>		<b>Summary</b>		<b>Summary</b>	
<b>JANUARY - SEPT 2019</b>		<b>JANUARY - SEPT 2018</b>		<b>JANUARY - DECEMBER 2018</b>	
7,929	<b>Total Dispositions</b>	7,885	<b>Total Dispositions</b>	9,898	<b>Total Dispositions</b>
80%	<b>Favorable Dispositions</b>	82%	<b>Favorable Dispositions</b>	82%	<b>Favorable Dispositions</b>
20%	<b>Unfavorable Dispositions</b>	18%	<b>Unfavorable Dispositions</b>	18%	<b>Unfavorable Dispositions</b>

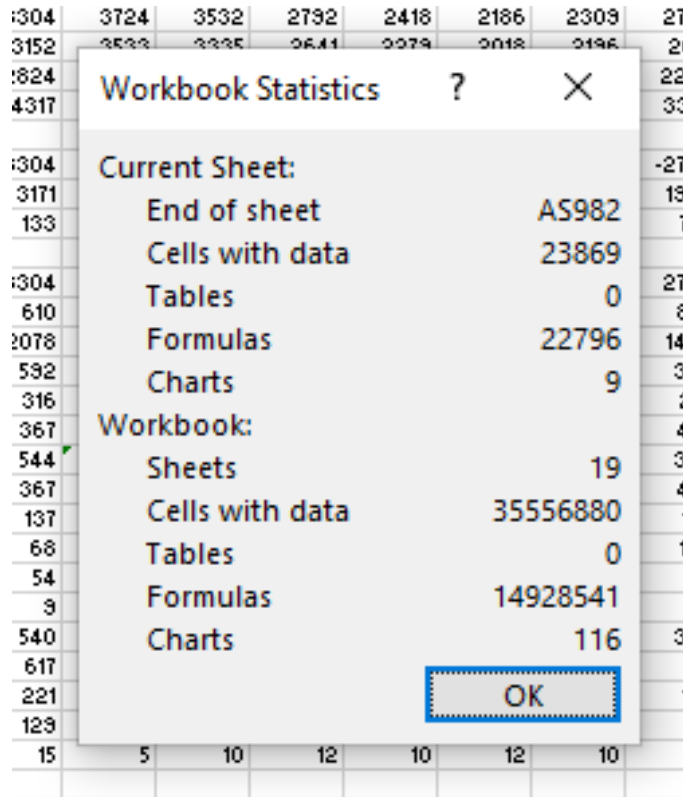
While this example provides context of the entire previous year, it is for a different timeframe, so it is difficult to use the data for comparison. The graphic below also points out that sometimes the data can vary wildly from report to report. The two examples side by side are from Q2 and Q3 of 2021. One states that 2020 had zero cases dismissed due to no civilian witness and the other has over 1000 listed.

2021 Q2 Report		2021 Q3 Report	
2020		2020	
JANUARY - DECEMBER (FAVORABLE)		JANUARY - DECEMBER (FAVORABLE)	
Count	Description	Count	Description
73	Deferred Prosecution	137	Deferred Prosecution
12	Dismiss - Prison	13	Dismiss - Prison
101	Dismiss DP - Successful	144	Dismiss DP - Successful
5	Dismiss Pre-Trial Diversion	53	Dismiss Pre-Trial Diversion
204	Dismiss- Dispo. Cont. Successful	576	Dismiss- Dispo. Cont. Successful
127	Dismiss-SOC successful	199	Dismiss-SOC successful
786	Dismissed - Negotiated Plea	1,970	Dismissed - Negotiated Plea
81	First Time Offender DWLS	53	First Time Offender DWLS
22	Dispositional Continuance - Red.	69	Dispositional Continuance - Red.
169	Dispositional Continuance	449	Dispositional Continuance
8	FG - Unsuccessful DP	32	FG - Unsuccessful DP
4	FG - Unsuccessful DC	2	FG - Unsuccessful DC
1	FG - Unsuccessful PTD	6	FG - Unsuccessful PTD
15	FG - Unsuccessful SOC	42	FG - Unsuccessful SOC
48	Found Guilty	140	Found Guilty
1016	Plead Guilty	2,753	Plead Guilty
171	Plead Guilty Reduced	622	Plead Guilty Reduced
5	Pre-Trial Diversion	25	Pre-Trial Diversion
132	Stipulated Order of Cont.	216	Stipulated Order of Cont.
57	Dismissed - Felony Filing	47	Dismissed - Felony Filing
3,037	<b>Total Favorable</b>	7,548	<b>Total Favorable</b>
<b>JANUARY - DECEMBER 2020 Unfavorable</b>		<b>JANUARY - DECEMBER 2020 Unfavorable</b>	
518	Dismissed Proof Problem	690	Dismissed Proof Problem
0	Dismissed - No Civilian Witness	1022	Dismissed - No Civilian Witness
0	Dismissed - No Non-Civilian	10	Dismissed - No Non-Civilian
0	Hung Jury	0	Hung Jury
14	Not Guilty	138	Not Guilty
0	Stricken	0	Stricken
0	Reduced Charge - No Officer	0	Reduced Charge - No Officer
532	<b>Total Unfavorable</b>	1,860	<b>Total Unfavorable</b>
0	Dismissed - Court Error	3	Dismissed - Court Error
40	Dismissed - Age	432	Dismissed - Age
<b>Summary</b>		<b>Summary</b>	
<b>JANUARY - DECEMBER 2020</b>		<b>JANUARY - DECEMBER 2020</b>	
3,569	<b>Total Dispositions</b>	9,408	<b>Total Dispositions</b>
85%	<b>Favorable Dispositions</b>	80%	<b>Favorable Dispositions</b>
15%	<b>Unfavorable Dispositions</b>	20%	<b>Unfavorable Dispositions</b>



## DAMION Workaround

To overcome the limitations of the DAMION criminal case management system, the City Attorney's Office built a program that recreates the relevant sections of the DAMION database then runs analysis on that data. This should expedite the release of future reports while DAMION is still in use. Below is a screenshot of the number of calculations it requires to stitch the disparate sections of the DAMION database together and pull out useful information:



The screenshot shows an Excel spreadsheet with a 'Workbook Statistics' dialog box open. The dialog box displays the following statistics:

Current Sheet:	
End of sheet	AS982
Cells with data	23869
Tables	0
Formulas	22796
Charts	9
Workbook:	
Sheets	19
Cells with data	35556880
Tables	0
Formulas	14928541
Charts	116

The 'OK' button at the bottom of the dialog box is highlighted with a blue dashed border.

## Data Caveats

### DAMION

Running the same report on different days can yield slightly different results as an automatic process can update a field. While specific values might change on the margins, overall data is consistent with itself and none of the marginal changes are enough to influence important trends or statistics.

### Decline Rates

The decline rate used in the overview and the breakdown of case types is based on filing decisions made in the report quarter. Demographic breakdowns, however, use decline rates for referrals that came in during the quarter. This was done to maintain consistency with the rest of the section that focuses on incoming referrals. Referrals from past quarters with a filing decision from the current quarter will have higher decline rates, but they should be consistent across gender and racial categories.

### Small Sample Sizes

Many categories, especially within demographic breakdowns represent very small quantities of data and are not useful for comparison or statistical analysis. For example, if there is one person that fits a set of criteria, then a decline rate can only be 0% or 100%. Similarly, a single event can have an unusably strong effect on the data. Even a sample of 20 that adds another data point will sway the aggregate by nearly 5%. Often, areas of data with too low of a sample size are not included.

### LEAD Data

The way LEAD interacts within the criminal case management system means that it is currently not possible to know when a client enters or exits the program, only that they are currently in it or were in the past. This makes it difficult to know if a current LEAD member who had an interaction with the department several years ago was a member at that time and as a result, there is limited accuracy with any LEAD numbers.

### Alternatives to Traditional Prosecution

The nature of alternatives is that they are very individualized and come in many forms. For this reason, it is difficult to compare one to the other and one person can be involved in many or none. In general, the information in this report refers to individuals who have successfully completed alternatives and not people who have not been successful.