



System Failure

REPORT ON PROLIFIC OFFENDERS IN SEATTLE'S CRIMINAL JUSTICE SYSTEM

Abstract

An analysis of 100 individuals with a high frequency of criminal activity in Seattle focused on understanding their impact on public safety in the city's busiest neighborhoods, the root causes of their problem behaviors, and why Seattle's criminal justice system fails to reduce their recidivism

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Contents

Executive Summary	2
Methodology and Note to Readers	7
1. Prolific Offenders Repeatedly Victimize Seattle’s Busiest Neighborhoods while Cycling through the Criminal Justice System	9
2. Many Prolific Offender Crimes Involve Theft to Pay for Drugs	18
3. Some Prolific Offenders with Severe Mental Health Issues Pose a Serious Threat to Public Safety	24
4. Some Prolific Offenders Pose a Serious Threat to Officer Safety	31
5. Prolific Offenders Fail to Comply with Court-ordered Conditions in Almost Every Case ..	40
6. Seattle’s Prolific Offenders Struggle with Addiction, Mental Health Conditions, and Homelessness	44
7. Many Prolific Offenders Manipulate the System in Order to Avoid Being Booked into Jail	50
8. Case-Filing Delays Hamper Seattle’s Retail Theft Program.....	55
9. Prolific Offenders Struggling with Homelessness Are Often Released from the Jail at Midnight.....	58
Conclusion	60

Executive Summary

A substantial portion of the criminal activity that has the greatest impact on Seattle’s busiest neighborhoods is committed by prolific offenders who are well known to Seattle police officers and have a large number of criminal cases in Seattle and King County courts. For many of these individuals, that means 10 or more bookings into jail in the past year and 50 or more criminal cases over a multi-year span. These individuals cycle through the criminal justice system with little impact on their behavior, repeatedly returning to Seattle’s streets to commit more crimes.

This report was commissioned by multiple Seattle neighborhood districts - representing Pioneer Square, Chinatown/International District, SODO, Downtown, Ballard, the University District - and Seattle’s tourism industry in order to better understand prolific offenders’ impact on public safety in Seattle’s busiest neighborhoods, the root causes of their problem behaviors, and why Seattle’s criminal justice system fails to reduce their recidivism.

The research methodology for this report was to examine recent bookings into King County Jail and identify a sample of 100 individuals with a significant number of bookings in the past 12 months. At a high-level, here is what this sample prolific offender population looks like:

100 Seattle Prolific Offender Profiles	
Total number of Washington State criminal cases	3,562
<i>Average WA cases per offender</i>	<i>36</i>
<i>Highest number of WA cases for individual</i>	<i>112</i>
Total number of Seattle Municipal Court misdemeanor cases	1,612
<i>Average SMC cases per offender</i>	<i>16</i>
<i>Highest number of SMC cases for individual</i>	<i>53</i>
Total King County Jail bookings in past 12 months	636
<i>Average per offender</i>	<i>6</i>
<i>Highest ind. number of KCJ bookings in 12mo.</i>	<i>16</i>
Demographics¹	
Average age of offenders	37
Male/Female	78/22
White	66
Black	24

¹ The demographics of this sample population roughly match the demographics of the larger population of those incarcerated at King County Jail. A 2015 study described the jail population as 80 percent male, 20 percent female, 64 percent white, and 26 percent black:

https://www.kingcounty.gov/-/media/elected/executive/constantine/initiatives/hhs-transformation/documents/familiar-faces/updates/Population_analysis_combined_6_26_16.ashx?la=en

Asian/Pacific Islander	4
Native American	4
Hispanic/Latino	2
Behavioral Health Indicators	
% with indicators of homelessness	100%
% with indicators of substance use disorders	100%
% with mental health flags in court records	38%
Measures of judicial compliance²	
% of prolific offenders who fail to appear in most cases (where opportunity exists)	100%
% of prolific offenders who fail to comply with other conditions of pre-trial release in most cases	100%
% of prolific offenders who fail to comply with conditions of suspended sentences in most cases	100%

The key findings of this report are:

1. Prolific offenders repeatedly victimize Seattle’s busiest neighborhoods while cycling through the criminal justice system.

The sample group of prolific offenders analyzed here had consistent patterns of criminal behavior - they very often committed the same crimes in the same neighborhood over a period of months or years. In some cases, a single individual had 40 or more criminal cases related to a single neighborhood, and often a small multi-block area, over the course of several years. In the most extreme cases, a single individual was responsible for near constant harassment of a business or public establishment over an extended period. Police reports for these incidents often note that the suspect is “well known to officers” and sometimes directly ask for the justice system to provide relief for the community. Instead, the individuals sampled in this report cycled through the criminal justice system with little accountability and no apparent impact on their behavior.

2. Many prolific offender crimes involve theft to pay for drugs.

For individuals in the prolific offender sample whose primary issues were substance use disorders and homelessness (but not severe mental health issues), most of their criminal cases stemmed from thefts in order to obtain money for drugs. A typical narrative for this population involves shoplifting at major retail establishments across the city followed by trading those stolen goods for cash through a stolen property broker, often at 3rd and Pike

² For the sample population, I examined court records from recent cases in Seattle Municipal Court and King County Superior Court to see whether the defendant appeared at court dates if given pre-trial release and complied with pre-trial and post-sentence court conditions in cases where those were given. All 100 of the defendants failed to appear or comply in at least some of these cases. In the course of reviewing hundreds of cases for the 100 defendants, I was only able to identify a handful of occasions in which one of the sample group of defendants appeared for a court hearing voluntarily when not already in custody.

Street. These individuals reported to police that they typically earned 10 cents to 20 cents of retail value and would sometimes shop with lists provided by the organized retail theft brokers.

The drugs of choice for this group were heroin and meth, with a smaller percentage involved in crack cocaine and only a handful with alcohol addictions. Their drug habits reportedly cost \$70 to \$150 per day, or more. Several of these individuals reported to police that the theft-for-drugs ecosystem was their full-time, daily occupation.

3. Some prolific offenders with severe mental health conditions pose a serious threat to public safety.

Approximately 40 percent of the sampled prolific offender population showed clear signs of significant mental health conditions, based on court and police records. Roughly half of those (20 percent of the total population) had a lengthy history of serious, unprovoked assaults on innocent victims. This group poses an ongoing public safety hazard. Most of the individuals in this sub-group had undergone multiple prior court-ordered mental health evaluations. Because they had previously been found not competent to stand trial, new cases were dismissed and the individual was released back into the public after a period of incarceration ranging from one day to several weeks or months. Despite the threats posed by individuals in this small group, there was little evidence that prosecutors had sought recent involuntary commitments.

4. Some prolific offenders pose a serious threat to police officers.

Some prolific offenders with mental health and substance use disorders (particularly addiction to methamphetamines) repeatedly resist arrest and threaten or assault police officers when they are detained. Police reports will often note that the individual is flagged in police data systems as a hazard to officer safety. The response of the criminal justice system to these threats is often lackluster. The report provides a detailed example of how a single offender repeatedly fought with officers over a two-and-a-half-year period, often requiring 8 or more officers to control him.

5. Prolific offenders fail to comply with court-ordered conditions in almost every case.

Every individual included in the prolific offender sample had multiple cases in which they were given court-ordered conditions of their pre-trial release or sentence. These conditions include requiring the defendant to appear for all court dates; requiring the defendant to not commit further law violations; and conditions that the defendant report to 'day reporting' or comply with terms of probation. For this prolific offender sample set, in virtually every case in which the defendant was provided a court-ordered condition, the defendant failed to comply with that condition, usually triggering a bench warrant. As a result, some defendants accrued multiple bench warrants in each case where there was an opportunity and some likely had over 100 bench warrants issued during their lifetime.

6. Seattle's prolific offenders struggle with addiction, mental health conditions, and homelessness.

The three predominant underlying issues for the prolific offender population studied for this report were substance use disorders, mental health conditions, and homelessness. Of the 100 individuals examined based on significant recent criminal activity, all 100 of them had indicators that they struggle with substance use disorders. These indicators included police reports, prior recent arrests for drug possession, and court-ordered drug evaluations. 38 of the 100 had been identified for a mental health evaluation in at least one or more of their recent court cases but undoubtedly others in this population have mental health challenges that are serious but did not arise to the level of requiring a court competency evaluation. All 100 individuals had indications that they are currently or recently homeless based on police reports and court records.

7. Many prolific offenders manipulate the system to evade booking into jail.

In many of the cases reviewed as a part of this analysis, a suspect detained by police would claim to be suffering from an injury or to have swallowed heroin so that King County Jail would decline to book them until they had been seen at Harborview. If Seattle Police officers want to book the individual into jail, they must transport the suspect to Harborview (or an alternative hospital), guard them at the hospital for up to several hours, and re-transport the suspect back to the jail. Because following these steps often requires two or more officers being off the streets for an extended portion of their shift, the officers will often instead be forced to release the suspect at the hospital. In the words of one police report: "this is a tactic that is frequently deployed by misdemeanor arrestees to prevent their brief incarceration at King County Jail." The result on many occasions was that prolific offenders arrested for significant crimes were released at Harborview and did not face charges for several months.

8. Case filing delays hamper Seattle's retail theft program.

When the defendant is not in custody, it takes on average six months for the City Attorney's Office to file theft cases stemming from incidents at most of Seattle's major retailers, including Uwajimaya, Goodwill, Target, TJ Maxx, Nordstrom, Macy's, Home Depot, Lowe's, Fred Meyer, and Safeway. Those establishments have their own loss prevention personnel and report thefts through the 'Retail Theft Program,' allowing them to directly report the case without requiring a police officer present at the scene or arrest of the suspect. The program was intended to save officer time and reduce incarceration for basic theft cases. But the filing delays mean that a prolific offender who has dozens of prior theft convictions and steals from the same stores every day faces very little likelihood of short-term consequences.

9. Prolific offenders struggling with homelessness are often released from the King County Jail at midnight.

Many of the individuals included in this report were regularly released from the King County Jail at 12:00am. For homeless individuals struggling with substance use disorders and mental health conditions, this practice can be hazardous to the individual and to the immediate surrounding neighborhood. The report provides an example of a woman with significant behavioral health challenges who was released at midnight in five of her past ten bookings. Based on sampling of jail booking records, it appears that, for the prolific offender population, midnight release is used over 30 percent of the time.

* * *

The Seattle Police Department's program to coordinate data-driven crime reduction, SEASTAT, has a mantra: "focus on problem locations, prolific offenders, and repeat and vulnerable victims." For Seattle's busiest neighborhoods, this strategy is particularly apt - the same individuals repeatedly commit the same crimes in many of the same few places.

Based on this review of 100 individuals with almost 3,600 criminal cases in Washington state, Seattle's police officers are in fact following this strategy and arresting prolific offenders in hot spot locations every day. Most of these defendants have cycled in and out of the criminal justice system for years with no apparent impact on their problem behaviors and no relief for the neighborhoods that they victimize.

Seattle's criminal justice system also fails the defendants who most often interface with it. Cases drag on for months or years; obligations are imposed even where there is virtual certainty that the defendant cannot meet them; bench warrants hang over their lives creating the risk of incarceration at any moment; vulnerable individuals are released from the jail at midnight; and there is little meaningful effort to address the underlying causes of their criminal behavior.³

This report is intended to start the difficult conversation of how and why our criminal justice system is not working for prolific offenders and the neighborhoods that they victimize. There is no simple answer. The hard work still lies ahead. But only by understanding the problem can we hope to fix it.

³ The scope of this report was focused on what I could show through police reports, court records, and jail booking information. What I did not see in those records, except in a handful of cases, was evidence of a coordinated, sustained effort to address the underlying substance use disorders, mental health conditions, and homelessness that were the major causes of instability for these defendants. A recent article in *Crosscut* by David Kroman discusses some of the lack of coordination between the criminal justice system and homeless service providers and the negative personal consequences of the criminal justice cycle: <https://crosscut.com/2019/02/seattle-1-5-people-booked-jail-are-homeless>.

Methodology and Note to Readers

I began this report by examining King County Jail bookings over the course of two months, looking for individuals who had been booked into the jail four or more times in a rolling 12-month period.⁴ After selecting 100 individuals fitting this profile, I used publicly available records to determine the approximate number of criminal cases the person had accumulated in Washington state and the number of years the person had apparently been criminally active. I did not examine criminal records from other states but reference them on a handful of occasions where prosecutors included these records in court documents. I then reviewed publicly-available police reports and court records from recent cases (generally the past 2-3 years) to identify the types of crimes the individual was alleged to have committed, the neighborhoods where these crimes occurred, whether the individual complied with pre-trial or post-sentence court-ordered conditions in recent cases, and whether the records included indicia of substance use disorders, mental health conditions, or homelessness.

The sample group identified for this report is intended to be roughly representative of a larger population of individuals who are frequently involved in criminal activity in Seattle's busiest neighborhoods. The individuals referenced in this report are included for illustrative purposes only. I identify only their first name and last initial and ask readers to focus on the larger themes brought to light by these stories rather than on any single incident or person.

This report relies exclusively on publicly-available court and police records. If a police report describes a crime, I have relied on that police report, regardless of how the case was ultimately adjudicated. If court records indicate that an individual has a substance use disorder or suffers from homelessness, I have relied on those records for the purposes of this analysis knowing that those records cannot begin to capture the complex sets of challenges faced by these defendants or changes in their circumstances.

All of the individuals identified in this report struggle with behavioral health conditions. That is consistent with past studies of this population and a critical fact to understanding their behaviors and developing system reforms. But please do not conflate this sample population with the larger population of people struggling with addiction, mental health conditions, or homelessness.

Responsibility for Seattle's criminal justice system is spread among two prosecutors' offices (the Seattle City Attorney's Office and King County Prosecutor's Office), three courts (the Seattle Municipal Court, King County Superior Court, and King County District Court), and two law enforcement agencies (the Seattle Police Department and King County Sheriff's Office). There is no single office or individual within the criminal justice system that is responsible for its shortcomings. The men and women of the criminal justice system make difficult decisions

⁴ I did not include individuals whose principal crimes were related to domestic violence or driving. I did include 13 individuals who did not meet the four-booking threshold but who had lengthy histories of criminal activity and had recent involvement with Seattle police. For example, I included a woman who had only one booking into King County Jail in the past 12 months but who had recently admitted to committing 22 commercial burglaries in Chinatown/ID, Pioneer Square, and SODO over the course of 2 months.

every day. The factors that go into those decisions are often not reflected in public records and a particular outcome in a specific case (e.g., a case dismissal) might make more sense with more information. Readers are therefore asked to consider individual cases included herein as illustrative examples that cumulatively shed light on how the system functions.

Finally, the scope of this report is limited to documenting the actual experience of these sample defendants in the criminal justice system. I do not attempt to review or assess programs within the criminal justice system (e.g., Mental Health Court), past or present, or discuss theories of criminal justice. This report is solely intended to identify the problems in the current criminal justice system so that Seattle's political leaders can start the hard task of fixing it.

1. Prolific Offenders Repeatedly Victimize Seattle’s Busiest Neighborhoods while Cycling through the Criminal Justice System

The individual prolific offenders analyzed here had consistent patterns of criminal behavior - they very often committed the same crimes in the same neighborhood over a period of months or years. In many cases, a single individual had 30 or more criminal cases related to a single neighborhood, and often a small multi-block area. In the most extreme cases, one person was responsible for near-daily harassment of a business or public establishment over an extended period.

Jail booking records, court records, and publicly-available police reports make clear that Seattle police officers and King County Sheriff’s Deputies contact these prolific offenders frequently, and often arrest them. Many police reports refer to these suspects as “well known to police officers” and politely ask for relief. With few exceptions, however, these prolific offenders are back on the street committing the same crimes in a matter of days or weeks. For this group, the criminal justice system has little or no impact on their problem behaviors.

Below are six examples of prolific offenders who have a significant impact on Seattle’s busiest neighborhoods and are cycling through the criminal justice system.

(1) Alexander L. is addicted to methamphetamines, according to police and court records. In 2018, he was booked into King County Jail on 13 occasions for theft, burglary, criminal trespass, assault, disturbance, possession of drug paraphernalia, and carrying a concealed weapon. In every single case where charges were filed and pursued, Alexander failed to appear for court hearings (except when he was already jailed) and failed to comply with conditions of release from jail. As his 2018 King County Jail bookings reflect, he

ALEXANDER	
Current Status	
Total Bail Amount:	\$0.00
Custody/Facility:	Released
Current booking #218035033, Booked: 12/18/2018 07:07 PM, Released: 12/20/2018 01:22 PM	
Booking #218033878, Booked: 12/05/2018 04:29 PM, Released: 12/06/2018 02:00 PM	
Booking #218031183, Booked: 11/06/2018 05:28 AM, Released: 12/04/2018 06:16 PM	
Booking #218029827, Booked: 10/22/2018 06:36 PM, Released: 10/31/2018 12:00 AM	
Booking #218022355, Booked: 08/08/2018 03:23 AM, Released: 09/06/2018 12:00 AM	
Booking #218019068, Booked: 07/07/2018 08:56 PM, Released: 07/11/2018 12:00 AM	
Booking #218017406, Booked: 06/21/2018 01:53 PM, Released: 06/24/2018 12:00 AM	
Booking #218015639, Booked: 06/05/2018 05:46 PM, Released: 06/11/2018 12:00 AM	
Booking #218014475, Booked: 05/24/2018 01:09 PM, Released: 05/25/2018 01:39 PM	
Booking #218012493, Booked: 05/05/2018 07:29 AM, Released: 05/15/2018 12:00 AM	
Booking #218011954, Booked: 04/30/2018 10:18 AM, Released: 05/02/2018 12:58 PM	
Booking #218007756, Booked: 03/17/2018 11:47 PM, Released: 03/20/2018 04:46 PM	
Booking #218005549, Booked: 02/25/2018 01:51 AM, Released: 02/28/2018 06:36 PM	

is repeatedly arrested, incarcerated, and released without any apparent impact on his behavior. [See above].

Most of Alexander's arrests were in or around the Lake City commercial district:

- January 13, 2018 - arrested for **theft** at the Lake City Fred Meyer;
- February 25, 2018 - arrested for refusing to pay and then creating a **disturbance** on a Metro Bus in Lake City;
- March 6, 2018 - detained and released for an **unlawful weapon** following a car crash of a stolen vehicle where the other occupants fled;
- March 17, 2018 - he created another **disturbance** on a bus and then **assaulted police** officers when they arrested him;
- April 30, 2018 - arrested for **shoplifting and trespass** at Fred Meyer (police report noted that store officials said he had stolen from the store at least 10 times in the past month);
- May 5, 2018 - arrested for **harassment and assault** on an elderly couple at their residence in South Seattle;
- May 24, 2018 - arrested for another **theft** in Lake City;
- July 7, 2018 - arrested for **theft** at Fred Meyer again;
- August 8, 2018 - arrested for **criminal trespass** at a frequent squatter house in the University District;
- November 6, 2018 - arrested for **felony burglary** after breaking the door and forcing his way into the closed Chase Bank building in Lake City where he charged at a security guard and subsequently tried to break several windows [See below];

ON (date) 11/6/2018 AT (time) 4:59 AM , WITHIN THE (city/unincorporated area of county) City of Seattle
COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:

On Tuesday, November 06, 2018, at 0429 hours, security guard Victim/Jeremy [REDACTED] was inside the office building at 12360 Lake City WY NE conducting his patrol. Arrested/Alexander [REDACTED] 1990 appeared at the east doors of the building. Jeremy said out loud through the door, "we are closed." A [REDACTED] yanked on the locked and closed door so hard that it was forced open. A [REDACTED] entered the building and aggressively started walking towards Jeremy. Jeremy stated A [REDACTED] was making animal noises, appeared to have super-human strength because of the way he opened the door, and was walking directly towards him in a threatening manner. Jeremy stated that he felt fear that he was about to be assaulted by A [REDACTED] so he backed out of the building for his safety and called 911. A [REDACTED] began kicking on the glass windows and doors to the businesses inside the building attempting to break them. There were dirty shoe marks caused by A [REDACTED] on the doors and windows inside. Officers arrived on the west side of the building and observed A [REDACTED] inside. A [REDACTED] saw officers and fled out the east doors. A [REDACTED] was contacted on the SE corner of the building and taken into custody without incident or injury. A [REDACTED] was treated on scene as a precaution by SFD E 39. A [REDACTED] was booked into King County Jail for investigation of burglary. A [REDACTED] had entered the building, attempted the crime of property damage by kicking at the doors and windows, and completed the crime of harassment by putting Jeremy in fear of his safety. Sergeant Strong 5851 screened this incident and arrest in person at the scene.

- December 5, 2018 - less than 24 hours after release from King County Jail, he was arrested for **theft** at the Lake City Fred Meyer and for carrying a meth pipe;
- December 18, 2018 - arrested for **trespass and drug possession** by King County Sheriff's Deputies in Lake City after he boarded a bus and created a disturbance while on meth.

Alexander's 13 arrests in 2018 only represent a fraction of his total impact on the Lake City neighborhood. Uncounted are the number of times he committed thefts or disturbances that went unreported to police or were reported to police but where no arrest was made.

(2) Dorian M. has been booked into King County Jail 16 times since March 2018. In January 2019 alone, Dorian was arrested and charged in four new cases, including a felony burglary case. Almost all his offenses were on the University of Washington campus, including trespass, malicious mischief, theft, and burglary. Most of his cases were handled by the King County District Court. In his first 12 arrests in 2018, he never spent more than 36 hours in jail despite conditions of release from his prior bookings that specified no new law violations. [See right].

Current booking #219001342, Booked: 01/14/2019 09:11 PM, Released:
Booking #219001165, Booked: 01/13/2019 03:21 AM, Released: 01/14/2019 05:38 PM
Booking #219000833, Booked: 01/09/2019 11:52 PM, Released: 01/10/2019 02:02 PM
Booking #218035572, Booked: 12/24/2018 01:58 PM, Released: 12/26/2018 12:53 PM
Booking #218034096, Booked: 12/07/2018 11:26 PM, Released: 12/08/2018 05:12 PM
Booking #218033433, Booked: 11/30/2018 07:07 PM, Released: 12/01/2018 05:48 PM
Booking #218031328, Booked: 11/07/2018 11:52 AM, Released: 11/08/2018 06:46 PM
Booking #218022981, Booked: 08/14/2018 07:02 AM, Released: 08/15/2018 06:08 PM
Booking #218020378, Booked: 07/20/2018 12:21 AM, Released: 07/20/2018 05:29 PM
Booking #218019907, Booked: 07/16/2018 01:24 AM, Released: 07/16/2018 01:45 PM
Booking #218016300, Booked: 06/11/2018 02:46 PM, Released: 06/12/2018 05:32 PM
Booking #218010276, Booked: 04/13/2018 01:41 AM, Released: 04/14/2018 04:35 PM
Booking #218009957, Booked: 04/10/2018 09:48 AM, Released: 04/11/2018 01:12 PM
Booking #218008678, Booked: 03/27/2018 10:12 AM, Released: 03/28/2018 04:38 PM
Booking #218007142, Booked: 03/12/2018 02:30 AM, Released: 03/13/2018 01:19 PM
Booking #218006416, Booked: 03/05/2018 12:06 AM, Released: 03/05/2018 01:15 PM

(3) Kelly J. is a 52-year-old male who moved to Seattle from Utah and Colorado in 2015 after an extensive criminal history there. Kelly is addicted to methamphetamines, according to court records. Since arriving in Seattle, Kelly has accrued 25 criminal cases, including 13 misdemeanor cases in Seattle Municipal Court, 1 felony theft case in King County Superior Court, and additional drug cases in King County District Court. According to police reports, those cases only account for a small fraction of Kelly's daily criminal activity. Over the course of three years, he has become an enormous strain on the Pike Place Market and surrounding areas, committing dozens of thefts, disturbances, and trespasses. Below are 15 of the cases filed against him accounting for over 30 criminal incidents.

Date	Charge	Summary	Result
5/12/16	Assault Property Destr.	Kelly assaulted a bystander	Case dismissed 7/16
8/11/16	Robbery Assault (3 rd degree)	Kelly was arrested for felony robbery after stealing almost \$500 in merchandise from Nordstrom Rack and then assaulting two store security	Sentenced by Superior Court to 3 months in jail followed by 12 months of Dept. of

Report on Prolific Offenders in Seattle's Criminal Justice System

Date	Charge	Summary	Result																																																			
		(choking) and threatening them with a knife	Corrections (DOC) supervision																																																			
10/14/16	Theft Harassment	Almost immediately after release from jail on his felony charge, Kelly stole several items from Walgreens at 2 nd and Pike St.; he then told the female employee who asked him to stop "I'm going to punch you in your fucking face" and "I'm going to kill you" before making movements to assault her; he was later identified using video evidence	Sentenced to 34 days in jail with credit for time served; 330-day suspended sentence on condition of no new law violations and no contact with Walgreens; served 21 days in jail																																																			
11/2/16	Theft	Theft from SODO Home Depot	Case dismissed in 12/16																																																			
12/2/16	Criminal Trespass	Pike Place Market seeks criminal trespass after recording 15 theft, trespass, and drug incidents with Kelly over the course of 2016 <table border="1"> <thead> <tr> <th colspan="3">Perp</th> </tr> <tr> <th>Incident #</th> <th>Occurred</th> <th>Incident Category</th> </tr> </thead> <tbody> <tr><td>235173</td><td>7/20/16 1:41 pm</td><td>Trespass</td></tr> <tr><td>235002</td><td>7/18/16 12:01 pm</td><td>Theft</td></tr> <tr><td>234579</td><td>7/13/16 8:45 am</td><td>Trespass</td></tr> <tr><td>233011</td><td>6/24/16 10:48 am</td><td>Removal</td></tr> <tr><td>231770</td><td>6/7/16 12:57 pm</td><td>Disturbance</td></tr> <tr><td>229916</td><td>5/15/16 11:03 am</td><td>Removal</td></tr> <tr><td>229746</td><td>5/14/16 9:55 am</td><td>Removal</td></tr> <tr><td>229373</td><td>5/10/16 1:39 pm</td><td>Removal</td></tr> <tr><td>228826</td><td>5/3/16 12:14 pm</td><td>Removal</td></tr> <tr><td>225326</td><td>3/21/16 2:12 pm</td><td>Removal</td></tr> <tr><td>222931</td><td>2/19/16 10:37 am</td><td>Suspicious Activity</td></tr> <tr><td>222255</td><td>2/10/16 2:05 pm</td><td>Removal</td></tr> <tr><td>219178</td><td>1/6/16 2:59 pm</td><td>Removal</td></tr> <tr><td>214882</td><td>11/25/16 12:08 pm</td><td>Trespass</td></tr> <tr><td>214295</td><td>11/18/16 2:57 pm</td><td>Drug Activity</td></tr> </tbody> </table>	Perp			Incident #	Occurred	Incident Category	235173	7/20/16 1:41 pm	Trespass	235002	7/18/16 12:01 pm	Theft	234579	7/13/16 8:45 am	Trespass	233011	6/24/16 10:48 am	Removal	231770	6/7/16 12:57 pm	Disturbance	229916	5/15/16 11:03 am	Removal	229746	5/14/16 9:55 am	Removal	229373	5/10/16 1:39 pm	Removal	228826	5/3/16 12:14 pm	Removal	225326	3/21/16 2:12 pm	Removal	222931	2/19/16 10:37 am	Suspicious Activity	222255	2/10/16 2:05 pm	Removal	219178	1/6/16 2:59 pm	Removal	214882	11/25/16 12:08 pm	Trespass	214295	11/18/16 2:57 pm	Drug Activity	City Attorney's Office recommends 364-day suspended sentence with no time in jail; judge sentences him to 364 suspended days on condition of no contact with Pike Place and no new law violations
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235173	7/20/16 1:41 pm	Trespass																																																				
235002	7/18/16 12:01 pm	Theft																																																				
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229373	5/10/16 1:39 pm	Removal																																																				
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222931	2/19/16 10:37 am	Suspicious Activity																																																				
222255	2/10/16 2:05 pm	Removal																																																				
219178	1/6/16 2:59 pm	Removal																																																				
214882	11/25/16 12:08 pm	Trespass																																																				
214295	11/18/16 2:57 pm	Drug Activity																																																				
4/20/17	Theft	Misdemeanor theft case filed one year later, on 4/25/18. No explanation for why the case was delayed for one year. Particularly relevant given that his immediate prior plea agreement contained a substantial suspended sentence conditioned on no new law violations	Two bench warrants were issued in 2018 when Kelly failed to appear following summons; case eventually dismissed pursuant to plea in later case																																																			
7/17/17	Theft	Kelly caught stealing \$162 worth of goods from Home Depot in SODO	Case dismissed pursuant to a plea in another case																																																			
7/23/17	Arson	Kelly arrested for arson underneath the Alaskan Way Viaduct after starting large fire at homeless encampment that grew to 20' high and required temporary closure of Viaduct and major SFD response	Released from jail after charges filed in King County District Court; no further action in that case																																																			
8/8/17	Theft	Theft case filed based on a report of a theft of liquor and camping	Sentenced to 20 days in jail; serves 14																																																			

Report on Prolific Offenders in Seattle's Criminal Justice System

Date	Charge	Summary	Result
		equipment at the Ballard Fred Meyer on 12/17/16. No explanation provided for delay in filing	
11/17/17	Obstruction	Kelly was arrested for obstruction and felony warrants at Aurora and 107 th St N	City Attorney's Office (CAO) declined to file charges on the obstruction
12/17/17	Malic. Mischief Assault	Kelly arrested for throwing urine at nurse at North end hospital then trying to break a sliding door in the ER waiting room resulting in an altercation with two security guards who suffered minor injuries. Kelly told security guards that he wanted to go back to jail.	CAO declined to file the misdemeanor assault charge
7/18/18	False Reporting	Officers contacted Kelly at a makeshift encampment in Licton Springs Park where he was masturbating in public; he provided a false name and was arrested for false reporting and outstanding felony warrants	Sentenced to 15 days and served 9 days in KCJ before being released. As a part of his plea, the Target theft case was dismissed
8/14/18	Felony vehicle prowl VUCSA	Kelly was arrested after prowling a motor home in the North end near Aurora Ave which triggered a fight with the owner involving a gun; Kelly had meth on him when arrested	KCPO stated: "At the time of this offense, the defendant was under active DOC supervision and committed at least 4 crimes within a short period of time." Kelly was released to CCAP (day-reporting) but failed to appear resulting in bench warrants; he was sentenced to 60 days in conjunction with other cases and DOC detainees
9/15/18	Theft False Reporting	Kelly was arrested by SPD anti-crime team units after shoplifting at Home Depot on Aurora. He provided false information and was booked on those charges plus two felony warrants (vehicle	Sentenced to 20 days with no other obligations; he served 40 days for these crimes plus the felony car prowl case

Report on Prolific Offenders in Seattle's Criminal Justice System

Date	Charge	Summary	Result
		prowl and escape community custody)	
12/16/18	Theft Harassment False Reporting	Kelly attempted to steal multiple items from the HD Market on Aurora Ave N. When the store manager tried to stop him he said: "don't come near me or you'll get stabbed."	Sentenced to 20 days with no other obligations; he served 17 days for these violations and a DOC violation. He was released on 1/2/19 at 12:00am

(4) Terry E. is 40 years-old and from Seattle. Since 1997 - the year he turned 18 - Terry has accrued 112 criminal cases in the Seattle area. In 2018, he was booked into the King County Jail on 5 separate occasions. Most of his cases involve brazen day-light thefts followed by threats, harassment, or assaults on employees that intervene. For example, in March 2018, when Terry was confronted by an employee of Big 5 in West Seattle for stealing sunglasses, he threatened to shoot the staff member. He was then arrested just minutes later while shoplifting from the nearby QFC.

On September 5, 2018, Terry began a representative day of crime in Ballard [see right]: at 10:00am he stole several items from 7-11, putting them into a shopping cart he was pushing; at 10:45am he stole beer and chips from Walgreens; 15 minutes later he walked into the Mud Bay pet store and stole dog toys and added them to his shopping cart; at 11:14am he walked into Safeway and stole more items (he had allegedly assaulted an employee there the day before and so they immediately recognized him); and finally, at 11:56am, he tried to steal from Market Street Shoes before being stopped and forced out by employees. At

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(2303-0 THEFT-SHOPLIFT)

12 VICTIM(S) INJURIES: SFD Responded? [N]
[na]

13 INCIDENTAL PROPERTY DAMAGE: (DESCRIPTION AND VALUE)
[na]

14 VEHICLE IMPOUNDED? [N]
STORAGE LOCATION: []

15 INITIAL INCIDENT DESCRIPTION / NARRATIVE:
[Starting at around 1000 hours calls from Ballard businesses began being received by 911. The first call was from 7/11, reporting a B/M, 35-40, black shirt, black shorts had stolen items and left in an unknown direction. (2018-331434) Additional calls were soon received:
10:45-Walgreens shoplift of beer and chips, Suspect: B/M, 30s, blue T-shirt, black pants, pushing cart (2018-331490)
10:59-Mud Bay shoplift of dog toys, Suspect: B/M, late 30's, sunglasses, blue shirt, blue pants, pushing shopping cart (2018-331512)
11:14-Safeway shoplift of items, Suspect: B/M, 25, 5'8", blue sunglasses, black shirt, blue jean shorts, pushing shopping cart (2018-331529)
11:56-Market Street Shoes attempted shoplift, Suspect: B/M, late 30s-early 40s, 5'7", slim, black t-shirt, black shorts, black backpack, blue headphones, pushing shopping cart. (2018-331593)
The suspect was stopped in the area by police soon after the last call. He stated he had not stolen anything but also that he would not do it again. He asked to be transported to his grandmother's. He admitted to drinking alcohol

each of these stores, staff tried to intervene to stop him and/or called the police. Two hours after the first call, Seattle police officers apprehended Terry in the center of Ballard's shopping district with his shopping cart of stolen merchandise.

In other cases, Terry repeatedly enters buildings or stores where he has been formally trespassed and creates disturbances. In May 2018, Terry was formally trespassed for two years from all Seattle public libraries after numerous incidents at the Ballard branch. Over the next several days, he re-entered the Ballard library 13 times until he was finally arrested after refusing to leave while highly intoxicated. He was released from King County Jail 24-hours later on condition that he commit no new law violations and that he stay away from the Ballard library. Five days later, Terry was arrested in front of the Ballard library after the Bartell Drugs across the street reported that he had just shoplifted there. The police report noted that Terry was a frequent shoplifter at this location. He was again released 24-hours later on condition of committing no new law violations and that he stay away from the Bartell's.

(5) Betru S. lives in the University District. According to court records and police reports, Betru has mental health and substance use disorder issues. He has accrued 46 Washington State criminal cases since 2001 and 8 bookings into King County Jail in the past year. His modus operandi is to create multiple disturbances in a neighborhood until arrested, most often the University District in a 5-block stretch of University Way.

In November 2018, he took a knife and entered a restaurant in the middle of University Way, waving the knife indiscriminately. While police were investigating that call, an employee of the Pizza Mart nearby reported that Betru had just entered that restaurant with a knife while waving it around the business. Betru told the employees and customers that he was waving the knife at the people chasing him. "[The employee] further reported: Betru has been 'terrorizing' the neighborhood for some time. He commonly smashes vehicle windows and causes disturbances up and down the street." The police report went on to request some form of relief:

Betru is a known transient in the University District. In 2018 alone, Betru has been a suspect, arrested suspect, or subject of a crisis in ten separate reported incidents. These incidents have been reported as the following type of incidents: theft, burglary, reckless burglary, disturbance, crisis, aggravated assault with a weapon, and suspicious circumstance. Also, my squad responds to numerous calls a shift of disturbances of criminal and non-criminal nature involving Betru.

*** I request this incident be routed through the Mental Health Court.

On Christmas Day 2018, Betru was arrested after several hours of criminal activity in Little Saigon, including throwing rocks at cars in the middle of King Street and smashing several windows until confronted by local shop owners who he then threatened with the rocks.

Betru was released from jail on December 26, one day after his arrest in Little Saigon. He was re-arrested on December 28 at 2:00am after throwing a rock and smashing the window of an occupied vehicle on University Way. He was released again on December 31, 2018.

On January 9, 2019, officers contacted Betru for being in the doorway of a business on University Way where he had an active no-contact order for prior harassment. Betru ran from the officers and then actively fought with them when they tried to place him in handcuffs. It ultimately took four officers to place him under control and two officers were assaulted by him during the process (one officer was kicked in the stomach twice and the other was punched in the face). In their police report, the North Precinct officers again asked for relief for the University District community, concluding that "Betru is, and will continue to be, a danger to the community and businesses in the area":

Of note, Betru is rarely cooperative when being detained or placed under arrest, as Officer Carter and I were reminded most recently during SPD Incident #: 19-6829, where Officer Carter and I again, had to place Betru up against a wall and down to the ground to involuntarily commit him. In the past month, Betru has been arrested for assault on a police officer (SPD Incident #: 18-475714), assault with a weapon (SPD Incident #: 18-480281), and non-residential property damage (SPD Incident #: 18-483365). I believe Betru's mental health is continuing to deteriorate and I believe his paranoia and physical resistance to law enforcement intervention is only being exacerbated by his routine methamphetamine usage. Tonight, Betru indicated no acknowledgement of the court order placed against him and due to his mental health history, his drug abuse history, his active resistance when being placed under arrest, and his disregard or possible inability to understand his legal standing in the University District area, Officer Carter and I believe Betru is, and will continue to be, a danger to the community and businesses in the area.]

(6) Trina D. is 49-years old and struggles with substance use disorders and mental health issues, according to police reports and court records. She appears to have moved to Seattle from California approximately five years ago. Since then, she has had charges filed against her in 31 cases in Washington, almost all of them in Seattle. In 2018, she was booked for multiple assaults, theft, and burglary. Many of her assaults are on innocent and vulnerable victims.

In July 2017, Trina attacked a female caretaker pushing a stroller with a young child. [See below]. She chased the woman and child into a nearby shop and then rammed the victim into a display case. Employees intervened and Trina threw water at them and knocked over items in the store. While police investigated this incident they received several additional reports of disturbances from Trina, including banging on occupied cars, and making racial slurs. [See below]. Officers wrote that Trina "is well known to Officers who work the B sector areas [Ballard, Fremont, Phinney]. She has an extensive RMS history and has been arrested on numerous occasions."

Report on Prolific Offenders in Seattle's Criminal Justice System

who frequents the Ballard area. She also recognized her as a person who has caused numerous disturbances on the King County Metro bus. In an attempt to avoid [REDACTED] she picked up her pace and started walking away much faster. She was also pushing a stroller with a young child that she was babysitting. [REDACTED] noticed her, crossed the street and began chasing after her. [REDACTED] stated that she was very afraid for her and the child's safety. She entered the fresh Flowers café in and attempt to evade [REDACTED]. While in the café, she was looking at the cookies when [REDACTED] attacked her unexpectedly from the back. [REDACTED] shoved her so hard in her back that it caused a significant amount of pain. She stated that

While making contact with [REDACTED], there were several other 911 calls where [REDACTED] was the suspect. At about 1346 hours a caller reported that [REDACTED] was possibly in crisis because she threw a spiked hose at a male. 1348 hours, another caller reported that she was making racial slurs and banging on a car door. 1351 hours, a complainant reported that [REDACTED] was walking up on the neighbor's porch.

For 7362 Printed On Jun-08-2017 (Thu.)

Page 8 of 20

In May 2018, Trina entered a homeless encampment in SODO at 6th and Massachusetts and stole food from a young homeless couple. When they tried to stop her, she threatened to stab them with a dirty syringe she held like a knife. Soon after, she threatened a King County Metro employee with the same syringe.

In July 2018, Trina entered the Ballard Community Center where she was stopped by staff after she tried to enter closed spaces. She was asked to leave and became disruptive before grabbing a four-year old girl and slamming her into the floor.

2. Many Prolific Offender Crimes Involve Theft to Pay for Drugs

A substantial portion of all crime involving the sample prolific offender population involved theft to support their drug addiction. In these cases, the defendant would typically shoplift, prowl cars, or burglarize commercial establishments and then trade the stolen items for cents-on-the-dollar to organized retail theft brokers. While the thefts occurred across the city, the goods were often traded for cash or drugs Downtown at 3rd Avenue and Pike Street.

These theft-related crimes often resulted in many other associated crimes, including:


- **Criminal trespass**, when the defendant returned to a property or establishment where they had been previously trespassed or entered a clearly closed area;
- **Assault**, when the defendant assaulted store personnel, customers, or pedestrians in the process of a theft;
- **Burglary**, when the defendant entered an establishment while closed or entered knowing that they had been trespassed;
- **Robbery**, when the defendant pushed past security after being stopped;
- **Possession of stolen goods**, when the defendant was found in possession of stolen goods but there was no immediate evidence of who stole the goods;
- **VUCSA**, when the defendant was arrested and found to be in possession of drugs; and
- **False reporting**, when the defendant provided a false name to police after they were detained.

Police reports often provide direct links between drugs and theft, as in the examples below:

(1) An individual with 27 criminal cases in 2 years was arrested for burglary at QFC on Capitol Hill; she told officers that she stole to support a \$150/day drug habit of heroin and meth. [See right].

During [REDACTED]'s audio statement she stated the following:
[REDACTED] knew she was trespassed from QFC and went there with the intent to steal merchandise to sell to "Carlos" for drugs. [REDACTED] often sells shoplifted merchandise to "Carlos" and was supposed to begin selling drugs for "Carlos" in the next day or two. [REDACTED] stated that she currently uses about \$50 a day of methamphetamines and \$100 a day of heroine. [REDACTED] sells merchandise to

For: 5720 Printed On: [REDACTED] (Thu.) Page 7 of 92

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GO# [REDACTED] OPEN 2205-0 BURGLARY-NOFORCE-NONRES

"Carlos" to afford her drug use. [REDACTED] stated that a few hours ago she had put the QFC merchandise in her bag and then stashed her bag in the underground parking garage to retrieve it later. When she returned to the parking garage just prior to being contacted by the security guard [REDACTED], she had found the pink bag in the corner of the garage and stated, "score!"

(2) A prolific shoplifter was arrested for theft at Macy's Downtown store and told security personnel that the reason for his stealing was that he was a "heavy drug user". [See below].

I conducted my interview with ██████████ about the theft that occurred, as well as HIS violation of Trespass. ██████████ stated, "I am a heavy drug user and feel that I have to steal to support my using. I know I have a stealing problem, and am trying to get help for my drug problem." ██████████ denied any affiliation with any organized retail theft groups.

(3) In many instances, suspects are caught with both drugs and stolen merchandise. Here, an individual with more than 50 criminal cases in Washington State since 2011 was injecting heroin in an alley 100 feet away from the entrance to Pike Place Market while in possession of goods that he had stolen from Northgate. [See right].

15 INITIAL INCIDENT DESCRIPTION / NARRATIVE:
[On the listed date and time, I was conducting proactive patrol in the area of 1/Pike when I observed ARRESTED/██████████ in the act of injecting heroin into his arm in the 100 Block of Pike Alley South. This particular alley has large "No Admittance" and "No Trespassing" signs at the entrances of the alleys and adjoining buildings. ██████████ was wearing a green jacket and had a brown leather belt wrapped around his arm.
I exited my vehicle and contacted ██████████. He dropped the hypodermic needle onto the ground next to a black backpack. Next to the backpack I noticed 2 Ross
For 6245 Printed On Jan-03-2018 (Wed.) Page 5 of 26

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(5707-0 TRESPASS)
GO# 2018-2277
OPEN

Security Tags.

I then placed ██████████ into properly gauged and double locked handcuffs while I investigated the crimes of trespass and narcotics. I recognized ██████████ from an arrest on Dec 13th 2017 (2017 - 459052) for burglary.

██████████ was then advised of his Miranda Rights. I advised ██████████ that he was under arrest for trespass. ██████████ stated the black backpack was his but had no idea where the security tags came from.

Before transport I checked the backpack for weapons. I did not locate and weapons in his backpack but did locate 2 Black wind breaker/rain jacket style Eddie Bauer jackets. They were both identical with tags (\$349.00). He originally stated they were gifts from his mother.

██████████ was then transported to the WPCT where his backpack was more thoroughly inventoried. In addition to the jackets I located 4 brand new John Frieda makeup kits. When asked again (Post Miranda) where the jackets came from he admitted to stealing them from the Eddie Bauer store in Northgate on 12/31/2017. When asked about the makeup he stated he doesn't remember how he got the makeup further stating only "Klepto's" steal makeup. I then reminded ██████████ that I had arrested him for stealing perfume in the past and ask if that is not also "Klepto"; he nodded yes.

(4) The area known as "3/P" or the "Blade" - the 1500 block of 3rd Avenue between Pike Street and Pine Street - is the center of the organized retail theft trade. Individuals

struggling with substance use disorders are able to quickly trade stolen merchandise for cash or drugs there, 24 hours a day. Below, a prolific offender who arrived from Alaska in 2014 after accruing multiple drug offenses there was arrested for theft after walking down 3rd Avenue with the security tag and price tag still affixed to the outside of a backpack that he had stolen from one block away. The retail establishment reported to police that they had identified 8 shoplifting incidents in the first hour that they were open. [See below].



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(2804-0 PROPERTY STOLEN-POSSESS)

GO# 2018-394100
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On 10/21/18 I was working uniformed bicycle patrol as 2-Mary-94 with Officer Pratt and Officer Willoughby in the City of Seattle. At approximately 1104 hours we were conducting active patrol in the 1500 block of 3 AV. This area is known to have an abnormally high amount of narcotics and retail theft activity.

On the southwest corner I observed a male, later verbally identified as [REDACTED]. [REDACTED] was holding a backpack with a visible RFI security tag and a TJ Maxx price tag. The security tags are always removed if the item is sold. TJ Maxx is located a block south 1419 3 AV. TJ Maxx is routinely shoplifted from.

I detained [REDACTED] on suspicion of possessing stolen property. [REDACTED] stated he had recently purchased the backpack for cash from another male. [REDACTED] stated he had also purchased two items inside the backpack, two coats. Both coats also had security tags.

I took the backpack and coats to the TJ Maxx while Officer Pratt and Officer Willoughby stood by with Baird.

When I walked into TJ Maxx the items set off the security sensors indicating they had come from the store. I contacted store "key holder" Zachary Tangonan and store manager Jim Macdonald. They scanned the items and confirmed that they had come from the store and were not sold. The items had been stolen. Tangonan told me there had been 8 shoplifts from the store in the first hour it was open. Tangonan stated that their loss prevention was not working today and they did not have access to surveillance footage. Macdonald gave me a receipt with the total number of items stolen.

The final dollar amount was \$275.22.

I gave Macdonald a business card with incident number, my name and serial. I advised Macdonald to alert his loss prevention and to review relevant footage.

I returned to [REDACTED] and took him into custody possession of stolen property.

I read [REDACTED] his Miranda Warnings from my department issued Miranda Warnings Card.

Officer Willoughby searched [REDACTED] incident to arrest.

Officer Sandlin transported [REDACTED] to the West Precinct.

SGT Moore screened the arrest at the West Precinct.

Post-Miranda [REDACTED] admitted that he should have known the items were stolen, although he denied stealing them.

During search incident to arrest of a back pack by Officer Pratt Baird was wearing when contacted, 6 people's mail were discovered inside the backpack. Mailbox and mail theft is another crime with a high frequency of occurrence in

(5) A prolific shoplifter with over 60 Washington state criminal cases from 2009 through 2018 stated to officers that he had stolen to support his drug habit which cost him \$70 to \$100 per day. Each \$50 bottle of liquor he stole he could sell for roughly \$10 on the street. [See below].

I read A/ [REDACTED] his Miranda Rights from my Department issued MIR card. I asked A/ [REDACTED] if he understood and he stated yes. Post Miranda I asked A/ [REDACTED] "What was going on with the shoplift?" A/ [REDACTED] stated that he needed money to buy crack. I asked A/ [REDACTED] if he selected two bottles of Grey Goose from a shelf, concealed them in the yellow bag and walked past the points of sale. A/ [REDACTED] stated yes. I asked A/ [REDACTED] if he had any intension of paying for these items and he stated no. I placed A/ [REDACTED] into handcuffs using compliant handcuffing techniques. I gauged and doubled locked each cuff to ensure proper fit and to prevent over tightening. While waiting for Officer Rodriguez to bring her car around, A/ [REDACTED] told me the following. His crack addiction costs him \$70-\$100 per day and that he mostly earns money by shoplifting and selling the items. A/ [REDACTED] stated that he would typically sell each bottle for \$10 on the street. Based on A/ [REDACTED] trespass admonishment from the store I asked C/CADE if Target would like A/ [REDACTED] charged with Trespass and C/CADE agreed. C/CADE provided me with a copy of the trespass notification for A/ [REDACTED] dated 2/13/2016 (ref. 16-52896) I photographed this notification and entered it into evidence.

I escorted A/ [REDACTED] to Officer Rodriguez's car and searched him incident to arrest in front of IVC. ASGT/Bennett 7541 screened the arrest at the scene. Officer Rodriguez completed a superform for A/ [REDACTED] warrant, SMC 12A.08.060 - Theft and SMC 12A.08.040 - Criminal trespass and transported him to King Co jail. While at jail A/ [REDACTED] was declined for an abscess on his leg and was transported to Harborview Medical Center. A/ [REDACTED] was released to Harbor View Medical center. I am now requesting the above charges from the Seattle Law Department.


See case number 2016-169512 where A/ [REDACTED] was arrested under similar circumstances 4 days ago.

The same subject later told officers in a different arrest that he stole to buy crack. [See below].

I stopped the male in the 2600 block of SW Barton St and he was carrying two cases of Heineken beer. The male (later identified as [REDACTED]) immediately put the beer down and stated, "I took the beer to get crack." [REDACTED] admitted to stealing the beer from QFC and admitted to stealing a package of white t-shirts from the Rite Aid. I placed [REDACTED] under arrest for theft without incident and he was placed in a patrol vehicle. Search incident to arrest, of [REDACTED] property, five pink Columbia jackets were found with the security tags still attached from Big 5 Sporting Goods. Officer Hemsley attempted to contact store employees, but the business was closed for the night.

(6) A suspect who shoplifted from the Downtown Macy's "almost every day" told a loss prevention officer that he steals for "drug money." [See below].

Report on Prolific Offenders in Seattle's Criminal Justice System


 **SEATTLE POLICE DEPARTMENT** GO# 2018-297552
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(2303-0 THEFT-SHOPLIFT) UP UNIT

I began preparing ██████'S paperwork. While doing so I asked ██████ "So why are you stealing man? I've seen you in here almost every day for the past week", to which HE replied "I DON'T KNOW MAN, DRUG MONEY." I completed all of ██████ paperwork, and HE willingly signed all of the documents. I asked if HE would like copies of the papers HE signed, which HE declined. At approximately 8:30pm, SPD Officers arrived at the AP office, gathered ██████ information, informed me that the information HE gave matches what they have on file, and that ██████ was free to go. At approximately 8:32pm, myself and SPD Officers escorted ██████ off Macy's property.

(7) A suspect with an outstanding felony warrant was arrested for shoplifting at Goodwill after smoking crack cocaine and heroin. [See below].

Sgt. Giese responded to the scene and screened the arrest. ██████ was transported to the West Precinct where he was processed and interviewed by DOC Officer Winfrey for the felony DOC warrant. During the interview, ██████ admitted to smoking crack cocaine and heroin. During my search incident to arrest, I located a broken crack pipe in his backpack and a full crack pipe in his rear pant pocket.

(8) A suspect with 82 criminal cases since 2012 was detained while shoplifting and stated that she planned to trade the goods on 3rd Avenue for drugs. [See below].

 **SEATTLE POLICE DEPARTMENT** GO# 2017-463842
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(2303-0 THEFT-SHOPLIFT) UP UNIT

officer respond to the store to help identify ██████ for me. The dispatcher said they would have someone here as soon as they could. I asked ██████ what she was going to do with the three jackets. ██████ replied to the extent that she was going to trade them for drugs or sell them on third for drugs.

(9) An individual arrested for car prowl in a secure residential facility (charge of burglary) and VUCSA "admitted to frequent vehicle prowls seeking cash to support a drug habit." [See below].

Officers Maes and Reyes, who know Suspect [REDACTED] personally from multiple contacts in the course of their duty, positively identified Suspect [REDACTED] from the bulletin images and viewing video of related case 2018-67415. On 3-20-2018, Officers Maes and Reyes arrested Suspect [REDACTED] for VUCSA (case filed separately) and Probable Cause on burglary 2018-67415. During this arrest, Suspect [REDACTED] was wearing the same style and color clothing as during this burglary. While in custody, Sgt. Crumb of West Detectives, interviewed Suspect [REDACTED]. Officer Maes advised Suspect [REDACTED] of his Miranda Rights, to which Suspect [REDACTED] waived. Suspect [REDACTED] admitted to frequent vehicle prowls seeking cash to support a drug habit. Suspect [REDACTED] stated that he uses porcelain chips to break car windows. Sgt. Crumb showed Suspect [REDACTED] still images on bulletins, including this case. Suspect [REDACTED] viewed the bulletin for this incident, containing a surveillance image of the Suspect, and identified the person in the image as himself to Sgt. Crumb.

3. Some Prolific Offenders with Severe Mental Health Issues Pose a Serious Threat to Public Safety

From the sample group of 100 prolific offenders with recent criminal history, 20 of them had severe mental health issues and showed a pattern behavior of frequent, random assaults on innocent victims in busy commercial areas. These defendants were often found incompetent to stand trial but were released because their misdemeanor offenses did not arise to the level warranting involuntary medical rehabilitation. The result is a small cohort of violent offenders who repeatedly reoffend after release from jail. The following are examples of this hazard:

(1) Dranon B. moved to Seattle from Chicago in late 2015. In Chicago, public records show, he had accumulated criminal cases for violent offenses. Court records from our region suggest that he was immediately homeless upon arrival in Seattle. In a little over 3 years in Seattle, he has accumulated over 50 criminal cases, most of those in the University District, University of Washington campus, or Capitol Hill.

In the past year alone, Dranon has been booked into King County Jail on 16 separate occasions for trespass, assault, harassment, malicious mischief, disturbance, property destruction, illegal use of a weapon, and theft. [See above]. His pattern behaviors are repeat trespasses at the UW campus and refusals to leave, violent property destruction, threats and harassment, and random attacks on pedestrians near bus stops.

Current booking #219003841, Booked: 02/12/2019 07:53 AM, Released:
Booking #219002237, Booked: 01/23/2019 11:40 PM, Released: 01/28/2019 06:52 PM
Booking #219001595, Booked: 01/17/2019 07:51 AM, Released: 01/22/2019 12:48 PM
Booking #218036176, Booked: 12/31/2018 11:39 PM, Released: 01/07/2019 01:25 PM
Booking #218035504, Booked: 12/23/2018 11:53 AM, Released: 12/24/2018 09:16 PM
Booking #218034183, Booked: 12/09/2018 04:05 AM, Released: 12/10/2018 04:58 PM
Booking #218033159, Booked: 11/27/2018 11:33 PM, Released: 11/28/2018 04:42 PM
Booking #218031180, Booked: 11/06/2018 04:19 AM, Released: 11/16/2018 08:48 PM
Booking #218030369, Booked: 10/28/2018 11:57 AM, Released: 10/29/2018 01:00 PM
Booking #218029648, Booked: 10/20/2018 05:49 AM, Released: 10/22/2018 01:41 PM
Booking #218022663, Booked: 08/10/2018 06:06 PM, Released: 10/08/2018 07:42 PM
Booking #218021634, Booked: 08/01/2018 01:59 AM, Released: 08/07/2018 12:00 AM
Booking #218021277, Booked: 07/29/2018 01:22 AM, Released: 07/30/2018 06:24 PM
Booking #218018115, Booked: 06/28/2018 10:46 AM, Released: 06/29/2018 03:20 PM
Booking #218007460, Booked: 03/15/2018 12:03 AM, Released: 03/15/2018 04:53 PM
Booking #218005884, Booked: 02/28/2018 01:59 AM, Released: 03/01/2018 01:49 PM
Booking #218004537, Booked: 02/14/2018 06:57 AM, Released: 02/15/2018 01:33 PM

At 4am on June 28, 2018, Dranon caused a series of serious incidents on University Way when he threatened pedestrians with a stick, smashed windows on two storefronts, and chased and threatened a woman getting off her bus. [See below].

At approximately 0407 HRS, I responded to the area of NE 42 ST and University Wy NE in reference to a disturbance call. The dispatch remarks were as follows: "AGGRESSIVE MALE CHASING PASSERBYS WITH A STICK, APPEARS INTOX, TRANSFER FROM UWPD."

The subject was described as: "BM, 20'S YO, 5'10, THIN BUILD, BEIGE/WHI BB HAT, MAR SHIRT, BEIGE PANTS, WHI SHOES."

From the description of the suspect and the location, I remembered him as a subject I just had contacted while on another call at the same location (See 2018-235775) The suspect was not the reason for the previous contact, however, he was standing nearby extremely intoxicated and disruptive.

While en route to the call, dispatch updated the call with: "SUSP TRYING TO KICK OPEN GLASS WINDOW AT H MART STORE."

A further update advised, "SUSP JUST BROKE WINDOW."

Then at 0409 HRS, dispatch received another caller advising, "ANOTHER CALLER CAN SEE A MALE BREAKING WINDOWS AT CHILIS INDIAN CUISINE."

Upon arrival, I observed the arrestee, later known to me as, Dranon [REDACTED] standing in front of Chilis South Indian Cuisine located at 4220 University Wy NE. The window was shattered and there was glass on the sidewalk near A/[REDACTED] feet.

A/[REDACTED] was the same person that we had dealt with during the earlier call. A/[REDACTED] was holding a glass wine bottle and a hammer. Officer Thomas #6334 gave A/[REDACTED] loud verbal commands to drop the items and get on the ground. A/[REDACTED] immediately complied and laid down on the ground. Officer Erickson #8335 and I then secured A/[REDACTED] in gauged and double locked handcuffs utilizing the prone handcuffing technique.

A/[REDACTED] was secured in the rear of Officer Erikson's patrol vehicle and read his Miranda Rights via the department issued Miranda Card.

Officer Thomas took digital photographs of the broken window, wine bottle, and hammer. Officer Thomas subsequently uploaded the photographs to DEMs and impounded the wine bottle and hammer into evidence.

Officer Gingrey #6948 and Officer Hoppers #6863 conducted a taped interview with the victim, Leilani [REDACTED]. Officer Hoppers advised that V/[REDACTED] had just exited a Metro Coach when A/[REDACTED] began yelling at her. A/[REDACTED] who was armed with a large stick then began running at V/[REDACTED] causing her to fear for her

Dranon was arrested and booked into King County Jail for illegal use of a weapon and property destruction. Despite his extraordinary criminal record and failures to appear in prior cases, he was released the next day on personal recognizance and the court set the first preliminary hearing date for five weeks later. [See below].

Dranon plead guilty in a multi-case deal with prosecutors and received a sentence of 60 days in jail with 304 days suspended on condition that he commit no new law violations. [See below].

JUDGMENT & SENTENCE ORDER Case # 637973

Payment of financial obligations and timely reporting to jail/alternative confinement are conditions of suspended/deferred sentence. Failure to comply may result in additional jail time.

CONDITIONS OF DEFERRED OR SUSPENDED SENTENCE

Commit no criminal violations of law.

Report change of address to the Court within twenty-four hours of obtaining a new address.

Do not drive a motor vehicle without a valid license and proof of insurance.

NCLV
CADD
NVOI

Dranon has been booked into King County Jail on 9 additional occasions since his release in October and has never been held for longer than 10 days.

(2) **Nicholas L.** is 30 years-old with a lengthy record of criminal cases in the Puget Sound region and a recent spate of cases in Seattle, including 8 bookings into King County Jail in the past 12 months for harassment, assault, criminal trespass, malicious mischief, and reckless burning. [See right].

Current booking #219000559, Booked: 01/07/2019 02:56 AM, Released:
Booking #218034133, Booked: 12/08/2018 11:09 AM, Released: 12/27/2018 12:59 PM
Booking #218033628, Booked: 12/03/2018 12:06 PM, Released: 12/04/2018 06:16 PM
Booking #218031816, Booked: 11/12/2018 11:05 PM, Released: 11/29/2018 04:36 PM
Booking #218028901, Booked: 10/12/2018 10:28 AM, Released: 10/15/2018 01:16 PM
Booking #218025170, Booked: 09/03/2018 10:31 AM, Released: 09/04/2018 01:35 PM
Booking #218020137, Booked: 07/18/2018 01:10 AM, Released: 07/19/2018 01:34 PM
Booking #218015456, Booked: 06/04/2018 01:55 AM, Released: 06/06/2018 12:54 PM

In November 2018, according to police reports, Nicholas created a series of threatening incidents at a restaurant Downtown when he repeatedly entered

the restaurant and refused to leave, several times per day for several days in a row. In one incident, he threatened to “kill everyone” when confronted by restaurant staff who asked him to leave after he re-entered the restaurant only one hour after being trespassed by police. When police arrested him, he resisted arrest and had to be handcuffed by multiple officers on the floor.

On December 3, 2018, Nicholas was arrested for assaulting a psychiatric counselor who tried to rouse him at Swedish Hospital on First Hill. He was released the following day.

On December 8, 2018, Nicholas was arrested at 10:30am for charging and threatening pedestrians in the middle of Pike Street and 10th Avenue East. He was held in King County Jail for 19 days pending mental health evaluations and then released.

On January 7, 2019, Nicholas again threatened hospital staff, this time at Swedish Hospital in Ballard. In that incident, nurses reported that he balled up his fists and charged them, stating: “I’m feeling homicidal! I’m feeling homicidal! I’m gonna beat you up!” When police arrived, Nicholas resisted arrest and had to be detained in the lobby. [See below].

Upon walking into the ER front lobby with backing officer Morasco, I was immediately requested by hospital staff to proceed to the back portion of the hospital where patients are treated. As I entered this treatment area of the hospital, V/ [REDACTED] and V/ [REDACTED] approached me and said that the suspect, later ID as [REDACTED], Nicholas, J., had threatened them by balling up his fists, holding his fists at chin level, and then advancing towards them while yelling "I'm feeling homicidal! I'm feeling homicidal! I'm gonna beat you up! I'm gonna beat you up!"

This caused immediate fear to both victims that they were about to be assaulted by a very angry and upset A/ [REDACTED]. So both victims backed up quickly and kept their distance from A/ [REDACTED] until police arrived. I asked both victims if they were willing to cooperate with the investigation and prosecution of A/ [REDACTED]? Both replied yes.

At this point, I determined I had PC to arrest A/ [REDACTED] for the crime of Harassment. I made contact with A/ [REDACTED] at this time and he immediately presented an agitated, angry, and non-compliant attitude towards me. I attempted to talk to him from a distance, but he remained upset and left his patient room through the back door which led to the lobby.

(3) James C. is in his mid-30s and, according to court records, arrived in Seattle around 2011 after an extensive criminal history in Texas and Idaho. He has accrued 30 criminal cases in a little over eight years including six jail bookings in the last 12 months for felony harassment, assault, trespass, property destruction, and theft. His pattern behavior is to attack and harass retail employees.


In a representative case, James attacked a Starbucks store manager as she was arriving to work in the early morning hours on the waterfront underneath the Viaduct. A bystander intervened and she locked herself inside the store until police could arrive. He was arrested for harassment and assault. [See below].

I arrived at the Starbucks store at the above location and spoke with VICTIM/[REDACTED] who is the store manager of the Starbucks. Based on my interview with V/[REDACTED] I learned the following. V/[REDACTED] was walking to work this morning. She had crossed Alaskan Way on the crosswalk when a male (later ID'ed by officers as ARRESTED/[REDACTED], James T) ran up to her with "fists flexed" and "a locked look in his eyes". A/[REDACTED] put his face close to V/[REDACTED] face and kept coming toward her. V/[REDACTED] stated to me "I wasn't going to let his face touch my face". V/[REDACTED] stated to me "I was terrified and he kept backing me up". V/[REDACTED] believed that A/[REDACTED] was about to assault her. V/[REDACTED] stated to me "I was pretty sure I was about to be knocked out? With a punch".

V/[REDACTED] pointed toward VICTIM2/[REDACTED], Michael and said that V2/[REDACTED] was the one who helped her by escorting her to the Starbucks store. During the event, V2/[REDACTED] came over to V/[REDACTED] and she stepped behind V/[REDACTED]. While V/[REDACTED] and V2/[REDACTED] were walking away from A/[REDACTED] and toward the Starbucks, A/[REDACTED] threw a green Perrier bottle at them. A/[REDACTED] was about 10 feet away and the bottle impacted on the sidewalk. Shards of glass struck V/[REDACTED] on the back of her leg. V/[REDACTED] bolted into the Starbucks and locked the door. V/[REDACTED] demonstrated to me her travel route. I observed that V/[REDACTED] backed up about 10 feet when confronted by A/[REDACTED].

(4) **Melonie T.** is in her late 40's and has a criminal history in Washington state and Seattle dating back to 1997, including over 50 criminal cases in Seattle Municipal Court. She has been arrested on multiple occasions for assault on innocent victims Downtown and in Pioneer Square. In the past year she has been booked into King County Jail four times on charges including assault, malicious mischief, and property destruction.

In a representative incident from 2018 in Pioneer Square, Melonie punched a random woman who had just exited a nearby building and then threatened the woman with further assault. [See below]. It was one of several reported incidents in 2018 in which she attacked innocent passers-by without provocation or notice.

 **SEATTLE POLICE DEPARTMENT** GO# 2018-444280
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GENERAL OFFENSE HARDCOPY
SEATTLE LAW DEPT RELEASE COPY
(1313-0 ASSLT-NONAGG)

14 VEHICLE IMPOUNDED? [N]
STORAGE LOCATION: []

15 INITIAL INCIDENT DESCRIPTION / NARRATIVE:
[On November 28, 2018 I was working uniform patrol in a marked patrol car when I responded to a report of an assault that had just occurred, with the suspect still on scene, at the intersection of 1 AV S/S Washington St.


Dispatch broadcast the following information and suspect description: UNK FEMALE JUST PUNCHED RP IN THE FACE, CAN HEAR HER YELLING AT RP IN BACKGROUND, DECLINED MEDICS, NO WEAPONS SEEN?. WF, 40S, THIN, BLK JKT, BABY BLU SHIRT, PNK OR RED PANTS

I arrived on scene with other officers. The victim flagged down officers and pointed out the suspect, [REDACTED] MELONIE MAY, as the woman who had assaulted her. The victim, [REDACTED] told me the following: She had just dropped off something for her boyfriend at this place of work. When she exited the building [REDACTED] was standing near the door and with no warning or words exchanged, punched [REDACTED] in the side of the temple with a closed fist. [REDACTED] then started approaching [REDACTED] while screaming, "Fuck you bitch, you fucking cunt!" This caused [REDACTED] to be in fear that another assault may be imminent. She told [REDACTED] she was calling the police and she had pepper spray on her person. At that point, [REDACTED] fled. I observed what appeared to be a slight bump on [REDACTED]'s left temple.


[REDACTED] was placed in handcuffs and arrested for assault, searched, read her Miranda rights and taken to KCJ.

Sgt Conrad screened the arrest prior to booking.
[REDACTED] is extremely mentally ill and was delusional the entire time about what had happened. She has been a suspect or arrested in almost a dozen cases this year alone. She would greatly benefit from going to mental health court and I recommend this case be sent to mental health court so [REDACTED] can get assistance so this type of behavior does not happen again.]

Officers noted that Melonie was “extremely mentally ill” and asked for intervention from the justice system. She was held in King County Jail for 12 days before being released. Her assault case was dismissed because Melonie was incompetent to assist in her own defense due to mental illness and the fact that it was unlikely she could be restored to competency. [See below]. In her prior court-ordered mental health examination, the reviewing psychologist recommended involuntary civil commitment proceedings. I did not find evidence that civil commitment was pursued in 2018.



IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE



ORDER DISMISSING CASE - COMPETENCY RESTORATION TREATMENT UNSUCCESSFUL OR UNLIKELY TO BE SUCCESSFUL - AND RELATED ANCILLARY ORDERS (TRIAL) - TRIAGE EVALUATION - (MH DISMISS & REFER)

SMC Courtrooms: Fax this Cover and Order using the Refer Group in ECF. This group includes: Jail Psychiatric Services Administration fax 206-296-0299 and King County Jail Release fax 206-205-0980.

From: Judge SHADID, DAMON	Courtroom: 901
RE: [REDACTED] MELONIE	DOB: [REDACTED]/1971
Case: 640718	Defense Attorney Agency: ACA

Interpreter required in (language and dialect): _____

Evaluation for RCW 71.05 proceedings will be at Western State Hospital.

4. Some Prolific Offenders Pose a Serious Threat to Officer Safety

Some of the sample group of prolific offenders repeatedly threaten and assault Seattle police officers and King County Sheriff's deputies. These individuals all have indicators of mental health issues and substance use disorders (usually meth). Police reports will often note that the suspect is "well known to officers" and that police data systems flag the person as a hazard to officer safety. The response of the criminal justice system to these threats is often lackluster. Below is one example of an illustrative prolific offender's recent violent interactions with Seattle police officers. [Note: this case example was selected for illustrative purposes only].

Travis B. arrived in Seattle from Nevada/New Mexico in 2014. He has accumulated more than 30 criminal cases in Seattle in the last four years and dozens of civil infractions. Many of his cases involve disturbances or assaults followed by resisting arrest. He was also convicted of attempted rape of a young homeless woman in Capitol Hill.

Police reports suggest that officers have contacted Travis on over 100 occasions. According to court records, he is addicted to meth and struggles with mental health issues. Travis resists arrests and fought with officers on almost every occasion that he was arrested in the past two-and-a-half years.

SEATTLE POLICE DEPARTMENT
GENERAL OFFENSE HARDCOPY
SEATTLE LAW DEPT RELEASE COPY
(5311-1 DISORDERLY CONDUCT)

GO# 2016-213098
OPEN

The suspect continued to take an aggressive stance and continued to yell challenges.

Officer Anderson and I approached the suspect. I noted that he had a fresh cigarette burn in the center of his chest with the cigarette ash still adhering to the burn.

The suspect had both hands clenched into fists. I asked the suspect to turn around and put his hands behind his back. The suspect grabbed the thumb of my left hand as I attempted to guide his left hand behind his back. The suspect pulled and twisted my thumb. I pulled my thumb free as the suspect ripped the thumb off the right hand glove I was wearing. Had I not escaped his grip the suspect's actions would have caused significant injury to my right hand.

Officer Anderson and I worked together to handcuff the suspect. Once the handcuffs were secured and double locked we moved the suspect to the front of Officer Anderson's vehicle with ICVS recording.

I recovered a syringe from the suspect's right front pants pocket and a glass methamphetamine pipe with significant residue from the suspect's left front pants pocket.

I collected the pipe for evidence and disposed of the syringe as a biohazard. The suspect refused to identify himself and was not carrying anything with his name on it.

Sgt. Carpenter screened this arrest in person at the west precinct. Officer Anderson transported the suspect to King County Jail while I completed the superform listing the suspect as "John Doe."

At the King County Jail the suspect told jail intake staff that he had swallowed heroin just prior to his arrest. The suspect had been under our direct observation prior to arrest and no drugs were ingested between the time he initiated contact with Officers and the time he was arrested.

Due to the suspect's claim that he swallowed drugs he was transported to Harborview Medical Center for screening.

On June 15, 2016, Travis confronted officers on 3rd Avenue between Pike and Pine Street while they were responding to another incident. He clenched his fists and took a fighting position, trying to provoke officers. He tried to grab the arm of an officer when he was arrested. [See above]. Travis claimed that he had swallowed heroin in order to avoid being booked into King County Jail. Charges were not filed in the case until one month later. Travis ultimately plead guilty to resisting arrest and was sentenced to 19 days and served approximately 12 days in jail.

On March 10, 2017, Travis was arrested in the 400 Block of Pine Street while in a state of crisis and apparently on methamphetamines. He actively resisted arrest, requiring 8 police officers to restrain him. When he arrived at the jail, he claimed that he'd swallowed heroin. The jail refused to book him and he was transported by Seattle police officers to Harborview where police officers stood guard. He was on active DOC supervision at the time and DOC officers later took over the hospital guard before booking him into jail for resisting arrest and on a DOC detainer. [See below].

I stopped to check on [REDACTED] (AKA: Traveltron) and to block traffic. [REDACTED] was wearing orange pants and no shirt despite the weather being breezy and approximately 45 degrees F. I was familiar with [REDACTED] having dealt with him on a number of prior occasions in the downtown core. I knew [REDACTED] to be a drug user with mental health issues, and knew him to be a volatile threat to officers and the public at large due to his instability. [REDACTED] has an Officer Safety caution in WACIC for threatening to kill police officers.

I'd seen [REDACTED] several hours earlier (approx. 1700 hrs) as I was driving into work at the intersection of 1 AV/Pike St. At that time [REDACTED] was seated calmly on the sidewalk panhandling. [REDACTED] was now in a very agitated state. He was moving erratically, throwing items forcefully into the trash can, and shouting nonsensically. Based upon his behavior it appeared likely to me that [REDACTED] was under the influence of a CNS Stimulant.

I was able to pull [REDACTED]'s left arm behind his back and held it in place. [REDACTED] was actively pulling his arm away and attempting to get it in front of him, but was unable to overcome my efforts to keep it behind his back. [REDACTED] had shoved his right hand in his waistband and was resisting Officer Belfiore's efforts to pull his arm behind his back. Officer Belfiore was unable to overcome [REDACTED]'s resistance. I ordered [REDACTED] to drop down to his knees but he refused.

With an officer on either side the situation remained static. I held his left arm behind his back as Officer Belfiore was still struggling to keep control of his right arm and attempting to pull it behind him. Additional officers were requested to the scene. When additional officers arrived we were finally able to pull his right arm behind him and secure him in handcuffs. [REDACTED] remained noncompliant as we conducted a search of his person incident to his arrest.


Officer Johnson responded to the scene in a transport van. Officer Johnson transported [REDACTED] to the West Precinct where Sgt Hockett screened the arrest. While in the van [REDACTED] kicked, shouted, and was eventually able to slip his hands from his handcuffs. Officer Johnson transported [REDACTED] to the King County Jail. When they arrived, [REDACTED] told jail staff that he'd swallowed narcotics. [REDACTED] was declined from the jail and transported to Harborview Medical Center via AMR.

Report on Prolific Offenders in Seattle's Criminal Justice System

The police report stated: "I was familiar with [Travis] having dealt with him on a number of prior occasions in the downtown core. I knew [Travis] to be a drug user with mental health issues, and knew him to be a volatile threat to officers and the public at large due to his instability. [Travis] has an officer safety caution in WACIC for threatening to kill police officers."


The City Attorney's Office did not file a complaint against Travis for resisting arrest until eight months later - October 19, 2017. [See right]. Travis was not in custody at that time and a bench warrant was issued for his appearance. He was booked into jail one month later and held on bail. He plead guilty to resisting and was sentenced to 30 days, with credit for time served and no probation conditions. He served 20 days and was released.

IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE
KING COUNTY, WASHINGTON

THE CITY OF SEATTLE,)
)
Plaintiff,) CASE NO: 628233
) INCIDENT NO: 17-086333
vs.) 
)
TRAVIS K [REDACTED],) CRIMINAL COMPLAINT
)
Defendant.)

On or about March 10, 2017, in the City of Seattle, King County, Washington, the above-named defendant did commit the following offense(s):

Count 1
Commit the crime of resisting arrest by intentionally preventing, or attempting to prevent, a peace officer from lawfully arresting him/her.
Contrary to Seattle Municipal Code Section(s): 12A.16.050

Dated: 10/19, 2017


In the interim, Travis had several additional incidents with police. On May 27, 2017, Travis was contacted by police in the Armory Building of Seattle Center during the Folk Life Festival. He was apparently trying to access employee-only areas and refused to leave when contacted by security. Travis struggled with officers in the center of the crowded building. He was sentenced to 20 days with no conditions (e.g., no probation or suspended sentence).

On August 4, 2017, Travis created a disturbance in Pioneer Square and led multiple officers on a chase. The police report noted: "[Travis], aka TRAVELTRON, is mentally ill and very aggressive. He is listed in RMS with a caution for ASSAULTIVE TO OFFICERS. MENTAL. THREATS TO OFFICERS. WEAPON." The report noted that Travis had been responsible for five public safety incidents in the prior two days. [See below].

On 8/4/17 at approximately 1031, I was a backing unit on call 17-286164. The primary officer on the call had called for units to "step it up" because a known male, A/ [REDACTED] was in the area, and that he was out with him. [REDACTED], aka TRAVELTRON, is mentally ill and very aggressive. He is listed in RMS with a caution for ASSAULTIVE TO OFFICERS, MENTAL, THREATS TO OFFICERS, WEAPON.

We arrived and observed [REDACTED] now on the SW corner of the intersection while the primary officer was with another subject, that needed AMR transport, on the NE corner.

In the past two days [REDACTED] had generated multiple calls, 17-284500 17-285012 17-285962 17-286121 17-286164, I had responded to four of them. During the calls [REDACTED] was verbally aggressive and cursing at officers in each call. In one call SFD called for a "fast back" as [REDACTED] was trying to interfere with them while they tried to care for a patient, see 17-284500. On the same call [REDACTED] admitted that he still uses meth as much as he can and as often as he could.

I observed [REDACTED] cross 1 Ave S EB on Yesler Way on the south side of the intersection. He did this against the no walk signal and caused heavy traffic in both the NB and SB directions to stop for him to avoid striking him. I determined that [REDACTED] had committed pedestrian interference. I attempted to stop [REDACTED] on the SE corner of the intersection. I called out to him that he was not free to leave and that I was Seattle Police. [REDACTED] looked at me, ignoring my directions, and ran SB on 1 Ave S crossing through traffic once again back over to the west side of the street.

Officers began an area check for [REDACTED]. I broadcast that there was probable cause to arrest [REDACTED].

A short while later [REDACTED] was seen walking NB on 1 Ave S near S Main ST.

Officer DAVID and myself located [REDACTED] at 1 Ave S / S Washington ST walking NB on the west side of the street. He saw us and began running NB towards Yesler Way. We caught up to [REDACTED] just south of the intersection, he crossed EB across 1 Ave S just behind our patrol car. I chased after [REDACTED] calling out to him.

We caught up to [REDACTED] on the east side of the street. After a brief struggle we

Travis was booked into King County Jail but released the next day on condition that he report to Day Reporting. [See below].

Charges:

- 1 OBSTRUCTION - (AMENDED from PED. INTERF.)
- 2 OBSTRUCTION - (NCF)
- 3 RESISTING - (NCF)

It is hereby ordered that the defendant is:

Released from King County Jail

- Upon the posting of cash bail or bond in the amount of \$1,000 OR release to a representative of Seattle Municipal Court Day Reporting Program when other holds are lifted

Report on Prolific Offenders in Seattle's Criminal Justice System

Travis failed to report to Day Reporting (he had previously failed on conditions of release and probation requirements in over a dozen cases from 2014 and 2015) and a bench warrant was issued for his arrest. He was later re-booked into King County Jail. He plead guilty to the charge of resisting arrest and was sentenced to credit for time served (amounting to 7 days in jail), with no conditions. [See below].

THE CITY OF SEATTLE, PLAINTIFF
vs
TRAVIS [REDACTED], Defendant

Judgment & Sentence Order
Case # 626962
 Suspended Sentence _____ months
 Deferred Sentence _____ months

The defendant has been found guilty of the following charges by plea of guilty verdict of jury finding of the court. For the crime charged in Count (s) _____ domestic violence was pled and proven.

The court imposes the following sentence:
Count 1, charge of RESISTING,
CFTS days in jail and suspends _____ days; and a fine of \$ _____ with \$ _____ suspended.
Count 2, charge of _____,
_____ days in jail and suspends _____ days; and a fine of \$ _____ with \$ _____ suspended.
Count 3, charge of _____,
_____ days in jail and suspends _____ days; and a fine of \$ _____ with \$ _____ suspended.

The jail time is concurrent consecutive with _____ with credit for time served.
Jail time to be served as follows:
_____ days in jail. Work release ordered, if eligible. Defendant shall report by _____.
_____ days Electronic Home Detention Monitoring with BAC, with credit for _____ days served
_____ days Work Crew, _____ hours Community Service.

As a condition of deferred sentence, the defendant shall serve _____ days in jail and pay \$ _____ in fines/court costs.
CFTS = 7 DAYS

The defendant shall pay the following:

On August 24, 2017, very soon after he was released from jail on the resisting charge, Travis was arrested at 2:30am in Belltown for misdemeanor assault and booked into King County Jail. The City Attorney's Office did not file charges and he was released the next day. [See below].

IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE

THE CITY OF SEATTLE, PLAINTIFF
vs
[REDACTED] TRAVIS K, DEFENDANT

FILED
AUG 25 2017
No Complaint Filed (NCF)
Courtroom KCJ2

CASE #: 627506

Barcode

Notice to the Defendant:
The Seattle City Attorney's office is not filing criminal charges against you at this time. You will be released today without conditions. However, the City Attorney's office may file charges against you in the future in accordance with the laws of the State of Washington. Should the City Attorney file charges at a later date, a summons to appear will be mailed to your last known address and if you fail to appear at the hearing a warrant may be issued for your arrest. Please keep your address updated with the Washington Department of Licensing by going to their website at www.dol.wa.gov, and with Seattle Municipal Court by calling 206-684-5600, Monday through Friday, 8:00am - 5:00pm (closed on holidays).

On September 7, 2017, Travis was arrested for creating a disturbance and walking naked in the middle of the street in SODO. He again resisted arrest, breaking free from officers and leading them on a chase through a homeless encampment before they could detain him. [See below].

15 INITIAL INCIDENT DESCRIPTION / NARRATIVE:

[On 09-07-2017 I was working uniformed and marked patrol as 2-0-03 in the city of Seattle. At approximately 1634 hrs I could hear a loud disturbance in the 4700 blk of Denver Av S. I observed vehicles stopped in the roadway and people shouting and pointing WB. I then observed a female walking WB carrying a large metal pipe and a naked man walking beside her. I called the disturbance over radio and moved my patrol vehicle into a better position to observe the disturbance. I heard the disturbance continue and the sound of the pipe hitting the ground. I lost sight of the female but the male continued WB on the roadway. I activated my emergency lights and stopped the male a short distance away. The male was wearing what appeared to be a shredded shirt around his neck with moss and leaves somewhat covering his genitals. The males buttocks was exposed as he walked.

Upon contact the male became quite upset when asked to take a seat on the patrol vehicle bumper. He was informed he was being detained and began tearing what was left of his clothes from his body. The suspect began flexing his arms and shouting as he refused to comply with directions. The male eventually attempted to leave and was physically restrained. The suspect continued to struggle with me until he broke free and ran through a homeless camp. At one point the suspect threw a table at me which landed in my path. The suspect then turned EB again and ran to an open tent where he dove headlong inside. Officers were there at the same moment and able to place him into custody.

For 6558 Printed On Sep-08-2017 (Fri.)

Page 5 of 26



SEATTLE POLICE DEPARTMENT

GO# 2017-333366

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(4899-0 OBSTRUCT)

The suspect stated "that was fun" and refused to identify himself. An attempt was made to ID the suspect with the mobile AFIS reader which returned no hit. The male continued to refuse to identify himself and was informed he would be booked to KCJ under the name of JOHN DOE.

Travis was held in jail on bail and plead guilty. He was sentenced to 30 days jail time with 150 days suspended on condition of no further law violations. He served 20 days in jail and was released. [See right].

courtroom 1003

THE CITY OF SEATTLE, PLAINTIFF

vs

Travis [redacted], Defendant

Judgment & Sentence Order

Case # 627780

Suspended Sentence 12 months

Deferred Sentence _____ months

The defendant has been found guilty of the following charges by plea of guilty verdict of jury finding of the court. For the crime charged in Count (s) _____ domestic violence was pled and proven.

The court imposes the following sentence:

Count 1, charge of obstruction SMC 12A-16.010
150 days in jail and suspends 150 days; and a fine of \$ _____ with \$ _____ suspended.

Count 2, charge of _____

On January 17, 2018, officers contacted Travis at 1st and Pike Street where he was smashing bicycles, throwing garbage cans, and blocking traffic. Approximately 10 officers closed Pike Street and attempted to engage with Travis for over an hour. He spit at officers and attempted to punch and bite them when they approached the dumpster where he had taken refuge. Ultimately, officers used a taser before several officers could secure him. [See below].

As officers arrived on scene I observed A/██████████ standing over a bicycle, holding another bicycle and trash can. He was violently smashing the trash can
For 4452 Printed On Jan-18-2018 (Thu.) Page 6 of 54



SEATTLE POLICE DEPARTMENT
GENERAL OFFENSE HARDCOPY
SEATTLE LAW DEPT RELEASE COPY
(1313-2 ASSLT-NONAGG-POLICE)

GO# 2018-20083
OPEN

on the ground while aggressively posturing and yelling at officers. As A/██████████ was violently swinging the bikes and cans, broken glass was being thrown all around the sidewalk and into the street. He was obviously highly intoxicated and in crisis, wearing rags of clothing, and ripped shirt. Officers informed him he was being audio and video recorded multiple times.

Due to officers' previous knowledge about A/██████████, additional officers arrived, including a Bicycle Squad, and Crisis Response Team unit. Officers stopped passing traffic, then surrounded A/██████████ to prevent him from running into traffic or nearby pedestrians. A/██████████ then jumped into a nearby metal trash bin, and refused to get out, ignoring all officer's commands. He refused to get out of the trash bin, and sat down inside. While sitting inside the bin he continued to swing his hands and lunge at officers, punch a nearby sign with his fist, and spat at multiple officers. He did spit on Officer Sandbeck #7678, hitting him on his right shoulder. He also attempted to spit on all nearby officers multiple times, and we had to actively move further back to avoid being hit.

Officers continued to use de-escalation and crisis resolution tactics for over an hour, and were unable to convince A/██████████ to leave the trash can. Officers used many techniques, including offering him cigarettes, a security blanket, and gave him lots of time to calm down and comply with our commands. When officers initially attempted to physically remove him from the bin, he crouched further down inside, pulled his arms away from officers, and attempted to bite our hands multiple times. For details on this refer to officer's body worn video.

Officer Kallis #6840 deployed his SPD issued Taser while A/██████████ was inside the trash can. A/██████████ responded by crouching further down in the trash bin, and still refused to obey officer's commands. For more details refer to Officer Kallis' statement. After deploying the Taser, officers continued to attempt to convince him to get out of the bin.

Officers were eventually able to gain control of A/██████████'s hands, place him in handcuffs, remove him from the bin, and restrain him on a gurney.

Travis was held in jail with a \$3,000 bond requirement. He agreed to plead guilty and was sentenced to 56 days in jail with a suspended sentence of 304 days. His sentence included conditions that he commit no new law violations, not use drugs, and comply with probation. [See below].

JUDGMENT & SENTENCE ORDER Case # 621548

CONDITIONS OF DEFERRED OR SUSPENDED SENTENCE

NCLV	<input checked="" type="checkbox"/>	Commit no criminal violations of law.
CADD	<input checked="" type="checkbox"/>	Report change of address to the Court within twenty-four hours of obtaining a new address.
NVOI	<input type="checkbox"/>	Do not drive a motor vehicle without a valid license and proof of insurance.
NDRO	<input type="checkbox"/>	Commit no alcohol/drug-related infractions.
ABST	<input checked="" type="checkbox"/>	Use no alcoholic beverages or non-prescribed controlled drugs, including marijuana.
DON'T	<input type="checkbox"/>	Not refuse to take a blood/breath test when asked to do so by a law enforcement officer.
NTSI	<input type="checkbox"/>	Complete National Traffic Safety Institute. Level 1 <input type="checkbox"/> Aggressive Driving <input type="checkbox"/>
CDAT	<input type="checkbox"/>	Obtain a substance abuse evaluation and complete follow up treatment as required by <input type="checkbox"/> Treatment Agency <input type="checkbox"/> Probation
ADIS	<input type="checkbox"/>	Complete Alcohol & Drug Information School within ____ days.
DWIV	<input type="checkbox"/>	Complete Victim Panel within ____ days.
DVTX	<input type="checkbox"/>	Enter and successfully complete Certified Domestic Violence Treatment.
NCO	<input type="checkbox"/>	No contact with _____ or entry into _____ <input type="checkbox"/> per written order.
NOWP	<input checked="" type="checkbox"/>	Possess no weapons. <input type="checkbox"/> Forfeit weapons by _____.
ANGC	<input type="checkbox"/>	Complete anger management class. <input type="checkbox"/> Complete parenting classes.
DNA	<input type="checkbox"/>	Provide biological sample for DNA identification analysis.
SOAP	<input type="checkbox"/>	Stay out of areas of prostitution. <input type="checkbox"/> SODA Stay out of drug areas.
HIVT	<input type="checkbox"/>	Complete an HIV test within ____ days.
SSEX	<input type="checkbox"/>	Complete sexually transmitted disease class within ____ days.
	<input type="checkbox"/>	Comply with mental health treatment at _____
MHDT	<input checked="" type="checkbox"/>	Mental health evaluation and complete follow-up treatment as required by <input checked="" type="checkbox"/> treatment agency <input checked="" type="checkbox"/> probation.
	<input type="checkbox"/>	Defendant must have entered classes/treatment no later than ____ days from today.
CSHS	<input type="checkbox"/>	Perform ____ Hours of Community Service within ____ days.
		Other _____
PROB	<input checked="" type="checkbox"/>	The above-conditions to be monitored by The Probation Services Division.
		Defendant to abide by all of their rules and regulations.
		Defendant to report <input type="checkbox"/> immediately following Court or
	<input checked="" type="checkbox"/>	The next Court day after release from jail/custody, whichever is sooner to:
	<input type="checkbox"/>	Probation Court Compliance, 8 th Floor
	<input type="checkbox"/>	Court Resource Center, 2 nd Floor
	<input type="checkbox"/>	Revenue Recovery, 1 st Floor
	<input type="checkbox"/>	Community Service, 1 st Floor

All offices are in The Seattle Justice Center, 600 FIFTH AVENUE, SEATTLE, WA
Open Monday to Friday 8:00 AM – 4:30 PM (except Holidays)

After release, Travis did not appear for probation and a bench warrant was issued for his arrest. Travis continued to fail probation requirements over the course of 2018, triggering additional bench warrants, brief periods of incarceration, and release. In November 2018, probation asked to close Travis' probation requirements, stating: "Probation does not believe that having Mr. [Travis] on probation is a particularly good use of resources. He continues to violate his abstain condition and his engagement in mental health services appears neither appropriate nor useful. Probation does not believe Mr. [Travis'] behaviors will change as long as he continues to use non-prescribed substances. Probation defers to the Court regarding how to proceed with Mr. [Travis'] case." The court agreed to strike active probation but did not revoke any of the 304 days of his suspended sentence.

Report on Prolific Offenders in Seattle's Criminal Justice System

In the interim, Travis continued to be assaultive toward law enforcement. In July 2018 he grabbed a bottle from Sheriff's Deputies while they were responding to another incident and then resisted arrest.

CONCISELY SET FORTH FACTS SHOWING PROBABLE CAUSE FOR EACH ELEMENT OF THE OFFENSE AND THAT THE SUSPECT COMMITTED THE OFFENSE. IF NOT PROVIDED, THE SUSPECT WILL BE AUTOMATICALLY RELEASED. INDICATE ANY WEAPONS INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)

ON (date) 7/21/2018 AT (time) 7:50 PM, WITHIN THE (city/unincorporated area of county) City of Seattle,
COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:

On 7/21/2018 at about 1930 hours, [REDACTED], Travis contacted King County Sheriff Deputies at the 400 block of Pine Street Seattle WA. Deputies were on patrol in the area on an unrelated incident when [REDACTED] approached them and attempted to snatch a bottle of liquor from a Deputies hand. The bottle of liquor was property of a subject who was detained in the unrelated incident. Deputies attempted to detain [REDACTED] who immediately became combative and attempted to jerk away from Deputies he was taking to the ground and told that he was under arrest. [REDACTED] continued to resist Deputies attempts to place arrest him and would not put his hands behind his back. It took 3 Deputies to put [REDACTED] into handcuffs before he was taken into custody.

REQUIRE 72-HR BUSH FILE

The King County Prosecutor's Office declined to file charges for resisting or obstruction and the King County District Court released Travis from jail 36 hours later.

KING COUNTY DISTRICT COURT
STATE OF WASHINGTON
WEST DIVISION, SEATTLE COURTHOUSE

KCD: SOC ORIGINATING COURT CONDITIONS OF RELEASE/COMMITMENT
STATE OF WASHINGTON
COUNTY OF KING Case No. 518632432
CITY OF _____ CCN/BA 1918980
VS
[REDACTED], Travis K
Defendant

The Court has found probable cause No charges filed at this time DPD to appoint counsel

IT IS ORDERED: the defendant, accused of Resisting; Obstruction, is:

Unconditionally released from the King County jail.

Sentenced to _____ days in jail, with credit for time served.

Released from the King County jail upon promise to appear as noted below on the following conditions:

Upon personal recognizance.
 Upon posting of cash or bond in the amount of \$ _____.
 Upon personal recognizance on _____ at _____ am/pm only to _____.

DEFENDANT SHALL TIMELY APPEAR FOR HEARING on: _____, at _____ am/pm, at _____ Courtroom at _____ Room _____.

IF BAIL/BOND IS POSTED: Defendant must appear for hearing noted above. Hearing will be reset with notice to issue.

ADDITIONAL CONDITIONS OF RELEASE - Defendant shall:

commit no law violations report any change in address to the court within 1 business day appear timely for all scheduled court hearings

not drive a motor vehicle without a valid license and insurance not drive without a functioning ignition interlock device
 not consume any alcohol, marijuana, marijuana products, or non-prescribed drugs not drive within 8 hours of consuming any alcohol, marijuana, marijuana products, or non-prescribed drugs not refuse a breath test or blood test upon the reasonable request of law enforcement obtain alcohol/drug evaluation

abide by any written No Contact Order issued in this or any other case not possess any firearms or dangerous weapons
 comply with any order to surrender weapons have no contact with the victims and witnesses in the case, identified as:

Other State declines to file charge at this time
Notice to issue if/when charge are filed

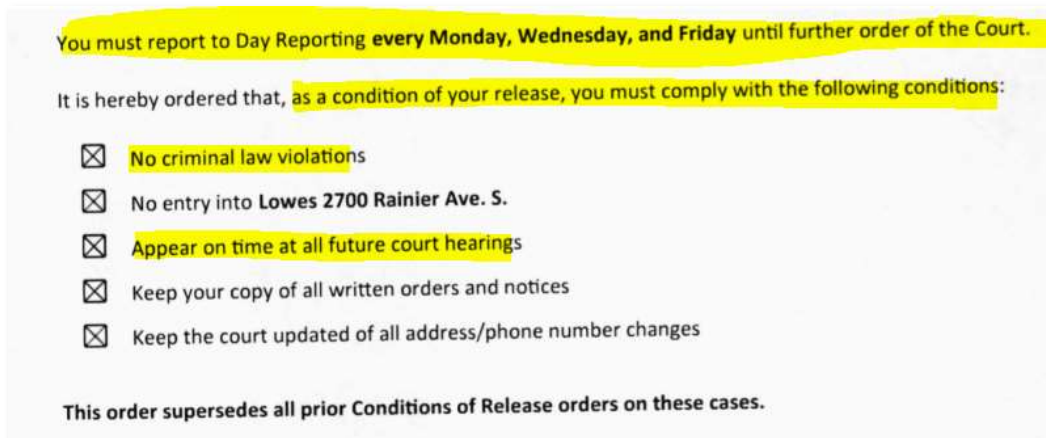
Dated: 07/25/18

In early January 2019, Travis was featured on a KIRO news report while injecting meth in broad daylight at his makeshift encampment at the corner of 3rd and Pike Street. Nearby officers did not intervene.

5. Prolific Offenders Fail to Comply with Court-ordered Conditions in Almost Every Case

Of the prolific offenders examined in this report, all 100 failed to appear at court hearings, failed to comply with conditions of pre-trial release, and failed to comply with conditions of their suspended sentences in virtually every case in which they had the opportunity. These failures triggered the courts to issue bench warrants for the defendants to be brought before the court. For this prolific offender sample population, bench warrants were issued in almost every case in which a defendant was released from jail or sentenced with conditions. The result is often cases that dragged out for more than a year with the court issuing multiple bench warrants.

Typical conditions of release include: appearing at all future court hearings, committing no new law violations, reporting to Day Reporting at the court between one and five times per week, and staying away from the victim. [See example below].



When a judge from Seattle Municipal Court issues a bench warrant for a defendant who fails to comply with his or her conditions of release, there is no 'warrant squad' or SPD bulletin for the defendant's detention. Rather, prolific offenders are typically only booked into jail for the warrant in instances where they are arrested on other charges. Once booked, the defendant is brought back before the judge for an in-custody hearing. In most cases, the defendant is then re-released under the same conditions within 24 to 48 hours.

According to a recent report, Seattle Municipal Court has 9,849 outstanding bench warrants.⁵ Some of the defendants analyzed for this report had up to six bench warrants over the course of one year in an individual case in Seattle Municipal Court. These defendants often accumulated additional criminal cases with additional bench warrants during this period.

⁵ <https://crosscut.com/2019/02/seattle-1-5-people-booked-jail-are-homeless>.

This process repeats itself until a defendant accumulates a critical mass of fail to appear (FTA) and fail to comply (FTC) warrants in multiple different cases. For example, on January 28, 2019, a prolific offender named Daine W. was booked into King County Jail with warrants in six Seattle Municipal Court theft and trespass cases. [See below]. In those instances, the defendant will often negotiate a global deal resolving multiple cases at the same time.

Failure to Appear in Court

Washington state law and court rules establish a strong presumption that a defendant will be released pending trial except where there is a likelihood that they will commit a violent crime or fail to appear. In instances where there is a likelihood that a defendant will fail to appear, the court is directed to set the least restrictive possible conditions of release (e.g., a bail amount that the defendant can afford).


As a result, for most of the cases involving the individuals analyzed here, the court, at first appearance, ordered that the defendant be released on personal recognizance on condition that the defendant appear at all further court hearings. With only a few exceptions, these defendants universally failed to appear at their subsequent court dates except when already in custody. The result was the accumulation of bench warrants and bookings for FTA [See right].

Current booking #219002650, Booked: 01/28/2019 09:37 AM, Released:		
Charge(s): MULTIPLE		
Cause No: 632853	Charge: FTA THEFT	RCW/ORD: 12A.08.060
Court: Seattle Municipal Court		Bail Amount: BAIL DENIED
Release Reason:		
Cause No: 635180	Charge: FTA CRIM TRES 1	RCW/ORD: 12A.08.040
Court: Seattle Municipal Court		Bail Amount: BAIL DENIED
Release Reason:		
Cause No: 637635	Charge: FTA THEFT	RCW/ORD: 12A.08.060
Court: Seattle Municipal Court		Bail Amount: \$1,500.00
Release Reason: CASE DISMISSED		
Cause No: 637636	Charge: FTA THEFT	RCW/ORD: 12A.08.060
Court: Seattle Municipal Court		Bail Amount: BAIL DENIED
Release Reason: SENTENCE EXPIRATION		
Cause No: 638361	Charge: FTA THEFT	RCW/ORD: 12A.08.060
Court: Seattle Municipal Court		Bail Amount: BAIL DENIED
Release Reason:		
Cause No: 641407	Charge: FTA CRIM TRES 1	RCW/ORD: 12A.08.040
Court: Seattle Municipal Court		Bail Amount: BAIL DENIED
Release Reason: SENTENCE EXPIRATION		
Booking #219001105, Booked: 01/12/2019 06:15 AM, Released: 01/15/2019 12:00 AM		
Booking #218035285, Booked: 12/20/2018 10:56 PM, Released: 12/21/2018 03:59 PM		
Booking #218031146, Booked: 11/05/2018 05:55 PM, Released: 11/19/2018 05:18 PM		
Booking #218025844, Booked: 09/10/2018 10:05 AM, Released: 09/12/2018 12:00 AM		
Booking #218023641, Booked: 08/20/2018 06:34 PM, Released: 08/22/2018 12:00 AM		

Failure to Comply with Day-Reporting

Day Reporting at Seattle Municipal Court or Community Custody Alternative Programs (CCAP) at King County Superior Court are supposed to provide supervision of pre-trial defendants without incarceration. The idea is that the defendant will report to the respective office one to five times per week, depending on the court’s requirements. Obligations at Day Reporting and CCAP can then include urinalysis (UAs), drug counseling, classes, or de minimis check-ins.

The prolific offender sample population failed to fulfill their court-ordered requirements for Day Reporting or CCAP in virtually every case. [See example below].



IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE

THE CITY OF SEATTLE, Plaintiff
vs.
Defendant: DAINE ██████ DOB: ██████ 1987

**NOTIFICATION OF PROBATION VIOLATION
DAY REPORTING**

CASE NUMBER: 638361
CHARGE: THEFT

On 8/22/2018 the defendant in the above captioned case:
Failed to appear as ordered by the court.
Other:

On 08/22/2018, Mr. ██████ was released from King County Jail to Day Reporting and instructed to report three days per week. Mr. ██████ failed to report on 08/24/2018, 08/27/2018, and 08/29/2018. Mr. ██████ failed to report as directed.

Some of the defendants in the prolific offender sample group accumulated so many compliance failures that the Seattle Municipal Court probation department asked to have them removed from the program.

Failure to Comply with Terms of Suspended Sentences

For the prolific offender sample group, most cases that were not declined or dismissed were resolved with a negotiated plea agreement. In many of these cases, the deal included a substantial suspended sentence with conditions (e.g., “364/344” means a 364-day sentence with 344 days suspended and 20 days of immediate jail time). The conditions for the suspended sentences typically require no new law violations and no-contact with the victim. Additional conditions used in some cases include abstention from drugs or alcohol and compliance with probation.

In theory, the suspended sentence allows the court to reduce incarceration and incentivize good behavior. In practice, suspended sentences were rarely revoked (in the court’s parlance) even where a defendant had committed a significant number of additional law violations or compliance failures.

For example, Kelly J. (discussed above) agreed to a 364-day suspended sentence on a criminal trespass case stemming from 15 separate theft, trespass, and drug incidents in Pike Place Market. The conditions for the suspended sentence were that he commit no new law violations for 24 months and that he stay away from Pike Place Market. [See next page]. Kelly committed at least 10 additional law violations in the following two years. None of the 364 suspended sentence days were revoked.

Report on Prolific Offenders in Seattle's Criminal Justice System

THE CITY OF SEATTLE, PLAINTIFF
vs
Kelly [REDACTED] Defendant

Judgment & Sentence Order
Case # 620298
 Suspended Sentence 24 months
 Deferred Sentence _____ months

The defendant has been found guilty of the following charges by plea of guilty verdict of jury finding of the court. For the crime charged in Count (s) _____ domestic violence was pled and proven.

The court imposes the following sentence:
Count 1, charge of Criminal Trespass
30 days in jail and suspends 30 days, and a fine of 364
Count 2, charge of _____
_____ days in jail and suspends _____ days; and a fine of _____
Count 3, charge of _____
_____ days in jail and suspends _____ days; and a fine of _____

The jail time is concurrent consecutive with 620
Jail time to be served as follows:
_____ days in jail. Work release ordered, if eligible. Defendant
_____ days Electronic Home Detention Monitoring with BA
_____ days Work Crew, _____ hours Community Service.

As a condition of deferred sentence, the defendant shall

JUDGMENT & SENTENCE ORDER Case # 620298

CONDITIONS OF DEFERRED OR SUSPENDED SENTENCE

NCLV Commit no criminal violations of law.
 CADD Report change of address to the Court within twenty-four hours of obtaining a new address.
 NVOI Do not drive a motor vehicle without a valid license and proof of insurance.
 NDRO Commit no alcohol/drug-related infractions.
 ABST Use no alcoholic beverages or non-prescribed controlled drugs, including marijuana.
 DON'T Not refuse to take a blood/breath test when asked to do so by a law enforcement officer.
 NTSI Complete National Traffic Safety Institute. Level 1 Aggressive Driving
 CDAT Obtain a substance abuse evaluation and complete follow up treatment as required by
 Treatment Agency Probation
 ADIS Complete Alcohol & Drug Information School within _____ days.
 DWIV Complete Victim Panel within _____ days.
 DVTX Enter and successfully complete Certified Domestic Violence Treatment.
 NCO No contact with _____
or entry into Pike Place Market _____ per written order.
 NOWP Possess no weapons. Forfeit weapons by _____.
 ANGC Complete anger management class. Complete parenting classes.
 DNA Provide biological sample for DNA identification analysis.

6. Seattle's Prolific Offenders Struggle with Addiction, Mental Health Conditions, and Homelessness

Of the 100 individuals examined based on significant recent criminal activity, all 100 of them had indicators that they had severe substance use disorders. 38 of the 100 had received a mental health evaluation in at least one or more of their recent court cases but undoubtedly others in this population have mental health challenges that are serious but did not arise to the level of requiring a court competency evaluation. And all 100 in the sample had indicators that they were struggling with homelessness based on police reports and court records.

The results of this report are consistent with the results of a detailed look at the prolific offender population that King County initiated in 2013, called the "Familiar Faces Initiative."⁶ That effort, which is still ongoing today, identified 1,273 individuals who had been booked into a King County Jail four or more times in a 12-month period in 2013 or 2014. Approximately 60 percent of that population (750 individuals) had a significant number of their arrests occur within the City of Seattle. According to the County, "[m]any of these individuals experience chronic health conditions including: histories of trauma, substance use disorders, mental health and chronic homelessness. These individuals experience instability in many aspects of their lives and are familiar to the various service and provider crisis systems."

Specifically, the Familiar Faces Initiative found "nearly all people with 4+ bookings in a year have a behavioral health indicator" - either substance use disorder or mental health challenges. And the Familiar Faces study found that more than half of the population had indications of homelessness, but acknowledged that this was likely a significant undercount because their methodology was to cross-reference against a homelessness database that is largely based on shelter registries, which many in this population avoid.

Substance Use Disorders

Of the 100 prolific offenders identified and examined for this report, all 100 had indicators that they struggled with serious substance use disorders. The principal drugs involved were heroin and methamphetamines (or a combination thereof), with a smaller number of references to crack cocaine. Only a handful of individuals profiled were alcoholics.

The high rate of substance use disorders for the prolific offender population is consistent with the findings of King County's Familiar Faces Initiative which found that almost 90 percent of

⁶ <https://www.kingcounty.gov/elected/executive/health-human-services-transformation/familiar-faces.aspx>

individuals with 4+ bookings into King County Jail in a 12-month period struggled with chemical dependency (as indicated by jail booking screeners).

The factors that I examined to determine whether an individual prolific offender appeared to struggle with a substance use disorder included:

(1) VUCSA history

Many offenders were arrested for other crimes while in possession of drugs. If the drugs amounted to a material amount, officers had the choice to test the narcotics and add a charge of VUCSA (Violation of the Uniform Controlled Substances Act). [See example at right].

Current booking #219002713, Booked: 01/28/2019 07:01 PM, Released: 01/31/2019 05:41 PM

Booking #218028532, Booked: 10/08/2018 04:24 PM, Released: 10/21/2018 12:00 AM

Booking #218023072, Booked: 08/15/2018 01:14 AM, Released: 09/03/2018 12:00 AM

Booking #218021446, Booked: 07/30/2018 04:06 PM, Released: 07/31/2018 08:38 PM

Charges: MULTIPLE

Cause No:
 Charge: **VUCSA/ILL DRUGS INV**
 RCW/ORD: 3599
 Court:
 Bail Amount: BAIL DENIED
 Release Reason: CONDITIONAL RELEASE

Cause No:
 Charge: IDENTIFY THEFT INV
 RCW/ORD: 2604
 Court:
 Bail Amount: BAIL DENIED
 Release Reason: CONDITIONAL RELEASE

Booking #218019834, Booked: 07/15/2018 03:32 AM, Released: 07/20/2018 04:46 PM


(2) Police reports

In many cases, police officers state either that the suspect volunteers information about their addiction or is “well known to officers” because of their addiction. [See example below].

[REDACTED] was contacted and when told why he was being contacted, he stated "She spit on me first." This claim was not substantiated by the victim or witness, both stated [REDACTED] had spit first and was the only one who spit. [REDACTED] is well known to officers, he is a meth addict, who becomes unpredictable and violent when he smokes meth. This behavior is in line with how he normally acts while under the influence of meth.

(3) Court records

Both Seattle Municipal Court and King County Superior Court can take multiple steps in cases where the judge has reason to believe that addiction is an underlying cause of criminal behavior, including: ordering abstinence from drugs and alcohol and periodic drug testing; ordering a drug evaluation report with a drug counseling service [see right]; and/or agreeing to have the defendant released to in-patient or out-patient treatment programs.


Catholic Community Services
Clinical Assessment Summary

RECEIVED
 APR 06 2018
 BELLEVUE PROBATION

PATIENT NAME: [REDACTED]	ASSESSMENT DATE: 3.26.2018
ADDRESS: [REDACTED] Granite Falls, WA 98258	DATE OF BIRTH: [REDACTED]
COURT: Multiple Legal Entities	PATIENT PHONE #: [REDACTED]
CASE #:	ATTORNEY:

PRESENTING INFORMATION / PRECIPITATING INCIDENT: [REDACTED] engaged in a chemical dependency evaluation at the advice of his attorney stemming from multiple court involvement. Onset of heroin was reported to be at age 19 or 20 with regular use at age 22. Mr. [REDACTED] reported using heroin daily from the ages of 22-29. Mr. [REDACTED] reported he became clean on 8.1.2017; however, shared a one-time relapse on 3.6.2018. No reported use since that date. Onset of methamphetamine use was reported at 17 with regular use reported at 19. Mr. [REDACTED] reported that he used methamphetamine "off and on up to daily" from the ages of 19-29" in the amount of "a quarter to one gram". Mr. [REDACTED] reported he became clean on

Mental Health

Of the 100 sample prolific offenders identified by recent criminal activity, at least 38 have been evaluated by the courts for mental health issues.⁷ Some of these defendants are found to be incompetent to stand trial in some cases. Based on the exhibited behaviors, the real number of persons in the sample size with serious mental health issues is likely larger. As a group, individuals with mental health issues were much more likely to engage in violence like assaults, disturbances, property destruction, and malicious mischief.

For the purposes of this report, any defendant in which the court ordered an initial mental health evaluation is identified as having mental health issues, regardless of whether the person was found competent to stand trial and aid in their own defense. [See example below]. The competency standard is a higher threshold and would result in a significant undercount of the total number of individuals with significant mental health issues.

IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE

**ORDER FOR INITIAL EVAL TO DETERMINE COMPETENCY & OTHER ANCILLARY ORDERS
(MH INITIAL EVALUATION ORDER)**

The City Attorney's Office will fax copy of the Police Report, Criminal History, etc.

SMC Courtrooms: Fax this cover and Order using the Initial Eval Group in ECF. This group includes: Outpatient email WSHOUTPATIENT@dshs.wa.gov (Phone 253-761-7565), Jail Psychiatric Services Administration fax 206-296-0299, and WSH on-site evaluator fax 206-389-2083.

From:	Judge MCKENNA, EDWARD	Courtroom:	KCJ2
RE:	[REDACTED]	DOB:	07/04/1978
Case:	632109, 632109	Defense Attorney Agency:	ACA
Sex:	Male	Race:	White

Defendant is in custody at King County Correctional Facility (KCCF).

Interpreter required in (language and dialect): _____


Western State Hospital staff: Email request for interpreter with this form to smc_interpreters@seattle.gov as soon as possible if an interpreter is needed.

Next court date/ time is **02/21/2018 at 01:30 PM** in Court # **901**.

Transport is to be on **02/20/2018** (day before hearing).

Because frequent offenders had often undergone multiple prior mental health evaluations, the result was often that the case was dismissed because “competency restoration treatment unsuccessful or unlikely to be successful.” [See example below].

⁷ This is a likely undercount because I only reviewed court records in cases from the past few years for most individuals in the sample set.



IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE

ORDER DISMISSING CASE - COMPETENCY RESTORATION TREATMENT UNSUCCESSFUL OR UNLIKELY TO BE SUCCESSFUL - AND RELATED ANCILLARY ORDERS (TRIAL) - TRIAGE EVALUATION - (MH DISMISS & REFER)

SMC Courtrooms: Fax this Cover and Order using the Refer Group in ECF. This group includes: Jail Psychiatric Services Administration fax 206-296-0299 and King County Jail Release fax 206-205-0980.

From: Judge SHADID, DAMON	Courtroom: 901
RE: [REDACTED]	DOB: 01/11/1971
Case: 632754, 632753, 633063	Defense Attorney Agency: ACA

Interpreter required in (language and dialect): _____

Evaluation for RCW 71.05 proceedings will be at Western State Hospital.

Homelessness

Every individual examined for this report had multiple indicators that they suffered from chronic homelessness. This analysis was conducted by reviewing publicly-available court records and police reports. While each individual circumstance and story differed, it is significant to understand that chronic homelessness is universal or near-universal for those with the greatest involvement in the criminal justice system. This is also important because the criminal justice system provides little support in addressing underlying homelessness.

The fact that so many of those with a high frequency of interaction with the criminal justice system are unhoused is an important piece of information that could be used to provide better solutions to this underlying need.

There are many ways in which homelessness presents itself in court records and police reports. In Seattle, police officers and the judicial officers will often record a person's address as "77 S. Washington St." if the person says they are homeless or there are other indicators that they are homeless. That is the address for the Compass Center, a homeless services site that includes mail box services for the homeless. This address is used as a placeholder address regardless of whether the individual has an agreement with Compass to hold their mail.

For example, a white female in her 20's was arrested on 1/24/19 during a burglary in Chinatown/ID. She subsequently admitted to 22 unsolved burglaries in Chinatown/International District, Pioneer Square, and SODO. In the police report for her most recent arrest, she told officers that she lived in an unauthorized encampment in the Chinatown/ID area and that she had been homeless in Seattle for the past 10 years. Her address on police reports and court document is listed as 77 S. Washington St. [See below].

Report on Prolific Offenders in Seattle's Criminal Justice System

PHYSICAL DETAILS							
SEX	HEIGHT	WEIGHT	SKIN TONE	RACE	EYE	HAIR	SCARS, MARKS, TATTOOS, DEFORMITIES
F	601	140	FAR	W	GRN	BRO	
IDENTIFICATION DETAILS							
CCN	PRIOR BA#	AFIS#	FBI#	STATE ID#	DRIVER'S LICENSE#	STATE	SEX
1854043	219002260	00639666	653756KC7	WA			
RESIDENCE				EMPLOYMENT / SCHOOL			
LAST KNOWN ADDRESS				EMPLOYER, SCHOOL, ADDRESS, SHOP/UNION NUMBER			
77 S WASHINGTON ST SEATTLE, WA 98104							
RESIDENCE PHONE				BUSINESS PHONE			

While every defendant profiled for this report had recent indicia of homelessness, less than half of the cases provided more precise evidence of the types of individual living circumstances (e.g., living in an encampment, vehicle, doorways, or shelter). As a result, I only provide examples of some of the common living situations that were reported and do not try to quantify based on the limited sample size.

A number of individuals examined for this report indicated that they lived in unauthorized encampments or move between camp sites and other homeless living situations. Police often describe the health and safety in these encampments in their reports. To reach one defendant with over 40 cases in Seattle Municipal Court, police wrote that they had to follow a path of “cascading garbage, broken glass, and needles flowing down” from their sleeping area underneath an I-5 overpass. [See above].

Police reports related to several prolific offenders indicated that they lived in temporary squatter houses and are frequently arrested for trespassing at these sites. In August 2018, for example, a male and female individual with 78 Washington state criminal cases between them were arrested for trespassing into a closed and boarded up home in Mt. Baker. Neighbors called the police and it turned out the couple had multiple outstanding felony warrants.

In many cases, police repeatedly contacted a prolific offender or group of prolific offenders at the same abandoned building, often providing warnings several times before making an arrest. In one representative case, an individual with a record of significant criminal activity in 2018 was arrested for trespass and reckless burning after accidentally starting a fire while trying to dry clothes at a business that had ceased operations off Aurora Avenue in lower Queen Anne.

15 INITIAL INCIDENT DESCRIPTION / NARRATIVE:
 [On 6/11/2017, I was working uniform patrol as unit 2J88. At approx 1424 hours we contacted a group of subjects under I-5 / Ravenna Av NE.
 What drew our attention to them was the cascading garbage, broken glass, and needles flowing down the angled concrete which led up to the I-5 roadway. These subjects were directly under the overpass on the south side. They were surrounded by garbage.
 We followed a path of hundreds of uncapped needles and garbage which led to

Page 6 of 36



SEATTLE POLICE DEPARTMENT

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 (3542-1 NARC-POSSESS-METH)

GO# 2017-209795
 OPEN

where they were sleeping. There were also piles and piles of miscellaneous garbage and bicycle parts. There were 10-15 bicycle rims in a pile under the bridge. There was a couch and three mattresses. These items further presented a serious fire hazard. There was broken glass everywhere. This area is especially hazardous despite the needles. The access to this area is a very steep slippery concrete wall approximately 100 feet in length going approximately 20-30 feet up.

There are several "NO TRESPASSING" signs painted on poles under the bridge. One sign happened to be facing where the subjects were laying.

This property is WADOT property.

A small handful of prolific offenders appear to reside in Downtown homeless shelters. In more cases, however, police reports indicated that individual prolific offenders had been barred from specific homeless shelters following incidents there (e.g., assault, harassment, drugs).

Recent research from David Kroman of *Crosscut* identified that 19 percent of all Seattle police bookings into jail in 2018 were of homeless individuals where the address was listed as "77 S. Washington St." The article acknowledges that is likely an undercount of the total percentage of bookings where the individual is homeless.⁸ In Portland, a comprehensive review of arrest records by the *Oregonian* found that homeless individuals constituted 3 percent of the Portland population but 52 percent of all arrests.⁹ Many of those arrests and bookings were for bench warrants after a failure to appear at court for existing charges.

⁸ <https://crosscut.com/2019/02/seattle-1-5-people-booked-jail-are-homeless>.

⁹ https://expo.oregonlive.com/news/erry-2018/06/79b61635fd4450/portland_homeless_arrests_data.html

7. Many Prolific Offenders Manipulate the System in Order to Avoid Being Booked into Jail

King County Jail has strict rules on booking individuals with medical conditions. Prolific offenders are aware of these rules and frequently try to evade being booked into jail by telling jail staff that they have “swallowed heroin” or “swallowed pills.” The jail staff declines to book the person until they have been screened at Harborview Hospital, a process that can take several hours. If Seattle Police officers want to book the individual into jail, they must transport the suspect to Harborview (or an alternative hospital), guard them at the hospital for up to several hours, and re-transport the suspect back to the jail. Because following these steps often requires two or more officers being off the streets for an extended portion of their shift, the officers will often instead be forced to release the suspect at the hospital, even following serious crimes. Charges in these cases are typically not filed by the City Attorney's Office until 1-3 months later.

Based on the police reports for this sample population, and according to officers, the practice of falsely claiming to swallow heroin in order to ‘run out the clock’ on officers and evade booking is common among the prolific offender population.

For example:

(1) Colin M. (29 criminal cases in Washington state since 2009, 6 bookings into KCJ in the last year) was arrested after security guards at Northgate Mall tried to remove him and he threatened them with a knife. Once arrested, he claimed he had swallowed heroin, requiring Seattle Fire Department to evaluate him and a Seattle police officer to transport him to the hospital. [See below].

Colin was released from custody at the hospital and not booked into jail. A total of 8 Seattle police officers were involved in Colin's arrest and the process of guarding him at the hospital. The City Attorney's Office did not file charges against Colin until three months later. He was not in custody at that time and a bench warrant was issued for his appearance.



SEATTLE POLICE DEPARTMENT

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(1305-0 ASSLT-AGG-WEAPON)

to fight him. Witkoske said [REDACTED] "squared up" to him and held up his fists in a fighting posture. Witkoske said that [REDACTED] then stated that he was going to wait for him after work and he was nothing without his badge. Witkoske stated [REDACTED] then turned away from him and appeared to be digging into a pocket. Witkoske then stated [REDACTED] turned around with a pocket knife with the blade unfolded, and told Witkoske, "we don't fight fair on the streets." Witkoske stated he was approximately five feet away from [REDACTED] when he displayed the knife. Witkoske said he believed that [REDACTED] was going to assault him with the knife. Witkoske stated [REDACTED] then turned around and left the property while he was calling 911.

Officer Wallace and Officer Alpaugh placed [REDACTED] to in the back of my patrol vehicle. I transported [REDACTED] to the North Precinct. [REDACTED] stated he swallowed heroin. I radioed Dispatch to call the Seattle Fire Department to respond to the North Precinct holding cell. I arrived and placed [REDACTED] into the holding cell, SFD Engine 31 responded and evaluated [REDACTED].

Sgt. Warner screened the arrest and incident.

[REDACTED] was transported to Northwest Hospital and Officer Alpaugh was assigned hospital guard. During intake into Northwest Hospital, a nurse and Officer Alpaugh located a small plastic baggie inside [REDACTED] shoe that contained 9 pills that are suspected to be "zanexbars." [REDACTED] stated that he was a prescription for them. I returned to Northwest Hospital and collected the 9 "zanexbars." The plastic bag contained x9 block like green pills with the letters "S 90 3". Using the National Association of Drug Diversion Investigators "Abused Pharmaceutical Substances" table, I was able to identify the pills as 2mg Alprazolam.

(2) Felix E. and his partner were arrested in August 2017 for prowling cars on the waterfront at Alaskan Way and University Ave. They both claimed to have "swallowed pills." The partner was released at the West Precinct and Felix was declined by the jail and then released at Harborview. [See below].

After being placed in custody [REDACTED] and [REDACTED] both began complaining of having ingested multiple pills, the variety of which were uncertain.

This incident was screened by SGT Schenck.

[REDACTED] was released from custody at the West Precinct to seek medical treatment.

We transported [REDACTED] to KCJ where he was medically declined for his claim of swallowing unknown pills. We transported [REDACTED] to HMC where he was released to seek medical treatment.

I recommend this completed misdemeanor investigation of Suspect/ Felix [REDACTED] be referred to the Seattle Law Department for the crime of theft, SMC 12A.08.060.

(3) **Roland L.** (52 Washington state criminal cases since 2010, 13 bookings into King County Jail in the past 12-months) was arrested in November 2018 following multiple incidents at two establishments on Capitol Hill, including entering a restaurant, creating a disturbance, and then refusing to leave. Multiple officers were required to arrest him. Upon arrival at the jail he told staff there that he had swallowed heroin, requiring officers to transport him to Harborview and wait with him while he was examined by nurses and doctors at Harborview.

█████ was searched incident to arrest in front of OFFICER Sullivan's patrol car. █████ was then transported to the King County Jail, where he told booking staff that he swallowed heroin. The jail declined him to Harborview Medical Center, where he was kept under guard until discharged. █████ was then transported back to the King County Jail where he was booked for SMC 12A.08.040 - Criminal Trespass.

(4) **Adam A.** (23 criminal cases in Washington state since 2016) was arrested in April 2018 in Downtown Seattle after shoplifting over \$300 in goods from the Gap and then stealing the backpack from a security guard of a neighboring building. He claimed to have swallowed heroin and meth, telling EMT's that he had done so in order to "not get in trouble." Officers asked the City Attorney's Office to file additional charges against him for obstruction, even including the statutory language in the police report. [See below].

The City Attorney's Office refused to file the obstruction charges. Charges were timely filed because Adam was in custody.

I determined that █████ had started shoplifting in the Gap store. To make his exit, █████ exited the Gap store through an emergency exit that led into the O'Shea building. It was while he was exiting the O'Shea that he saw Klonoff's backpack sitting alone on a bench. █████ stole the backpack in passing and placed the stolen good from the Gap inside of it.

I restrained █████ and searched him incident to arrest. █████ was read his Miranda Advisement twice on scene. As I was placing █████ in the back of my patrol vehicle, he stated to my partner, Officer Collins #8479 that he had swallowed some "dope". Officer Collins called SFD to the scene. I reviewed my ICV to determine what █████ had said to the EMTs.

Report on Prolific Offenders in Seattle's Criminal Justice System

SMC 12A.16.010 **Obstructing a Public Officer** states the following:
A person is guilty of obstructing a public officer if, with knowledge that the person obstructed is a public officer, he or she:

1. Intentionally and physically interferes with a public officer; or
2. Intentionally hinders or delays a public officer by disobeying an order to stop given by such officer; or
3. Intentionally refuses to cease an activity or behavior that creates a risk of injury to any person when ordered to do so by a public officer; or
4. Intentionally destroys, conceals or alters or attempts to destroy, conceal or alter any material which he or she knows the public officer is attempting to obtain, secure or preserve during an investigation, search or arrest; or
5. Intentionally refuses to leave the scene of an investigation of a crime while an investigation is in progress after being requested to leave by a public officer.

██████████ admitted to swallowing the drugs he had in order to not get caught with them by the police. Based on the above SMC, I request that ██████████ be charged additionally with Obstructing a Public Officer. Albin stated that he would be completing his procedural paperwork for ██████████ by utilizing the Retail Theft Program, but I also request the additional charge of SMC 12A.08.060 Theft be applied to ██████████. Albin stated that he would participate in prosecution. Albin stated that the total amount of merchandise that was stolen by ██████████ totaled \$397.90. Albin stated that he and his staff visually observed ██████████ stealing the merchandise and was unsure if the crime was caught on camera. Albin stated that he would forward me any video footage and a receipt for the stolen good when he returns to work. The Gap was closed before this could be accomplished tonight.

Soon after Adam's release from jail on the Gap theft charges he was arrested again Downtown after stealing over \$600 in goods from Niketown. He was transported to King County Jail where he was declined after he claimed to have swallowed heroin. Adam told officers that "he did so because it will trigger a declination from King County Jail." The officers noted that "this is a tactic that is frequently deployed by misdemeanor arrestees to prevent their brief incarceration at King County Jail." [See right].

Adam was released from custody at Harborview.


At KCU ██████████ told jail staff that he swallowed 2 grams of heroin. ██████████ was declined by King County Medical personnel.

Officer Dornay transported ██████████ to Harborview Medical Center. Due to staffing shortages officers were unable to guard ██████████ at hospital for the hours long observation period required for claims of narcotics ingestion.

██████████ was released from custody at HMC.

It is my belief that ██████████ did not swallow any heroin. ██████████ stated he did



For 5664 Printed On Jun-04-2018 (Mon) Page 6 of 25

	SEATTLE POLICE DEPARTMENT	REFERRED -CITY ATTNY
	GENERAL OFFENSE HARDCOPY SEATTLE LAW DEPT RELEASE COPY (2303-0 THEFT-SHOPLIFT)	LAW DEPT BY PATROL OFFICER
<p>so because it will trigger a declination from King County Jail. It is unlikely that staffing is sufficient to keep a misdemeanor suspect in custody for the medical treatment. This is a tactic that is frequently deployed by misdemeanor arrestees to prevent their brief incarceration at King County Jail.</p>		
<p>I recommend this completed misdemeanor investigation of Suspect Adam ██████████ be referred to the Seattle Law Department for the crime of SMC 12A.08.060 Theft and SMC 12A.16.010 Obstruction.</p>		

Report on Prolific Offenders in Seattle's Criminal Justice System

Charges were not filed against Adam until over three months later. [See below]. The City Attorney's Office did not include the obstruction charge that had been requested by Seattle police.

IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE
KING COUNTY, WASHINGTON

THE CITY OF SEATTLE,)
)
Plaintiff,) CASE NO: 634317
) INCIDENT NO: 18-199380
vs.) 
)
ADAM ) **CRIMINAL COMPLAINT**
)
Defendant.)

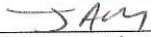
On or about June 2, 2018, in the City of Seattle, King County, Washington, the above-named defendant did commit the following offense(s):

Count 1

Commit the crime of theft/stealing by knowingly obtaining or exerting unauthorized control over the property of NIKETOWN with the intent to deprive the owner of such property.

Contrary to Seattle Municipal Code Section(s): 12A.08.060(A)(1)-1

Dated: 9/24, 2018


Assistant City Attorney

8. Case-Filing Delays Hamper Seattle's Retail Theft Program

Many of Seattle's major retailers report thefts through Seattle's retail theft program. Participating retailers include: Uwajimaya, Goodwill, Target, TJ Maxx, Nordstrom, Macy's, Home Depot, Lowe's, Fred Meyer, and Safeway. The program was originally designed to allow major retailers to directly report shoplifting incidents without requiring that Seattle police officers show up for every incident. Rather, the suspects are detained by store security personnel (also known as loss prevention officers), identified, given a trespass notice, and released at the scene. The incident is transmitted to the Seattle Police Department who reviews it and forwards the case to the City Attorney's Office. The City Attorney's Office is then supposed to review the case and file charges as appropriate. The Seattle Municipal Court then issues a summons for the defendant to appear before the court and face the charges.

Case records for prolific offenders reflect that charges in these cases are not filed until one to twelve months after the incident. For the cases I reviewed, the average time it took between a theft incident and when charges were filed in the retail theft program was over six months. These delays were confirmed by people with direct knowledge of the program. For prolific offenders involved in the theft-for-drugs ecosystem, the delays in filing cases means very little likelihood of facing consequences in the short-term.

For example, **Noah B.** is 36 years-old and has accrued over 60 cases in Washington state in the past decade. According to court documents and police reports, he is addicted to meth and crack cocaine. He funds his addiction through theft at major retailers across the city but principally Downtown. He has had 39 cases in Seattle Municipal Court, most of them for theft and/or criminal trespass. And he has a large number of felony cases, including VUCSA, possession of stolen property, residential burglary, felony harassment (DV), death threats, assault, disorderly conduct, etc. In 2016, he threatened to kill a loss prevention officer at Nordstrom and "then stated he would commit a mass shooting at Nordstrom when released." According to court documents, he has had 60 warrants issued for failure to appear and failure to comply. He readily admits to officers

██████████ responded to the location and positively identified ██████████ as the suspect who stole three jackets from the Mt. Hardware Store. Each jacket was valued at \$500 for a total

Page 4 of 11

CIR Rev.8/12



Seattle Police Department Case Investigation Report

Case Investigation Report: 2018-50237

theft of \$1,500.00. At that time ██████████ was advised of his Constitutional Rights. ██████████ stated that he understood rights and was willing to speak with officers. ██████████ admitted to stealing three jackets and then selling all three items to a male he knows as "Peru" for approximately \$100.00. ██████████ stated that it was his intent to use the money to purchase crack cocaine. Officers located approximately \$100.00 in ██████████'s front right pocket.

Report on Prolific Offenders in Seattle's Criminal Justice System

that he steals to support his addiction. [See above].

Noah has been processed through the retail theft program on over a dozen occasions. The time between the theft incidents and when charges were filed varied from one month to just over one year. [See examples below].

THE CITY OF SEATTLE,)
Plaintiff,)
vs.)
NOAH B. [REDACTED],)
Defendant.)

CASE NO: 621875
INCIDENT NO: 16-174759
CRIMINAL COMPLAINT

On or about May 19, 2016, in the City of Seattle, King County, Washington, the above-named defendant did commit the following offense(s):

Count 1
Commit the crime of theft/stealing by knowingly obtaining or exerting unauthorized control over the property of TARGET with the intent to deprive the owner of such property.
Contrary to Seattle Municipal Code Section(s): 12A.08.060(A)(1)-1

Count 2
Commit the crime of criminal trespass in the first degree by knowingly entering or remaining unlawfully in a building.
Contrary to Seattle Municipal Code Section(s): 12A.08.040(A)

Dated: 2/22, 2017

THE CITY OF SEATTLE,)
Plaintiff,)
vs.)
NOAH B. [REDACTED],)
Defendant.)

CASE NO: 620556
INCIDENT NO: 16-169512
CRIMINAL COMPLAINT

On or about May 15, 2016, in the City of Seattle, King County, Washington, the above-named defendant did commit the following offense(s):

Count 1
Commit the crime of theft/stealing by knowingly obtaining or exerting unauthorized control over the property of WALGREENS with the intent to deprive the owner of such property.
Contrary to Seattle Municipal Code Section(s): 12A.08.060(A)(1)-1

Dated: 12/20, 2016
James King
Assistant City Attorney

THE CITY OF SEATTLE,)
Plaintiff,)
vs.)
NOAH B. [REDACTED],)
Defendant.)

CASE NO: 623876
INCIDENT NO: 16-141992
CRIMINAL COMPLAINT

On or about April 24, 2016, in the City of Seattle, King County, Washington, the above-named defendant did commit the following offense(s):

Count 1
Commit the crime of Assault, by intentionally assaulting Shawn M Soderberg.
Contrary to Seattle Municipal Code Section(s): 12A.06.010(A)

Dated: 4/28, 2017
[Signature]
Assistant City Attorney

THE CITY OF SEATTLE,)
Plaintiff,)
vs.)
NOAH [REDACTED],)
Defendant.)

CASE NO: 633932
INCIDENT NO: 18-098549
CRIMINAL COMPLAINT

On or about March 15, 2018, in the City of Seattle, King County, Washington, the above-named defendant did commit the following offense(s):

Count 1
Commit the crime of theft/stealing by knowingly obtaining or exerting unauthorized control over the property of RITE AID 05218 with the intent to deprive the owner of such property.
Contrary to Seattle Municipal Code Section(s): 12A.08.060(A)(1)-1

Dated: 9-23, 2018

THE CITY OF SEATTLE,)
Plaintiff,)
vs.)
NOAH B. [REDACTED],)
Defendant.)

CASE NO: 625763
INCIDENT NO: 17-312187
CRIMINAL COMPLAINT

On or about August 23, 2017, in the City of Seattle, King County, Washington, the above-named defendant did commit the following offense(s):

Count 1
Commit the crime of theft/stealing by knowingly obtaining or exerting unauthorized control over the property of RITE AID with the intent to deprive the owner of such property.
Contrary to Seattle Municipal Code Section(s): 12A.08.060(A)(1)-1

Dated: 10/17, 2017

IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE
KING COUNTY, WASHINGTON

THE CITY OF SEATTLE,)
Plaintiff,)
vs.)
NOAH B. [REDACTED],)
Defendant.)

CASE NO: 624083
INCIDENT NO: 17-154611
CRIMINAL COMPLAINT

On or about April 15, 2017, in the City of Seattle, King County, Washington, the above-named defendant did commit the following offense(s):

Count 1
Commit the crime of theft/stealing by knowingly obtaining or exerting unauthorized control over the property of RITE AID 05210 with the intent to deprive the owner of such property.
Contrary to Seattle Municipal Code Section(s): 12A.08.060(A)(1)-1


Dated: 5/26, 2017
[Signature]
Assistant City Attorney

Report on Prolific Offenders in Seattle's Criminal Justice System

One of the consequences of the delay in filing retail theft cases comes when a prolific offender has accumulated a large number of pre-trial or post-sentence court-ordered obligations in other cases. In most cases, the court will allow pre-trial release of the defendant on condition that they not commit any law violations. And most suspended sentences are nominally conditioned on no new law violations. If the defendant commits a new offense but charges are not filed for months, the court has no way of enforcing its orders in a timely manner.

For example, in December 2016 Kelly J. (discussed in the first section) plead guilty to criminal trespass following 15 separate incidents at Pike Place Market. He was sentenced to a 364-day suspended sentence conditioned on no new law violations and staying away from Pike Place Market (he served no immediate jail time). Hypothetically, if he violated those conditions within a two-year period, then some portion of his suspended sentence could be revoked and he would be held accountable. The suspended sentence is supposed to therefore serve as an incentive to keep Kelly from committing new crimes.

Five months after receiving his two-year suspended sentence, however, Kelly was caught shoplifting at Target (one-block away from Pike Place Market). That incident was transmitted to the City Attorney's Office through the retail theft program but charges were not filed until one year later, April 2018. [See below].

THE CITY OF SEATTLE,)	
)	
Plaintiff,)	CASE NO: 633874
)	INCIDENT NO: 17-137855
vs.)	
)	
ROBERT [REDACTED],)	CRIMINAL COMPLAINT
)	
Defendant.)	
)	

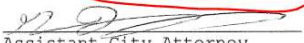
On or about April 20, 2017, in the City of Seattle, King County, Washington, the above-named defendant did commit the following offense(s):

Count 1

Commit the crime of theft/stealing by knowingly obtaining or exerting unauthorized control over the property of TARGET with the intent to deprive the owner of such property.

Contrary to Seattle Municipal Code Section(s): 12A.08.060(A)(1)-1

Dated: 4-20, 2018


Assistant City Attorney

9. Prolific Offenders Struggling with Homelessness Are Often Released from the Jail at Midnight

King County Jail records reflect that prolific offenders struggling with homelessness and other behavioral health conditions are routinely released by King County Jail at midnight. The result is to place a homeless person back out into the street at a time when almost all night-shelters stop admitting new clients and transit services are limited. Common sense tells us that this practice could have serious negative consequences for the individual defendant and for the surrounding neighborhood.

For example, Kalinda is 37-years old and has been incarcerated 10 times in the past twelve months. According to police reports, Kalinda tells officers that she has been homeless for several years. She has also been evaluated by the court for mental health conditions. In 5 of her last 10 periods of incarceration, King County Jail records reflect that she was released at 12:00am. [See below].

Current booking #219003634, Booked: 02/08/2019 03:00 PM, Released:	+
Booking #218035459, Booked: 12/22/2018 10:46 PM, Released: 12/24/2018 08:51 PM	+
Booking #218032669, Booked: 11/21/2018 05:11 PM, Released: 12/11/2018 05:26 PM	+
Booking #218031477, Booked: 11/08/2018 04:34 PM, Released: 11/14/2018 12:00 AM	+
Booking #218028468, Booked: 10/07/2018 10:34 PM, Released: 10/12/2018 12:00 AM	+
Booking #218022487, Booked: 08/09/2018 07:20 AM, Released: 08/28/2018 12:00 AM	+
Booking #218020934, Booked: 07/25/2018 04:25 PM, Released: 08/01/2018 12:00 AM	+
Booking #218019978, Booked: 07/16/2018 03:27 PM, Released: 07/18/2018 12:00 AM	+
Booking #218011956, Booked: 04/30/2018 10:35 AM, Released: 05/01/2018 12:42 PM	+
Booking #218007928, Booked: 03/20/2018 01:37 AM, Released: 03/20/2018 12:22 PM	+

The 100 individuals analyzed for this report had over 600 bookings into King County Jail in the past 12 months. Based on a sample of jail release records, it appears that midnight releases are used over 30 percent of the time for the most of this group. [See examples below]

Report on Prolific Offenders in Seattle's Criminal Justice System

Current booking #219000605, Booked: 01/07/2019 12:12 PM, Released: 01/29/2019 12:00 AM	+
Booking #218032717, Booked: 11/22/2018 01:57 PM, Released: 12/04/2018 12:00 AM	+
Booking #218027771, Booked: 09/30/2018 07:41 AM, Released: 11/07/2018 01:11 PM	+
Booking #218023873, Booked: 08/22/2018 11:07 AM, Released: 08/26/2018 11:35 AM	+
Booking #218021567, Booked: 07/31/2018 12:58 PM, Released: 08/16/2018 12:00 AM	+
Booking #218018761, Booked: 07/04/2018 10:03 PM, Released: 07/19/2018 12:00 AM	+
Booking #218014104, Booked: 05/21/2018 06:55 AM, Released: 06/05/2018 12:00 AM	+
Booking #218006132, Booked: 03/01/2018 11:31 PM, Released: 03/13/2018 01:40 PM	+
Booking #218004659, Booked: 02/15/2018 09:29 AM, Released: 02/20/2018 12:00 AM	+

Current booking #219002952, Booked: 01/31/2019 05:06 AM, Released:	+
Booking #218035646, Booked: 12/26/2018 08:50 AM, Released: 01/16/2019 12:00 AM	+
Booking #218029852, Booked: 10/23/2018 02:05 AM, Released: 12/17/2018 04:21 PM	+
Booking #218026568, Booked: 09/18/2018 02:30 AM, Released: 10/15/2018 12:00 AM	+
Booking #218021655, Booked: 08/01/2018 09:46 AM, Released: 08/31/2018 12:00 AM	+
Booking #218018249, Booked: 06/29/2018 04:27 PM, Released: 07/27/2018 12:00 AM	+
Booking #218013606, Booked: 05/16/2018 08:52 AM, Released: 06/07/2018 12:00 AM	+
Booking #218011594, Booked: 04/26/2018 11:20 AM, Released: 05/10/2018 12:00 AM	+
Booking #218009333, Booked: 04/03/2018 03:02 PM, Released: 04/13/2018 12:00 AM	+
Booking #218007361, Booked: 03/14/2018 03:35 AM, Released: 03/22/2018 12:36 PM	+

Current booking #218035955, Booked: 12/29/2018 01:14 AM, Released: 01/28/2019 01:18 PM	+
Booking #218033059, Booked: 11/27/2018 02:37 AM, Released: 12/27/2018 12:00 AM	+
Booking #218031250, Booked: 11/06/2018 05:18 PM, Released: 11/19/2018 12:00 AM	+
Booking #218027566, Booked: 09/28/2018 03:17 AM, Released: 10/26/2018 12:00 AM	+
Booking #218024277, Booked: 08/25/2018 11:49 PM, Released: 09/19/2018 12:00 AM	+
Booking #218019868, Booked: 07/15/2018 01:56 PM, Released: 08/22/2018 12:47 PM	+
Booking #218012837, Booked: 05/09/2018 01:17 AM, Released: 06/06/2018 10:05 AM	+
Booking #218008951, Booked: 03/29/2018 07:27 PM, Released: 04/28/2018 12:00 AM	+
Booking #218008309, Booked: 03/23/2018 11:14 AM, Released: 03/26/2018 11:40 AM	+
Booking #218006407, Booked: 03/04/2018 09:52 PM, Released: 03/22/2018 12:00 AM	+

Current booking #219002650, Booked: 01/28/2019 09:37 AM, Released: 02/06/2019 12:00 AM	+
Booking #219001105, Booked: 01/12/2019 06:15 AM, Released: 01/15/2019 12:00 AM	+
Booking #218035285, Booked: 12/20/2018 10:56 PM, Released: 12/21/2018 03:59 PM	+
Booking #218031146, Booked: 11/05/2018 05:55 PM, Released: 11/19/2018 05:18 PM	+
Booking #218025844, Booked: 09/10/2018 10:05 AM, Released: 09/12/2018 12:00 AM	+
Booking #218023641, Booked: 08/20/2018 06:34 PM, Released: 08/22/2018 12:00 AM	+
Booking #218016845, Booked: 06/16/2018 07:39 AM, Released: 06/18/2018 01:56 PM	+
Booking #218014290, Booked: 05/22/2018 04:50 PM, Released: 05/29/2018 12:00 AM	+
Booking #218011283, Booked: 04/23/2018 06:43 PM, Released: 04/24/2018 04:36 PM	+
Booking #218004965, Booked: 02/18/2018 03:02 PM, Released: 02/19/2018 05:08 PM	+

Conclusion

For this sample prolific offender population, and for the neighborhoods where they commit crimes, Seattle's criminal justice system is broken. By any measurement of effectiveness - protection of public safety, reducing recidivism, fair treatment of defendants, addressing underlying root causes of problem behavior, timely resolution of cases, reducing incarceration, or efficient stewardship of public dollars - the way Seattle's criminal justice system responds to individuals who frequently commit crime is not working.