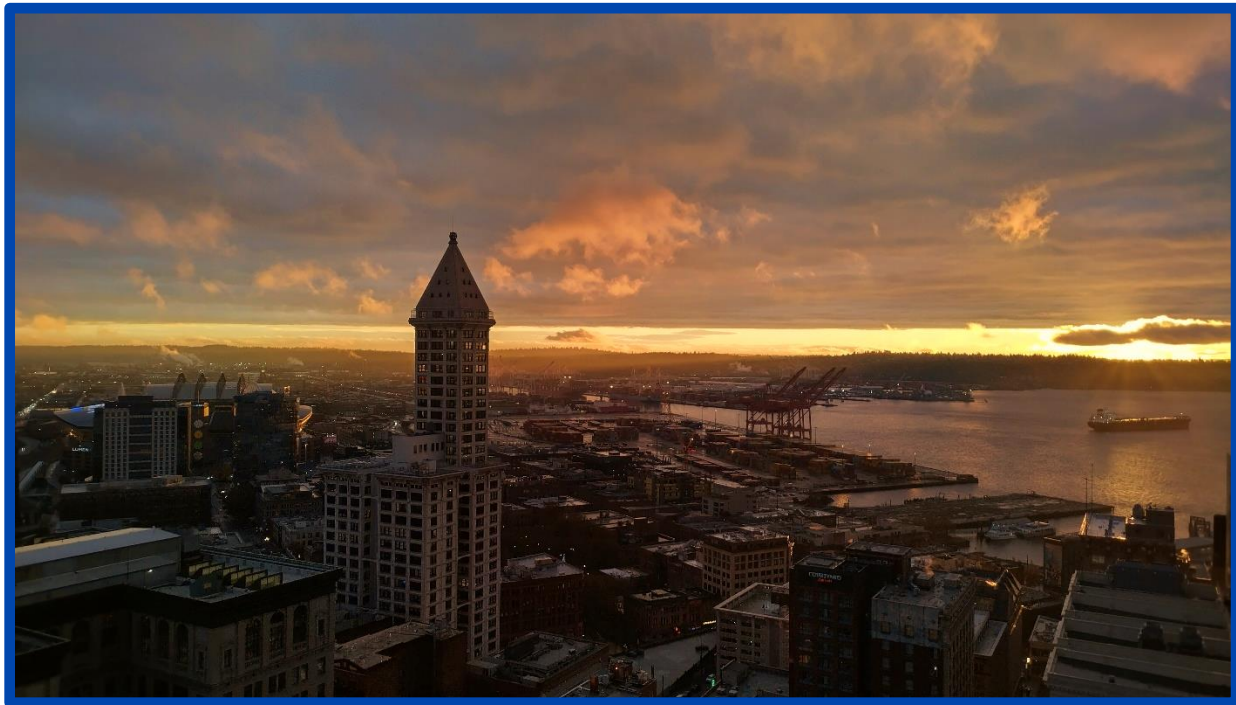




# Criminal Division Quarter IV, 2022 Report

SEATTLE CITY ATTORNEY'S OFFICE  
ANN DAVISON



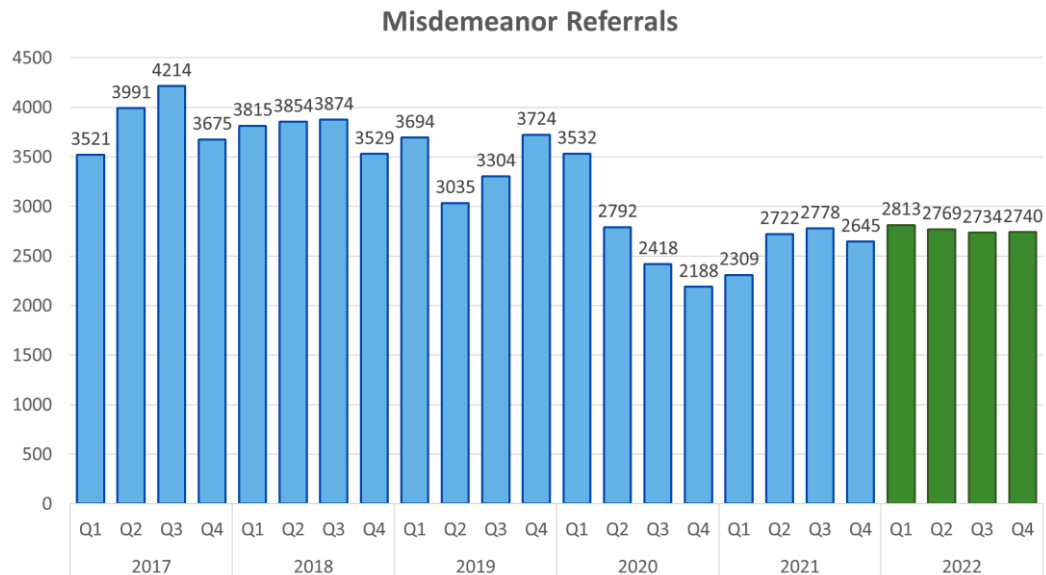
**Report Compiled by Per-Olaf Swanson. Please address inquiries to:**

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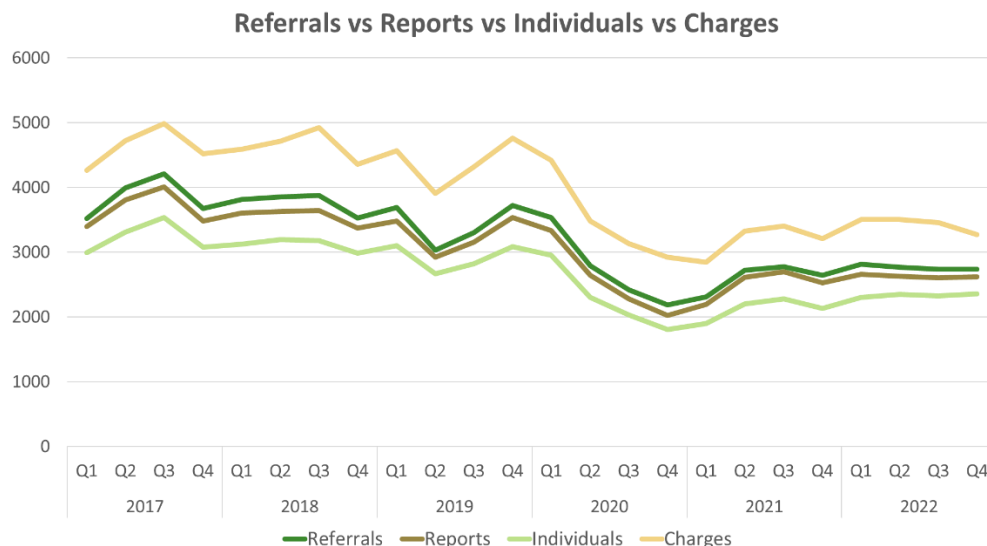
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# Police Referrals



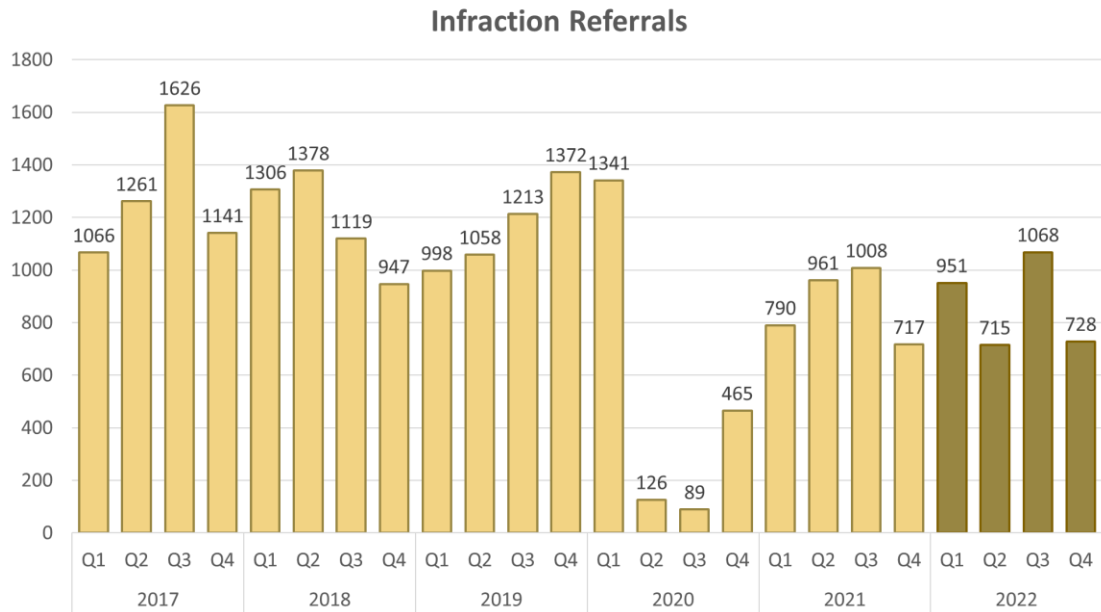
In the fourth quarter of 2022, the City Attorney’s Office received 2,740 referrals from the Seattle Police Department. This represents a 0% increase from Q3 of 2022 and a 4% increase from Q4 of 2021. The number of current referrals is below pre-COVID levels and lower than before the loss of a significant number of SPD officers.

- **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.



## 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.

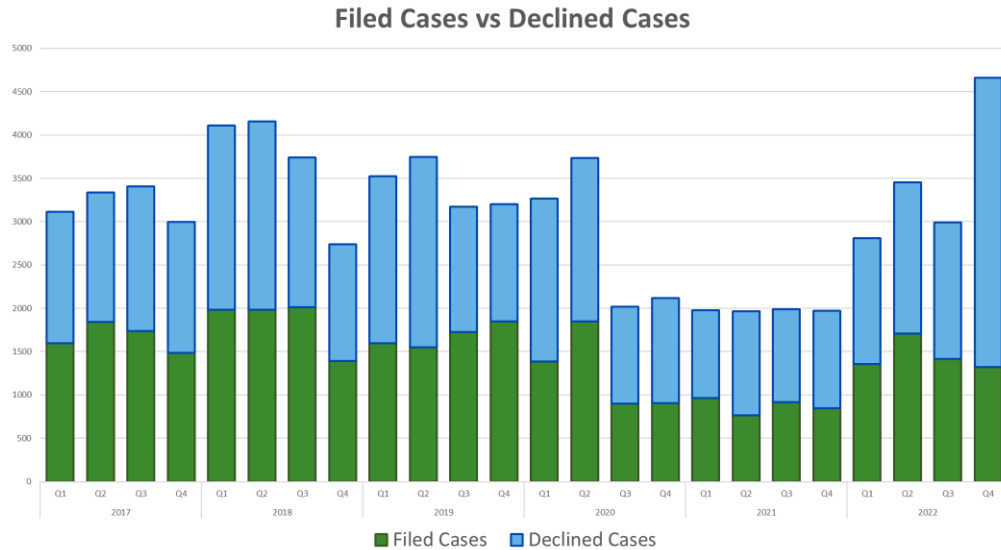


In Q4 of 2022, the City Attorney's Office received 728 infractions that were sent from the Seattle Municipal Court. This represents a 32% decrease from Q3 of 2022 and a 2% increase from Q4 of 2021.

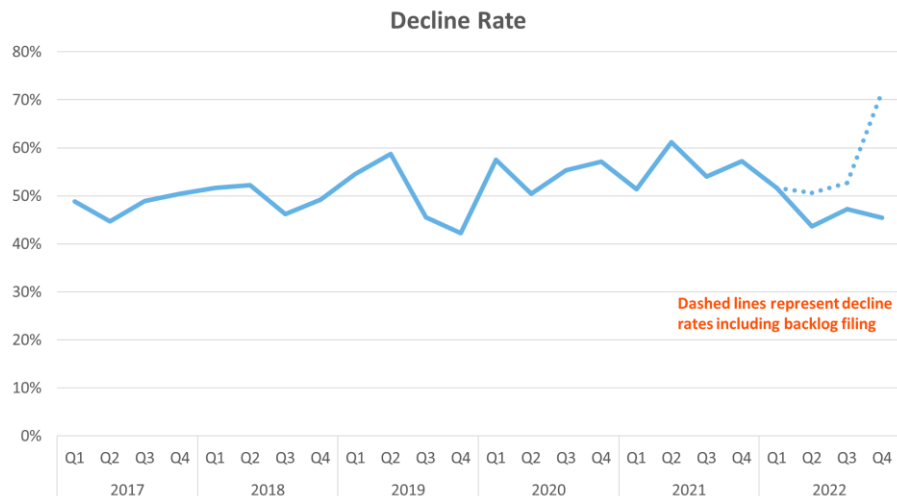


# Case Filing

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



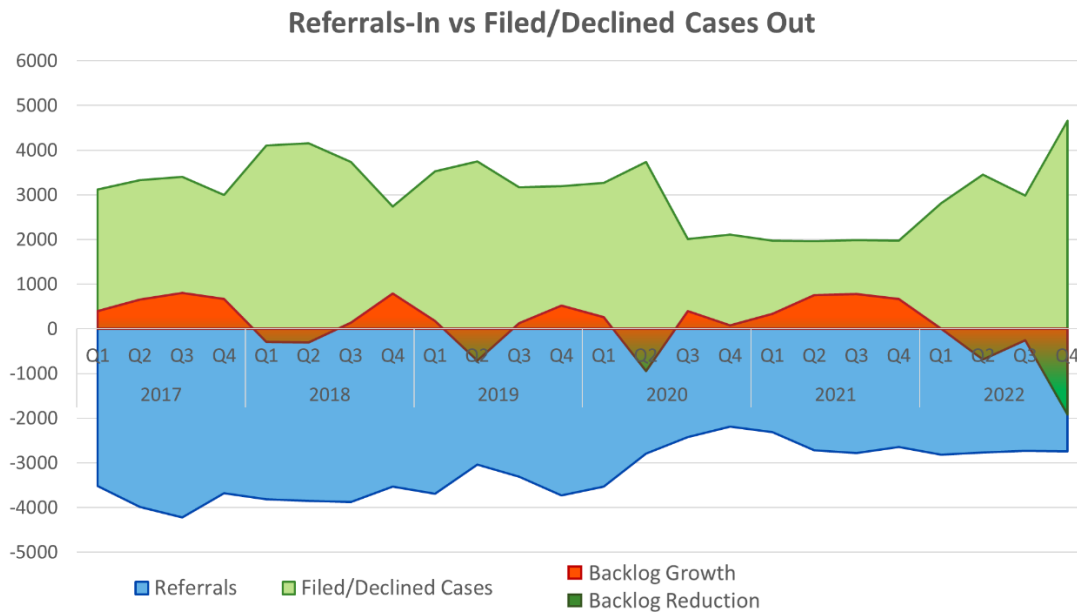
This chart shows the output of filing decisions from the City Attorney’s Office. In Q4 of 2022, the City Attorney’s Office filed 1323 cases (a decrease of 7% from Q3 2022 but 57% more than Q4, 2021) and declined 3,336 (up 112% from Q3 2022 and up 195% from Q4 2021). 4/5ths of the declined cases in Q4 2022 come from a special program that reviewed the backlog to find referrals that were un-fileable due to their age or other factors.



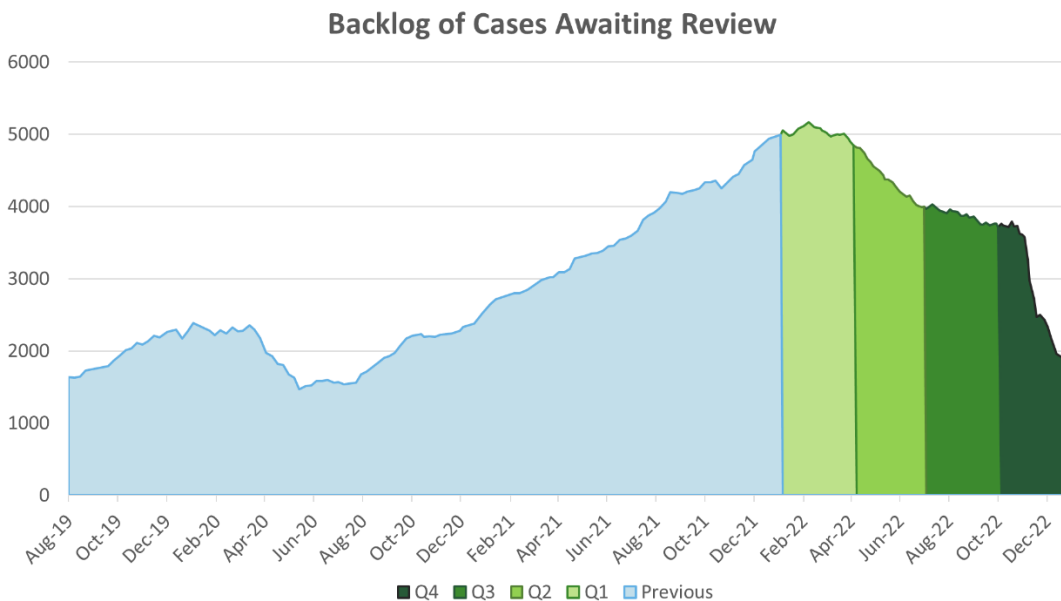
Decline rates as measured by  $\frac{\text{declines}}{\text{files} + \text{declines}}$  were mostly constant with a slight upward trend through the end of 2021. The decline rate for filing decisions made in Q4 2022 was 45%, down slightly from Q3 2022’s 47% and down significantly from Q4 2021’s 57%. The Q4 2022 decline rate does not include declined referrals in the backlog from before 2022. Including declined backlog referrals, the rate for Q4 2022 was 72% due to a very high number of backlog referrals addressed (*denoted by the dashed line*).

# Backlog

Referrals awaiting a response are considered part of the backlog.



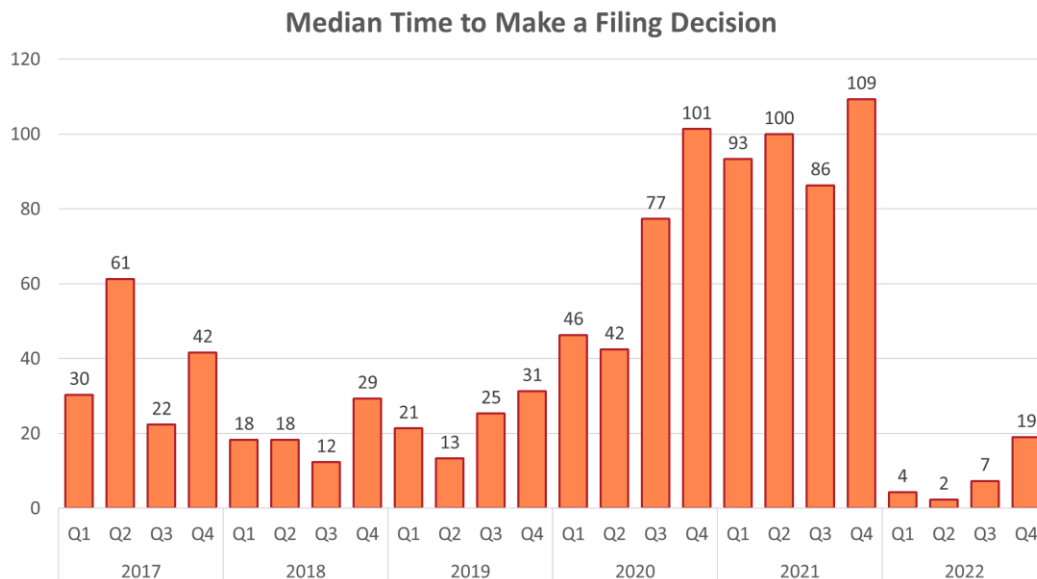
Responses to incoming referrals lagged for years and resulted in a substantial backlog within the Criminal Division. Areas in orange represent times when the backlog grew and areas in green represent times when it was addressed and reduced. The backlog was at 4990 referrals at the start of 2022.



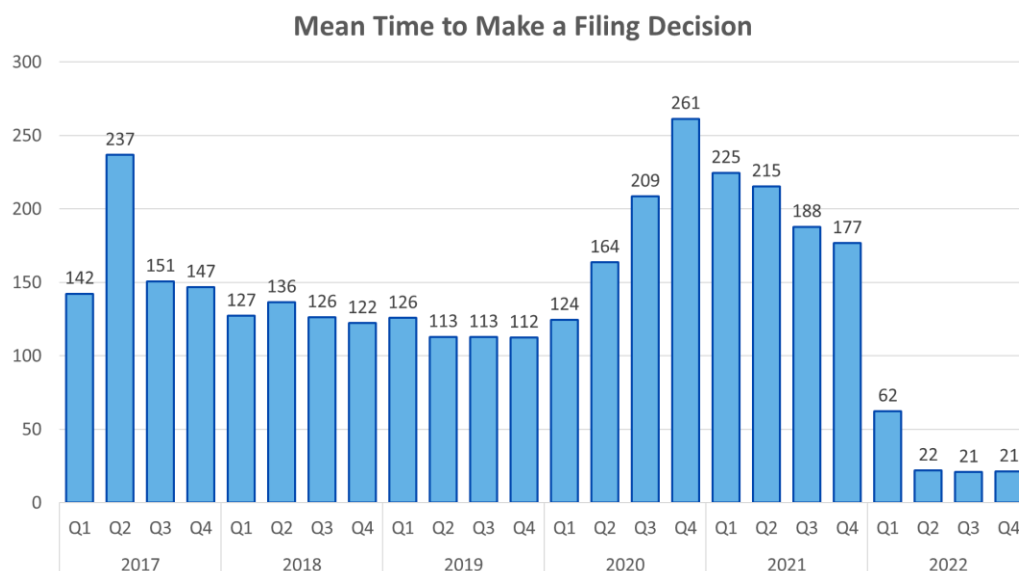
The Review and Filing Unit continued to experience significant staff shortages in Q4 but a special program was initiated combining prosecutors with technological efficiency to identify referrals that were un-fileable and the department was able to cut the remaining backlog in half.

## Close-in-Time Filing

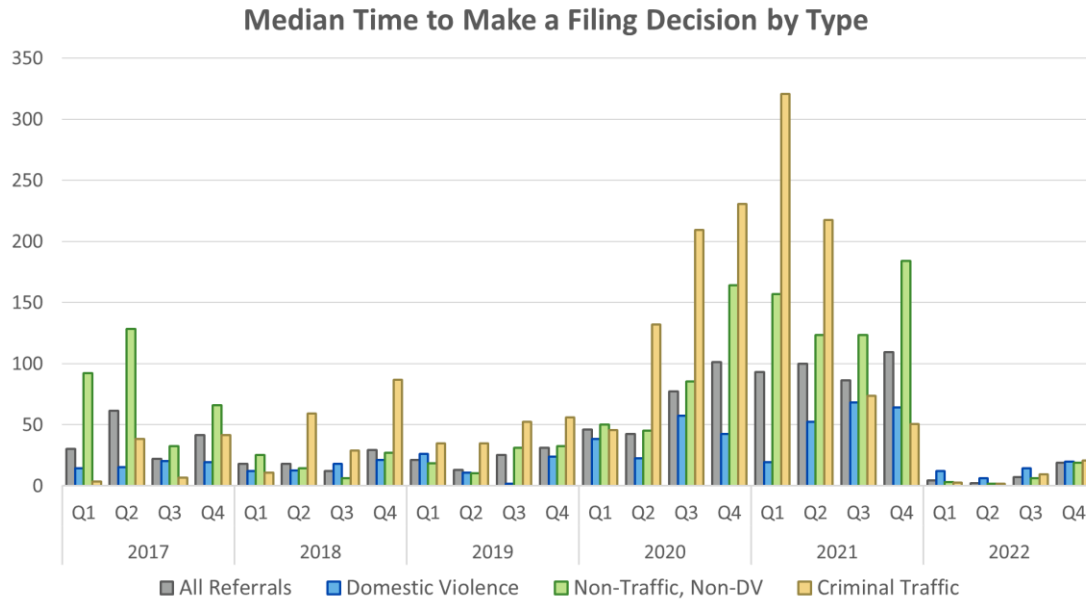
The Close-in-Time filing policy set by City Attorney Davison created the goal of making a filing decision within five business days (seven calendar days). Domestic violence referrals are afforded an additional week to engage in a trauma informed approach, which considers input from the victim on their safety concerns. Referrals involving LEAD clients get 30 days for clients to engage in services.



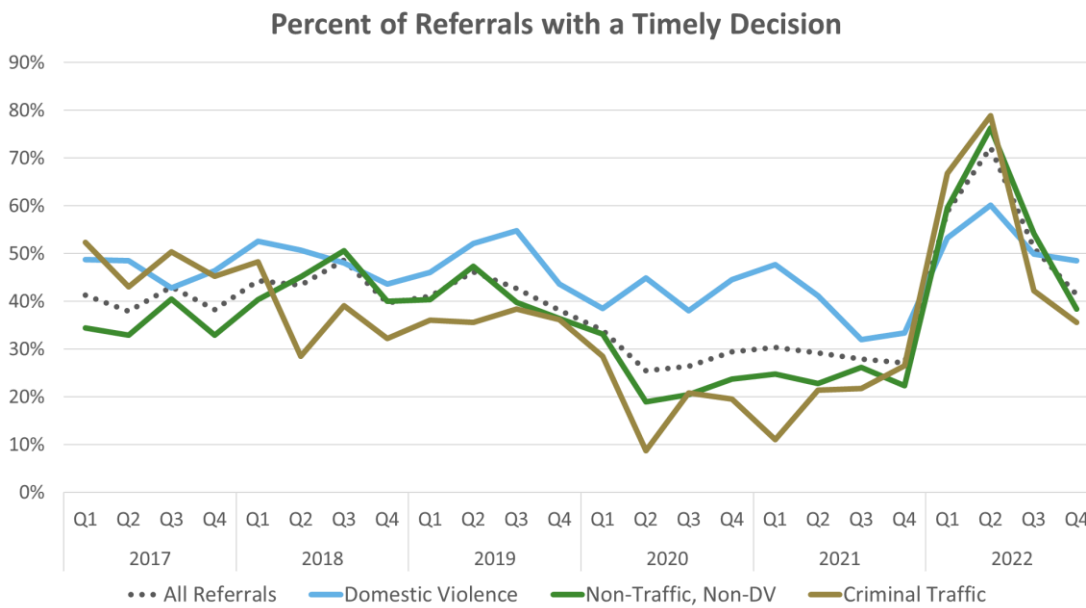
The limited Review and Filing Unit capacity reduced the effectiveness of Close-in-Time filing in Q4. Retention and hiring have been ongoing problems in the department for years and the City Attorney is working with the Council and Budget Office to make our city prosecutor positions more competitive.



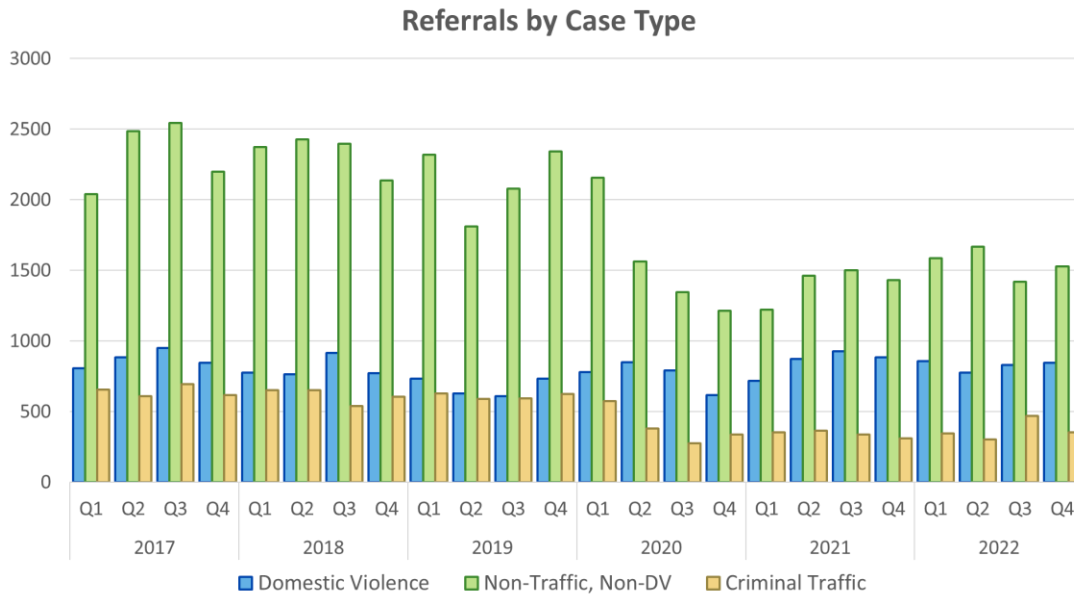
Median filing time is a more accurate description of the data due to its skewed nature.



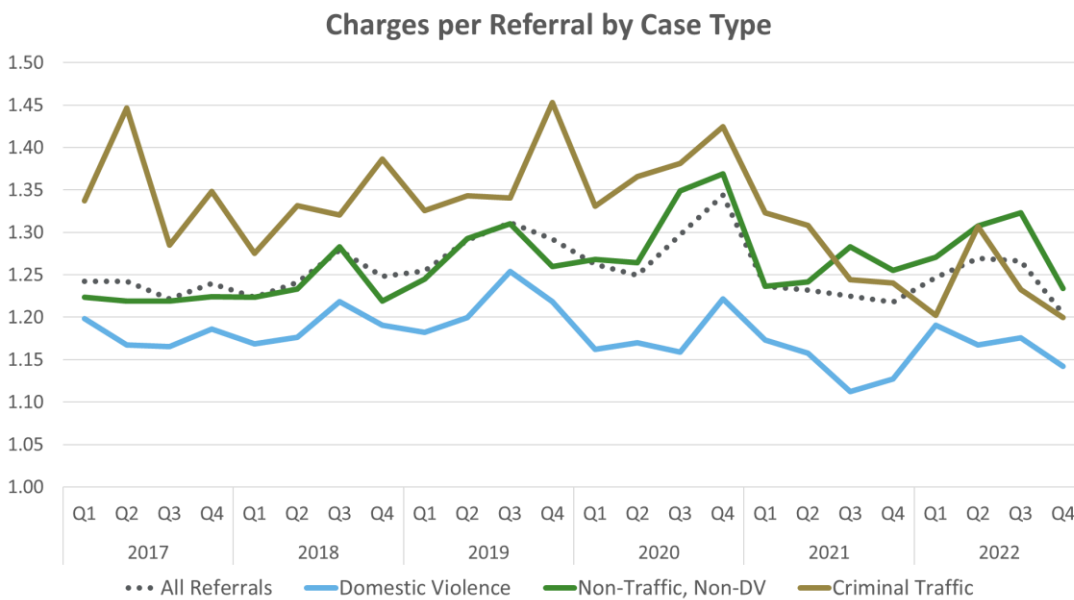
Median time to make a filing decision is still lower than historical levels, but it has increased beyond desired goals. While the median times are still under a month, the number that meet policy goals has dropped to pre-policy levels.



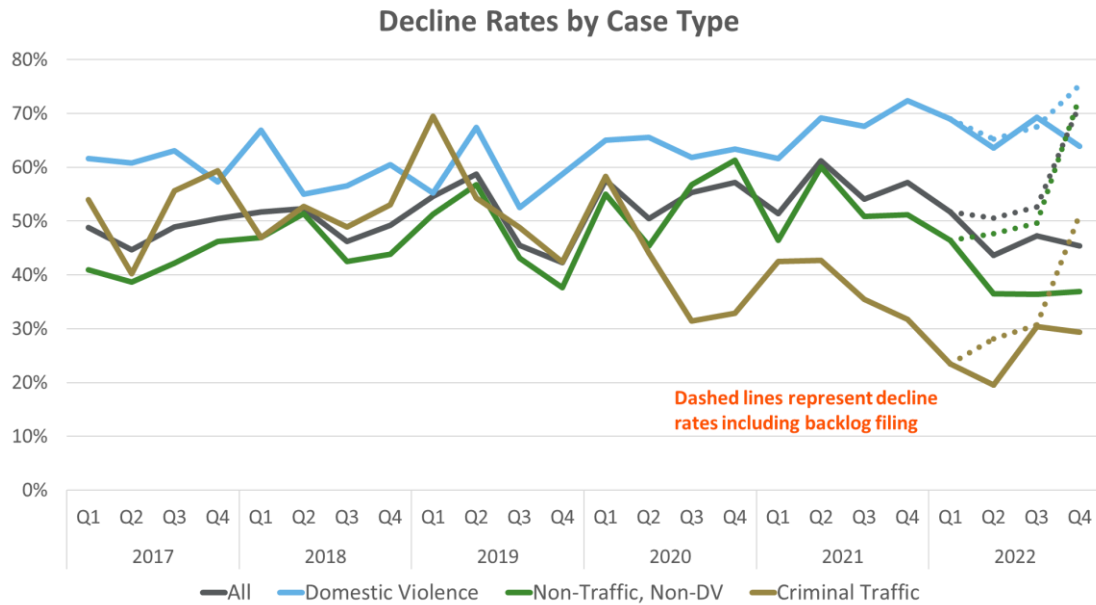
## Case Type Specifics



Domestic violence and other non-traffic referrals increased slightly while traffic referrals fell from Q3 to Q4 2022.



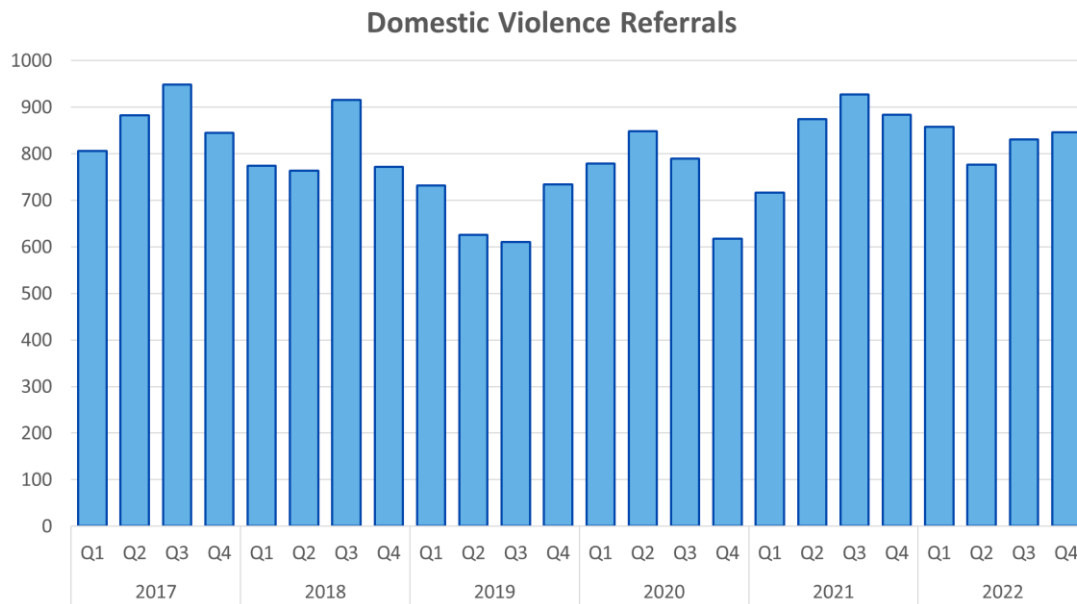
The number of charges on each police referral averages about 5 charges for every 4 referrals (1.25) and does not vary much between quarters. The decrease for Criminal Traffic is likely due to far fewer referrals including driving with a suspended license.



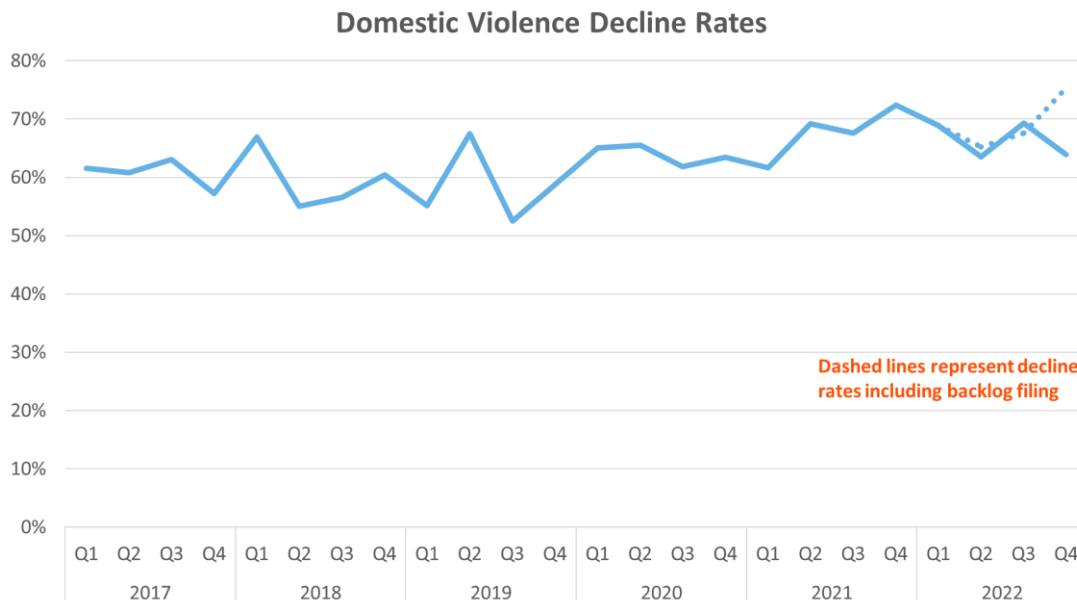
Domestic violence referrals historically have higher decline rates for a variety of reasons. Prosecutors carefully weigh the impact to the victim, the victim's desired outcome, lethality factors, and the nature of past referrals in addition to the evidence. Some referrals are declined as part of a consolidation 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 not including backlog filing. The dashed lines include backlog filing which has a much higher decline rate due to the issues associated with stale referrals.

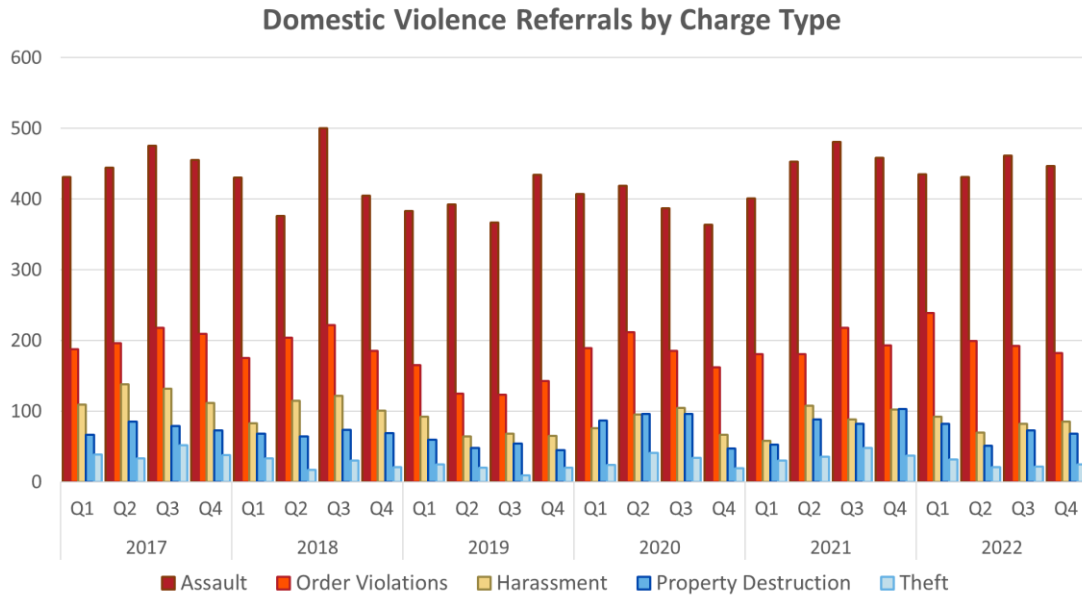
## Domestic Violence



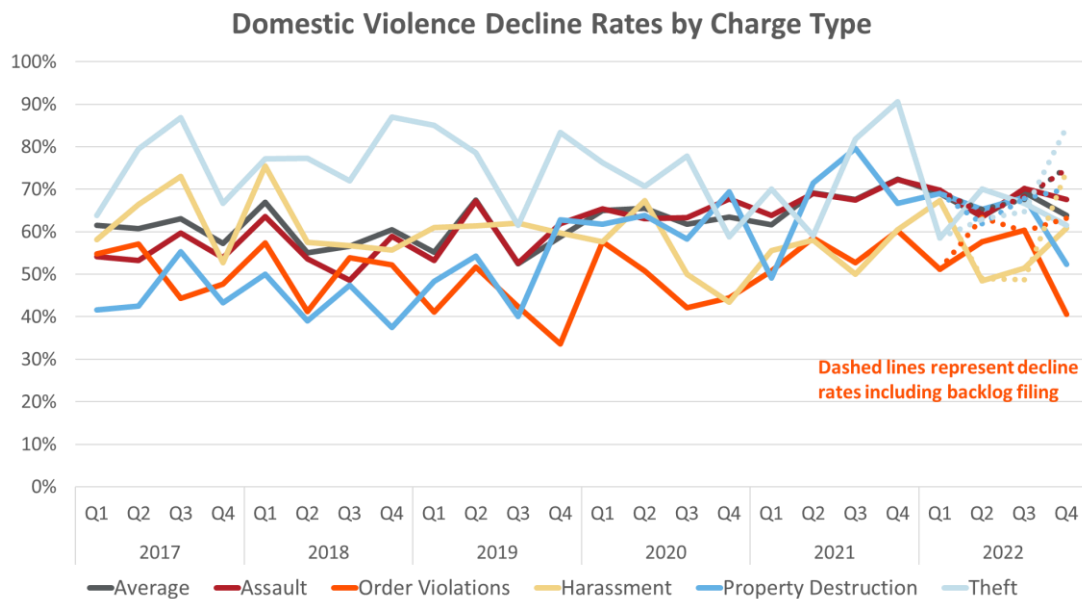
Domestic violence referrals did not see a sharp decrease during the pandemic, unlike other referrals. If Seattle followed the national trend of increased incidents of domestic violence during the pandemic, then these numbers could be under-reported due to SPD under-staffing. They were up slightly in Q4 compared with Q3 but down slightly from 2021 numbers.



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 do not reflect backlog filing and the Q4 2022 rate was 64%. The decline rate including backlog filing was 75% (represented by dashed line).

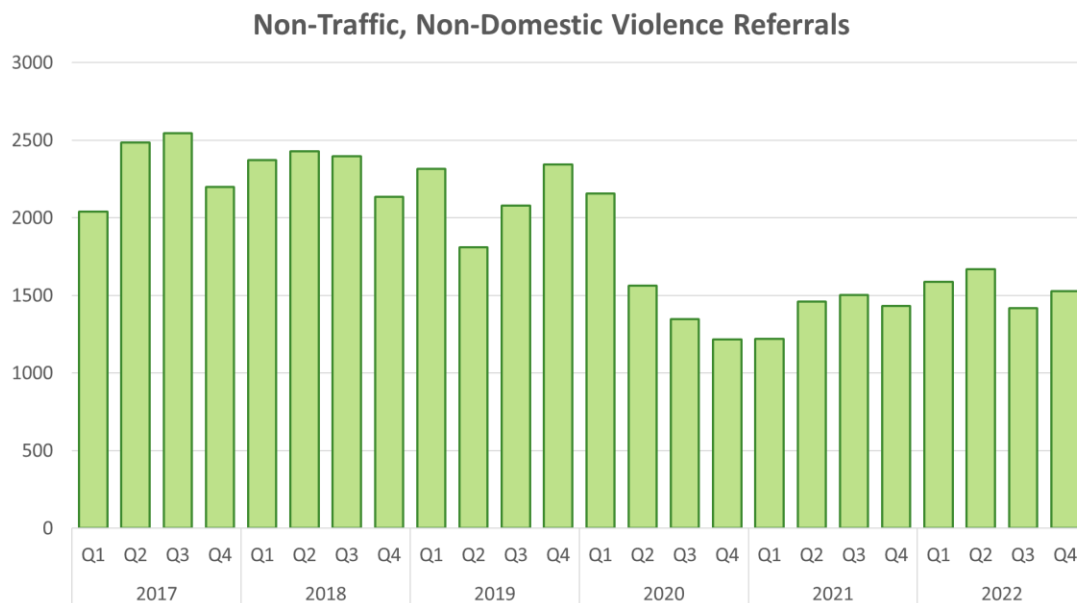


Assaults and protection/no contact order violations are the most common types of domestic violence charges. This is not an exhaustive list of domestic violence charges but represents the most common types.

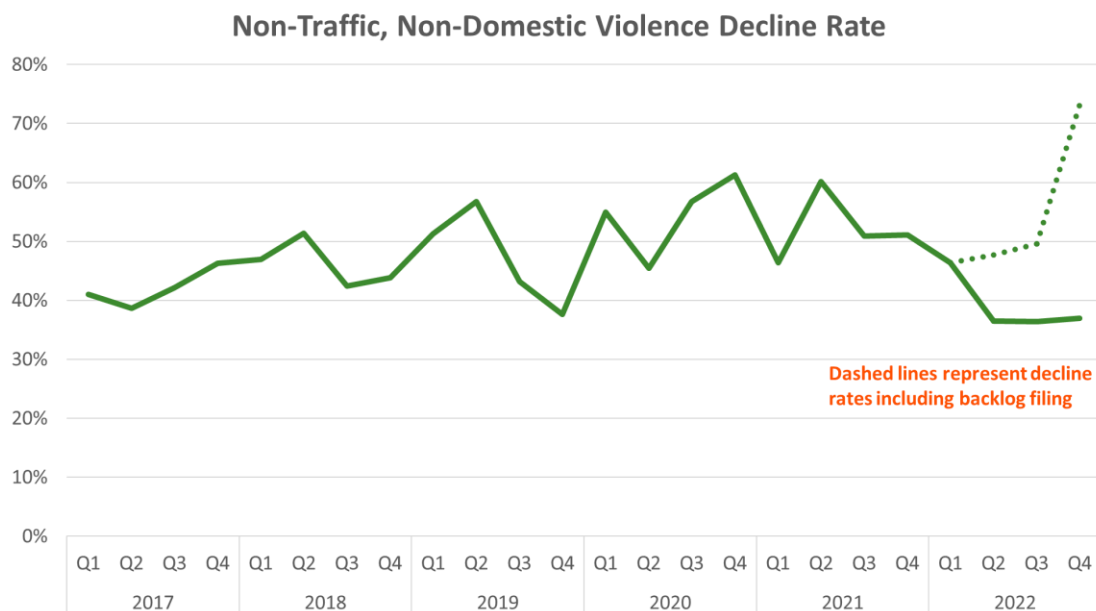




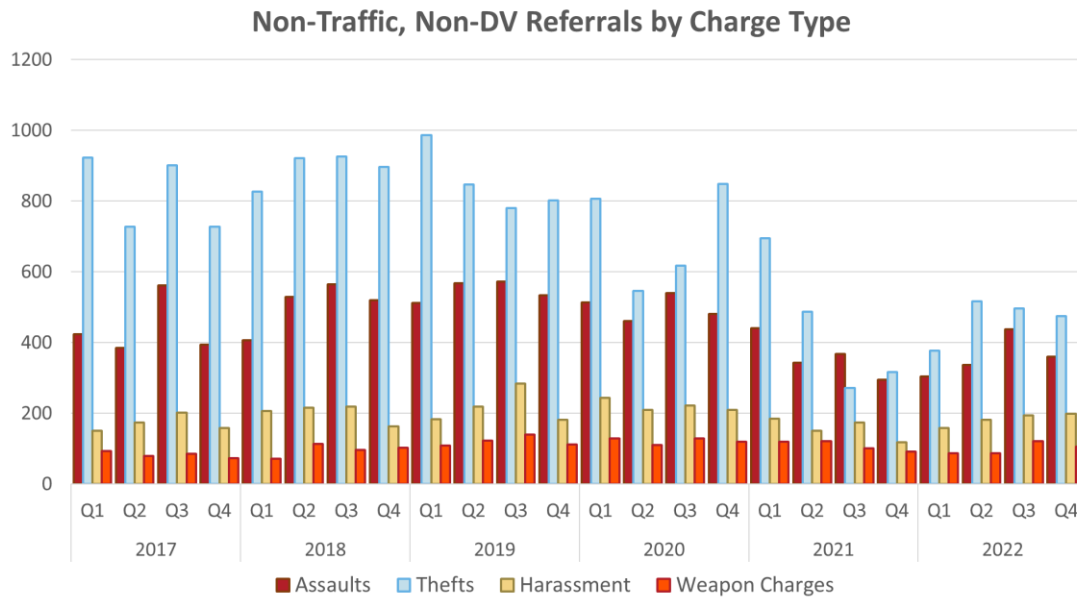
## Criminal Non-Traffic, Non-Domestic Violence



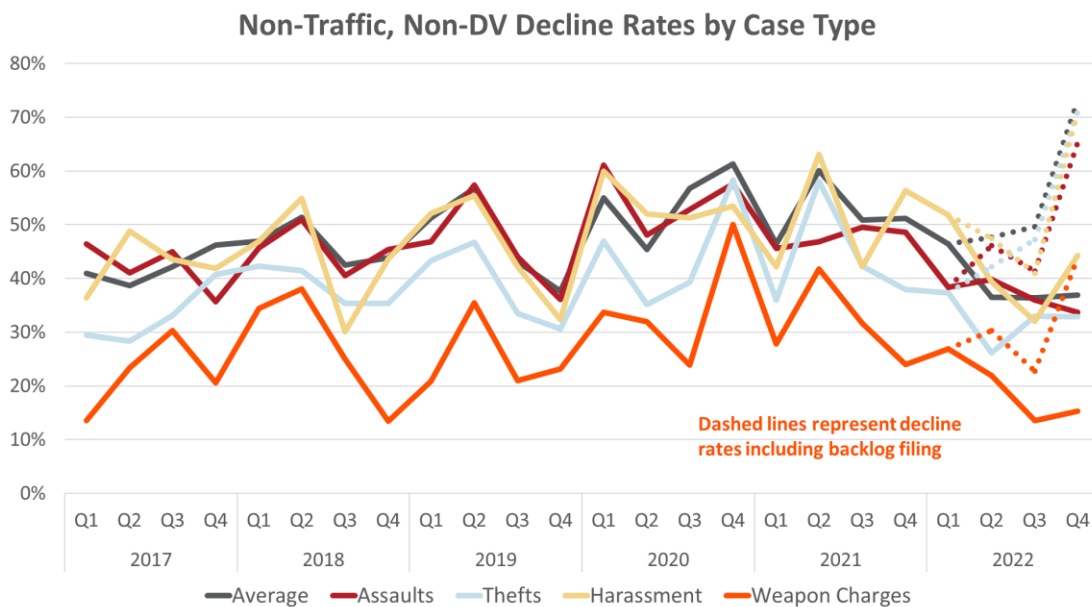
Criminal non-traffic, non-domestic violence referrals include many dozens of offenses and have a large proportion of thefts, trespasses, harassment, and assaults. They also include weapons charges and a myriad of less common offenses like reckless burning or false reporting.



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. The decline rate not including backlog filing was 37%. Including backlog filing it was 73% (*represented by dashed line*).

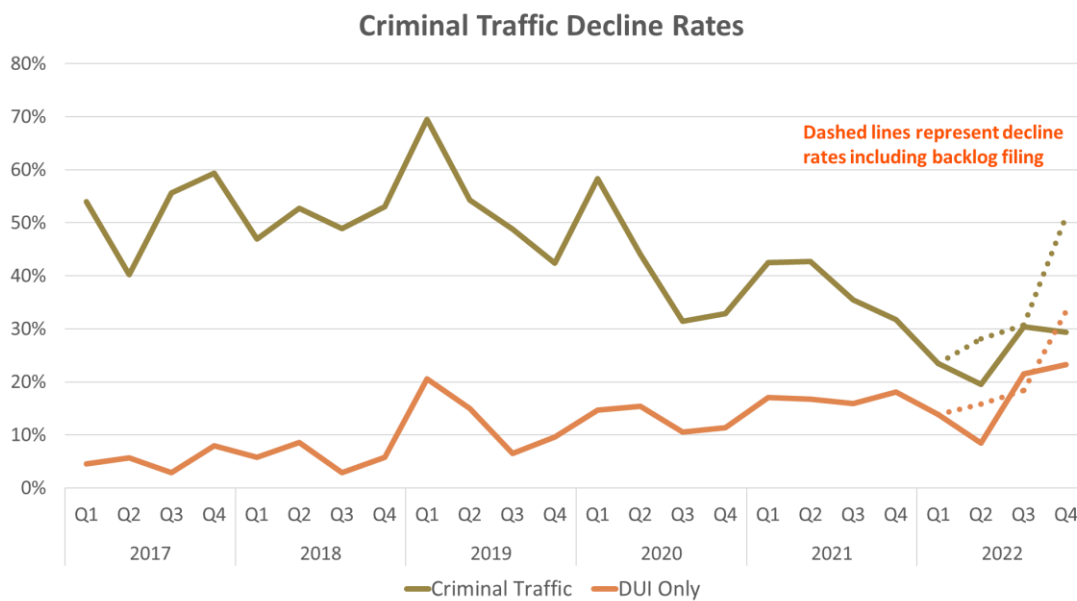
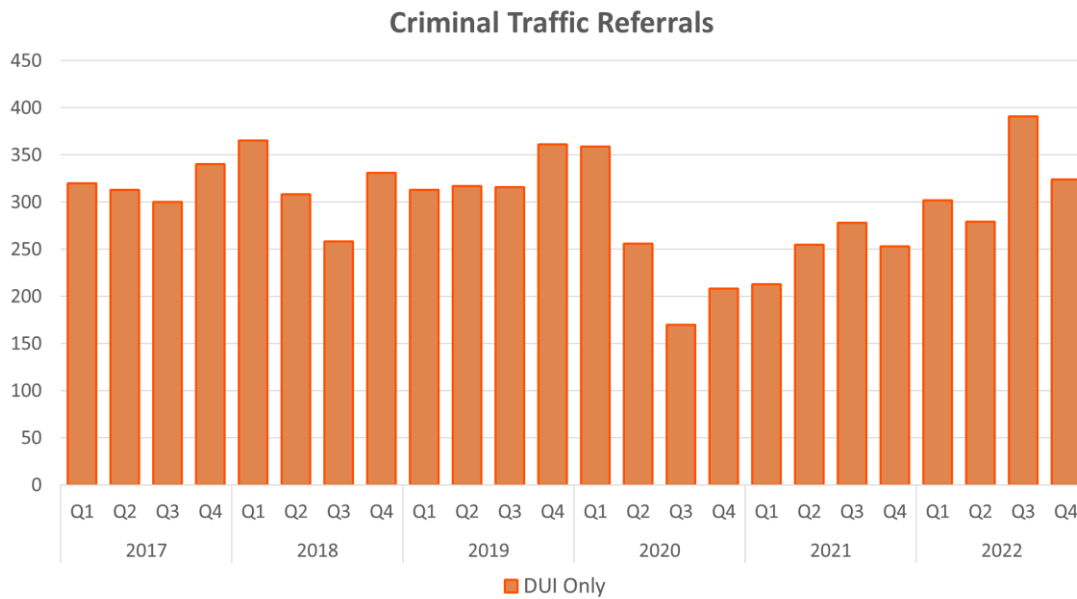


Assault and Theft are the most common non-traffic, non-domestic violence charges. Thefts are likely heavily under reported compared to assaults given the staffing challenges at SPD. Assaults fell in Q4, but that is consistent with more people being inside during the cooler months.



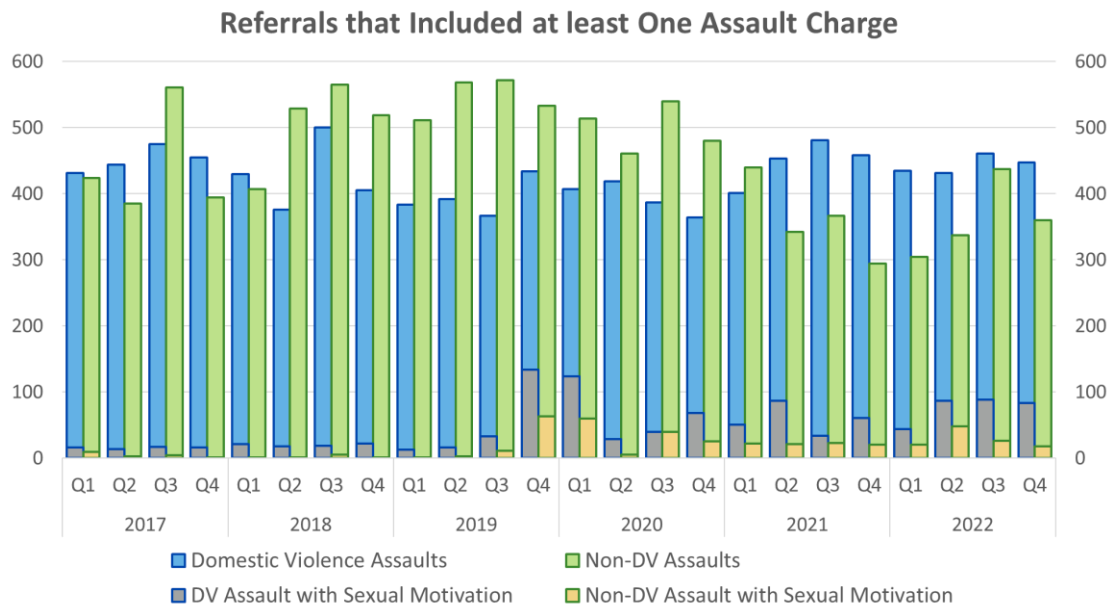
Weapons charges have the lowest decline rates, though their relatively smaller sample sizes lead to more variation.

## Criminal Traffic

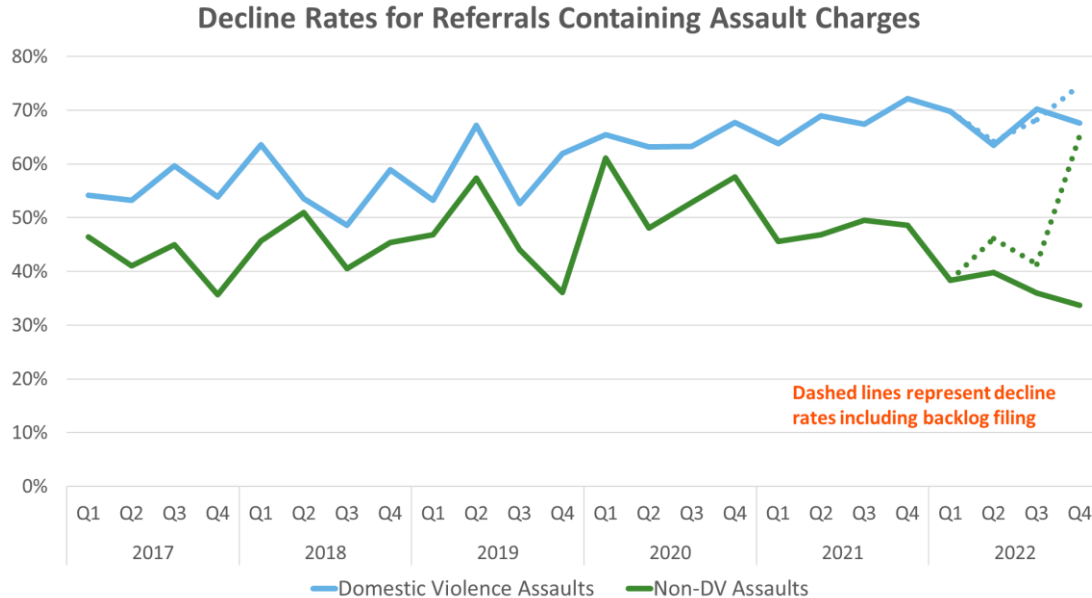


Historically DUIs have had very low decline rates but have been rising lately. This is potentially because of large delays at the state toxicology laboratory that has forced some declines. The overall traffic decline rate has dropped as DUIs have become an increasingly more dominant proportion of all traffic misdemeanors. Non-backlog filing saw a decline rate of 29% in Q4 2022. The declined criminal traffic cases from the backlog were mostly driving with a suspended license and that pushed the overall decline rate up to 51% (*represented by the dashed line*).

## Assault

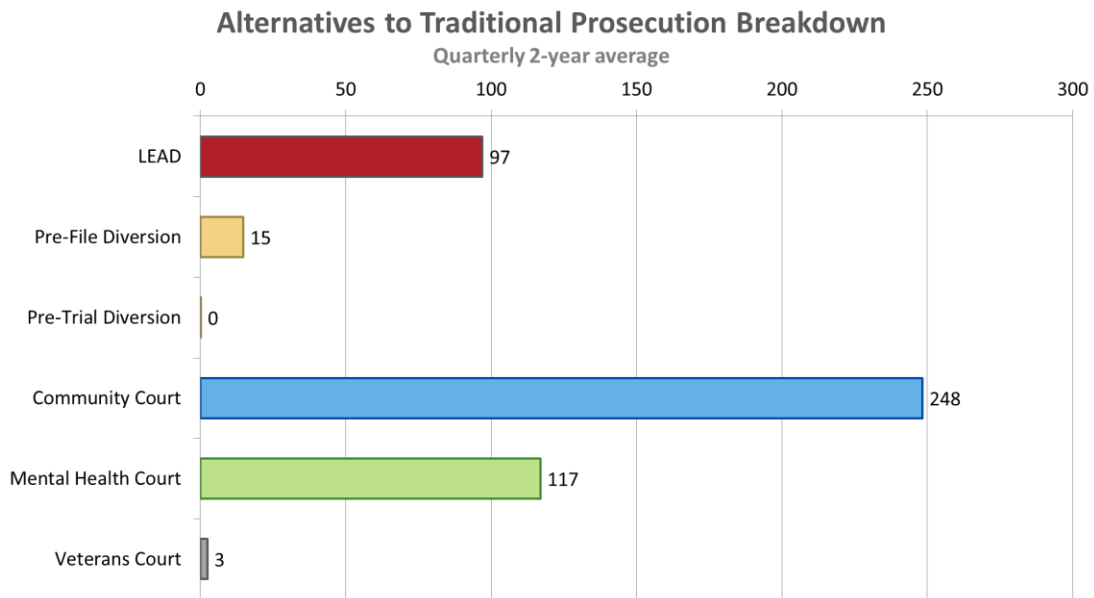


Assaults of all kinds fell slightly in Q4 2022 with the largest decrease coming in simple non-DV assault. This is expected in the cooler months.

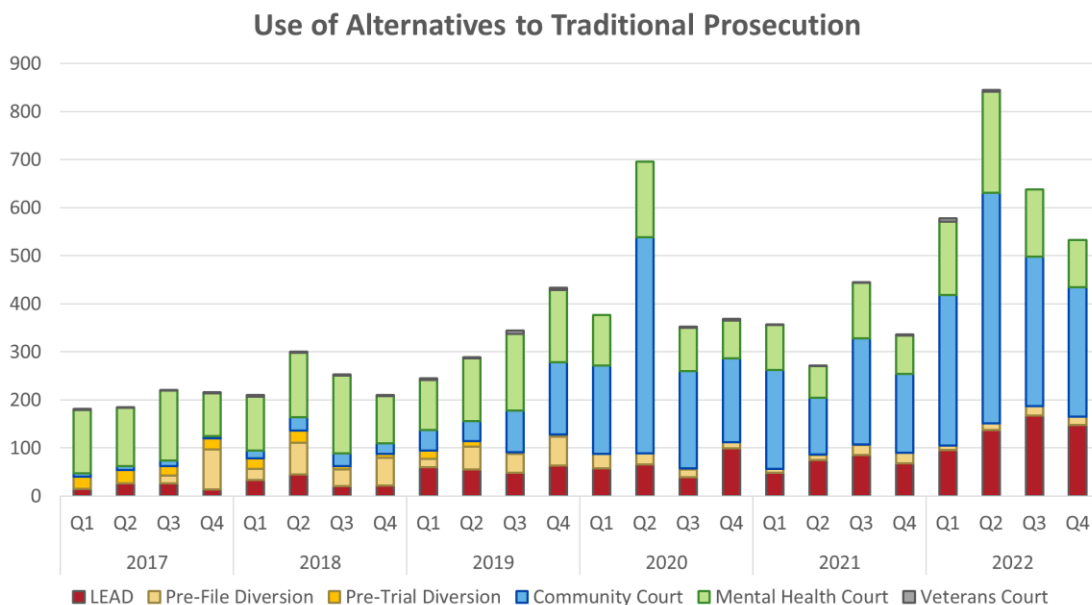


The decline rates for current non-DV assault referrals continue to fall with many of the backlog declines coming from altercations at service centers.

# Alternatives to Traditional Prosecution



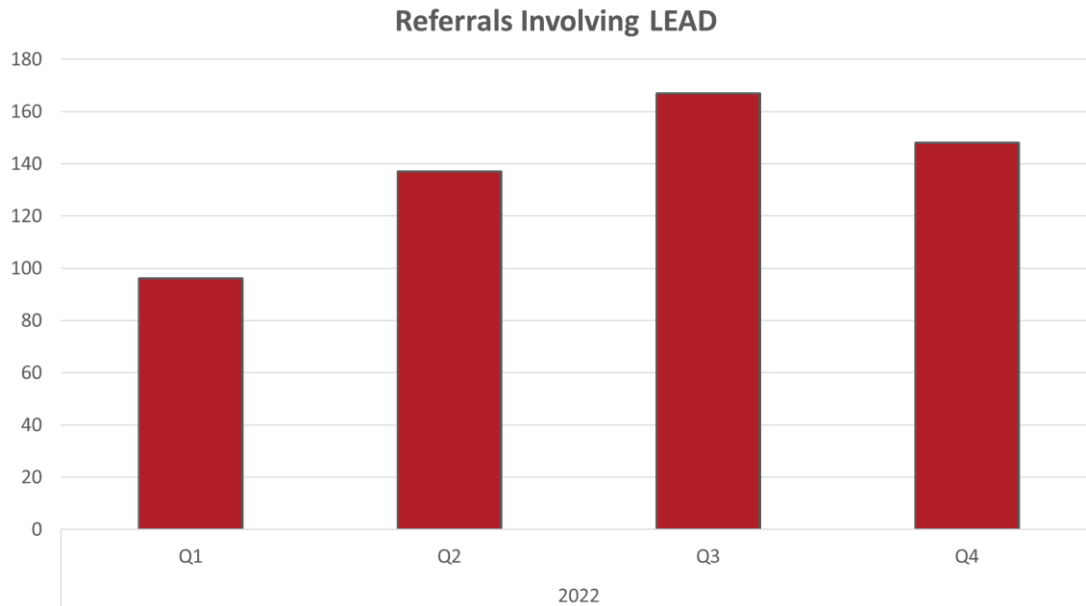
Alternatives to traditional prosecution take many forms that can overlap. Most of the data is shown by the final disposition date to compare each category on equal terms, but it is not a perfect comparison. LEAD interacts with clients throughout the process, Pre-File Diversion ends with a decline to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



Alternatives have proportionally tracked with overall filing activity in 2022.

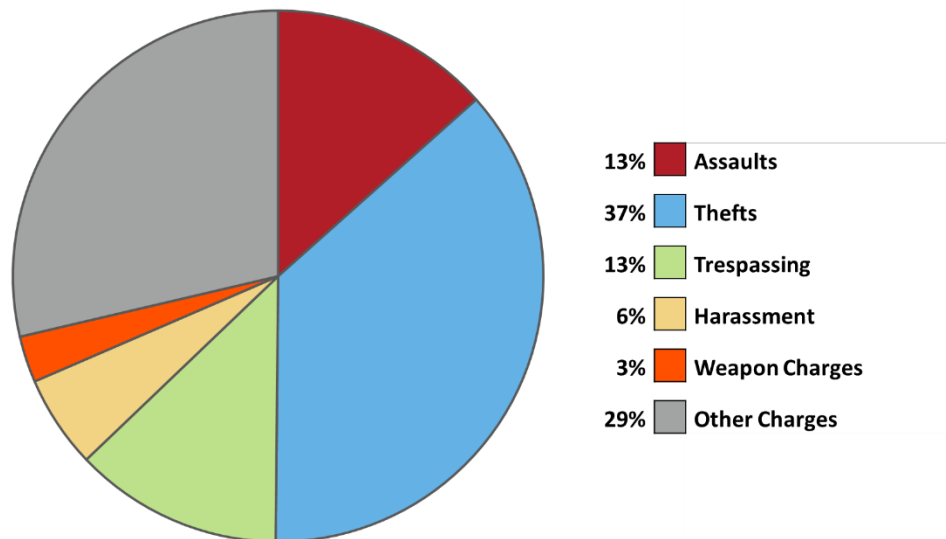
## LEAD, CoLEAD, and Vital Clients

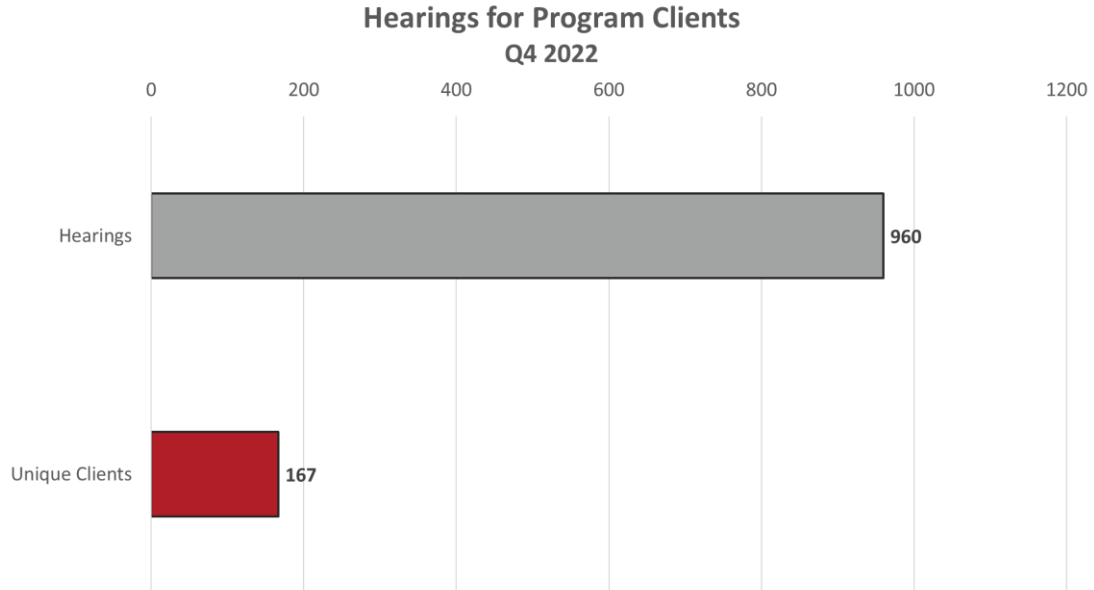
The Seattle City Attorney's Office program prosecutorial liaisons coordinate legal involvement for LEAD's almost 900 enrolled clients as well as 150 clients in CoLEAD and 60 in Vital.



The City Attorney's Office has started to track these clients with much greater detail. The department has integrated better client tracking as to overcome shortcomings in the current criminal case management system (DAMION). We are working on putting in past clients, but currently only have historical clients for 2022.

### Breakdown of Charges on Referrals Involving LEAD

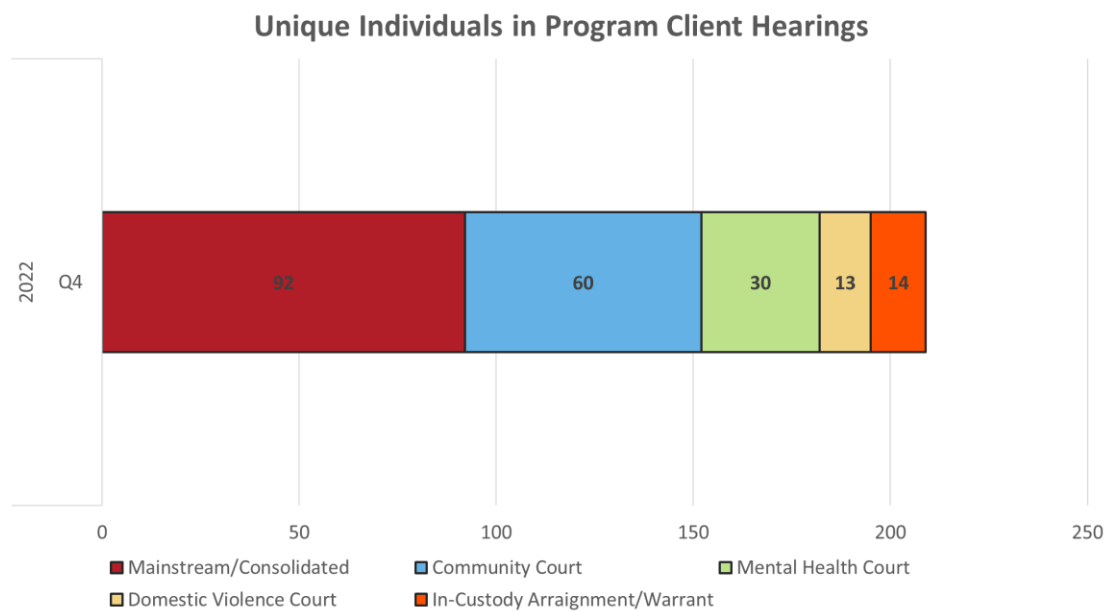
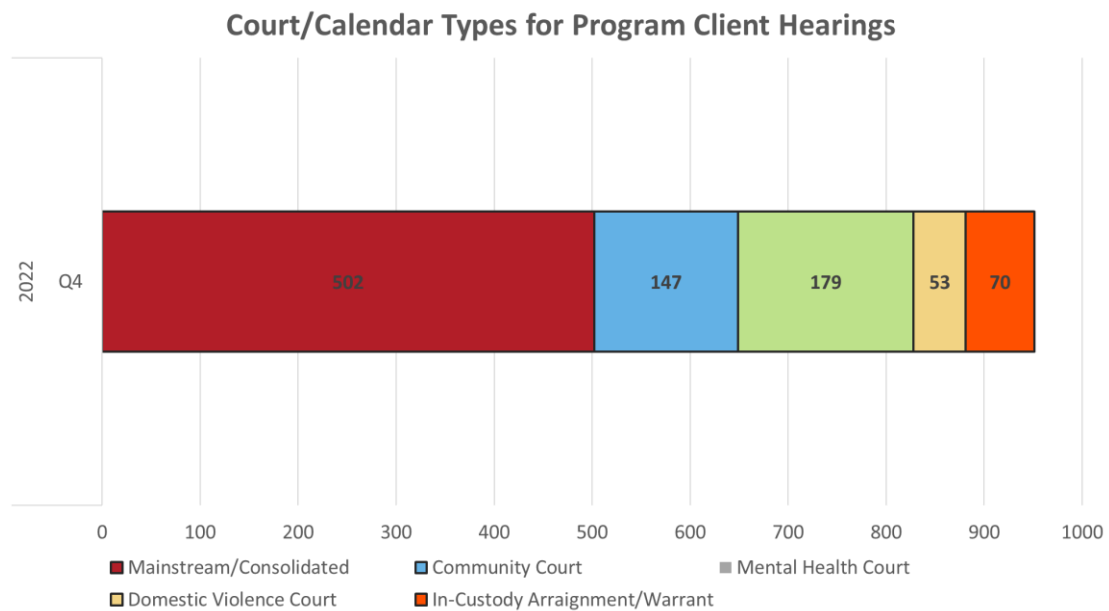




The Seattle City Attorney’s Office has a specialized team to work with program clients. A new data tracking system was put in place starting in Q4 2022 where the team was part of 960 hearings covering 167 clients. One person can have multiple hearings on the same day if they have multiple active cases. Clients with multiple hearings require more work and coordination from the City Attorney’s Office. The average number of hearings per client in Q4 2022 was 5.7.

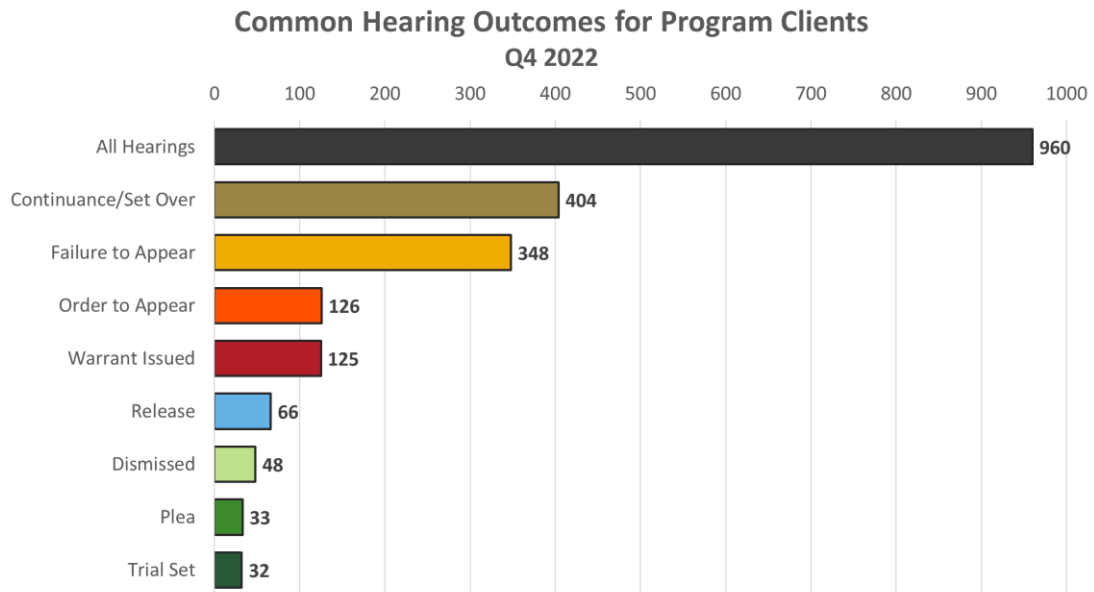
There are 5 main hearing types:

- **Mainstream/Consolidated:** This category covers cases that are not part of the below categories
- **Community Court:** Many program clients utilize the Community Court described on page 25
- **Mental Health Court:** This references the court described on page 26
- **Domestic Violence Court:** For clients suspected of committing domestic violence
- **In-Custody Arraignment/Warrant:** People who are recently arrested or have warrants issued are placed on a special calendar that requires faster action

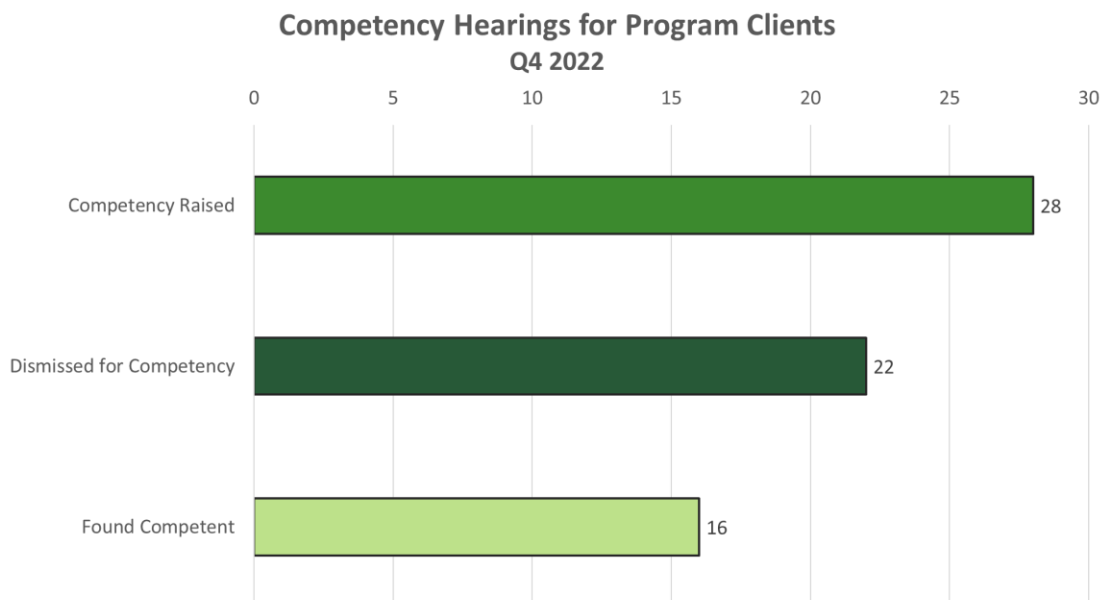


An individual can be involved in multiple courts/calendars in a quarter.





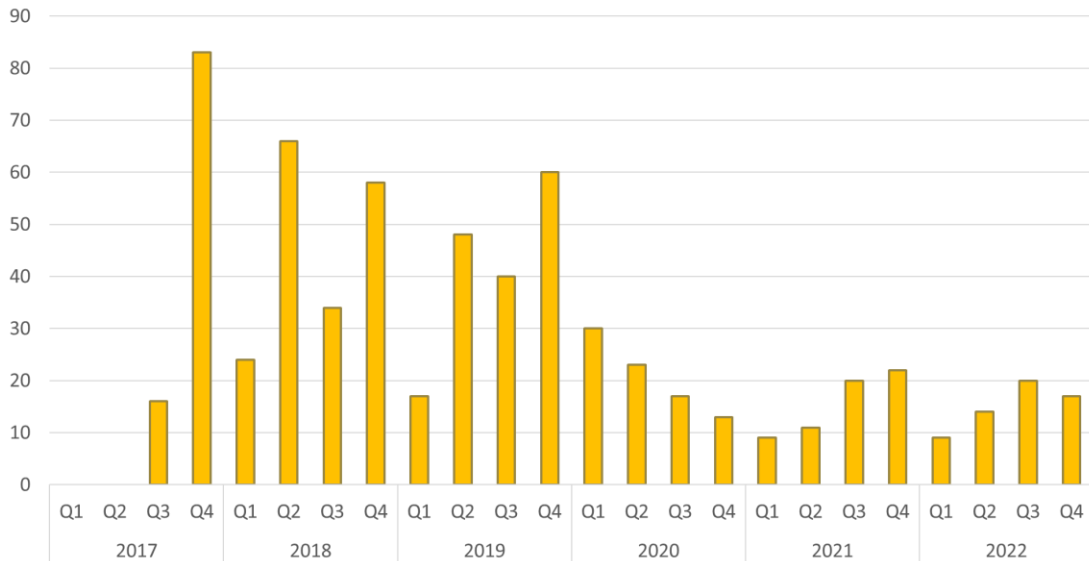
The above are common hearing outcomes for program clients. Each hearing can have multiple outcomes. A continuance or set-over is when a hearing is delayed and set for a later date. A failure to appear often results in either an order to appear the next time or a warrant to do so. A Release refers to being released from custody either on their own recognizance, released with an electronic monitoring device, or a temporary release for something like treatment. Hearings can also have an outcome like a dismissal, plea or the setting of a trial date.



Hearings can also have an outcome of asking whether a defendant is mentally competent to stand trial as well as a dismissal because they are not found competent or they can be found competent. A competency finding does not always occur in the same quarter that it was raised.

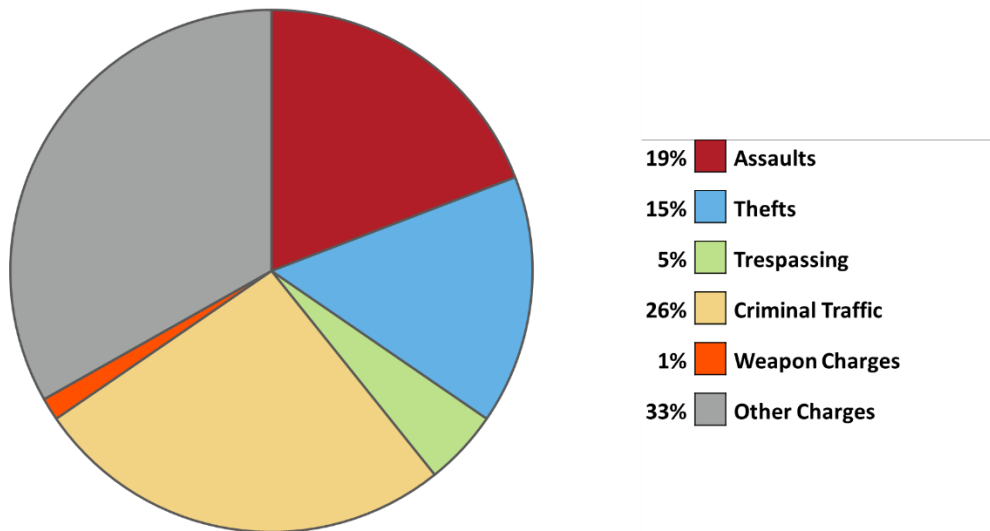
## Pre-File Diversion

Referrals Declined After Successful Pre-File Diversion

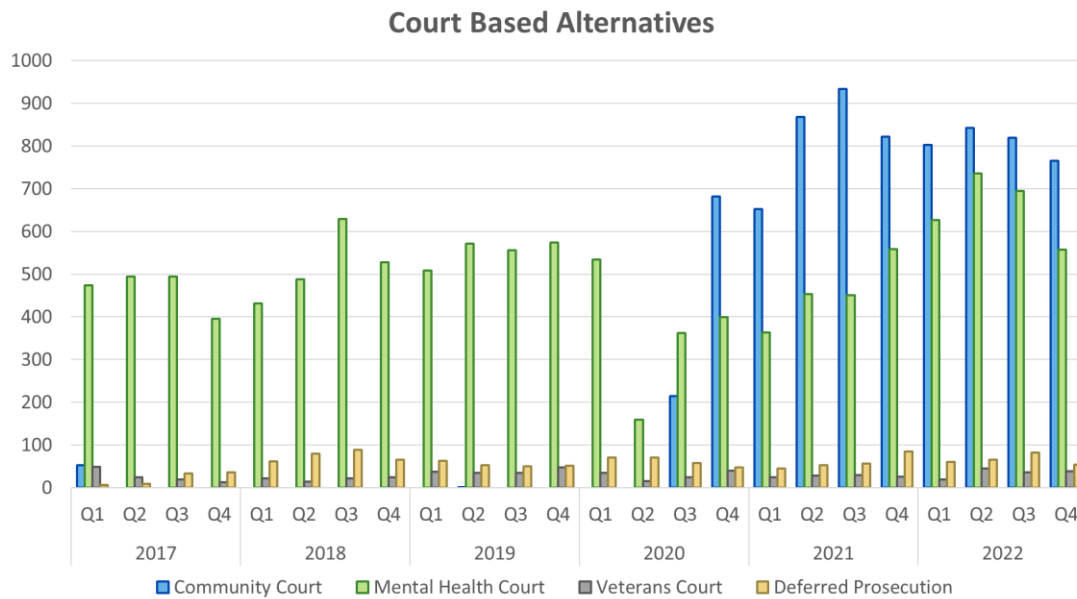


Pre-File Diversion numbers are tracking similarly to 2021 quarters.

Breakdown of Charges in Pre-File Diversion Declines



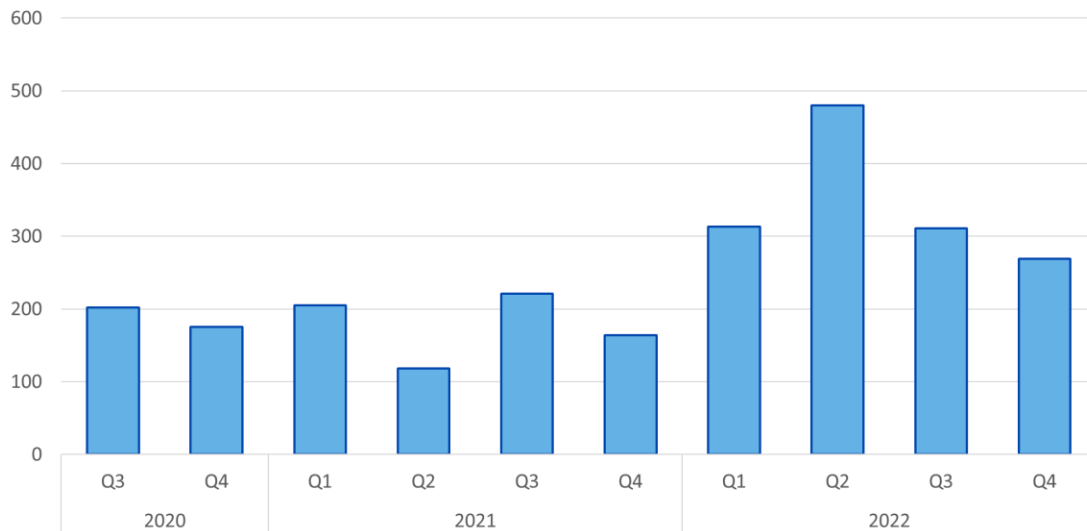
## Court Based Alternatives



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.

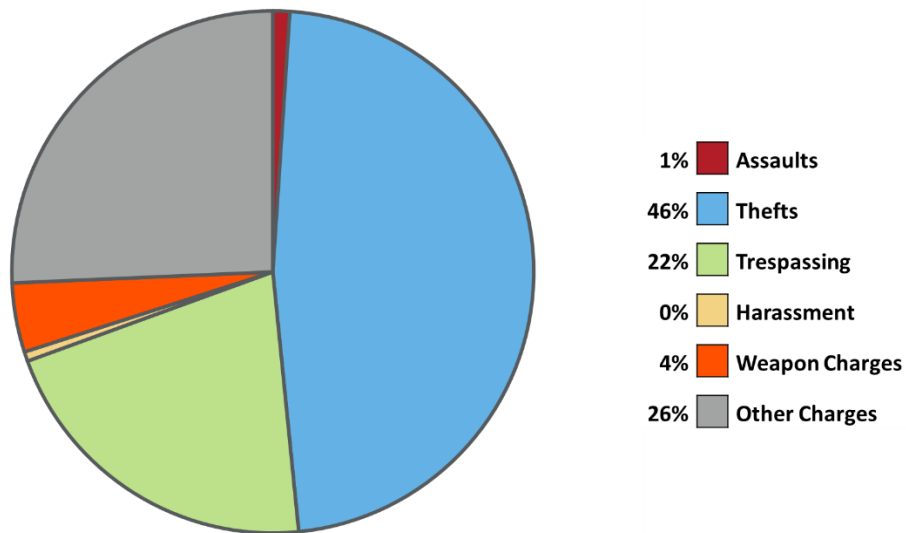
## Community Court

**Referrals Involving Community Court**  
(by filing date)



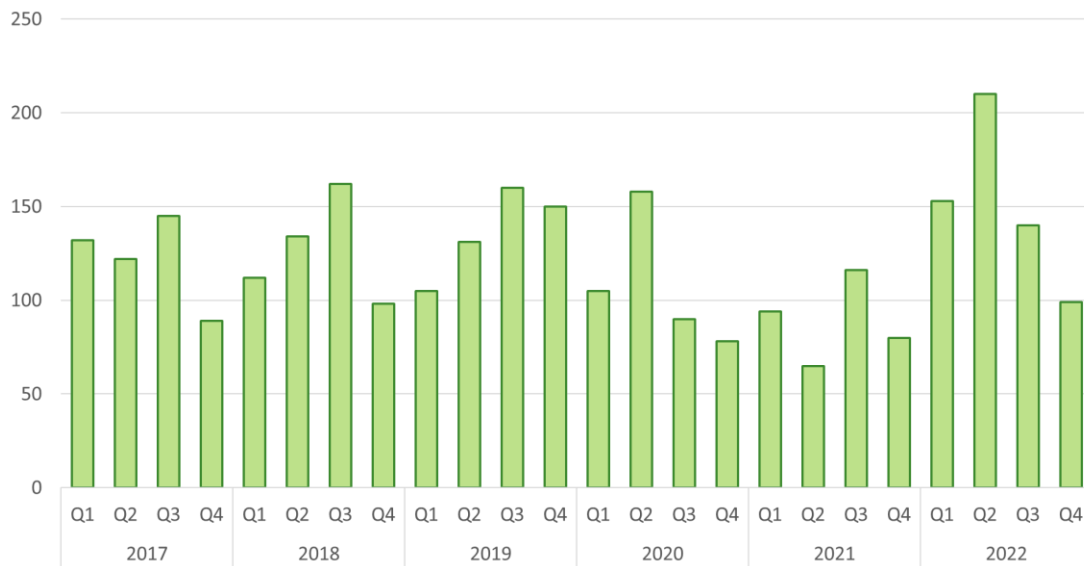
The drop in filed cases going to community court are consistent with the drop in overall filing decisions between Q2, Q3, and Q4.

**Breakdown of Charges in Community Court**

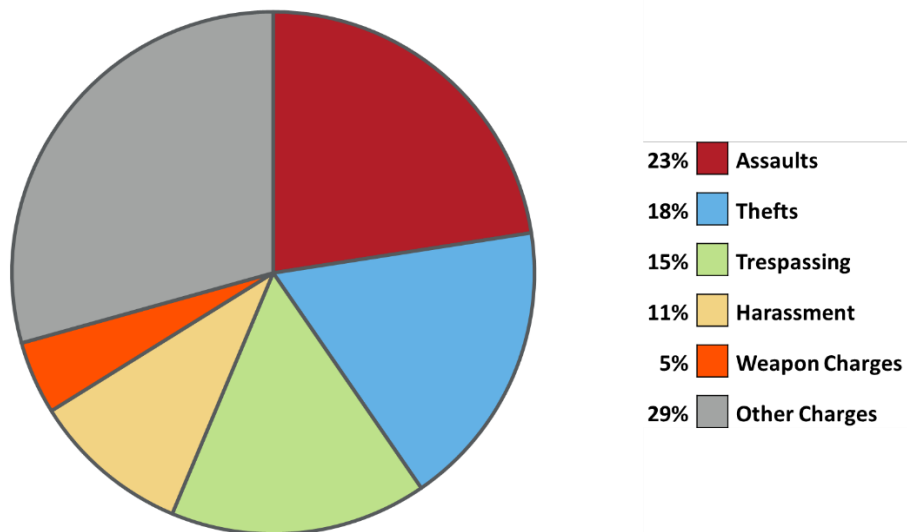


## Mental Health Court

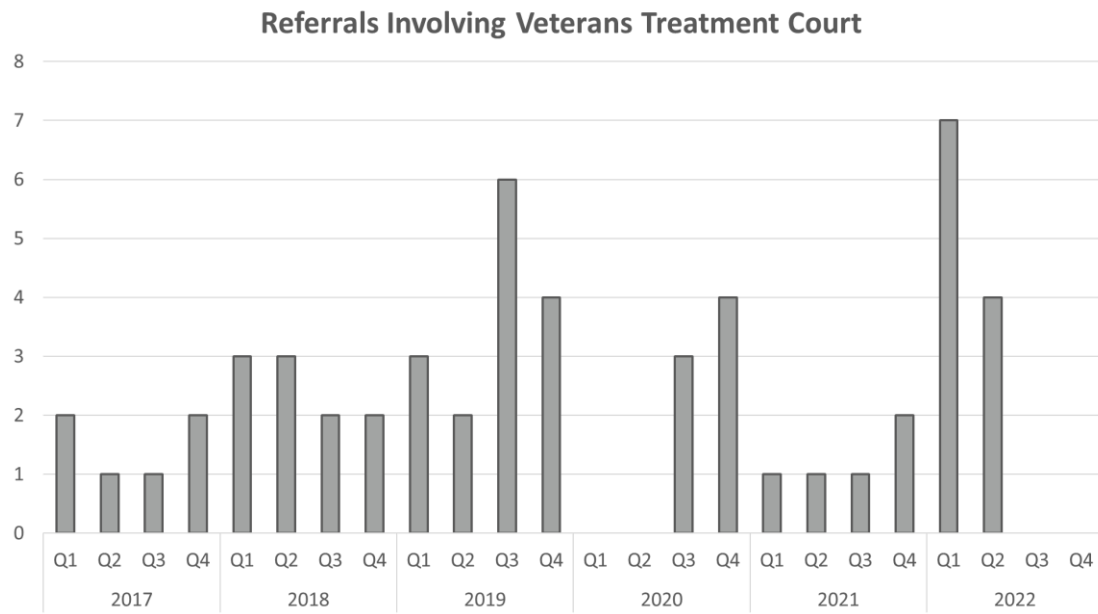
Referrals Involving Mental Health Court



Breakdown of Charges in Mental Health Court

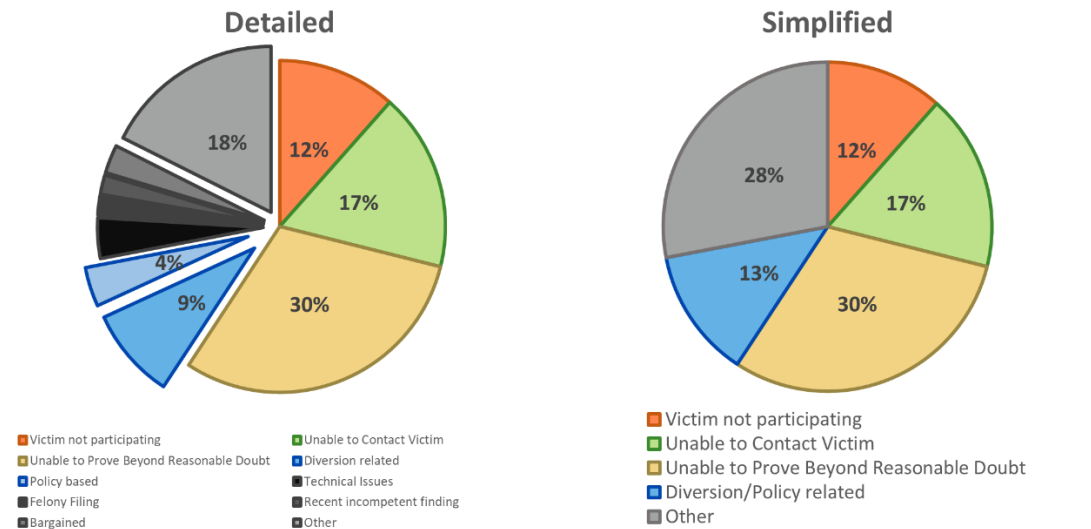


## Veterans Treatment Court



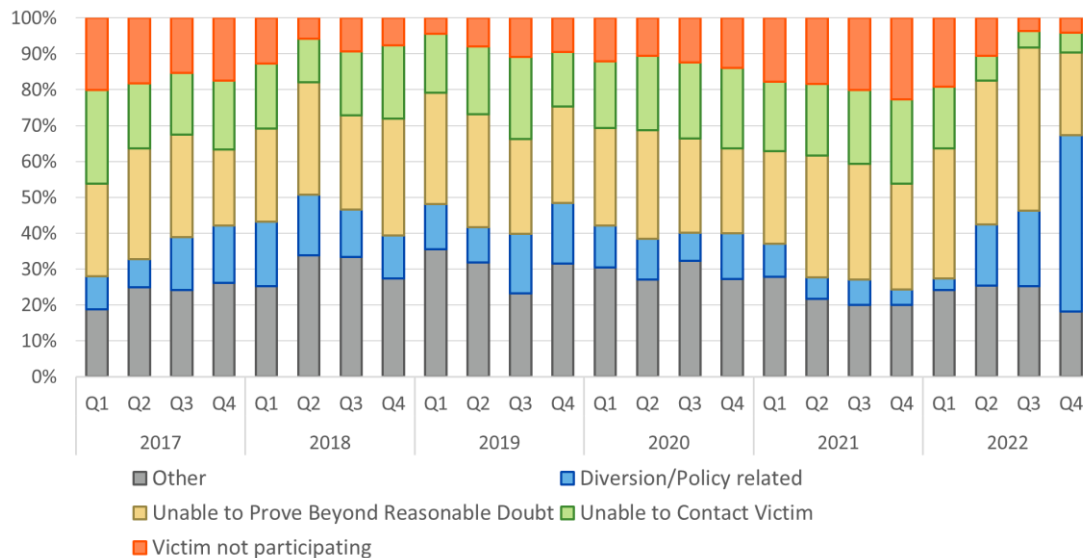
# Decline Reasons

Breakdown of Historical Decline Reasons  
(2-year averages)



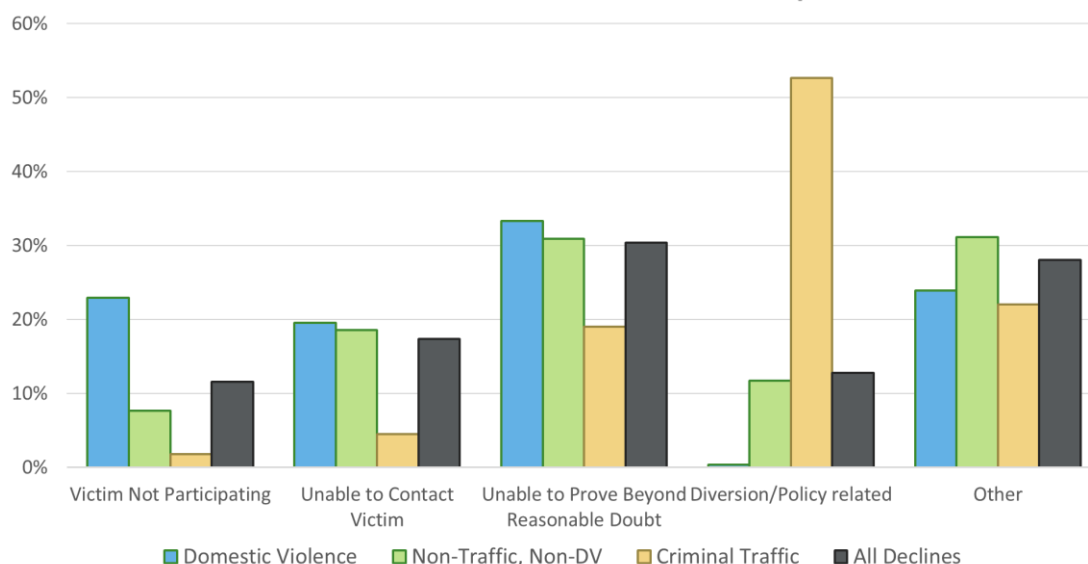
There are many reasons that the City Attorney's office may decline to file a case. The major ones are listed above. The simplified one is used for reporting ease. These are based on 5-year averages.

Timeline of Declines by Reason Category



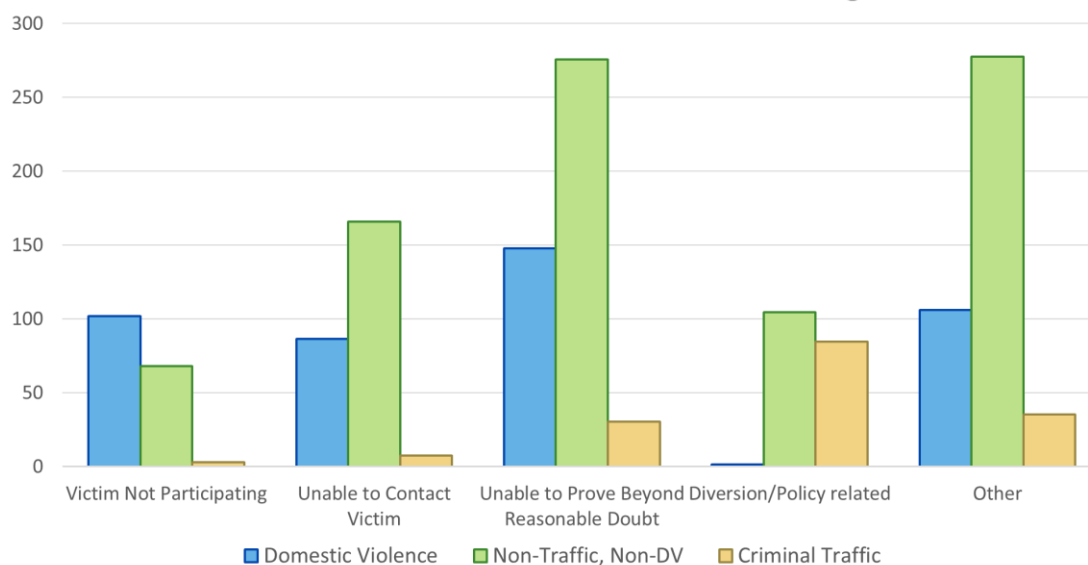
Victim related issues have continued to decline and have become a very small barrier to filing. This is partly due to better contact outcomes from the Close-In-Time policy as well as a concerted effort to look at the merits of cases beyond relying only on victim participation. Policy based declines in Q4 are primarily due to the backlog filing project and skew the other proportions in that quarter.

### Breakdown of Historical Decline Reason Proportions



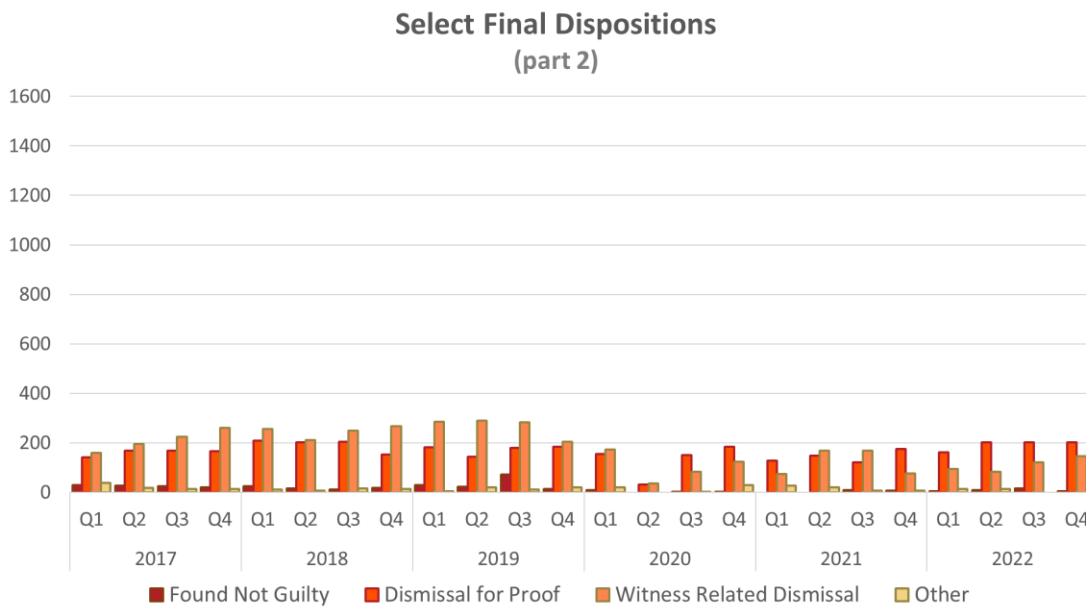
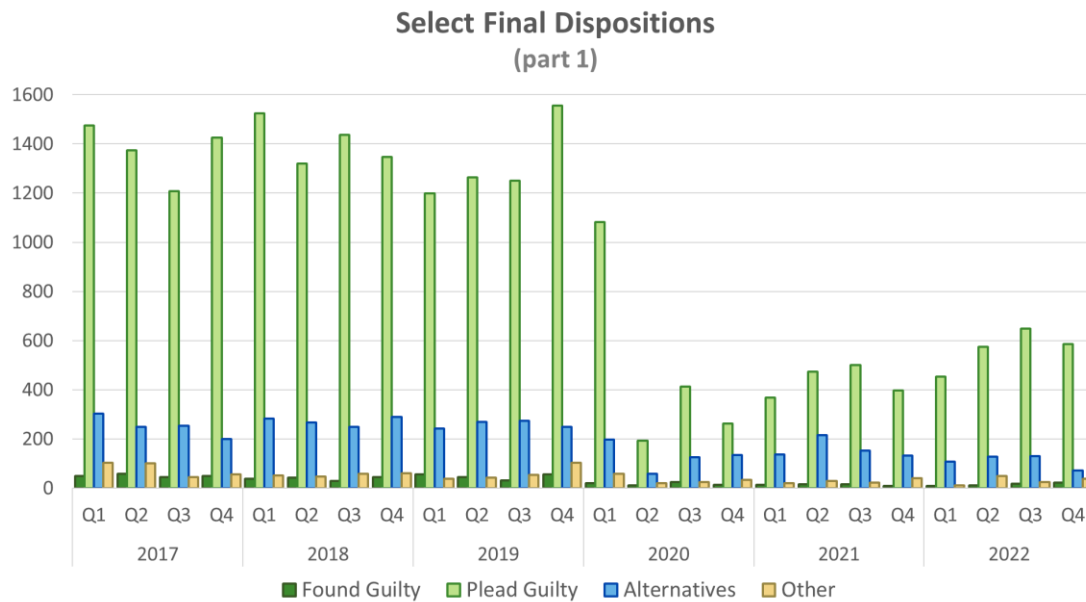
Over the past five years, a large proportion of domestic violence declines are related to the victim not wanting or being able to assist the prosecution. This is the primary reason that domestic violence decline rates are higher than for other crime types. The large percent of declines in criminal traffic 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 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.

### Breakdown of Historical Decline Reason Averages

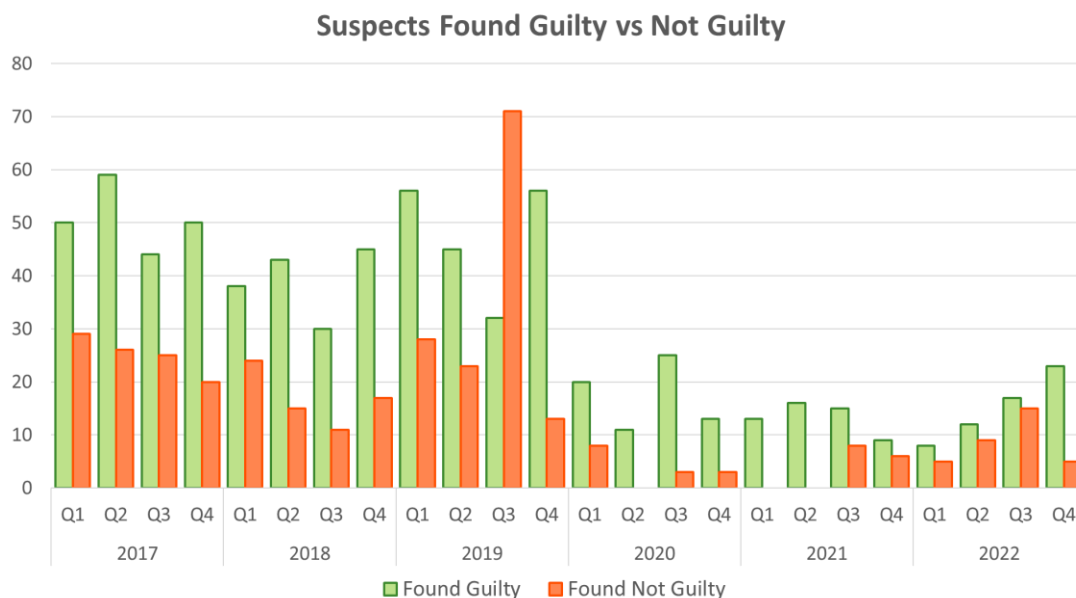




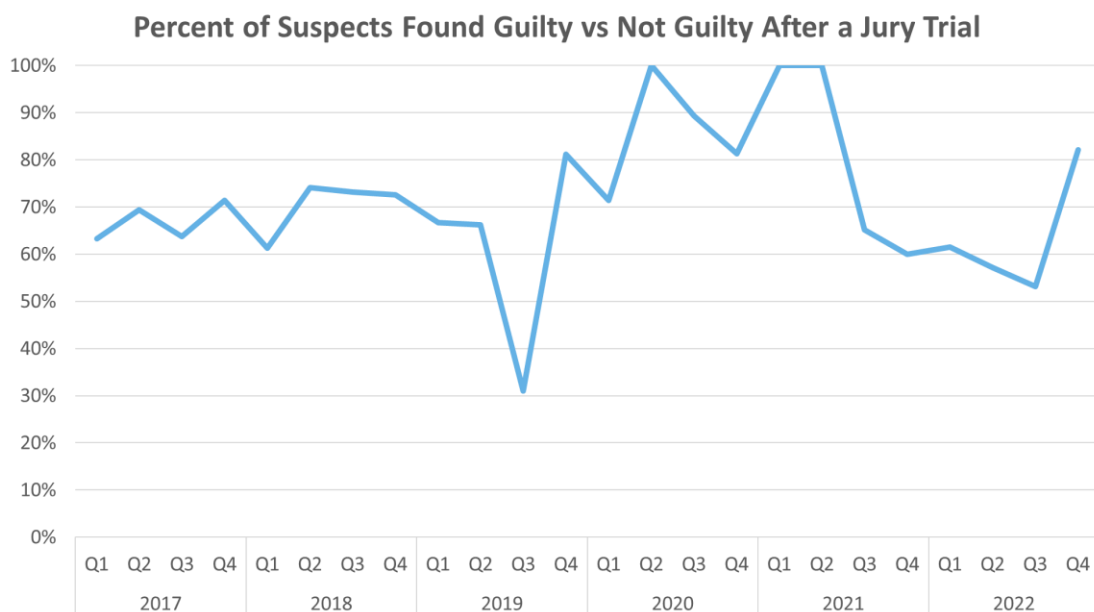
# Final Dispositions



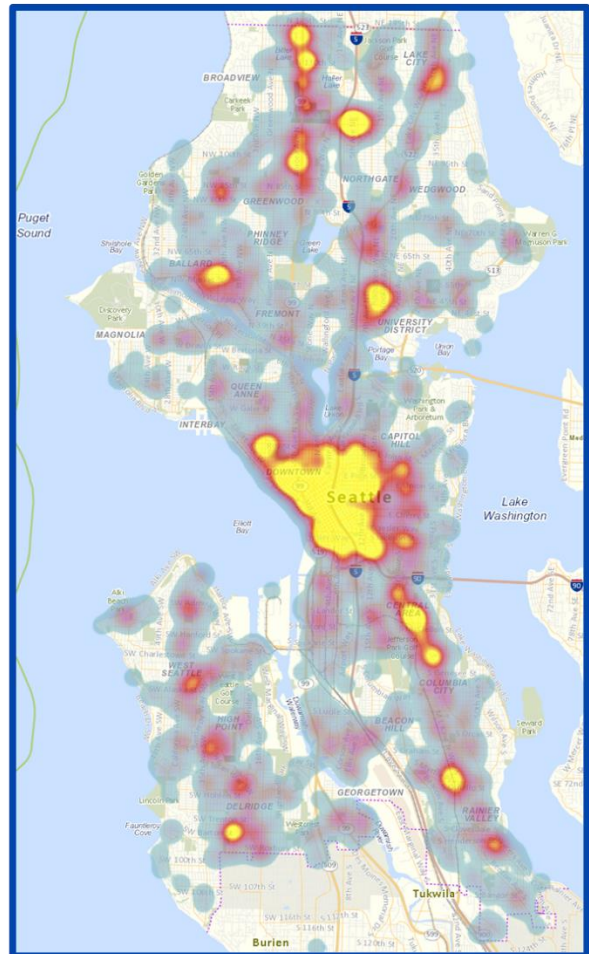
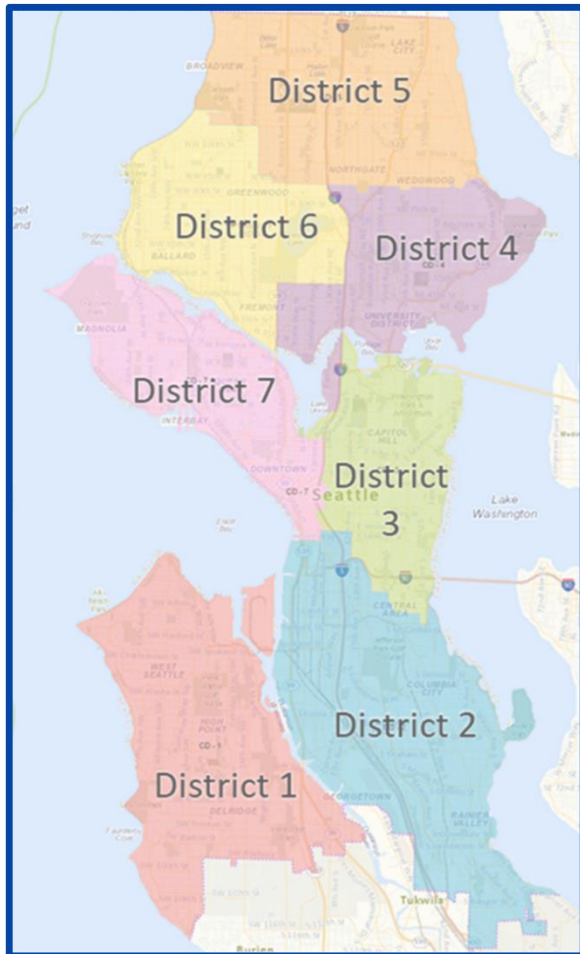
The most common final dispositions are guilty pleas, typically as part of a negotiated plea deal. Dismissals related to successful completion of alternatives to traditional prosecution, proof issues, and victim or witness related dismissals are also common. Guilty and not guilty findings via jury verdict are rare due to the decreased number of jury trials. Major capacity issues that originated during the pandemic still exist within the Seattle Municipal Court resulting in decreased levels of all final dispositions.



Findings of guilty and not guilty after a jury trial make up a very small proportion of outcomes. Findings of either kind have been rare since the courts shut down for the COVID-19 Pandemic. As a result, the found guilty vs not guilty rate is not reliable.



## District Specifics



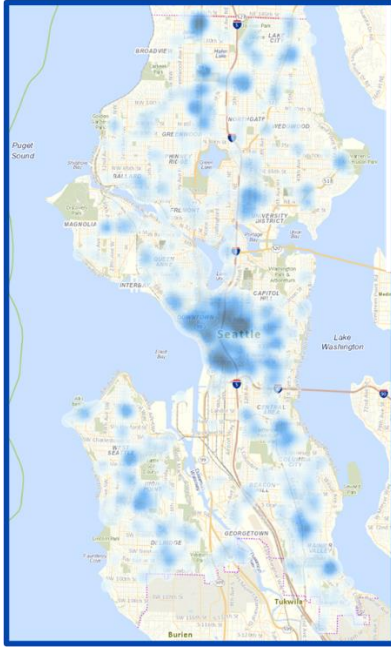
### Mapping Accuracy

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. The most common of these are DUIs that occur on grade-separated roads.

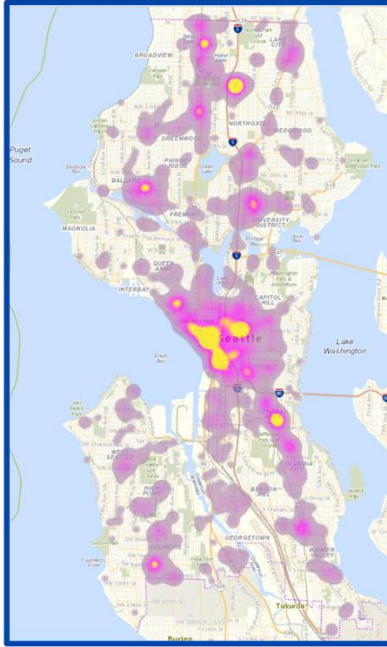
	Domestic Violence	Court Order Violations	Weapons Assault	Weapons Charges	Harassment	Theft	DUI	Total Referrals
Mapped	906	210	890	129	324	537	337	2840
UnMapped	17	3	14	3	6	4	15	89
Mapped %	98%	99%	98%	98%	98%	99%	96%	97%

## Maps

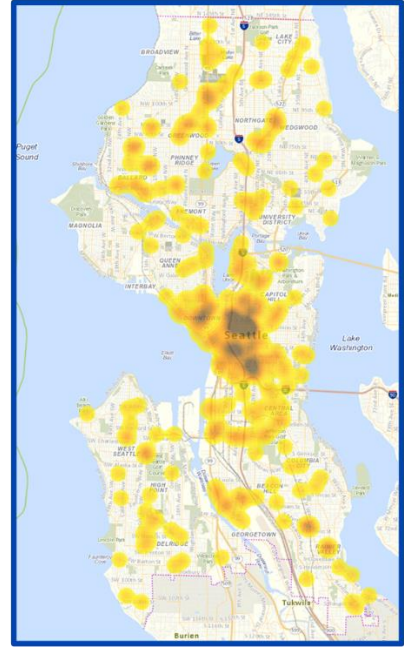
**Domestic Violence**



**Non-Traffic, Non-DV**



**Criminal Traffic**



### Domestic Violence

Domestic Violence Referrals concentrate in any part of the city that has a higher density of housing. In addition to the city's core, higher rates of domestic violence follow the light rail down the rainier valley and the denser portions of the Lake City Way and Aurora corridors. It can also be found in higher levels in West Seattle, Ballard, and Sand Point.

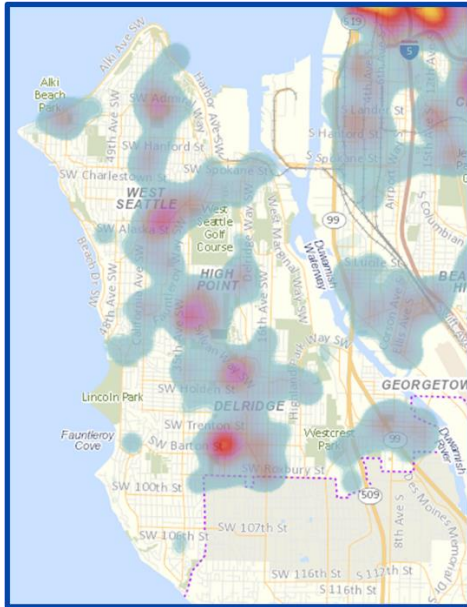
### Criminal Non-Traffic, Non-Domestic Violence

Misdemeanors that are neither traffic nor domestic violence related concentrate around commercial areas like Downtown, Capitol Hill, Northgate, The U District, Mount Baker, and Ballard.

### Criminal Traffic

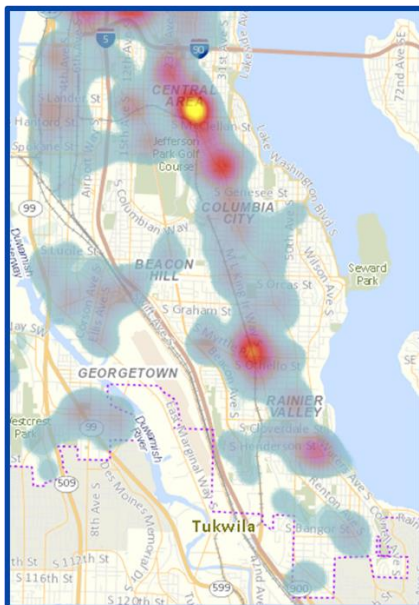
Unlike the other categories, criminal traffic misdemeanors do not have the highest concentration downtown. Rather they have the highest concentration in Capitol Hill. The downtown areas with the most are Pioneer Square and Belltown and are likely related to bar activity. North Aurora, Fremont, Ballard, Georgetown, and South Park also have higher incidents of criminal traffic referrals.

## District 1



District 1, Q4-2022		
	Count	% of Seattle
Domestic Violence	133	15%
Court Order Violations	29	14%
Assault	93	10%
Weapons Charges	6	5%
Harassment	34	10%
Theft	51	9%
DUI	29	9%
<b>Total Referrals</b>	<b>297</b>	<b>10%</b>

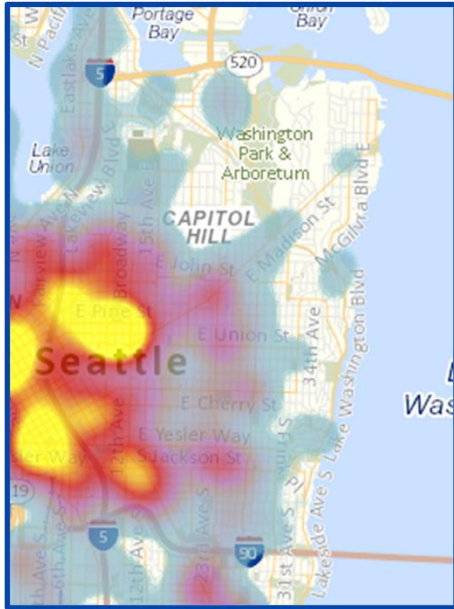
## District 2



District 2, Q4-2022		
	Count	% of Seattle
Domestic Violence	174	19%
Court Order Violations	44	21%
Assault	150	17%
Weapons Charges	17	13%
Harassment	49	15%
Theft	124	23%
DUI	66	20%
<b>Total Referrals</b>	<b>525</b>	<b>18%</b>

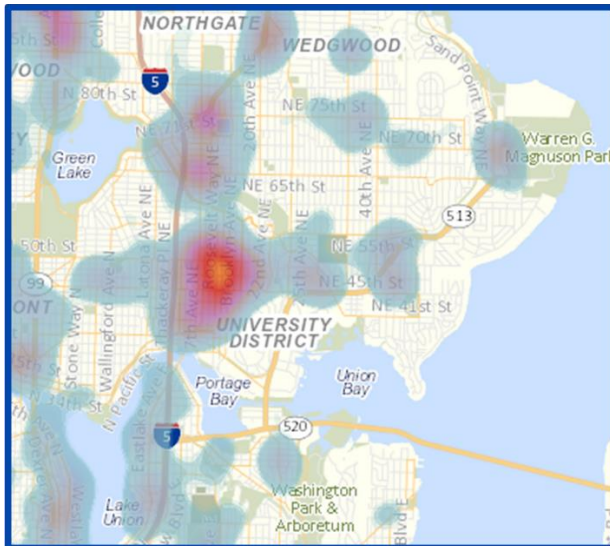


## District 3



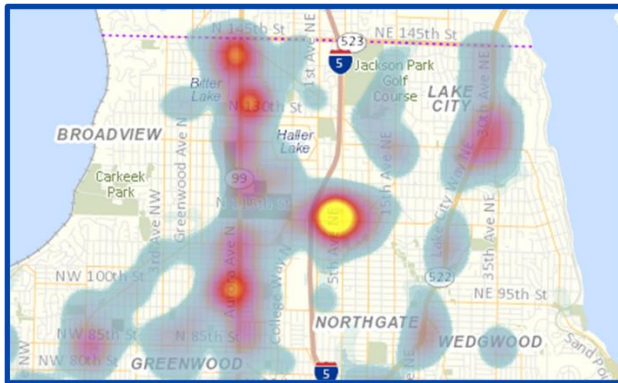
District 3, Q4-2022		
	Count	% of Seattle
Domestic Violence	171	19%
Court Order Violations	31	15%
Assault	190	21%
Weapons Charges	41	32%
Harassment	67	21%
Theft	58	11%
DUI	106	31%
<b>Total Referrals</b>	<b>576</b>	<b>20%</b>

## District 4



District 4, Q4-2022		
	Count	% of Seattle
Domestic Violence	72	8%
Court Order Violations	18	9%
Assault	65	7%
Weapons Charges	4	3%
Harassment	30	9%
Theft	35	7%
DUI	21	6%
<b>Total Referrals</b>	<b>201</b>	<b>7%</b>

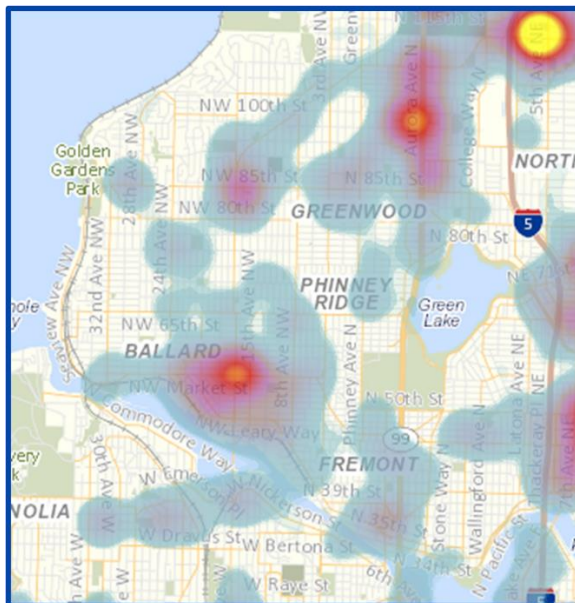
## District 5



### District 5, Q4-2022

	Count	% of Seattle
<b>Domestic Violence</b>	140	15%
<b>Court Order Violations</b>	40	19%
<b>Assault</b>	120	13%
<b>Weapons Charges</b>	17	13%
<b>Harassment</b>	45	14%
<b>Theft</b>	108	20%
<b>DUI</b>	28	8%
<b>Total Referrals</b>	<b>415</b>	<b>15%</b>

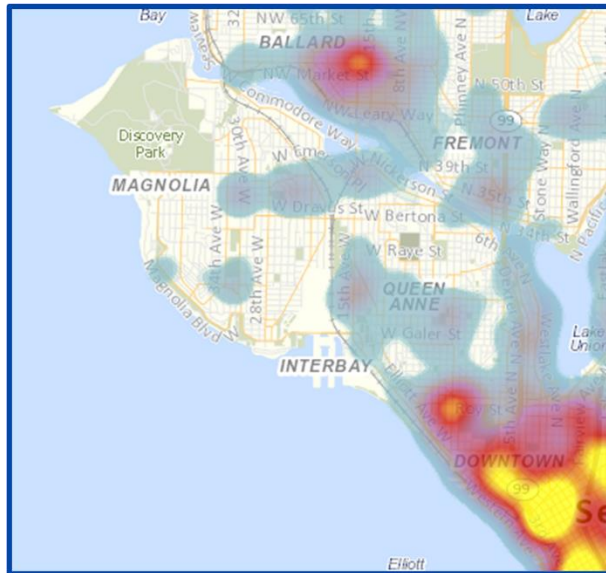
## District 6



### District 6, Q4-2022

	Count	% of Seattle
<b>Domestic Violence</b>	60	7%
<b>Court Order Violations</b>	10	5%
<b>Assault</b>	52	6%
<b>Weapons Charges</b>	7	5%
<b>Harassment</b>	26	8%
<b>Theft</b>	47	9%
<b>DUI</b>	31	9%
<b>Total Referrals</b>	<b>207</b>	<b>7%</b>

## District 7

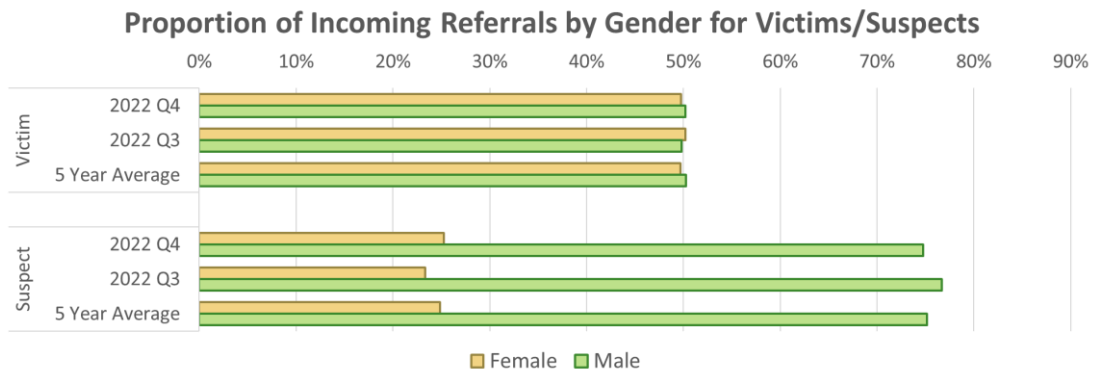
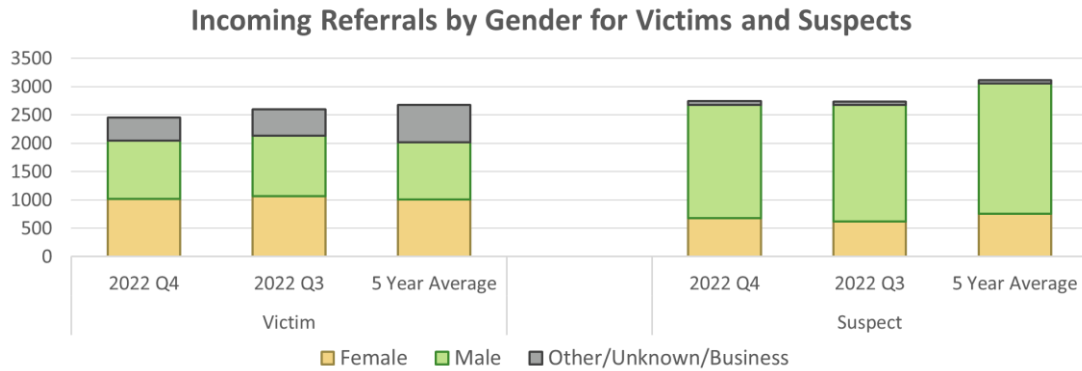


District 7, Q4-2022		
	Count	% of Seattle
Domestic Violence	156	17%
Court Order Violations	38	18%
Assault	220	25%
Weapons Charges	37	29%
Harassment	73	23%
Theft	114	21%
DUI	56	17%
<b>Total Referrals</b>	<b>619</b>	<b>22%</b>

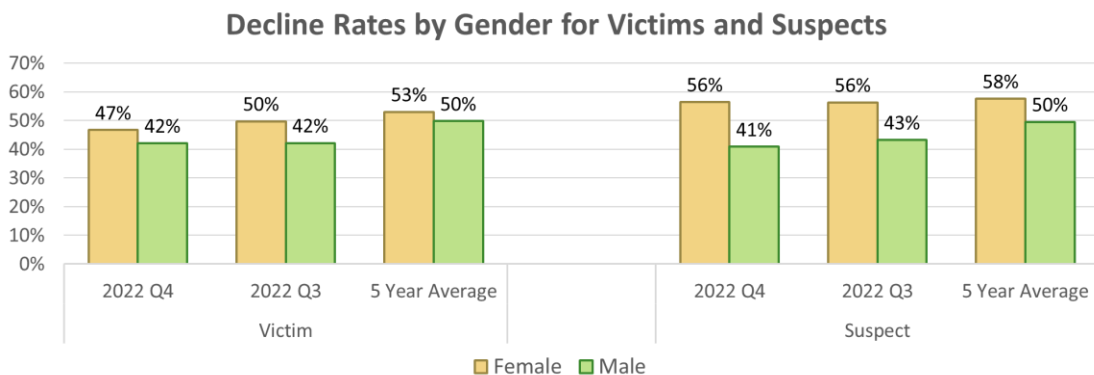


# Gender Specifics

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



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.



## 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.

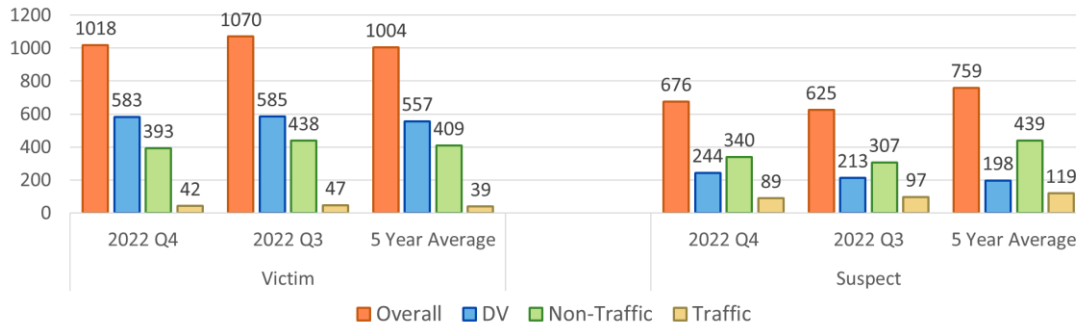
Referrals by Gender													
		Q4 2022				5-year Average				Change			
		Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic
Female	Victims	1018	583	393	42	1004	557	409	39	1%	5%	-4%	8%
	Suspects	676	244	340	89	759	198	439	119	-11%	24%	-23%	-25%
Male	Victims	1027	284	680	63	1015	254	700	61	1%	12%	-3%	3%
	Suspects	2002	587	1152	256	2296	575	1364	353	-13%	2%	-16%	-27%

Decline Rates by Gender													
		Q4 2022				5-year Average				Change			
		Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic
Female	Victims	47%	55%	36%	-	53%	58%	49%	17%	-6%	-2%	-14%	-
	Suspects	56%	80%	41%	-	58%	75%	52%	46%	-1%	4%	-11%	-
Male	Victims	42%	68%	31%	-	50%	68%	46%	18%	-8%	0%	-14%	-
	Suspects	41%	55%	35%	33%	50%	58%	47%	45%	-9%	-3%	-12%	-12%

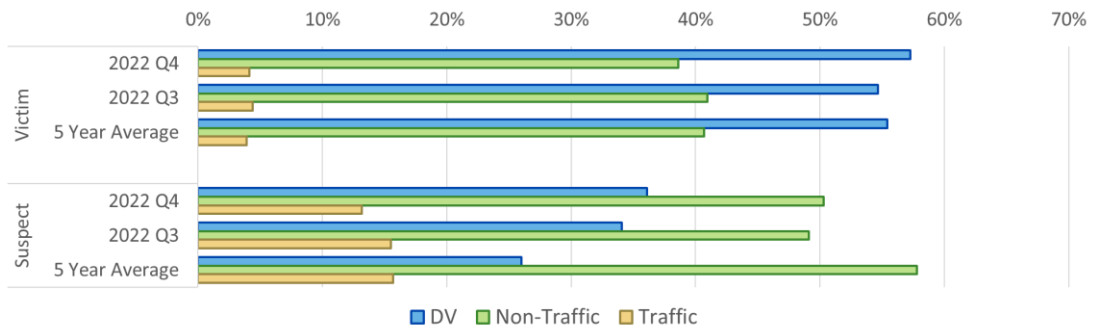
Final Dispositions by Gender											
		Q4 2022			5 Year Average			Change			
		% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	
Female	Victims	-	0%	-	50%	3%	67%	-	-3%	-	
	Suspects	43%	5%	-	56%	7%	78%	-13%	-3%	-	
Male	Victims	68%	0%	-	59%	3%	49%	9%	-3%	-	
	Suspects	57%	7%	80%	61%	6%	64%	-4%	0%	16%	

## Female

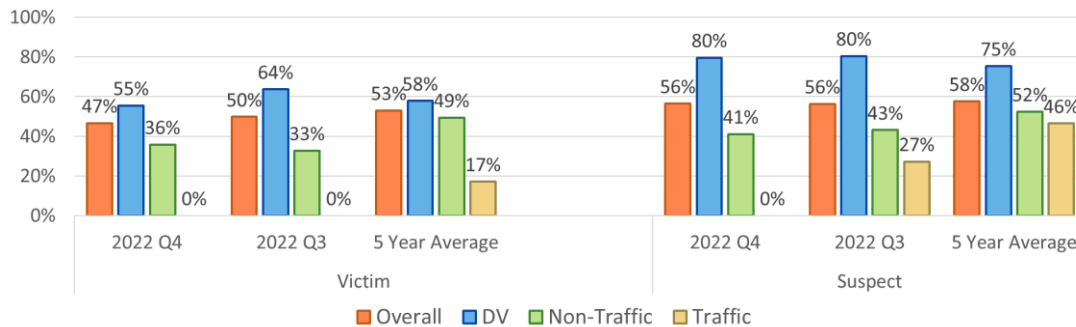
Referrals by Category Involving Female Victims and Suspects



Crime Type Proportions for Female Victims and Suspects

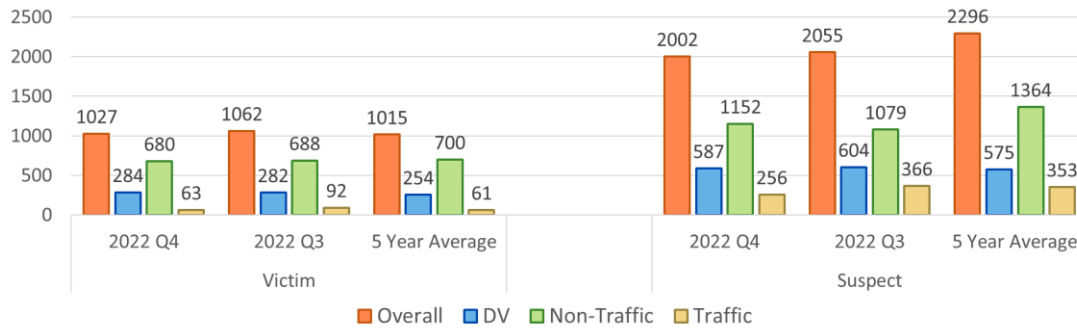


Decline Rates for Referrals Involving Female Victims and Suspects

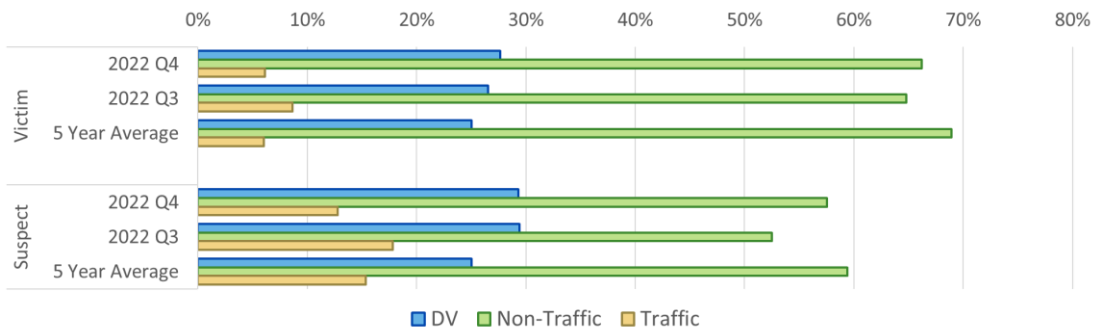


## Male

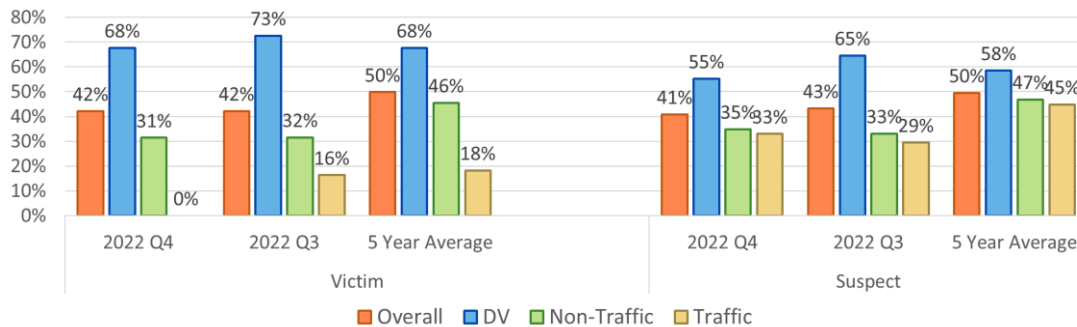
### Referrals by Category Involving Male Victims and Suspects



### Crime Type Proportions for Male Victims and Suspects



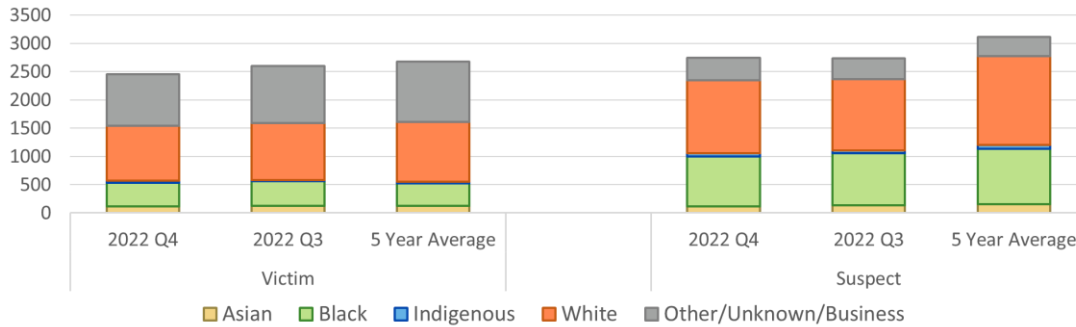
### Decline Rates for Referrals Involving Male Victims and Suspects



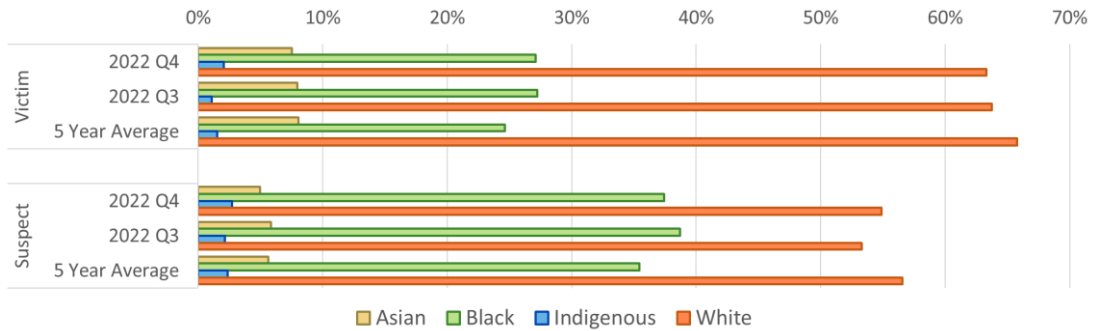
# Race Specifics

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

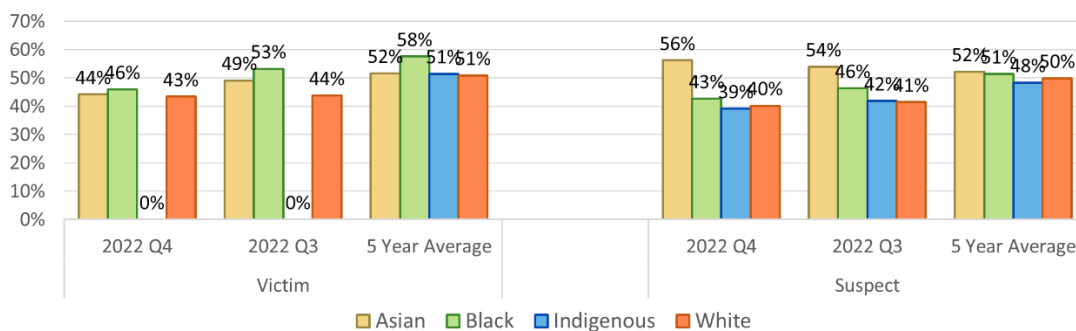
### Incoming Referrals by Race for Victims and Suspects



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



### 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.

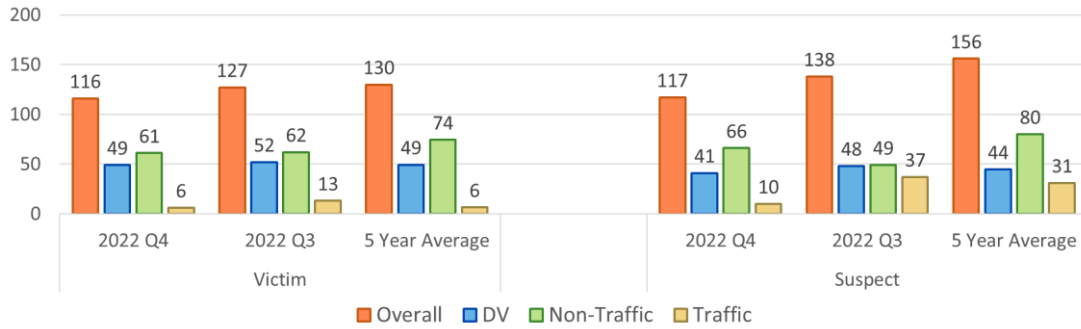
Referrals by Race													
		Q4 2022				5-year Average				Change			
		Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic
Asian	Victims	116	49	61	6	130	49	74	6	-11%	-1%	-18%	-
	Suspects	117	41	66	10	156	44	80	31	-25%	-8%	-17%	-
Black	Victims	419	213	192	14	398	207	181	10	5%	3%	6%	-
	Suspects	879	283	506	89	981	254	587	139	-10%	11%	-14%	-36%
Indigenous	Victims	32	15	15	2	25	15	9	0	-	-	-	-
	Suspects	117	41	66	10	156	44	80	31	-25%	-8%	-17%	-
White	Victims	979	416	523	40	1062	415	614	33	-8%	0%	-15%	20%
	Suspects	1290	334	754	198	1567	359	962	242	-18%	-7%	-22%	-18%

Decline Rates by Race													
		Q4 2022				5-year Average				Change			
		Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic	Overall	DV	Non-Traffic	Traffic
Asian	Victims	44%	-	33%	-	52%	61%	47%	-	-7%	-	-15%	-
	Suspects	56%	-	44%	-	52%	62%	49%	46%	4%	-	-5%	-
Black	Victims	46%	59%	34%	-	58%	63%	53%	20%	-12%	-5%	-19%	-
	Suspects	43%	54%	37%	-	51%	61%	47%	52%	-9%	-7%	-11%	-
Indigenous	Victims	-	-	-	-	51%	54%	48%	-	-	-	-	-
	Suspects	39%	-	33%	-	48%	61%	46%	-	-9%	-	-12%	-
White	Victims	43%	59%	32%	-	51%	60%	46%	19%	-8%	-1%	-14%	-
	Suspects	40%	61%	32%	23%	50%	62%	47%	39%	-10%	-1%	-15%	-16%

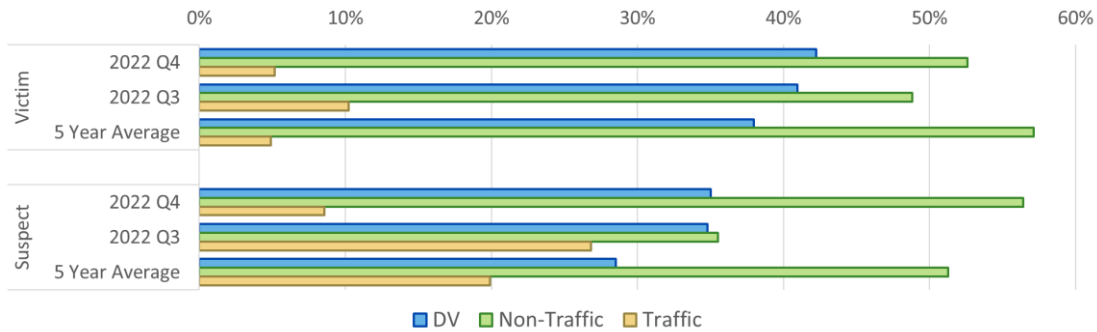
Final Dispositions by Race										
		Q4 2022			5 Year Average			Change		
		% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty	% Guilty Pleas	% Jury Trials w/ Findings	% Found Guilty
Asian	Victims	-	0%	-	-	2%	-	-	-2%	-
	Suspects	50%	21%	-	54%	6%	66%	-4%	15%	-
Black	Victims	-	0%	-	39%	4%	53%	-	-4%	-
	Suspects	53%	3%	83%	60%	6%	55%	-6%	-3%	29%
Indigenous	Victims	-	-	-	-	5%	-	-	-	-
	Suspects	-	-	-	68%	7%	-	-	-	-
White	Victims	-	0%	-	46%	3%	60%	-	-2%	-
	Suspects	56%	8%	88%	61%	7%	72%	-5%	1%	16%

## Asian

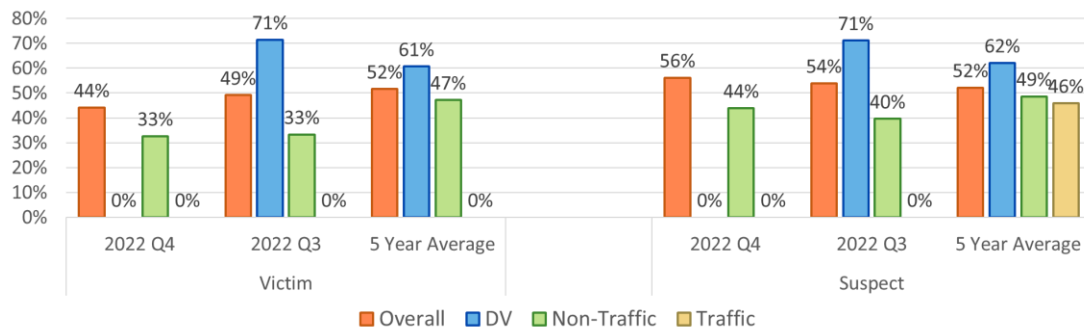
Referrals by Category Involving Asian Victims and Suspects



Crime Type Proportions for Asian Victims and Suspects

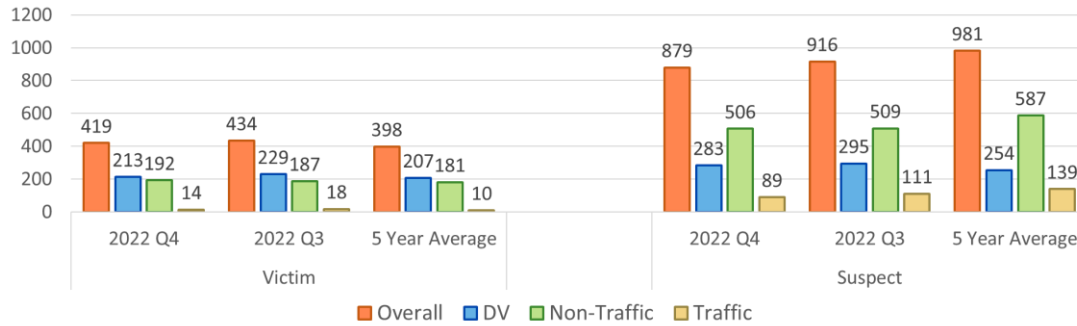


Decline Rates for Referrals Involving Asian Victims and Suspects

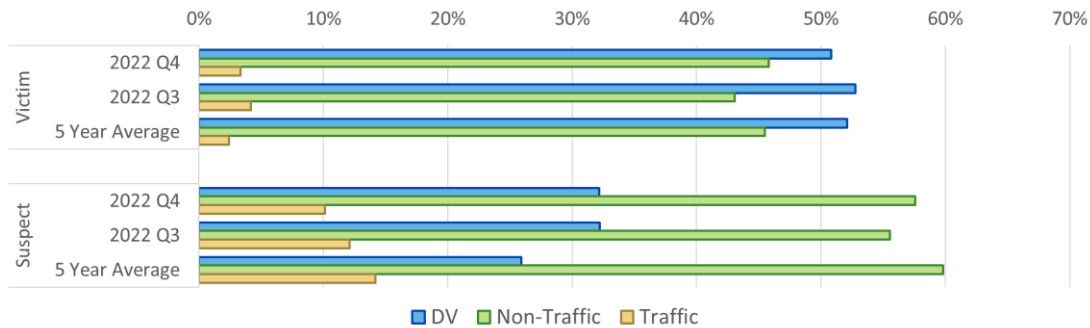


## Black

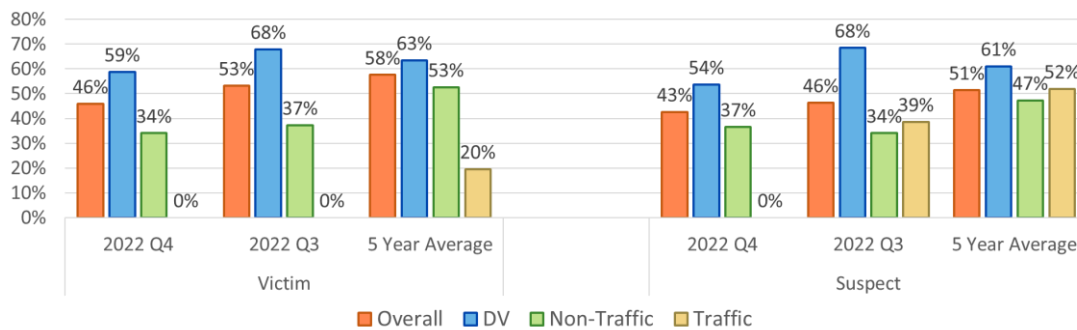
### Referrals by Category Involving Black Victims and Suspects



### Crime Type Proportions for Black Victims and Suspects

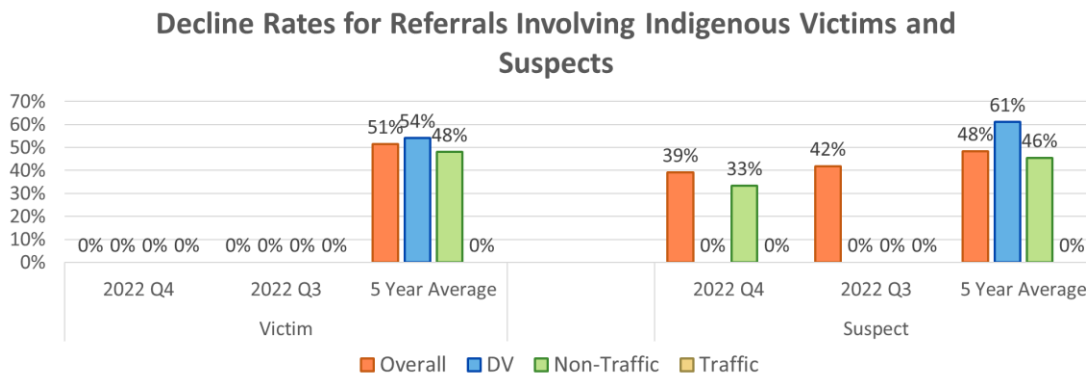
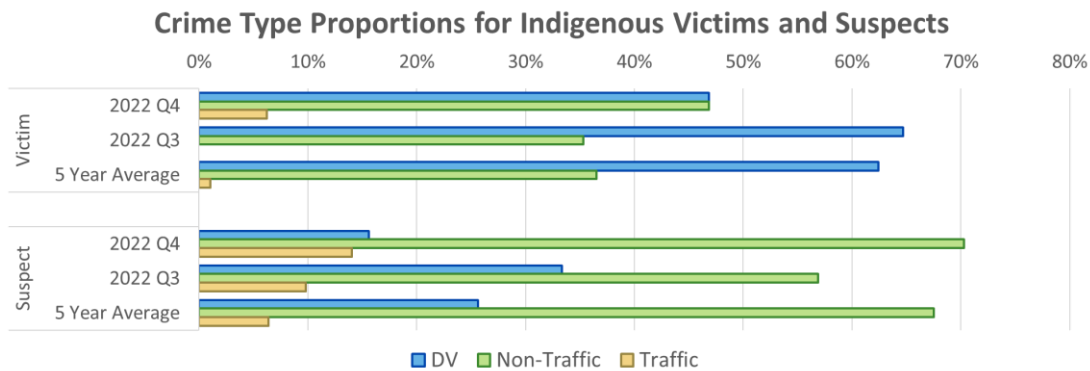
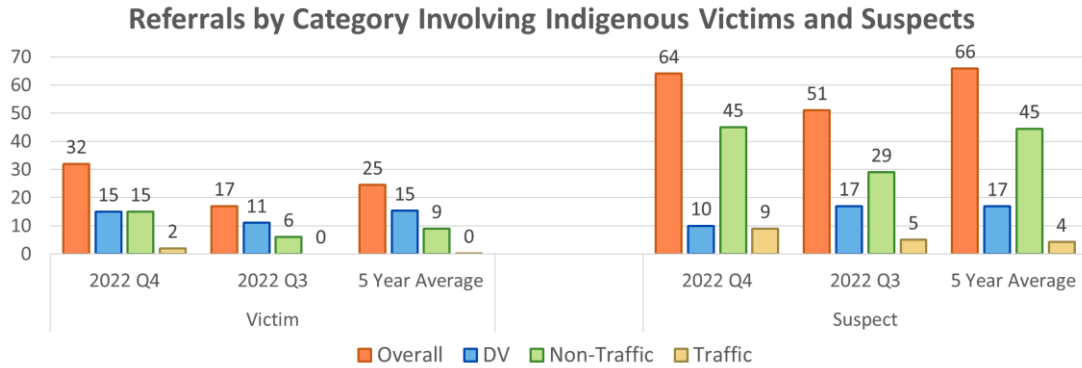


### Decline Rates for Referrals Involving Black Victims and Suspects





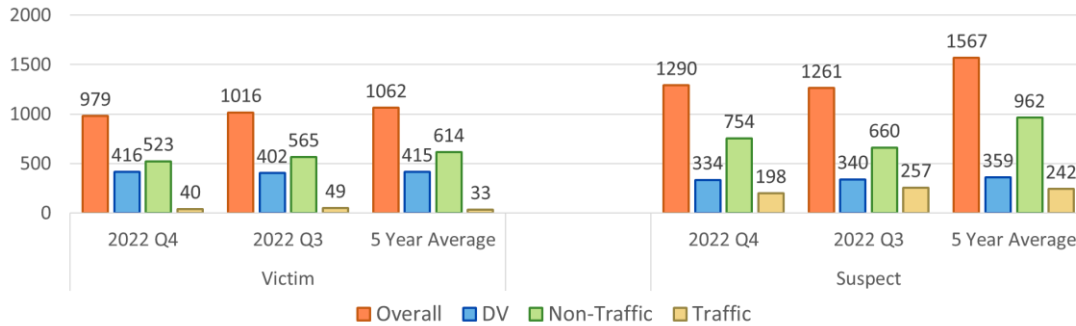
## Indigenous



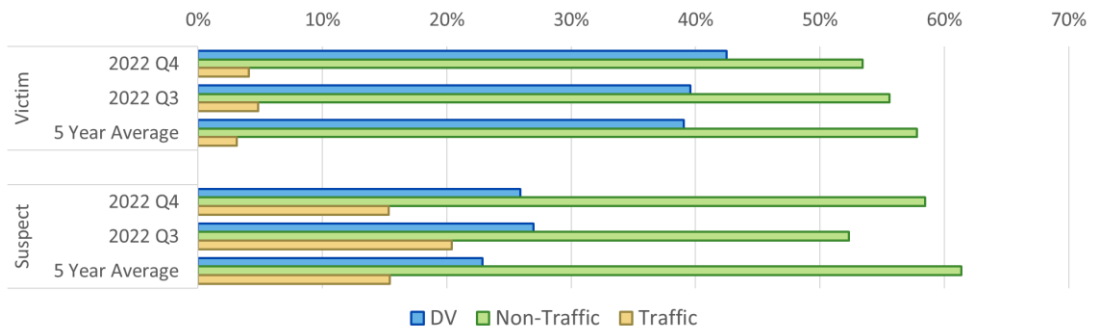
Other than overall rates, there were too few Indigenous victims and suspects that had filed or declined referrals for any meaningful decline rates in Q3 or Q4 2022.

## White

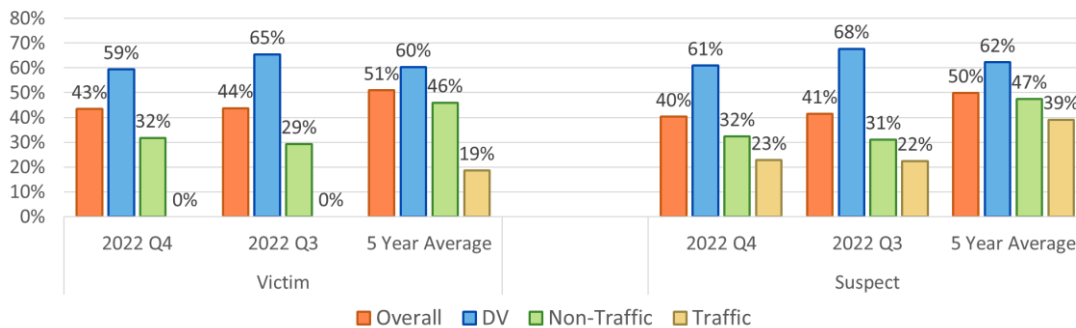
Referrals by Category Involving White Victims and Suspects



Crime Type Proportions for White Victims and Suspects



Decline Rates for Referrals Involving White Victims and Suspects



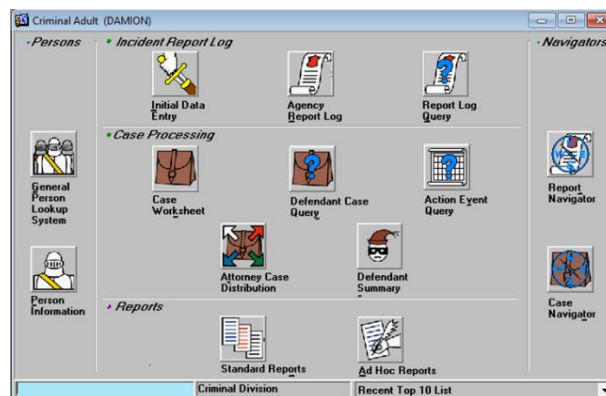
## Policy Changes

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.

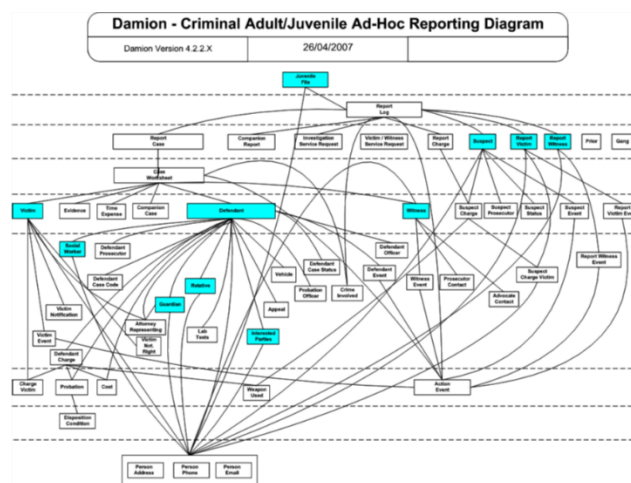
# Reporting Challenges

## 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.



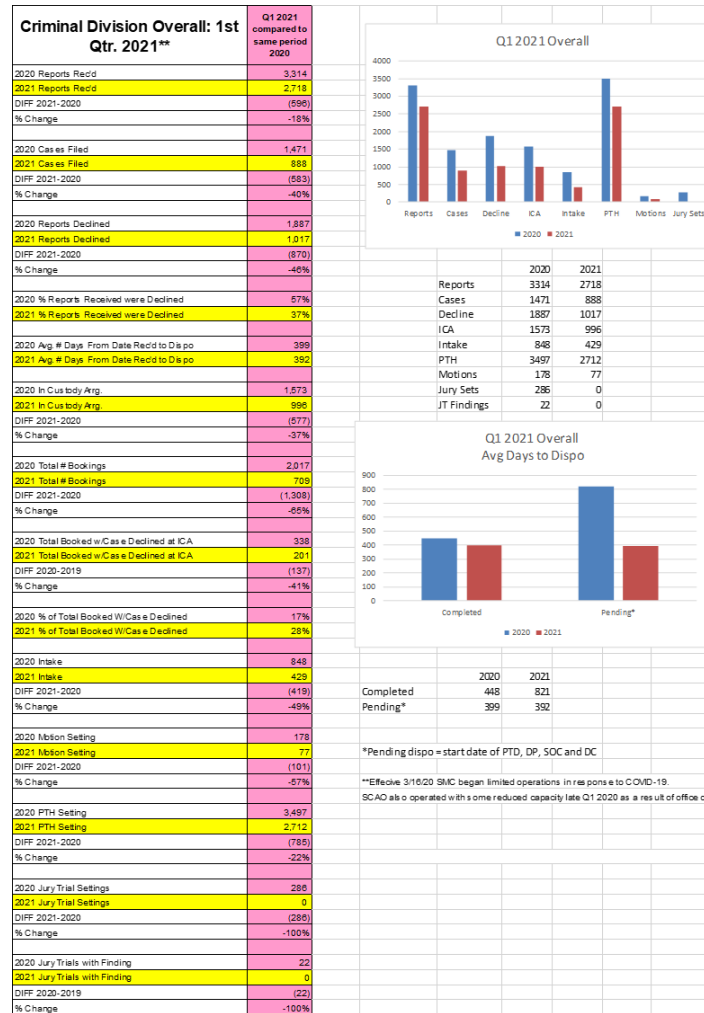
The database that is housed within DAMION uses a hierarchical relationship model which means that data from different sections can only be viewed together if they have a direct link and are not on the same level. For instance, it is not possible to view information from the Victim and Suspect sections 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.



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.



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.

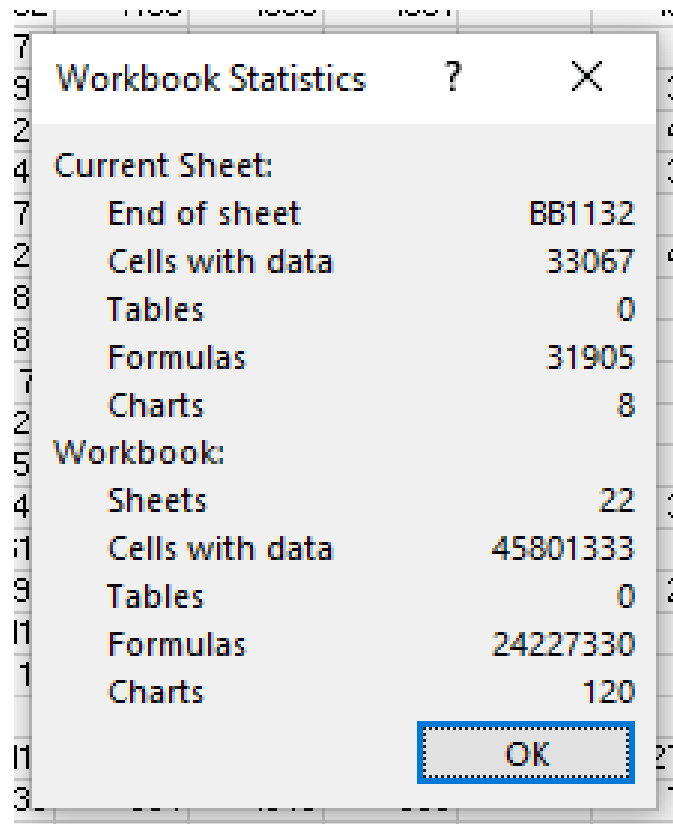
OUTCOME MEASURES SUMMARY REPORT					
2019		2019		2018	
JANUARY - SEPT (FAVORABLE)		JANUARY - SEPT (FAVORABLE)		JANUARY - DECEMBER (FAVORABLE)	
Count	Description	Count	Description	Count	Description
122	Deferred Prosecution	116	Deferred Prosecution	158	Deferred Prosecution
10	Dismiss - Prison	21	Dismiss - 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	191	Dismiss-SOC successful	193	Dismiss-SOC successful
1,586	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	9	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.	189	Stipulated Order of Cont.	258	Stipulated Order of Cont.
41	Dismissed - Felony Filing	47	Dismissed - Felony Filing	40	Dismissed - Felony Filing
6,325	Total Favorable	6,456	Total Favorable	8,091	Total Favorable
JANUARY - SEPT 2019 Unfavorable		JANUARY - SEPT 2018 Unfavorable		JANUARY - DECEMBER 2018 Unfavorable	
586	Dismissed Proof Problem	639	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	55	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	Total Unfavorable	1,427	Total Unfavorable	1,807	Total Unfavorable
3	Dismissed - Court Error	3	Dismissed - Court Error	3	Dismissed - Court Error
420	Dismissed - Age	11	Dismissed - Age	11	Dismissed - Age
Summary		Summary		Summary	
JANUARY - SEPT 2019		JANUARY - SEPT 2018		JANUARY - DECEMBER 2018	
7,925	Total Dispositions	7,885	Total Dispositions	9,898	Total Dispositions
80%	Favorable Dispositions	82%	Favorable Dispositions	82%	Favorable Dispositions
20%	Unfavorable Dispositions	18%	Unfavorable Dispositions	18%	Unfavorable Dispositions

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	Total Favorable	7,548	Total Favorable
JANUARY - DECEMBER 2020 Unfavorable		JANUARY - DECEMBER 2020 Unfavorable	
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	Total Unfavorable	1,860	Total Unfavorable
0	Dismissed - Court Error	3	Dismissed - Court Error
40	Dismissed - Age	432	Dismissed - Age
Summary		Summary	
JANUARY - DECEMBER 2020		JANUARY - DECEMBER 2020	
3,569	Total Dispositions	9,408	Total Dispositions
85%	Favorable Dispositions	80%	Favorable Dispositions
15%	Unfavorable Dispositions	20%	Unfavorable Dispositions

## 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. This program continues to evolve to include additional functionality and now has over 24 million formulas spread across 20 sheets. 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:



## 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**

Decline Rates in this report are generally representative of the period when the decision was made, however backlog filing is separated out.

### **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**

While LEAD data is improving, some of the historical clients are likely missed as a secondary database to track entry and exit is being worked on. The LEAD referral data refers to clients in LEAD with the above caveat, but the hearings include the hearings our LEAD prosecutors work on which have clients spread across LEAD, CO-LEAD, and Vital.

### **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.