

SEPT. 2021

Pre-Filing Diversion
Racial Equity Toolkit
Report for Adults 25 years
Old and Older



Seattle City Attorney's Office in
Partnership
with Baker Consulting

Acknowledgments

We would like to thank all those who participated for their time, knowledge, and wisdom. We would like to especially thank our community members who took time out of their day to share their expertise in an effort to shift a harmful system that is rooted in systemic racism and perpetuates harm disproportionately onto Black, Indigenous, People of Color Communities. We deeply thank them for their contributions.

We have not named anyone who participated in this project for many people from community had expressed that they did not want to be seen as endorsing government projects without knowing the results. Due to a history of government systemically harming, traumatizing, and using BIPOC communities we understand their discomfort and have chosen to not include anyone's name so as to not give a false perception that this work came out of just those who work directly in government systems.

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I. EXECUTIVE SUMMARY

In the Winter of 2021, the City Attorney's Office (CAO) hired Baker Consulting to facilitate conversations with community members concerning developing a new diversion program for adults 25 years old and older. The purpose was to run the potential new diversion program through the Racial Equity Toolkit (RET). The RET is the first step in determining the benefits and/or harms of new programming from an embodied equity perspective. The RET is used to develop and assess new and current programs and projects within the City of Seattle.

The CAO acknowledges that our current criminal legal system is unjust and is rooted in institutional racism that disproportionately incarcerates and penalizes Black, Indigenous, People of Color (BIPOC) communities. The harm inherent in the criminal legal system needs to be undone. The CAO wants to transform this system so that it is less harmful to BIPOC communities and is mindful of how social poverty impacts people's behaviors. Understanding the historical impacts because of institutional and systemic racism, BIPOC communities are more likely to experience poverty.

Building upon the support the CAO gives to other Pre-Filing Diversion Programs, Alternative programs, the Prisoner and Community Corrections Re-entry Workgroup, the Law Enforcement Assisted Diversion/Let Everyone Advance with Dignity (LEAD) Program, the CAO is proposing a new diversion program for Adult's 25 years old and older. The new program intends to be informed with community input to better support BIPOC community members, reduce disproportionality and have a higher positive impact in decreasing incarceration rates.

Baker Consulting hosted a total of seven focus group sessions with two different groups of community members. The focus groups were made up of community members that are well known and trusted in BIPOC communities. Various experiences were represented, including: Lived experience going through the criminal legal system, program design & management experience, youth advocates & those who work with formerly incarcerated youth, and those who currently and formerly worked in the criminal legal system (probation, court operations, legal defense, and prosecution fields). Focus group participants met virtually to discuss questions related to the role of the criminal legal system, CAO's role, program development, funding, and to inform the RET process. As a practice of honoring community members when asking them to share their experience, knowledge, and wisdom, the participants were offered a stipend and one meal voucher.

It should be noted that many focus group participants raised awareness of the tension of community members being asked for their input. Due to historical traumas caused by institutional systems, many community members do not inherently trust institutions to follow through on community feedback. Participants discussed the concerns of being used to “rubber stamp,” a process built in a racist system. Because of this concern, we want to recognize the labor that every community member provided by being a part of this process and look towards the CAO to use this information to reduce the harm caused to BIPOC communities by the criminal legal system.

The CAO has followed through on one commitment to include community voice in the process by engaging in the RET process. Moving forward, there is an expectation from community members that the CAO will incorporate the experience, knowledge, and wisdom shared to inform the next steps in the development process, such as funding, environmental scan, RFP/Q development, procurement, and implementation.

A. Purpose and Goals of the Project

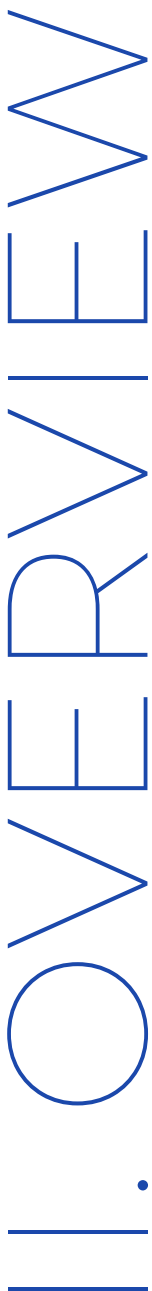
In 2017, the Seattle City Council funded the Seattle City Attorney's Office (CAO) to begin a Pre-Filing Diversion program. The Pre-Filing Diversion program is a pre-charge diversion opportunity. Individuals participate in the program before charges are filed rather than having the consequences of the City filing a criminal charge. These participants do not have to attend numerous court hearings, and there is no fear of jail or probation. Rather than informing the court, the prosecutor's office is told whether a person completes the diversion program by the community partner. If there is completion, the prosecutor will decline potential criminal charge.

In September 2017, the CAO piloted the Mainstream Young Adult Pre-filing Diversion program in partnership with the community organization CHOOSE 180. This program offers pre-filing diversion to 18-24-year-olds. Likewise, in 2018, in collaboration with the community organization Legacy of Equality, Leadership, and Organizing (LELO), the CAO began pre-filing diversion and re-licensing support for individuals of all ages accused of Driving While License Suspended 3rd degree. This year, in partnership with the community organization Gay City, the CAO began offering pre-filing diversion to 18-24-year old's accused of family-based domestic violence crimes.

Diversion and Alternative Programs within the City Attorney's Office

The Seattle City Council established a Prisoner and Community Corrections Re-entry Workgroup (also referred to as Seattle Reentry Group) in December 2015. Its mandate included developing policies, ordinances, strategies, and/or programs to facilitate reentry and remove barriers to employment, housing, and other benefits. One of the seven strategies the Reentry Workgroup put forth in its final report in 2018 was to "Expand anti-poverty, diversion, and public health responses and intervention." By 2018, the CAO-CHOOSE 180 partnership had already earned substantial support; it was seen by many, most importantly people from historically marginalized communities, as a much better alternative to the traditional criminal legal system. The Seattle Reentry Workgroup recommended expanding pre-filing diversion for 25 years and older, particularly focused on BIPOC (Black, Indigenous, People of Color) communities.

A court-based alternative program that involves a partnership between CAO, the Department of Public Defense, and the Court is Community Court. Community Court takes a different approach to adjudicate pending criminal cases and is a collaborative effort between Defense, Prosecution, Pre-Trial Services, and the Court. Its goal is to address



unmet needs through connection to community services and support. Community Court provides up to four opportunities for individuals with lower-level crimes like Theft and Criminal Trespass to have their cases diverted. Participants engage in a social service screening in partnership with the Court's Community Resource Center and must complete community service hours. Some participants will also have treatment obligations. If participants successfully meet their obligations, their case is dismissed. Some PFD-eligible individuals would also be eligible for Community Court had their case been filed. Community Court, though, is a post-file, court-based program that is offered (up to four times) to an individual. It is a goal of CAO to find a way for the programs to primarily seek to complement each other rather than compete.

The LEAD (Law Enforcement Assisted Diversion/Let Everyone Advance with Dignity) program also provides diversion opportunities. The LEAD program began as post-arrest and pre-booking program designed to meet participants' immediate needs (like food or housing), and over time, with support from case managers, address any underlying issues, including addictions. Officers exercise discretionary authority to divert individuals to community-based intervention programming rather than booking them into custody. The program focuses on finding ways to solve problems for a specific population of individuals who are consistently in the criminal legal system and not responding well to that approach. CAO has partnered with the police and REACH to assist this group of people with wrap-around services to meet their needs, while understanding that systems have historically oppressed and failed to meet their needs. Many LEAD clients are out of the age range to qualify for the current PFD program; however, some crossover of young people engaged in LEAD have also participated in the CHOOSE 180 Workshop. Because CAO has two prosecutorial liaisons coordinating the cases of LEAD clients, the Pre-Filing Diversion teams work in close collaboration on how to best serve the young people the programs seek to engage. In those situations, CAO has found that the programs complimented each other, rather than duplicated efforts, because of the unique benefits of each program and the ability to collaborate. With any expansion of PFD, CAO plans on continuing to partner with LEAD. Additionally, we believe it is worth noting that LEAD now receives vast majority of its referrals from community sources.

The CAO acknowledges the harm inherent in the criminal legal system and values its community partnerships. CAO has seen significant public safety outcomes from its diversion partnerships and desires to grow the opportunities for individuals over age 25. They see opportunities for transformation within the department with closer relationships with BIPOC communities and collaborations with expanded diversion programs.

As a next step toward expanding opportunities, the CAO engaged with community members in conversation using the Racial Equity Toolkit (RET) to assess community support and the feasibility of growing diversion. This report is a summary of the RET engagement process and the recommendations that emerged.

B. Racial Equity Toolkit Methodology

CAO engaged Baker Consulting to facilitate community input for a new diversion program for Adults 25 Years old and older, using the City of Seattle Racial Equity Tool Kit (RET). In addition to the basic questions of the RET, the CAO proposed programmatic questions to obtain a deeper understanding, specifically aimed to undo the bias that shows up based on systemic impacts. What are the interdisciplinary issues necessary to solve systemic issues? What is the role of community in a diversion program? Who should be eligible for the diversion program: how to contextualize people's criminal history? These questions influenced other questions answered during the focus groups.

Based on experience and feedback using the City's RET with other departments and community groups, Baker Consulting was aware that many are not satisfied with the RET content. It was noted that procedures are not in place to reengage the community for further guidance. Nevertheless, there was a consensus that the RET is a positive step, but emphasis was placed on requirements for the community to stay involved beyond the submittal of recommendations; community members want to give guidance in all of the stages of development and implementation; these two areas are noted as essential strategies for obtaining authentic trust too.

Thus, Baker Consulting added additional questions to provide helpful and specific input to the effective design and implementation of the program. The RET consists of six steps with twelve questions. Using a focus group format, Baker Consulting expanded the RET question and asked twenty-eight questions, with some additional follow-up questions, covering the following topic areas: System's Roles, City Attorney Office Role, and Program Design questions. All total, this resulted in robust community and CAO staff input, which is summarized in this report. All questions and responses provided are included in Attachment B.

Using principles of Authentic Community Engagement¹ and building on community organizing principles, a wide range of focus group participants were engaged. Based on established relationships, Baker Consulting recruited community members that are well known and trusted in the Black, Indigenous, People of Color (BIPOC) communities. We included people with various experiences: some with lived experiences from their previous involvement in the criminal legal system, some with program design & management experiences, some from their knowledge about probation and court operations, some who worked in the legal defense and prosecution fields. With this deep level of experiences, we were able to get a full spectrum of perspectives and wisdom to inform a RET audience and provide valuable input to inform program design and development. Community members and CAO staff participated in the core RET focus group, which was convened in five two-hour sessions via zoom.

[1] https://www.strivetoegether.org/wp-content/uploads/2017/03/10_principles_community_engagement_2.pdf

Representation of community advocates working in the field was crucial to engagement, and their voice is central in providing community feedback. This group includes those working to improve racial equity in criminal legal systems, working on the ground level with individuals with criminal legal system involvement, and those with lived experience. Because of the robust conversation in breakout groups, a number of questions were not answered in the first 4 sessions. Therefore, an additional session was added, bringing the total number of sessions to 5, not the original 4 planned.

Additionally, to ensure we left no stone unturned, we asked the second focus group to review the RET's initial summary developed from the first focus group; we wanted to know the gaps and obtain additional experiential feedback from their perspectives. Based on their ground-level experiences—their input in helping BIPOC members reengage in community—was passionate and articulated innovative ideas highlighted in parts of this report.

All community participants received a stipend and one meal voucher. We believe it is essential to honor and respect the time of community members. Not all of the community members accepted the stipends. A list of RET focus group participants is included in Attachment A, along with definitions they offered of racial equity.

C. Major Highlights

The robust community input, including people with lived experience in the criminal legal system and those working to address harms in BIPOC communities from this system, brought forth innovative approaches which deserve thoughtful consideration.

- Acknowledgement that the system is broken (as affirmed in CAO data) requires diversion for BIPOC individuals. The Criminal Legal System is rooted in racism and disproportionately impacts Black people and communities of color (BIPOC – Black, Indigenous, People of color). It is dehumanizing, harmful, and targets low-income BIPOC communities, including those experiencing homelessness and those with mental health concerns.
- Recommendations for diversion to be as broad as possible regarding which charges are eligible—many call to divert all but the most serious crimes. Domestic violence is called out as an exception, but also with more appropriate supports.
- Eliminate barriers to diversion that maintain disproportionality: criminal history exclusion, arbitrary referrals to diversion, financial barriers – fines, fees, restitution
- A major theme was for the City to divest from institutional systems that destroy or undermine the community and invest in healthy community-based responses. There is a wide range of perceptions and expectations of what this means, which are described in the section on System and Program Strategies, page 20.
- Community dialogue provided a vision of community investment that is broad and flexible, anchored in supporting and restoring community resilience and individual and family positive outcomes. Just as the previous RET process to establish the Young Adult Diversion Program resulted in design with more autonomy and

ownership at the community level through a contracted community-based provider(s), this feedback calls for taking this principle further.

- Principles and elements of a diversion program for effective results:
 - Diversion program designed and delivered by community members, including those with lived experience.
 - Services focused on healing-centered engagement and restorative practices provided by trusted community members and natural networks.
 - Infrastructure: Establish a central center through which recommendations can be made.
 - Community acting together: Engagement by many interdisciplinary relationships, churches, community organizations that naturally take responsibility to support specific groups.
 - Services are prescriptive: Flexible supports that address the circumstances and conditions of the individual and their families involved in the diversion process.
 - Services are blended with ownership: Put power and agency into the hands of community agencies, community liaisons, and participants. Empower community organizations to respond with a prescription of supports that meets each individual's circumstances.
 - Solicit the internal drive to be different: Provide coaching, mentorship, and other deep services for those that need it. Empower the individual to choose who they work with and the range of services they access to make transformational change.

In short, rather than a diversion program that is a predetermined funnel of mandatory steps and services, there is a need for a responsive and restorative system based on community relationships and natural supports that addresses root causes.

- A significant perspective among community members calls for abolition of the criminal legal system, for the decriminalization of many offenses except the most serious – crimes based on circumstances of poverty. They call for strategies that match the nature of the problem. If one accepts that the system is inherently racist and destructive to BIPOC communities, then “the system itself is not the place to create solutions.”²
- There was significant feedback objecting to the framing of the Racial Equity Toolkit questions:
 - The compartmentalized nature of the questions does not allow for a larger

[2] To quote from the Marshall Project: “Ultimately, abolition is a practical program of change rooted in how people sustain and improve their lives, cobbling together insights and strategies from disparate, connected struggles. We know we won't bulldoze prisons and jails tomorrow, but as long as they continue to be advanced as the solution, all of the inequalities displaced to crime and punishment will persist.”

examination of the system itself. The RET questions, for example, assume a perspective of reform within the system, which was not the perspective put forth by most community participants in the RET process.

- It is designed to be applied to individual programs and compartmentalizes responses not providing space for intersecting and compounding factors.
- Objections were raised in questions framed to 'reduce harm' (as if less poison is still acceptable).
- Widespread request to not use the term 'criminal justice system,' since it is viewed as unjust, results in this report of the term 'criminal legal system.'
- There is a call for urgency from community participants, who are deeply aware of the damaged lives, damaged families, and multi-generational trauma experienced in BIPOC communities from entanglement (trapped) in the criminal legal system.

A full overview of policy and program recommendations are in the Strategies section, beginning on page 19. Attachment B contains the complete feedback list in the format of the expanded RET questions.

Step 1: Set Outcomes

The following outcomes resulted from CAO staff discussions at the launch of this project and the RET focus group sessions:

Outcomes within the criminal legal system:

- The punitive nature of the criminal legal system be eliminated for a wide range of crimes.
- Diversion policies should disrupt, not continue, damaging impacts on BIPOC individuals. For example, criminal history is not an objective standard absent from the impact of systematic racism.
- Diversion policies be designed and implemented in ways that are mindful of how social poverty impacts people's story and provide effective responses.
- Major culture shift takes place within the CAO. *Focused work within the CAO results in understanding the impacts of institutional and systemic racism in all the steps in their process, understanding the negative impacts of White privilege and imposition of White normative behaviors on BIPOC communities.*
- *More BIPOC staff be hired in the CAO office, especially those with deep connections in their communities, which could alter outcomes for BIPOC populations. Additionally, there is recognition that, however, the CAO staff identifies their understandings of White normative behaviors and privilege as a larger factor in achieving the desired outcomes.*
- To reduce disproportionality and stop criminalizing in a racially distortional manner: to have fewer BIPOC community members are arrested, charged, convicted, and incarcerated. *Targeting BIPOC in the diversion program can ensure that White people do not receive disproportional benefits from the diversion program/process.*
- Community is a collaborative partner in diversion, and the alternatives “create a village” of effective community-based support.
- The criminal legal system should shift money into the community, and the criminal legal systems budget, staff, and

infrastructure should be smaller.

Community-wide Outcomes:

- Reduction of the number of Black, Indigenous, and People of Color (BIPOC) in jails and prisons.
- Reduction of the number of people with criminal charges.
- Recidivism rates and/or filings will decrease.
- Increases in indicators of community health in BIPOC communities.
- People diverted experience positive results, including increase autonomy, a strong sense of identity, centered in family structure, gaining a significant role in community and understanding the value of sharing their story. They are linked to options for education and employment.
- Family reunification or reconciliation is achieved.
- System costs will go down: divest from criminal punishment and invest in community.

Step 2: Stakeholders Analysis - Racial Inequities and Root Causes

A. City districts most impacted:

- Areas being gentrified: Central District, Rainier Valley, folks who have displaced.
- Houseless encampments around the city.
- Downtown Seattle and other areas with high homelessness rates- Aurora, Ballard
- Ballard and Rainier Valley
- South Seattle, Rainier Beach, Beacon Hill
- Northgate area
- Unincorporated areas (Skyway, White Center)

B. Populations most impacted:

- BIPOC: Black, Indigenous, and People of Color, Latinx
- Queen and trans BIPOC individuals
- Individuals experiencing poverty and homelessness.
- Those with behavioral health struggles
- Immigrants and refugees
- Foster Youth
- Formerly incarcerated
- Poor People

"We don't want racism Olympics, but we know that the darker you are, the more time you get"

C. Equity Issues and Root Causes Facing BIPOC People Living in Seattle

Societal-wide inequities:

Institutional and systemic racism is a fundamental issue. This includes overt and implicit racism, macro and microaggressions, discrimination in all spheres of life. BIPOC people often feel isolated living in such a predominantly White city, which is even more so, given that those in positions of power are overwhelmingly White in education, employment, service systems, etc. In this alienating environment, too often, BIPOC individuals victimize each other – horizontal racism.

Lack of equitable access in all aspects of the social determinants of health – housing, employment, schools, health care, mental health care, transportation, healthy food access, childcare, etc. creates a profoundly hostile environment for BIPOC individuals.

- Lack of equitable access to employment opportunities, good-paying, and livable wage jobs. BIPOC individuals do not have equal opportunity in employment, documented in studies and statistics for decades. This is compounded by the criminalization of poverty (referenced later in this report), and the mass incarceration of BIPOC adults in their prime earning years compounds this situation.
- Systemic racism in housing access. Lack of generational wealth from property ownership has long-term negative impacts in BIPOC communities. The skyrocketing costs of housing in Seattle, gentrification, and displacement have profoundly changed the community experience for BIPOC communities. “We don't live here.” (in Seattle). Severe failure to provide affordable housing options is an institutional failure. Housing instability has significant impacts on BIPOC families, and the criminalization of homelessness compounds the issue.
- Lack of culturally appropriate support for mental and emotional health. BIPOC individuals often do not feel understood by people with power in the systems they have to interact with, such as therapist, social workers, teachers, and others. Recovery from physical, emotional, and psychological injury and trauma is a great need in BIPOC communities.
- Lack of childcare, adequate transportation, food insecurity, and other challenges of poverty was cited.
- Poor performing schools, lack of educational degrees.

Lack of representation – Lack of presence of BIPOC people in positions of power, particularly those with lived experience, who can understand and effectively support them is also a core equity issue. This lack of representation results in services and systems that are not effective in serving BIPOC communities. BIPOC individuals with lived experience are not at the table making decisions that impact their lives.

The myth of the violent offender is a blatant, racist ploy used to dehumanize BIPOC individuals and justify severe, harsh treatment and criminalization of whole communities. The common

narratives in our society blames BIPOC community members for 'lack of success in systems designed to undermine them.

Criminal legal system inequities:

The criminal legal system is inherently racist and harmful to BIPOC communities. These communities are over-policed and over-sentenced, with a heavy-handed presence in neighborhoods.

Racial profiling leads to minor behaviors being criminalized. People are criminalized for not having basic necessities or support. The criminalization of immigration status results in incarceration and deportation, splitting up families.

There is great bias in the discretion of police and prosecutors in who they charge as violent and the charges they put on people. Harsher sentences are given to BIPOC individuals.

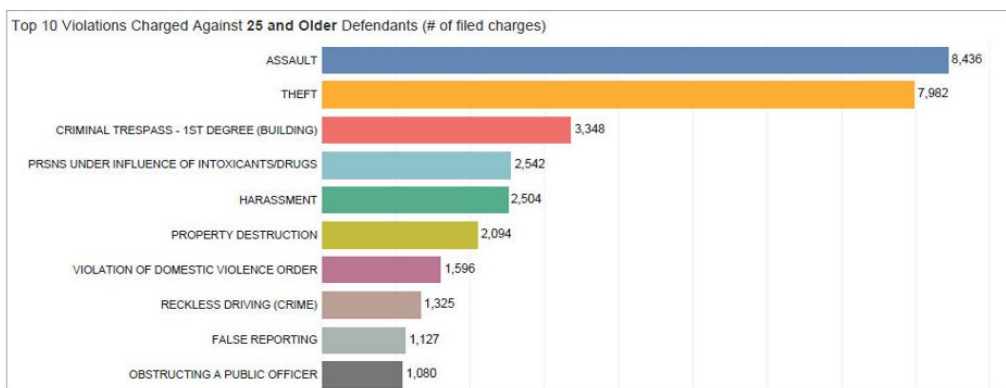
Every point of contact produces disproportionality; the discretionary role of the prosecutor, the arbitrariness of the process for charging, overuse of guilty plea deals, and blind trust in police reports all result in disproportionate, devastating outcomes in BIPOC communities.

What elements of the system are racist or unfair? "The whole thing. All of it. It's DNA. This is why it needs to work on going away, making itself smaller: not keeping itself in place, not coming up with diversions. It needs to divest."

D. Statistical Landscape: Racial Inequity in Criminal Legal System

1) Primary Data

Data provided in this section was gathered by the Research, Planning and Evaluation Group at Seattle Municipal Court and CAO provided the analysis. The Top 10 Violations Charged graph below shows the ten most frequently filed charges against defendants aged 25 and older in Seattle Municipal Court from 2016-2020 ³. The graph shows that Assault and Theft are the top two offenses and are charged significantly more often than the remaining offenses in the top ten. Notably, cases identified as Domestic Violence are included in this data set. It is highly likely if the Domestic Violence cases were removed, Theft would be the most frequently filed charge. Domestic Violence cases will not be eligible for this expansion of the Mainstream Pre-Filing Diversion program to people over age 25.



[3]Seattle Municipal Court 25 and Older Stats-2016 to 2020 with totals; Prepared by SMC Research Planning and Evaluation Group Staff; 5.13.21

The Case Category graph below shows the percentage of cases categorized as Driving Under the Influence, Domestic Violence, or non-DV/DUI from 2016-2020. The expansion of the Mainstream Pre-Filing Diversion program to people over age 25 will be limited to non-DV/DUI cases, representing 57% of defendants and 67% of the cases.

	2016	2017	2018	2019	2020	Total
DI %	DUI 16%, 898	15%, 942	16%, 1,074	17%, 1,100	19%, 920	18%, 4,379
	DV 23%, 1,283	23%, 1,434	21%, 1,365	20%, 1,258	22%, 1,108	24%, 5,752
	Non(DV/.. 61%, 3,427	63%, 3,973	63%, 4,137	63%, 3,977	59%, 2,901	57%, 13,608
Cs %	DUI 13%, 961	12%, 994	13%, 1,165	14%, 1,159	16%, 991	14%, 5,270
	DV 21%, 1,494	21%, 1,751	18%, 1,604	17%, 1,458	21%, 1,335	20%, 7,642
	Non(DV/.. 66%, 4,711	67%, 5,614	69%, 6,057	69%, 5,770	63%, 3,947	67%, 26,099

The Race Group graph below shows the racial breakdown of defendants across all crime types that were filed in Seattle Municipal Court between 2016 and 2020. The race/ethnicity breakdown for the Seattle population from the 2020 census was: 67.3% White; 15.4% Asian; 7.3% Black; 6.7% Hispanic or Latino ethnicity (of any race); two or more races 6.9%; 0.5% American Indian/Alaskan Native; 0.3% Native Hawaiian/Pacific Islander. ⁴

When comparing the census data to the data collected by Seattle Municipal Court to those identified as Black, represented 7.3% of the population, but accounted for 25% of the defendants and 30% of the cases filed. Additionally, according to the most recent census data, American Indian and Alaskan Native individuals account for 0.5% of the population but are 2% of the defendants.

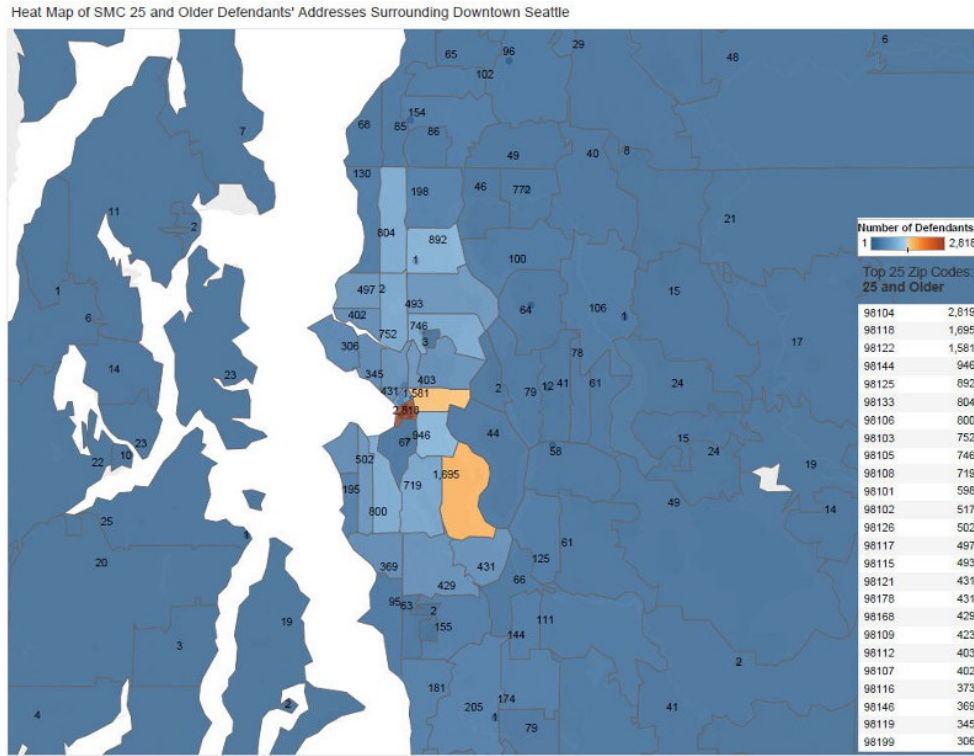
	2016	2017	2018	2019	2020	Total
DI %	AAPI 7%, 356	6%, 368	6%, 381	6%, 364	5%, 262	6%, 1,401
	Black 27%, 1,484	27%, 1,668	28%, 1,760	28%, 1,724	28%, 1,352	25%, 5,630
	AIAN 2%, 134	3%, 160	2%, 147	2%, 114	2%, 85	2%, 443
	White 58%, 3,143	59%, 3,614	58%, 3,727	58%, 3,554	57%, 2,723	59%, 13,164
	Unknown 6%, 335	6%, 366	6%, 357	6%, 384	8%, 377	7%, 1,537
Cs %	AAPI 6%, 425	6%, 463	5%, 465	6%, 467	5%, 321	5%, 2,141
	Black 29%, 2,085	29%, 2,411	30%, 2,613	31%, 2,570	31%, 1,952	30%, 11,631
	AIAN 3%, 185	3%, 246	3%, 237	2%, 174	2%, 119	2%, 961
	White 57%, 4,057	57%, 4,787	58%, 5,091	56%, 4,703	55%, 3,443	57%, 22,081
	Unknown 6%, 414	5%, 452	5%, 420	6%, 473	7%, 438	6%, 2,197

It is important to note that in the CAO's experience, race is generally based on the subjective interpretation by a Seattle Police Department Officer. Some defendants at arraignment ask the Court to correct their identified race, but that does not regularly occur. Consistent with the categories of race established by the Federal Bureau of Investigations, the categories are limited to White, Black, American Indian/Alaskan Native, Asian/Pacific Islander, and Unknown.

[4] Population estimates from July 1, 2019. <https://www.census.gov/quickfacts/seattlecitywashington>

. In the CAO's experience, Latinx communities are generally categorized as White or Unknown. The Seattle Police Department report system can now capture ethnicity as Hispanic or not-Hispanic, but that descriptor is not yet being consistently used or reported.

The Heat Map below shows the highest concentrations of defendant's addresses, listing the top 25 ZIP codes.⁵



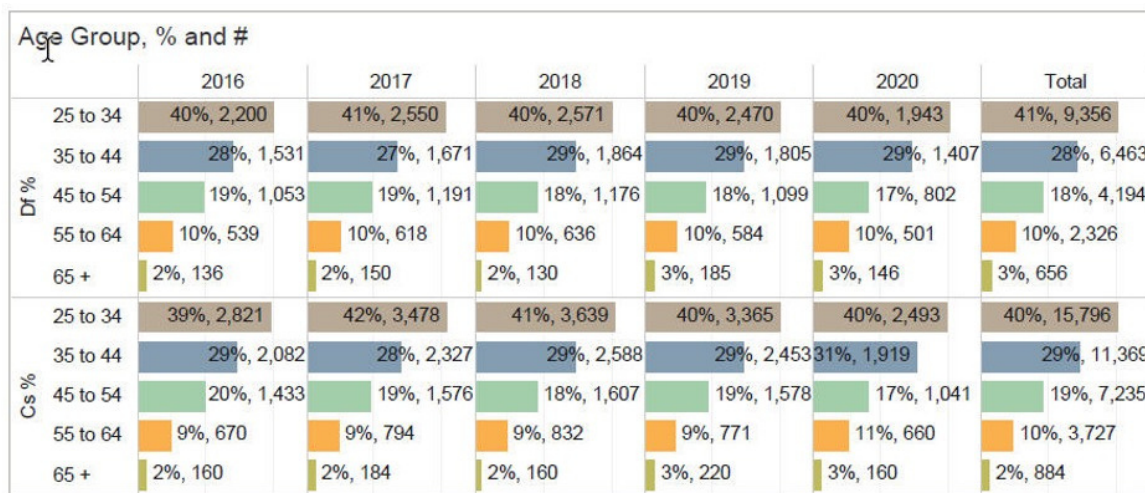
The Top 10 ZIP Codes table below provides the neighborhood information for the top ten ZIP codes for defendants based on their given address. The large number of defendants with addresses downtown is likely due to the number of shelters in that area. Eight out of the top ten ZIP codes have also been identified as Economically Distressed ZIP codes by the Seattle Department of Finance and Administrative Services.

Top 10 Zip Codes of Defendant's Addresses		
Zip Code	Neighborhood	# of Individuals
98104*	Downtown/ID	2,819
98118*	Rainier Valley/Rainier Beach	1,695
98122*	Central District	1,581
98144*	North Beacon Hill	946

[5] Seattle Municipal Court 25 and Older Stats-2016 to 2020 heat map; Prepared by SMC Research Planning and Evaluation Group Staff; 5.14.21

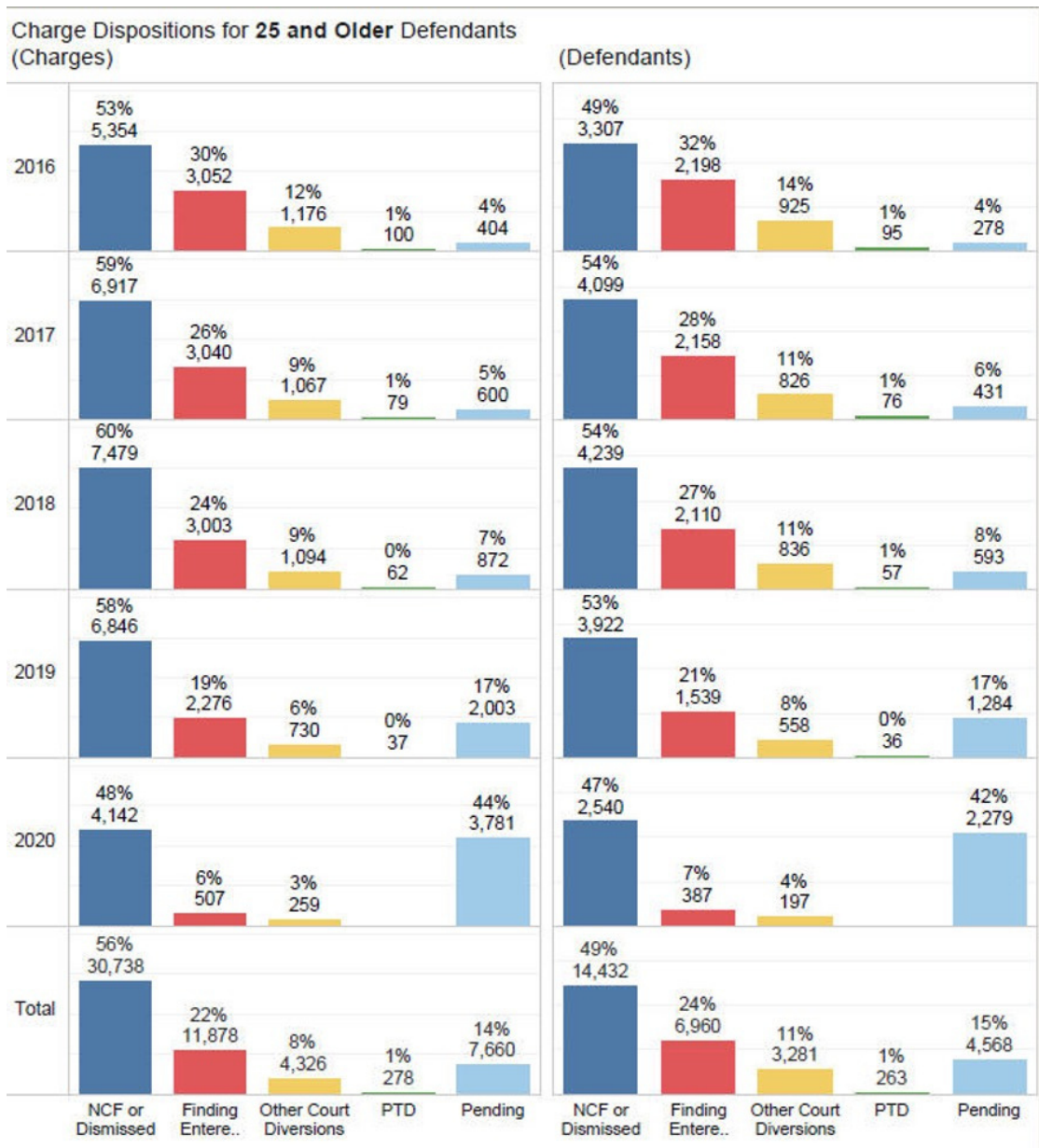
98125*	Lake City/Northgate	892
98133*	Bitter Lake/Northwest Seattle	804
98106*	Delridge	800
98103*	Woodland Park/Green Lake	752
98105*	University District	746
98108*	South Beacon Hill/ South Park	719
*Economically Distressed ZIP codes by the Seattle Department of Finance and Administrative Services most recently in 2017.		

The Age Group graph below shows the percentage of defendants and cases by age group. It is notable that the 25-34 age range represented 41% of defendants 25 and older, while those 55 and above represented a total of 13% of defendants.



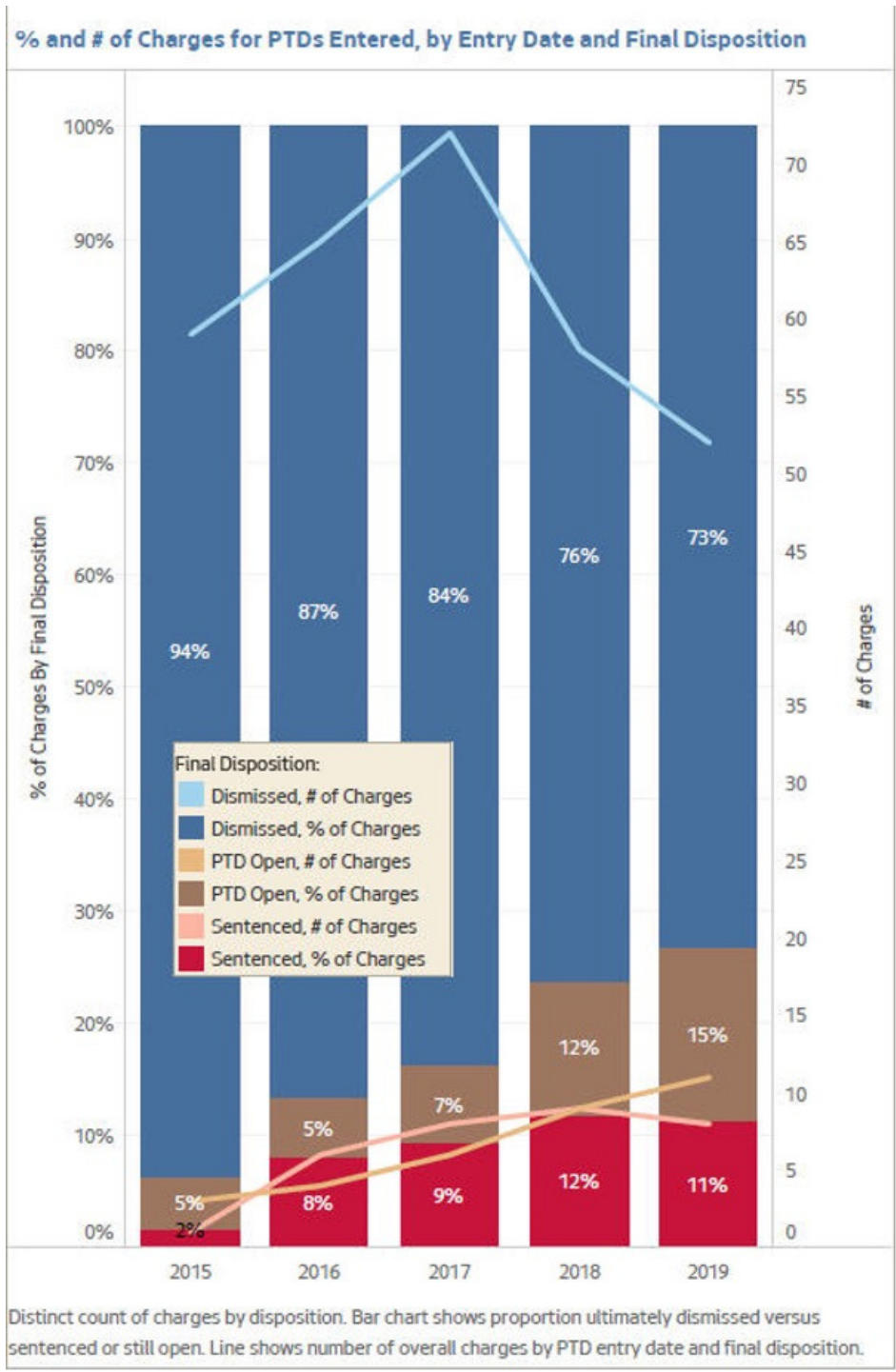
older defendants between 2016-2020. On average, 56% of charges are not initially filed (no charges filed-NCF) or dismissed. Some of the not initially filed charges are later filed when additional evidence becomes available, such as blood test results in DUI cases or when victims/witnesses are reached. When an officer books a person into the King County Jail, the officer identifies a potential charge. When the Seattle City Attorney's Office decides whether to file criminal charges, they can file the charge the officer identified, file a different charge, or decline to file any charges. In either of the latter two circumstances, the City Attorney's Office would file an NCF. The Pre-Filing Diversion programs do not divert charges that would otherwise be declined. The Pre-Filing Diversion program is committed to not widening the net of the criminal legal system.

As part of plea bargain negotiations, many defendants will agree to plead guilty on one or more charges, and the City Attorney's Office agrees to dismiss one or more charges. Additionally, many cases are dismissed if a victim or witness is not willing or able to testify or if subsequent information is revealed that establishes a dismissal is appropriate. Almost a quarter of the charges result in a finding of guilt entered (seen below as "Finding Entere.."). Only 9% of charges are post-file diverted (seen below as "Other Court Diversions" and "PTD," which are Pre-Trial Diversions).

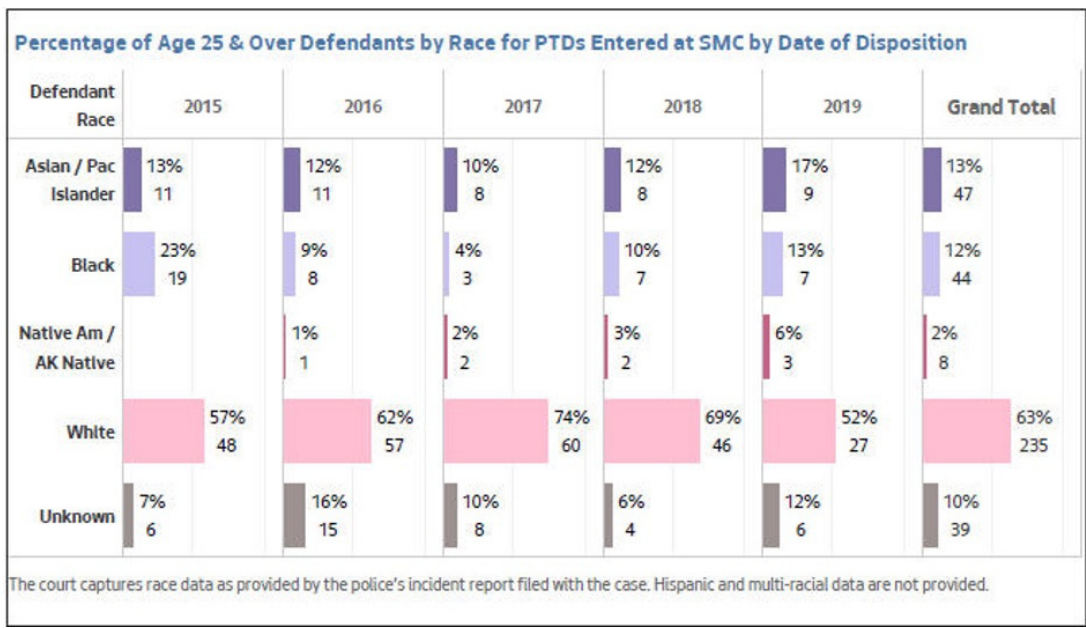


Other Court Diversions include Deferred Prosecution, Deferred Sentence, Dispositional Continuance, and Stipulated Order of Continuance

In contrast to the Pre-Filing Diversion Program, Other Court and Pre-Trial diversions are post-charge diversions which means that a criminal charge has been filed, and the Court will monitor the diversion. Pre-Trial diversions are a type of disposition offered by the CAO to first-time offenders. It is generally a three-month dispositional continuance. If the person completes an average of twelve community service hours and has no new criminal law violations, the case will be dismissed at the end of the three months. According to the % and # of Charges for PTDs Entered chart below, you can see in 2019 that 73% of PTD's entered were dismissed because the individual completed the necessary obligations. 15% of the cases from 2019 were still open when this data was collected, and 11% were sentenced for failing to complete their obligations.



The Percentage of Age 25 & Over Defendants by Race for PTDs table below shows the percentage of defendants 25 and older entering PTD's based upon their race. As described previously, racial identification is generally based on the subjective interpretation of a Seattle Police Department officer. The 5-year average data shows that about 63% of defendants offered PTDs were White, 13% were Asian, 2% were Native American/Alaskan Native, and 12% were Black. When we compare these percentages to the Race Group percentages for 25 and older defendants, we see that 57% of cases involved White defendants, 5% were Asian, 2% were Native American/Alaskan Native, and 30% were Black. Based on those figures, the most significant disparity that we see is the disproportionately low number of Black defendants in the PTD program and the disproportionately high number of Asian and White defendants having the benefit of the PTD program.



This chart highlights the crux of the matter for this diversion program focused on BIPOC communities and the factors discussed in the RET process. Based on the data on Race Group percentages on page 9 and comparing it to deferment by race in this chart, it appears that White defendants are disproportionately less likely to face criminal charges, yet when they get to court are more likely to be offered diversion. In contrast, about one-third of Black defendants were given these opportunities. Because of these disparities, the Seattle Reentry Workgroup recommended expanding pre-filing diversion for those aged 25 years and older, particularly focused on BIPOC communities.

The CAO hypothesizes that the main contributor to the racial disproportionality happening in the PTD program is because PTDs are generally only offered to individuals with no criminal history (first-time offenders) and people of color are statistically more likely than White people to have criminal history. This leads to a disproportionate amount of White people being offered and taking advantage of PTD offers more frequently than people of color. The CAO has decreased racial disproportionality in the 18-24-year-old Pre-Filing Diversion program by opening the program to people with criminal history.

Additional factors that result in this glaring disproportionate data, listed in the RET process, include: institutional racism, arbitrary decisions by prosecutors, adverse circumstances experienced by individuals, and prescriptive requirements to participate in deferment

2) Negative Impacts of Becoming Entangled in the Criminal Legal System:

Effects on BIPOC individuals of becoming involved in the criminal legal system can be stark and life-changing. Incarceration, surveillance/probation disrupts your life.

- Criminal History = Economic Barriers. Loss of employment leads to loss of jobs and employment opportunities, barriers to housing, student loans, licensed job sectors, homelessness.
- Legal financial obligations can create heavy burdens, court appearances impact people's jobs and earnings. There are also major financial burdens on the family - visits, bonds/bail, commissary, and other needs.
- Family separation, Jail time, takes the individual away from kids and family—results in damaged or severed relationships.
- Extreme stress and impact on mental health. Depression and hopelessness. Psychological impacts of being seen as and treated as a criminal.
- Some misdemeanor convictions can lead to future felony liability-- for example, DUI, vehicle prowl, domestic violence. The charge follows you into future legal situations/cases, and many are likely to remain in the system.
- Probation can lead to jail or prison for minor violations.

3) Factors That Cause Someone to Become Criminal-System Involved:

Note that these factors are almost all circumstances and environmental causes.

- Racism
- Poverty, lack of resources, and economic opportunity. Being locked out of employment, BIPOC individuals turn to activities that lead to contact with police.
- lack of mental and emotional health supports
- Behavioral health issues being criminalized.
- Family and societal influences add to this vulnerability. Family breakdown, at times caused by mass incarceration policies, lack of familial support,
- Problems with substance abuse.
- This dearth of positive options can result in peer pressure and toxic masculinity.

Step 3: Determine Benefits and Burdens/Harms

*Please note that the benefits participants listed in the questions below are based on the assumption that the diversion program would be established in the ways they recommend. For example, if a community-led Restorative Practice were used, there would be multiple benefits for individuals, families, and the community. Many RET participants also distinguished between theft that harms community members and small local businesses and theft from corporations. They recommended community-based restorative practice for the former, with a different response for the latter. This is covered in detail in the section on Program Recommendations.

Benefits of a Successful Diversion Program

- BIPOC communities see a decrease in imprisonment in their communities.
- Stopping the harm from conviction, incarceration, and debt in the BIPOC communities can begin to decrease the generational harm from the criminal legal system.
- Reduce the grasp that the criminal legal system has on the BIPOC community members.
- In the long run, financial benefits will be substantial, reduced costs in the criminal legal system, greater investments in people and the community.

Benefits for Community

- Restorative practices used in the diversion program would benefit the whole community.
- Increase in peace and safety in the communities. It will reduce recidivism and provide more public safety within communities of color.
- It can address root causes and bring healing.
- Community-based projects help bond people to the community they live in and restore and build community engagement.
- Involvement of business community stepping up will have many benefits. A successful diversion program will reduce the cost to taxpayers.
- “How does a small band-aid help a giant wound?”

Potential Harms/Burdens of a Diversion Program

- Diversion programs can exacerbate racial disparities if not properly implemented. It will be important not to have ruled out diversion eligibility for criminal history.
- Should not be any financial barriers to diversion, such as prior fines, fees, or restitution requirements - including victim compensation - should be imposed on the individual participant. Instead, create accountability as individually designed in a restorative justice process.
- Over-prescribing requirements or creating unrealistic requirements. Arbitrary time commitments that are too rigid or unattainable do not set people up for success.
- Potential harm can result if disproportionality in access to diversion continues. It is critical that each step in the process does not exclude BIPOC individuals but rather intentionally serves them. Outreach must be really effective in contacting people and fully informing them of the diversion options. Sufficient data must be tracked to assess each step in the diversion process.
- Creating a one program fits all people approach: putting all the resources into 1-2 existing programs. Instead, allow a few more programs to excel and support our community.
- Not doing an environmental scan to invest resources properly and address gaps. It could be harmful if people aren't able to define their own needs. Lack of appropriate resources, lack of culturally relevant options, and not having enough gender-specific services could mean individuals are not able to reach positive benefits.

- “The system presents itself as a savior. But it is in the way of the solution if it continues to take in the resources and not invest them in the community.”
- Not addressing root causes: Developing ‘diversions’ here and there for small pockets of the system distracts from the imperative to address root causes. “It could hurt if you believe the diversion program is the solution to the problem. A minor less of harm is not acceptable.”

"No criminal history bars will be key to ensuring that the program isn't harmful, given over-policing and racist systems."

Step 4: Advance Opportunity and Minimize Harm

Obstacles and Barriers to creating change in the Criminal Legal System:

- The people within the system benefit from the system, from those in leadership, in positions of power, those with good-paying jobs. Those in positions of power are ego-invested and refuse to give up power. They can do this by getting out of the way and giving up funding, jobs, etc. *“At this point, it is willful ignorance.”*
- People in the bureaucracy who make decisions aren’t close to the end result, allowing them not to see humanity. They see their role as a job and elude accountability for its’ impact.
- There is institutional racism, lack of cultural competency. There is also apathy on the part of people and segments of the society not adversely impacted.
- Fear of making the news—what happens if we give someone a chance? Prosecution sometimes happens out of fear. Some community member believe there is a culture of convictions as ‘wins,’ career advancement agendas in Prosecutor's office. Police union is too strong and upholds racism and bias.
- False narratives about our community. We need to see the HUMANITY in all people.

Strategies

A) Policy Strategies

- Acknowledge and address racist roots in the system
 - It is not enough to acknowledge that institutional racism exists: we must intelligently create alternatives systems.

- Invest in Community and divest from the criminal legal system
 - Acknowledgment of transferring funds to invest in people rather than punching (damaging) people. There was a widely expressed view to structure the response around a divestment of funds from the legal system and investment in community response. Others call for more resources for reform.

- Racial Equity requires changing the dynamics of power
 - Create a dynamic paradigm shift that looks at and changes how power is distributed to make decisions. Maximizing choice and direct decision-making by BIPOC individuals and community at every level is required.

- Cultural shift is required.
 - A widespread commitment to end mass incarceration is necessary. Cultural change is imperative and buy-in from all departments involved in the legal system, from police to prosecutors, to courts. More training for people responsible for arrests, charging, and sentencing decisions was offered as a strategy.
 - Increase BIPOC staff at all levels. Hire people who come from and understand our communities throughout the system. Not just any BIPOC individual but those with lived experience or deeply grounded in community)
 - Decriminalize poverty and homelessness – crimes of poverty should not be considered crimes but incidents to refer to community response.
 - Automatically vacate records after a period of time
 - Take the profit motive out of incarceration. Un-privatize services.
 - “If the system remains, critical to stop incarcerating/surveilling people and to provide low barrier pathways for dismissal for all types of cases and situations.”

Funding Diversion Programs

Among community members and CAO staff, there was a range of views regarding funding diversion options that warrant reflection.

Community Voice: A major theme and expectation that emerged from the community's perspective was for the City to commit to divest from institutional systems that destroy or undermine community and invest in healthy community-based responses. The expectation of divestment includes a transfer of resources. “Current framing of programming and budgets does not take into account that diversion could be viewed, not an add-on cost, but rather a redirection of public resources into community-based responses that can be both more effective and less costly.” This view creates an expectation widely held in BIPOC communities, that if diversion programs are run effectively and continue to be expanded as recommended, the result would be a reduction of budgets in criminal legal systems and an increase in funds for community. Some people believe that the divestment should come from within the CAO: CAO would stop some of its harmful prosecution and reinvest those funds in a diversion program.

All that were engaged spoke to wanting diversion to be owned and controlled by community. Some people expressed that diversion must not be housed within or under CAO's control in any way. From their perspective, to put the funds within an inherently racist system is not a rational strategy to achieve racial equity. They call for investment in

community supports, empowered to design and implement what is best for those eligible for diversion services. Others were open to expansion of the young adult model which is that CAO partners with a community group to own the diversion, but the funds are distributed via contract between CAO and the partner.

It is important to note that, eventually, the community overall expects resource investments to shift. There is an acknowledgment that BIPOC communities have become fractured and displaced due to many factors. Investment in community resilience is essential to address core circumstances that give rise to the criminalization of BIPOC community members.

CAO Voice: In the current structure, the Pre-Filing Diversion Programs provide budgets to community partners to create diversion programs, according to the conditions set in an RFP. These funds are added to the CAO budget. While Pre-Filing Diversion programs do require additional CAO staffing, the goal of those staff is to divert appropriate reports from ever having to become court cases, thereby diverting individuals from ever having to touch the court system.

It took four years to develop all the diversion programs in large part because the City Attorney's Pre-Filing Diversion team lacks funding for needed staff. The CAO is ideologically committed to expanding pre-filing diversion, but expansion requires increased staffing and funds for community partners.

B) Partnership Strategies

"The term 'diversion' signifies that the system should be the primary part of diversion, allowing people to move into an alternative, community-led system."

Make Community Investment the priority choice

Investments in community systems would enable a community response in the diversion process to nurture and sustain relationships between organizations, so community resources are logically provided or imposed as interventions. This investment can occur at all levels – funding effective community-led organizations to operate diversion programs, funding self-defined capacity building supports for these organizations, designing a diversion program that enables community-led responses and supporting individuals' capacity to make healing and transformative choices in their lives.

Community-led

Community members presented a vivid description of the community-led design and implementation beyond the current City mechanism of contracting through an RFP, which includes setting services and options in advance. Main recommendations include:

- Create a network of options for services, perhaps using a participatory budgeting process or other innovative design methods.
- Community acting together: Enable a community response, self-directed by community members and those with lived experience. For example, providers in current effective diversion programs look at people's immediate community support network: family, natural mentors, their natural supports—engagement by many, not just those that get paid.

- Cross-cutting connections among services, supports, and cross-sectional treatments.
- Optimize the self-directed model and maximize decision-making by the individuals impacted.
- Similarly, smaller agencies in the community supportive network determine what capacity they need and from whom.
- People with lived experience expressed a requirement that diversion would only be worthwhile if it can be designed and run by people at the ground level, including those directly impacted by the criminal legal system.
- View diversion as more of a process versus a program.
- Some believed that charges should be declined upon entry into a diversion program, and others believe that charges should be declined upon completion.

Using a social equity lens to maximize benefits for BIPOC individuals and communities is critical, including BIPOC community members providing oversight.

C) Program Strategies

The diversion program must stop treating the individual as the problem. Address the circumstances that led to criminal behavior, avoiding the demonization of a person or group.

Using a strengths-based approach, with resources to meet needs:

- treat the issue more as a behavioral health issue than a crime.
- Have a diversion/advocacy model that promotes self-determination for survivors and self-accountability for people who cause harm.
- Help participants develop critical thinking skills.

The Diversion Program should be focused on addressing resources and providing foundational services. Wrap-around services - Including family reconciliation, drug and alcohol services, and mental health services. The Social Determinants of Health need to be addressed.

- Mental health needs to be addressed & be a focus in the program (from program design and resources committed)
- People need to have their basic necessities met (stable & safe housing, food, healthcare)
- Provide educational and job development so that individuals have access to economic mobility and stability.
- Partnering with organizations that provide these services to adults, such as mentorship/life coach support in a mentor/mentee program, cultural identity, and positive self-image.

"This all sounds like Healing Centered Engagement"

- Peer-based interventions
- Licensing help, assistance with identification documents, employment support
- Long-term care of the individual if needed.

Culturally Responsive Behavioral Health Supports - the program should have counselors, case managers, and community members as part of the program.

- Create a genuine alternative based on restorative practices.
- Diversion should be a healing process for the individual and community.
- Include reunification of the person with their family & support in this process.
- Healing circles

Establish a set of principles to guide design and implementation

- as much money as possible going into the hands of the people in the diversion process.
- clients choose who they work with and the range of services they access
- use community-driven way of selecting agencies
- contract with agencies with staff and leadership with lived experience

Build community, keep the individual in the community:

- Fund community-based projects that create bonding and provide meaningful service to the community.
- Community Service Social Justice Projects restore and build community engagement amongst people.
- Allow people to make amends by becoming community involved.

Build capacity that supports community-led investments. When we invest in community, we should be thinking about long-term impacts. Examples include:

- Community leaders with lived experience can be certified peer counselors and behavioral health specialists. Flourish Agenda, Dr. Ginwright's organization is now certifying Healing Centered Engagement Specialists.
- Being able to bill Medicaid or managed care = less reliance on systems for funding and supports more community-based behavioral health systems.
- Program centered in client-choice: Fund or assemble the capacity for the range of services, and the client chooses (with support) which services to use. After baseline funding to establish capacity, Agencies in the network are reimbursed for effectively serving clients' needs and not on pre-determined services defined and limited by funders with no connection to those with lived experience.

***"I do not want
this program to
just fund the
nonprofit
industrial
complex"***

Prior to launch: Conduct an Environmental Scan

Instead of the current system of picking a few agencies that pass the scoring process, we need to understand what is already out there and be intentional about creating the spectrum of services needed, funded at adequate levels. Importance to know the continuum of service and who is good for the community in delivering these services and ask the community who is trusted and doing effective work. Who can really handle this diversion program well for BIPOC adults?

What are the critical supports that are missing?

Example: life skills/life coaching beyond a one-day workshop. "If what I need is someone to meet with me long term, to help me be accountable and teach me what accountability is, a life coach to ask me the right questions at the right time. Sometimes a person doesn't know what they are missing because they never had it."

Criminal Legal System Strategies

- Appropriate response to crimes of poverty - treat it like a survival crime.
- Criminal history should not be a part of determining eligibility to diversion or a barrier to accessing resources. There is no acknowledgment that individuals have been victims too.
- The diversion/community response should be pre-filing w/o arrest (rather than occurring after a person is charged with a crime in the system)
- Making as many offenses as possible eligible for not having a criminal legal system response, victim compensation/restitution, community restitution while not filing criminal charges.
- Need to limit one's contact with the criminal legal system, starting from when the crime is committed—those entering the diversion program should not be charged if they go through the program.
- Offenses are handled at the lowest level. No criminal history for a minor crime. Boston and Baltimore⁶ have decided not to prosecute certain cases.

"If I can access that gift within me, that will motivate me to see the jewel and gem that I am, that is transformational. This is often what causes that person to make the shift"

"Dismiss charges automatically without having to 'do anything' in return. Since there is acknowledgement that the system is harmful and racist, a person does not have to "earn" their freedom from harm"

[6] <https://eji.org/news/baltimore-ends-prosecution-of-drossession-and-other-low-level-offenses/>

Additional recommendations to minimize or eliminate harm in BIPOC communities:

- Reduce or eliminate fines/fees
- Support programs to vacate charges and amnesty events regarding court debt
- Policies to automatically vacate records – expiration date
- Get rid of the "game" aspect of the system (for example, prosecutors wanting to have wins/convictions)
- Pathways out of the system even once already in
- Not prosecuting commercial theft and criminal trespass offenses.
- stop the harm of the criminal legal system, including conviction, incarceration, and debt.
- Ensure there are no loopholes around which crimes are eligible for diversion so that officers can't exclude people from diversion.

D) Specific Diversion Program Questions

CAO staff requested community input to questions regarding specific charges and actions taken by CAO in response. This feedback is provided below.

A. How should the City respond to retail theft and criminal trespass from a commercial establishment?

There was a strong consensus from community members that there should not be a response from the city that is penalizing or creates harm. Connect them to the Diversion program, which can design a community response, focusing on the individual and understanding why they acted this way.

- Connect them to resources and support the flourishing of the individual instead of punishing them.
- Use restorative justice response, including the possibility of community restitution.
- Reframe for the City: What is the City's responsibility to folks who don't have their basic needs met?
- Use informed community experts with racial equity analysis and research, local and national, to inform your direction

B. What role should the City have when one person is alleged to have committed violence (Assault) against another person? [It will be important to note that we are talking about misdemeanor assault which would be no substantial injury.]

The City should not have a role. A restorative model is best in a response by the community. However, assaultive behavior in domestic violence settings needs to be addressed. It is devastating to the whole family. Yet some believe, domestic violence can be healed using restorative practices.

The person who caused harm and the person harmed should be at the table for resolution, with trained facilitators. Address why the action happened. Instead of restorative, it is transformational.

There is great bias in the discretion of police and prosecutors in who they charge as violent and

and the charges they put on people. The community doesn't have the power to decide/intervene and give support.

C. Should more people go through a less intense program or fewer people with more intensive and long-term support?

The majority of RET participants prioritized reaching the most people. Acknowledging that a significant number of people in a deferment program would not need intensive services, the program could respond to the need level. Have to offer choices, assessment, and self-selection to decide how to serve the individual. It was also recommended that criteria for less or intensive long-term services be based on the criminal history and offenses.

This is a false dichotomy. It needs to be a process, not a pre-defined program, that is tailored to respond to each person. "Things are effective when they are specific to the people, their circumstance and their trauma."

There was a strong sense of urgency to act, aware of the devastating harm the criminal legal system now causes in BIPOC communities; as many people as possible should not be entangled in the criminal legal system.

"When you look at a dichotomy between less/more, you cheat yourself out of the real experience. It has to be situational based on what the person needs. It has to be based in relationship."

D. Meeting needs of harmed parties.

There should be a remedy to the victim in the mode of Restorative Justice processes.

Remedy can take many forms besides financial obligations. An option of mediation or circle could result in apologies, restitution in other forms besides financial. Allow people to make amends by becoming community involved.

Necessary support to help with healing and restoration should be included. Resources such as a victim compensation fund could be established with government funds or utilizing victim support resources. Fundamentally, the perspective is that the primary repair is in personal accountability and restoration of relationships, not only monetary solutions. For crimes of poverty, applying financial burdens becomes an insurmountable burden.

RET participants expressed a distinction between personal harm and infractions against companies. With the ability to have loss prevention and insurance, large corporations should not be considered a harmed party for purposes of this discussion.

E. Input on funding levels, program duration and organizations to provide services

Funding:

- *\$750,000 per agency, fund at least five organizations*
- *multi-million dollar budget*
- *Offer most intensive services and scale based on how many people you anticipate serving*

- CAO needs more funding for staffing for program implementation (i.e., there would need to be an increase in the criminal legal system budget), and currently, the office is understaffed
- However much the system invests in incarcerating people, it should invest in community

Program Duration:

- Shouldn't set an arbitrary time limit for support
- More a process than a program, based on a person's need and support in community

Types of Organizations:

- need a collaborative: diverse services, community liaisons, and groups allow people to choose
- Be strategic in selecting agencies with a good track record in the work and good relationships in BIPOC communities
- Organizations led by community members, including staff with lived experience with the criminal legal system
- Organizations doing the work and also involved in and driving systems change
- Anti-racist organizations, rooted in abolition
- Capacity building for organizations is essential.

F. Additional Recommendations:

- Mechanisms to gather racial and demographic data need to include identifying Latinx/Hispanic individuals. Currently, this information is not asked. We have no data on the impact of Seattle's criminal legal system on the Latinx population.
- Vital that we act with urgency, given the harms of the system
- Highlight immediacy -provide support to individual and harmed party as well.
- Need to work through a transformative justice lens and think outside the box. Work with other programs implementing divestment and redirection of funds to community supports.
- Can we tap into some national progressive prosecution organizations for CAO support and guidance?
- Diversion program should not focus on the "success" in the program because they are disparities seen in the idea of successfulness.

- Establish robust methods to dismantle harm to BIPOC communities from the criminal legal system:
 - Allow all cases that aren't diverted to be eligible for community court
 - Pre Case Services, i.e., therapy and behavioral assessments
 - Create pathways out of the system even while inside
 - Reentry programming that is tailored to address needs
 - Opportunities for dismissal of charges
- Don't tokenize community members. There are BIPOC individuals without an informed analysis that offer harmful/uninformed feedback.
- Concern that this diversion program isn't fundamentally shifting power. At the end of the day, the prosecutor still holds the decision about how this program is going to be developed and executed

Step 5: Evaluate, Be Accountable

Focus group participants and CAO both emphasized the importance of data. CAO has committed to robust data capture and transparency for the pre-filing diversion program. CAO sends an annual report to community members and stakeholders with details of the year's diversions for the young adult program, including how many people were referred, diverted, and demographic information.

RET focus group participants made several recommendations:

- Capture data when it is implemented: who was served and outcomes achieved. Maintain accurate data based on equity. Collect quantitative and qualitative data including feedback from participants and anecdotal feedback.
- Piloting the program can be effective and informs the areas for improvement and scaling up.
- Adequately fund from the beginning and if there are cost savings in the system, reinvest to expand the diversion program.
- Create awareness to understand the benefits. When success occurs, celebrate publicly.
- How do you inform the community? Can it be decentralized into individual communities?

Two primary themes surfaced from these focus groups. One strategy shared pointed out that some participants felt that an inside (CAO) and outside (Community) strategy is necessary to dismantle institutional racism to increase diversion opportunities for BIPOC community members. The Second strategy came from an abolitionist view that believes that—the Institution—should defund itself and fund community organizations to develop and manage diversion programs unencumbered by institutional bureaucracy.

Although everyone believes that diversion can be beneficial, how it is implemented and financed brings various perspectives. Some believe abolition is necessary, and others believe systems are required as community-based solutions are scaled up to serve greater numbers. These two strategies came from community members who have lived experiences, systems knowledge, designing social programs, developing curriculum, and social work experience. This was a winning combination for recommendations found in this report.

This report comprehensively views two focus groups, whose voices span broad perspectives of BIPOC communities. The thinking was dynamic for addressing the action steps of RFQ/environmental scan, RFP, and funding. What was clear is the growing declaration for systems funding to be reduced and for programming to be community-led. Consequently, part of the purpose of RET is to review the impacts on BIPOC populations. With this intention, for the new diversion program to be successful, targeted methods will be necessary to ensure diversion programming works for BIPOC people and that White people are not the primary benefactor of diversion opportunities, as the data shows.

It should also be noted that there will be successes and lessons learned to continue reform efforts in the development and implementation of diversion programming. Generally speaking, some may call these lessons failures. A statement made by a participant, “we should not view this as programming; it is a process.” Thus, it will be imperative to view the diversion process as a long-term approach for success.

Finally, a diversion program will be successful if certain conditions are met. First, understanding the impact of racism within the CAO and society at large. Second, recognizing the roles of the community as a resource, utilizing its assets as a way of authenticating future plans. Third, honoring promises with the recognition that this cannot become a check the box process and forgotten. Fourth, the CAO will utilize the community recommendations and create actions shared with community members for purposes of accountability and trust. Fifth, that prior criminal history is not a deterring factor for diversion. In combination, these conditions are the hallmark for creating a diversion process that's equitable for BIPOC individuals in the City of Seattle.

ATTACHMENT A

Racial Equity Definitions

CAO-Focus Group 1

**Note: This question was not asked for the second focus group because of the second focus group only meeting for two sessions*

How do you define Racial Equity? And what does it mean to you?

“When I think about equity, it means I’m going to give the client population I’m working with the resources that are required to accelerate the pace by which they can succeed and thrive. That’s how I think about it. But I know that there are some folks who think about that as not fair, to give folks more than what somebody else might be receiving. But if we look at our history, we know that there were some people who had a big old head start over others. So, my goal is to put folks on roller skates so that they can catch up. So that that the children and families who had the greatest difficulty are getting needs met.”

“I struggle to define racial equity, but I think some part of it would be to just stop the criminalization of poverty so that poor folks get the same treatment as rich folks. I would like to see People of Color not have to prove themselves and who they are for every door that they knock on; to get an equal chance...I think we are so far from racial equity right now, but I want to do anything that I can to help”

“Bringing some justice to an out of balance system. The system is out of balance. Simply put the darker your skin the larger the sentence. It could be something like that and bringing justice to [it]. Bringing justice to a system that is out of whack. It is set up to allow people with privilege, the opportunities to advance faster than those that don’t have any privilege or those that have to work harder, so that’s what I work on every day, is giving the people that have to work harder to people without privilege opportunities”

“The two questions have been difficult for me, and I find them actually painful. I don’t know that you can define racial equity. At least I can’t. What does it mean to me? I think it means an internal transformation of character. Because if you don’t start with yourself, you cannot be a contributor anywhere else. There are a lot of perpetrators that sit on zoom calls all in the name of being woke. I think it’s difficult when you have individuals who jump on the bandwagon because its popular. I find it painful.”

“When you talk about equity, it’s difficult. It’s a difficult process to really talk about. But what I do know that it does not mean standing in line 15 to 20 hours to vote. That’s not justice.”

"I think that's hard. I don't have a pat answer for that. I have some ideas about what it should look like, but I don't have a pad definition given all the systems where racism is built in from the very foundation... For me it would mean we are not disproportionately killed by the police, it would mean that our children aren't disproportionately disciplined in schools, it would mean having the same opportunities to get loans and to get jobs and to not be discriminated against...It would look like living in a fair and just society where you don't have to give your children of color the speech and you don't have to worry about them dying every time they leave the house. So that's what an equitable society would like to me."

"I bump what everyone else is saying about racial equity because again, it's new to me. I do want it to be all of us or none of us approach for individuals that have hose barriers those challenges, those obstacles to be able to get that same new fairness and equal access to resources because building relationships and resources are key to restoration"

"I feel like it's really about eliminating disproportionate situations that are connected with race, but also making sure the Black People and People of Color have access to the things they need... There's a lot of the times that we talk about White privilege and people having privilege specifically because they are White. Well, what does that mean for Black People and People of Color? We need to start with dismantling that disproportionately when it comes to race and all institutions and systems and whatever that looks like, but also making sure that we have what we need in order to thrive in this world"

"To me racial equity in the context of this conversation means ending criminal legal systems and coming up with other ways to respond to behaviors and Community...Racial equity for me, it means ending the system and coming up with community responses to and supports to meets the needs of people who are suffering from the harms of capitalism, suffering from a lot of things that many people on this call have talked about today"

"I don't have a padded response. I think it looks different. I can tell you it would include the elimination of policies, practices, behaviors, and messages that reinforce differential outcomes based on race. I can tell you that you know it would include us feeling a sense of belonging and feeling safe. Not having to wonder when we come into [meetings] 'where am I, who am I with, am I safe?'. To not get followed around in the store. To not get wrongfully terminated or wrongfully accused and sitting on death row. It would just look different. And even the criminal justice system has not treated us well. For those who have been convicted of a crime and those who work in the criminal justice system. Actual social workers, paralegals, probation counselors, I don't even know the half of what we've had to endure as Black people fighting in the system and living, working in this system."

“You want to think about racial equity, you know there's so many thoughts that go through my head, I think, echoing the statements that have been said today in so many capacities it's hard to define what racial equity looks like. I think it's easier for me to define what it doesn't look like. But I would say, specifically in this situation like paying attention to the culture and history of this process and ensuring that you know it doesn't continue to impact based on race and impact our black and brown communities further. We talked about access and opportunity, and I think everybody deserves access and opportunity to diversion but data in history shows that even diversions have been inequitably distributed to. So, what does equity mean to me?

Uplifting the cultures and histories and races and opportunities building seats at the table for people who haven't traditionally been included.”

“Racial equity is around folks of color who are racially oppressed having access to various institutions they have not had access to. My understanding is not about system change but about access. ‘You can come be a part of us because the party is over here’. It is appreciated in a lot of ways. It’s important work.

Racial equity [for me] is one of those terms that came out to make the work more palatable to the various systems that we ‘re pushing against. That access. And the work is really about anti-racism work. Both racial equity work and anti-racism work is the meantime work we have to do on our way to liberation work. It is that muscle that we’re fighting because we’re fighting the oppression. We’re fighting to get in we’re struggling to get into liberation work, which is another muscle another skill set.

“Inclusiveness on every level when it comes to systems or like within community, feeling like people feel included without have to ask for that. It’s just a given. And the sense of security for all people to seek out opportunities and just live their lives to the fullest.”

Racial equity is not oppressing anyone. And I think it’s very hard to achieve. No one should be comfortable wherever they are working institutionally that it really is equitable, because it’s not. I think we can inch a little more towards equity if more people realize that these systems are not structured equitably. Maybe we can move on and fix them if we get more people to participate in the system.”

“I also agree that the racial equity definition is really difficult, but I think in my office and what I would to be is that we have a system where someone can understand that it’s a horrible thing to say, ‘well I wouldn’t have done that’ and not understand the privilege and color of their skin, and why that makes no sense. I also look for a system where giving someone a second chance or understanding this was just one little incident in their life is how we view it instead of viewing them as the issue.”

ATTACHMENT B

Jam Board Questions & Answers

Below are the major themes and all of the responses to the questions from both focus groups. Please note that the following is all of the raw data we captured during the focus groups. We are providing so that you—the reader—has access to the responses provided and can make your own decision on meaning.

Key	
Black font	1st focus group
Blue font	2nd focus group

Major Themes:

General:

- The Criminal Justice System (and many other institutional systems) is rooted in racism and disproportionately impacts Black folks & communities of color.
- The criminal Justice System is dehumanizing, harmful, and targets low income BIPOC communities, those who are experiencing homelessness, and those with mental health concerns. There is over policing, over sentencing, and not enough police accountability.
- People are criminalized for not having basic necessities or supports
- The Social Determinants of Health need to be addressed. People need to have their basic necessities met (stable & safe housing, food, healthcare, etc.)
- Mental health needs to be addressed & be a focus in the program (from resources to how the program is built out)
- The criminal justice system needs to focus on understanding the “why” this behavior occurred, then work to provide resources and address needs with the person instead of penalizing the person
- When people enter the criminal legal system, there is an impact and breakdown in the family unit as a whole. The reunification of the person with their family & support in this process ought to be a part of the process.
- Need to limit one’s contact with the criminal legal system, starting from when the crime is committed—those entering the diversion program should not be charged if they go through the program
- Diversion program needs to be created by those who the program would serve; those who have gone through the justice system.

- Diversion programs ought to do an environmental analysis to understand the individuals background and then fill in the gaps in providing resources
- Decriminalization\Decriminalize poverty and homelessness
- There needs to be a connection to community. Community needs to be a part of the process
- Lack of representation of BIPOC staff at all levels. Hire people who come from and understand our communities (not just any BIPOC individual)
- Response from the city regarding retail theft & criminal trespass should be less harmful. In fact, there should not be a response from the city that is penalizing or creates harm. Response should focus on the individual and understanding why they acted this way, connect them to resources & diversion programs, and support the flourishing of the individual instead of punishing. No charges should be filed
- Diversion program should not focus on the “success” in the program because there are disparities seen in the idea of successfulness.
- Provide educational and job development so that individuals have access to economic mobility and stability.
- Be based in restorative justice
- Program design:
 - Program should be focused on addressing resources and providing foundational services
 - Community based projects that create bonding and provide meaningful service to the community. Community Service Social Justice Projects
 - Restore and build community engagement amongst people
 - Provide substance abuse referrals
 - Mentorship/life coach support in program-Mentor/mentee program
 - Long term care of the individual
 - Address basic necessities (provide housing, mental health supports, etc.) that benefit the individual and the whole family
 - Diversion program should be built by community and the people are going through the program
 - Program should be healing process for the individual and community/ Healing centered engagement
 - Diversion program must take a step to stop treating the individual as the problem
 - Should have counselors, case managers, and community members be a part of the program
 - No charges should be excluded from the program.
 - Do not exclude individuals from program if they have a criminal history, if they are more than a first time offender, or for victim compensation
 - Should prioritize more people being able to go through a less intensive program vs less ppl in a more intensive program (want as many people to not go through the criminal justice system)
 - Program should be provided as an immediate response & option to the individual

Other Major Themes:

- Making as many offenses as possible eligible for not having a criminal legal system response, victim compensation/restitution, not having the person be charged by the system
- Criminal history should not be a part of determining eligibility
- “Diversion” term signifies that the system should be the primary part of diversion, community response should be the one that responds

- Emphasizing divestment model—the system should have a restorative response. It should be funded in a divestment to investment model that invests in community responses**
- Highlighting immediacy -Provide support to individual and harmed party as well
- Person getting their needs met changes their mindset (vs. I'm going to get locked up anyways)

Benefits if program runs well:

- Investments in people and the community
- BIPOC communities see decrease in imprisonment in their community, less policing as well
- Reduction in Jails and prisons
- Less harm caused by system
- Basic needs are provided (housing, food, healthcare for mental, physical, and emotional needs)
- Job retention
- Individuals going through the program will have the tools, support, and self-esteem to move forward and have self-autonomy
- Number of people facing criminal charges goes down
- Financial benefits in the long run

1) What are the Equity issues facing BIPOC people living in the City of Seattle?

- Institutional & Systemic Racism
 - Racism, overt, and implicit. Micro and macro aggressions
 - Discrimination
 - We victimize each other--horizontal racism
 - Isolation living in such a White city
 - The system positions of power (that represents the power majority) refuse to give up that power. They can do this by moving out of the way and giving up funding, jobs, etc.
 - [The system positions itself as a savior, which is to divest resources back into the community where the resources, programs and funding belongs](#)
- Criminal legal system inherently racist & harmful + Over policing
 - Criminal legal systems racist and harmful
 - BIPOC Communities are over-policed (3)
 - racial profiling
 - Jails and prisons and criminal punishment system
 - Criminal legal system is used as a pathway to services
 - Criminalization and incarceration of self, family members, friends, and loved ones
 - Too much system contact
 - Immigration & deportation
- Employment (Access, equitable opportunity)
 - Access to livable wage jobs (3)
 - Inadequate employment opportunities (2)
 - Educational opportunities that lead to economic growth and development
- Housing
 - Lack of generational wealth from property ownership--racism within housing opportunities, etc.
 - Severe failure to provide housing
 - Housing instability
 - Expensive rent/mortgages
 - Gentrification
 - "we don't live here" [in Seattle]

- Mental & Emotional health
 - [Psychological injury and trauma \(2\)](#)
 - Lack of healthcare including mental health care that is culturally appropriate
 - Not feeling understood
 - Mental health and disproportionality
 - Lack of cheerleaders
 - We only get a little breather when we have a buffer like our families
- Social Determinants of Health (healthcare, housing, transportation, language access, food deserts, educational opportunities, poverty, gentrification)
 - Lack of childcare (3)
 - Lack of adequate transportation (2)
 - Covid relief
 - Sidewalks to school
 - Language access
 - Lack of healthcare
 - Poverty
 - Food deserts
 - Food insecurity
 - Worry about basic needs and survival
 - Eldercare
 - Poor performing schools
 - Lack of higher educational degrees
 - Educational opportunities that lead to economic growth and development
 - Access to technology
 - How our children come into the world, the school system that is not about educating folks. Lack of and miseducating. Grooming people to think a certain way
 - What isn't an equity issue
 - [Inequitable distribution of resources, funding being invested in the criminal punishment system rather than into addressing root causes such as reparations, poverty](#)
- Representation
 - [Lack of presence of people in positions of power that reflect the communities they are representing/serving \(2\)](#)
 - Inadequate representation

2) Who do you believe is most impacted?

(theme: everyone except cisgender White men and those with higher socio-economic status)

- BLACK/AFRICAN AMERICAN MEN AND WOMEN (6)
- Native Americans (3)
- Latinx Community
- Immigrants and refugees (2)
- non-English speaking/people who speak English as a second language (2)
- undocumented communities
- south end women of color
- trans folks
- queer and trans BIPOC people
- Poor people, lower socioeconomic status, those in poverty (5)
- homelessness (3)
- Folks with financial difficulties. Those locked out of employment because of criminal records.
- families, particularly the children (2)

- There is a ripple effect to not just one person being charged, but the whole family.
- Women and children
- mentally ill, those with behavioral health struggles (3)
- Elders
- people with disabilities (2) (1 from 2nd focus group)
- Taxpayers
- Me
- City or county's budget
- currently and formerly incarcerated
- Foster youth
- Class and income is not as much of a buffer as people think.
- Color is determinate of court outcomes
- We don't want racism Olympics, but we know that the darker you are the more time you get.

3) What city districts do you believe are most impacted?

- Downtown (3)
 - downtown Seattle and other areas with high homelessness rates
- Houseless encampments around the city
- Aurora
- Northgate area
- Central district
- Rainier valley
- Rainier valley-reputations
- Areas being gentrified
- South Seattle, Rainier Beach and Skyway area
- south Seattle and unincorporated areas (skyway, White center)
- folks who been kicked out of Seattle
- Ballard and Rainier Valley
- district 2: south end, beacon
- Renton
- Federal Way
- Kent
- West Seattle
- Burien

4) What factors do you believe cause someone to be "justice involved"?

- Racism (8)
 - Systemic racism, social racism, individual racism (2)
 - especially related for who is stopped, searched, frisked and who decides to call the police
 - racial profiling, discrimination- oppressing people of color, especially black people.
 - Being a person of color and getting a harsher sentence
 - loss prevention officers profiling BIPOC individuals
 - Biased beliefs in law enforcement
- Lack of Mental & Emotional Health Supports
 - Unmet behavioral health needs
 - Unresolved trauma
 - Generational trauma
 - behavioral health struggles being criminalized instead of providing supports not having basic needs met
 - lack of confidence and esteem
 - Mental health

- Lack of support systems
- Economic status & opportunities
 - Poverty (x3)
 - Economics
 - Criminalization of poverty
 - Lack of economic opportunity
 - Being locked out of employment
 - Financial hardship
- Family/Societal influences
 - Family history-I'm trying to be like my Dad
 - Family breakdown
 - Familial support (2)
 - Peer Pressure
 - Culture
 - Toxic masculinity
- Police System
 - Over policing (2)
 - Outdated policy/law
 - Growing up in an over policed neighborhood
 - Understandable distrust of police--(obstruction charges)
 - Biased beliefs in law enforcement
 - Not understanding the codes of power
 - [Prosecutorial Election/Discretion](#)
 - [Poor Police training](#)
- Lack of resources
 - Stealing due to lack of resources
 - Lack of relevant and appropriate community resources
 - Scarcity
- Abuse
- Substance abuse (2)
- Domestic Abuse
- Social Determinants of Health
- Homelessness--folks being charged with criminal trespass, etc.
- Housing instability
- being expelled and suspended out of school
- Failings in education
- [School to Prison Pipeline](#)

5) How could a Diversion program help those who become Justice involved?

"I disagree with the framing of this question as there is no justice in the criminal legal system"—focus group participant

- Provide resources
 - hear from folks what their needs are and try to support meeting those needs
 - Program should provide resources and support
 - Support w/ Basic Needs Beyond Diversion
 - Provide resources instead of incarceration
 - Supportive services
 - help meet basic needs
 - Access to more resources & opportunities
 - help connect with education/job opportunities and training

- important to provide a financial incentive and find a way to compensate people for their time
- Mental health focused services
 - provide connections to supports including case managers, behavioral health counselors, housing
 - Wrap around services - Including family reconciliation
 - Drug and alcohol services and mental health services
 - healing circles -- build community
 - Culturally Responsive Behavioral Health Supports
 - ability to treat the issue more as a behavioral health issue than a crime
 - Help Provide Hope
- Keeps the individual in the community
- Invest in individual
 - The program should help participant discover their strengths and gifts
 - Teach practical life skills
 - Help person see the connections between criminal activity and life impacts
 - opportunity to be seen for your possibility not as a problem
 - Strengths Based Approach w/ Actual Resources
 - have an diversion/advocacy model that promotes self-determination for survivors and self-accountability for people that cause harm
 - The program should help to participants develop critical thinking skills
 - Individual Assessment to figure out the "WHY"
 - [Create new vision for their future](#)
- Prevention
 - Prevent consequences of a criminal charge/conviction
 - Keeps people out of jail/prison
 - avoid all of the harms of the system
 - Reduce the number of times a person touches the system until they finally are no longer in the system.
 - incarceration is expensive, there is a cost benefit to handling cases outside of the criminal justice system
- Decriminalization
 - Decriminalization
 - keeps the individual from having a criminal record
 - No criminal history for a minor crime
 - No Charges After Completion
 - Diversion Should NOT Mean Justice Involved.
 - no charges after the person is referred and makes first connection (that is consistent with the model for youth)
 - No criminal history for a minor crime
 - the diversion/community response should be pre-filing w/o arrest (rather than occurring after a person is charged with a crime in the system)
 - offenses are handled at the lowest level
- Listening to and taking lead from those being served in diversion program
 - hear from folks what their needs are and try to support meeting those needs
 - depending on situation looking at the harm from a holistic perspective and meeting need of who was harmed or lost something
 - [allowing the individual to feel heard- whatever the "why" is, is important to understand](#)
- Program Design:

- It could detach itself from the system as much as possible, it could invest funding in preventative and interventions based in community, it could give up power, it could make itself smaller...
- The way you frame questions impacts the answers you get. When questions are framed in a problematic way, it enables the status quo and re-enforces itself
- The framing of this question is problematic. It can't "help" a situation that the system itself created in the first place

6) How could a Diversion Program harm or be a burden on community and/or those Justice involved? What are your concerns?

- Financial Cost
- incarceration is expensive, there is a cost benefit to handling cases outside of the criminal justice system
- using any amount of funding to support itself (the system). Every dollar that goes into the system is a dollar that isn't invested into community
- Institutional Racism
 - diversion programs can exacerbate racial disparities if not properly implemented. will be important not to have rule outs for criminal history or restitution
 - avoid all of the harms of the system
- Resources
 - Lack of appropriate resources.
 - Not having enough gender specific services
 - over saturation of a specific type of service
- Accessibility
- Pressure anyone to assimilate, so regardless of how helpful it says it will be. It will continue to be a problem.
- It needs to make itself smaller. Even hiring POC is problematic because they are tokenized
- takes ideas from community, co-opts them, they become harmful in implementation and system claims it did its engagement by a process like this
- Program Design
 - could be harmful if people aren't able to define their own needs (if program lacks autonomy of those going through it could be harmful)
 - Over-prescribing requirements
 - important that no fines/ fees -- including victim compensation-- be imposed on the individual participant
 - want to make sure that people aren't facing a case filing even after a connection is made
 - Creating Unrealistic Requirements
 - No criminal history for a minor crime
 - offenses are handled at the lowest level
 - is the family unit a factor or consideration when supporting 24+?
 - An environmental analysis (lack of environmental analysis is harmful, needs to be done)
 - Finding an appropriate balance between the participant's diversion commitment and their personal life
 - insufficient data
 - My concern is that it would target communities and people that are already marginalized.
 - Anything that is not culturally responsive... as system programs never are, there is a missed opportunity, then the system doesn't take accountability ofr its inability to offer appropriate services

- Pros
 - keeps the individual from having a criminal record
 - opportunity to be seen for your possibility not as a problem
 - Decriminalization
 - ability to treat the issue more as a behavioral health issue than a crime
 - connection to community (community)
 - Keeps the individual in the community (community)
 - depending on situation looking at the harm from a holistic perspective and meeting need of who was harmed or lost something (Resources)
 - Access to more resources & opportunities (Resources)
 - hear from folks what their needs are and try to support meeting those needs (resources/autonomy pro)
 - Compliance based services instead of harm reduction

7) What are the negative impacts if someone over the age of 24 becomes involved in the justice system?

- Access to Basic Necessities & Quality of Life (Employment (9); Loss of Housing (8);
 - Criminal History = Economic Barrier
 - impact on criminal history and not being able to get a job
 - Homelessness, Loss of employment, Family separation.
 - loss of housing, employment, family strain
 - housing and employment
 - harder to get housing and employment
 - Housing impacts
 - if incarcerated due to 'involvement' can lose employment, housing, etc.
 - stigmatism of having to report on job, housing application criminal history
 - Travel-- may be limited in mobility
 - License may be affected
 - having to go to court (missing, school, work, or just regular life things)
 - [loss of ability to access certain government benefits](#)
- Incarceration
 - Length of Time to undo Criminal History
 - some misdemeanor convictions can lead to future felony liability-- for example, DUI, vehicle prowl, DV
 - Probation can lead to jail or prison if there are minor violations
 - The charge follows you into future legal situations/cases
 - harsher sentences
 - incarceration, surveillance/probation
 - surveillance/lack of freedom
 - excessive use of criminal legal system normalizes its use and society's reliance
 - criminal history
 - More likely to remain in the system.
 - Mistake is made regarding paperwork that can take time and years to resolve.
 - Lack of sufficient assessments.
 - [Diminished "humanity" seen by the system](#)
- Family impacts
 - burden on the family of the person
 - Family Separation/Strain (x4) ([1 from 2nd focus group](#))
 - jail time, away from kids and family
 - damaged relationships

- Mental & Emotional Health impacts
 - extreme stress and impact on mental health
 - psychological impacts of being seen as and treated as a criminal
 - depression and hopelessness
 - Mental Health and Behavioral concerns
 - erosion of personal identity, sense of self, capital to survive, and get needs met
- Community
 - The destruction of the human dignity of entire communities, the elimination of any resilience and fortitude these groups have, racial groups, adult BIPOC, people with disabilities, etc.
 - The erosion of the fabric of the community
 - Breakdown of community
- Direct financial impacts (expenses accrued through going through the system)
 - Legal Financial Obligations
 - fees and fines
 - Charges/expenses (financial responsibility to the family) - visits, bonds/bail, commissary,
 - Losing employment or employment opportunities

8) Are there ways to minimize the negative impacts once someone becomes Justice involved?

- Family involvement/support
 - Involve family and community supports.
- System approach
 - No probation, no incarceration
 - Recant the case for dismissal
 - ensure that no criminal record or jail time
 - create ways for people to avoid the system all together ensure that no fines/fees including restitution ordered if they become convicted due to being 'justice involved'
 - allow all cases that aren't diverted to be eligible (understanding that diversion must be robust) for community court
 - stop charging for being on house arrest or sram-- it is very harmful and not done in other places (e.g. king county juvenile court)
 - get rid of the "game" aspect of the system (for example, prosecutors wanting to have wins/convictions)
 - pathways out of the system even once already in
 - Support programs to vacate charges and amnesty events regarding court debt
 - divestment from system. investment in community supports and meeting people's basic needs
 - dismissal of charges (no convictions)
 - Do not give up. Offer opportunities for diversion to those who have criminal history
 - Get them services and out of the system quickly
 - Invest in resources so the resources can focus on providing a continuum of services - move community resources out of scarcity mentalities
 - Prevention
 - The system needs to get out of the way as much as possible
 - Automatic vacate records
 - Dismiss charges automatically without having to "do anything" in return since there is an acknowledgment that the system is harmful and racist
- Resources/Support
 - reentry programming that's tailored to address needs

- Access to resources and support
- Support while people are incarcerated...completely getting rid of jails
- support navigating the system (it's complicated and dehumanizing)
- Be attentive to an individual's needs and/or struggle
- Establishing long term (professionally trained) mentoring or coaching resources
- Offer help with no strings attached
- Refer to community groups that offer assistance/resources
- Criminal history being a barrier to resources-no acknowledgement that individuals have been victims too
- Fees
 - Debt deferred
 - Reduce or eliminate fines/fees

9) How can a diversion program benefit the BIPOC community?

- Healing
 - it acknowledges generational harm from the legal system on BIPOC communities
 - Assist in the root causes and HEALING
 - try to stop the harm of the criminal legal system including conviction, incarceration, and debt
 - Support
 - ensure that no crime is charged once connection is made and provide supports and connections
 - provide supports where that would helpful; engage in restorative practices
 - Can help by not having fines and fees putting someone in an even more difficult situation
 - Reduce disproportionality in the system
 - using a social equity lens that includes individuals from the BIPOC community providing oversight
 - Problematic framing: Justice would= restoring what has been taken from those individuals from community
 - It could benefit the community by going away, reducing the grasp that it has over community members
 - How does a small band-aid help a giant wound?
 - hear from folks what their needs are and try to support meeting those needs
 - opportunity to be seen for your possibility not as a problem
 - Keeps the individual in the community
 - No criminal history for a minor crime
 - connection to community

10) How can a diversion program hurt the BIPOC Community?

- Cultural relevancy
- Not being culturally relevant
- Lack of resources that are culturally relevant
- Favoring 1-2 existing programs. Putting too many financial resources into 2-3 programs. Allow a few more programs to excel and support our community
- Not doing the environmental research to see what is needed and not addressing gaps
- Not hearing from those impacted
- Creating a one program fits all people approach
- Not adequately resourcing so that the program has to close or struggle.
- time commitments that are too rigid or unattainable - don't set people up for success
- Inequity regarding access

- no criminal history bars will be key to ensuring that the program isn't harmful given over policing and racist systems
- ensure that victim compensation is not a barrier to diversion; ensure that government pays for victim compensation
- if the program is set up in a way that excluded BIPOC individuals
- Insufficient Data Collection
 - outreach must really effective at contacting people (esp. if the charges could be filed if the person doesn't engage with or complete the diversion)
- Keeping offenses criminal and saying they're just going to divert, it keeps the offenses criminal
- If you take all the crimes of how poverty is criminalized and decriminalized, take all the poverty crimes off the table and divert things that are more serious
- This question is problematic in framing. The premise is that the set-up of the system is righteous or fair
- If you believe this diversion is a solution to the problem. These "crumbs" that are offered are pseudo incremental reforms that aren't making actual substantial changes to the circumstances of people of communities
- Let all the pettier things go completely to free up resources to invest in the more serious offenses
- Start with the greater, more serious offenses
- If there isn't trust or a connection between the people participating and those running the program. No chance for vulnerability and understand of the "Why"

Systems Roles:

11) What elements/specifics of the "system" do you believe is racist or unfair?

- The whole thing (x10)
- the entire system is racist and harmful and relies on toxic capitalism and oppression
- racial disproportionality at Every Point of Contact, every stage of the system (policing, prosecution, court process, sentencing, incarceration) (6)
- Need to divest
- It's DNA. It's foundation. This is why it needs to work on going away. Making itself smaller, not keeping itself in place. Not coming up with diversion, it needs to divest
- labeling someone and giving them a criminal conviction is extremely harmful to the individual and our community
- locking people in jail cells harms them including their mental health, leads to them losing housing and many other documented harms
- Putting people in cages
- Lack of information
- Lack of Representation of BIPOC Staff @ all Levels
- Lack of equal case review and fair legal practices.
- Lack of cultural competency
- The violent offender myth
- Blind trust in the police report
- Overuse of guilty plea deals
- "Colorblindness" being acceptable in the system

12) What changes do you believe are necessary to "Change" the system?

- Allow more COMMUNITY support and advocacy.
- More black representation (lawyers)
- Hiring More People Who come From and Understand our Communities

- the system cannot be reformed. it must be dismantled and allow for a community response
- everything I wrote on the other side (group 2, q 11)
- i believe the system needs to be completely dismantled and we need new systems of care (prevention) and responses to harm (intervention) in place of them
- making prosecution and incarceration obsolete
- Culture shift. Commitment to end mass incarceration
- More resources towards reform and defense
- More support and resources for alternatives to traditional prosecution/courts
- Buy in from all departments involved in the legal system
- if system remains, critical to stop incarcerating/surveilling people and to provide low barrier pathway's for dismissal for all case types and situations
- Peer to Peer Interaction by employing those with the lived experience.
- Cultural change within the system—from police departments to prosecutors to courts
- Take it out of the government and put it in community
- De-politicize it
- Take out profit motive of incarceration. Un-privatize services
- Change the narrative that its beneficial to someone (victims or 'offenders')
- Make itself smaller/disappear
- Divest
- More training for the people who are responsible to make arrest/charging/sentencing decisions
- Need to look at a multitude of factors when determining if a charge can/should be charged besides what is in four corners of a police report
- We need to see the HUMANITY in all people
- The bureaucracy is a part of the issue
- Making sure there are no loopholes around which crimes are eligible for diversion so that officers can charge people and exclude them from diversion

13) What do you mean when you say the system is unfair?

- Institutional racism
 - Racially disproportionate
 - Racist practices and policies
 - Not enough consideration or education on culture
 - Unfair sentencing/practices impacting black people
 - Continued way to control, surveil, and dehumanize black people
 - African American's and People of color are given harsher sentences than other races.
 - It is dehumanizing
 - The color of skin is predictive factor in outcomes
 - Every Point of System Contact Produces Racial Disparity
 - people who are wealthy or have resources are able to avoid pretrial incarceration while those who don't are incarcerated pre-trial
 - Police union too strong and holds up racism & bias
 - the system targets BIPOC individuals and those experiencing poverty and behavioral health struggles while allowing doing nothing to help them or our community
- Lack of services/resources
 - The system gives little services. Services are not enough to sustain change
 - Not enough resources toward defense
- A lot of talk, but not a lot of action
- Little police accountability

- Doesn't do anything to repair harm simply exacerbates it
- It's design to eliminate and/or control a certain group of people from society
- My Experience Working in "the system" is that Leadership is Disconnected from Community.
- System Lens is Generally Punitive vs Transformative
- People are forced to go to many lengthy hearings, incarcerated, livelihoods disrupted in the voice of "public safety"
- Institution values convictions as "wins"
- Us vs them mentality of the system

14) What do you believe are the obstacles/barriers to creating change in systems?

- Institutional Racism
 - Institutional racism. People don't want things to change (3)
 - There is a benefit to keeping the system in place (2)
 - there are a number of powerful entities that want the current system to continue
 - power structures are set up to punish and label BIPOC individuals and communities
 - White people in power/people in power wanting to stay in power
 - [Internalized racism](#)
- there are a number of entities and 'media organizations' that say that "seattle is dying" and that the system should be more punitive (seattle was the fastest growing city last year)
- Finances, Housing instability and Lack of Information.
- Ineffective leadership
- Groupthink
- Outdated policy
- Lack of cultural competency
- Ego (2) ([1 from 2nd focus group](#))
- Operating out of a position vs. people perspective
- Fear of losing jobs/position
- Politics
- Apathy
- Other systems also failing our people
- Working out finding or allocation of resources
- Fear of victimization even if not fact-based
- Career paths are needed for black people. Attorneys to represent folks with equal pay
- [Willful ignorance](#)
- [Whiteness](#)
- [Persistence in using BIPOC's pain to elevate political careers/upward mobility of bureaucrats and centering themselves \(system, politicians\) \(2\)](#)
- [Individuals not feeling comfortable to acknowledge privilege or their own bias](#)
- [Insistence on centering itself \(politicians, systems\)](#)

15) How should the City respond or not respond to retail theft and criminal trespass from a commercial establishment?

- System response
 - no charges filed regardless of whether person engages with any voluntary
 - Give warning
 - offer of services/diversion
 - Treat it like a survival crime
 - If merchandise is recovered, there should not be a criminal response
 - Organized retail theft is different
 - Recognize the victims of most trespass/theft are corporations, not people

- The city should train police to have equitable discretion
- decriminalize poverty and homelessness
- what's the goal of filing the charge?? can we meet those goals other way?
- City should not respond to merchant, theft, bring it to the community
- They shouldn't (2)
- Look into why and not the what
- This is a community question (it should be responded to in community by community)
- Diversion
 - Offer diversion, but do not file charges if do not complete use prosecutorial discretion to not file retail theft and criminal trespass
 - if you offer diversion and they don't go, don't file the charge. many people don't complete diversion because they can't be found (experiencing homelessness, etc.)
- Provide resources
 - Provide resources to these people
 - Provide resources to basic and essential needs after finding the reasons behind the behavior.
 - The reframe for the City: What is the City's responsibility to folks who don't have their basic needs met?
- provide the resource that is being taken
 - there should be no system or diversion response and, instead, people should be provided resources that aren't linked to a 'diversion' or charge
- possibility for community restitution

16) If you do believe that there should be a response, what should that response be?

- Any response should allow the individual to build community
 - Allow the community to take care of itself--churches and mosques. Think traditional and non-traditionally
 - Finding out reason to WHY the behavior (if any) exists
- Any response should be voluntary and should focus on the person's needs from that person's perspective
- (see prior page-group 2)
- To find out the reason that the person is behaving the way they are. What needs are they trying to meet with their behavior?
- Reframe to: What is the City's responsibility to folks who don't have their basic needs met? The city's default response if any, shouldn't be toward the individual, instead the city should look at the conditions that lead to the individual making certain choices. Inflation is increasing, and wages aren't for example.
- Expand funding for community organizations that are already doing the work of meeting basic needs
- Use informed community experts that have an analysis regarding race and regarding the outcomes of the legal system ALONG with what the research says local and national, and use that to inform your direction
- Reimagine what the funding process/stream looks like
- Figure out what funding distribution should look like and then advocate for that, use your power to change that system (funding distribution), specifically only choosing 501c3s

17) Should a person be subjected to criminal charges?

- No! (4) (2 from 2nd focus group)
- No. You already know that criminalizing people doesn't help, it is harmful. A punitive system doesn't solve the problems it says it was going to solve: doesn't make communities safer, doesn't dissuade, doesn't change behavior, etc.

- Only if the crime causes substantial physical harm
- Diversion should NOT=Criminal Charges
- It depends on the crime and the person's situation.
- Should prosecutors that engage in misconduct face criminal charges?

18) What role should the City have when one person is alleged to have committed violence (assault) against another person? [it will be important to note that we are talking about misdemeanor assault which would be no substantial injury.] If you believe the city should intervene, should the intervention be criminal charges or community diversion? What does that look like?

- Community diversion would be best when determining one's ability to provide FULL participation in the program.
- Groups and workshops to identify the problem and a solution.
- if there is a response, it should be restorative and supportive
- I believe that an environmental assessment could be beneficial when done by culturally relevant community providers who can support root causes of the action as a charge free diversion
- as part of any diversion, may want to explore restorative response especially when the person committing harm and the harmed party know each other
- i think no response is optimal (other than an offer of supports, including a restorative process, for the person causing harm and the person harmed)
- Need resources and people need to engage in them.
- It should be restorative and restorative inherently means it is not responded to in any way by the system that sets people up against one another
- people who caused harm and person harmed should be at the table for resolution. Address why action happened. The city does not have a role
- Assaultive behavior should be addressed esp. intimate partner violence. It is devastating to the whole family.
- The system needs to examine how it enacts violence in the community.
- Assaultive behavior should be addressed esp. intimate partner violence. It is devastating to the whole family.
- The question isn't whether assaultive behavior should be addressed or not. The question is what is the role of the City's punishment system.
- instead of restorative, it is transformative
- See "violent offender myth"
- When prosecutors talk about violence being committed in the community, you're co-signing that the city/state has a monopoly on deciding who is violent and what the city needs to respond to. The community doesn't have the power to decide/charge how prosecutors and the police enact violence into the community.
- community diversion - restorative justice model. People sitting face to face
- It shouldn't have a role, aside from getting out of the way
- People who allegedly commit violent crimes are no different than people who allegedly commit non-violent crimes. The reality is that the distinction is made by police and prosecutors as they use their bias and discretion, which we already know is racist and problematic. It feeds, perpetuates fear.

Program Design

19) What services would be necessary to support people age 25 and over as part of a diversion program?

- Foundational services

- case management, housing support, help with behavioral health struggles, medication assisted tx options, education/job training
- Substance abuse referrals
- mental health support
- Licensing help
- Employment support
- Housing help references + invest money into housing (2)
- Assist getting identification documents
- behavioral health specialists
- assessment and linkage to care long term & case management
- Educational Training--teaching them about the systems that they are navigating. Giving them tools to support them with navigating the world
- Healing circle/ therapy programs
- Racial healing
- Addiction services on demand
- Meeting basic needs: housing, health
- Career training. Skills necessary to obtain liveable wage employment Housing
- Expand funding for culturally responsive and trauma informed services
- Resource the community to do what it does
- Financial resources
- Mentorship
 - life coaching support- focused on a blend of a true model of life coaching and life skills supports
 - Peer based interventions
 - Behavior modification and peer to peer support
 - When people have no hope, they may have no dreams. Help people imagine and realize their dreams.
 - providing people with supports. To assist them with navigating dreams
- Immediate response if possible; currently cases are often being charged when the offense happened 12 to 18 to 24 months ago
- Acknowledge developmental delays that occur without opportunity
- Align success with the experience of people who are going through the system and adjust it for their needs
- Community Diversion
- Community Service Social Justice Projects
 - Community based projects that create bonding to the community
 - Community service but not just picking up garbage. Meaningful service.
- No more programs/ Not program contractors
- not programs, but a process. What relationships can be built. Address the issues that are happening in the person's life
- get down to root problems
- Tools to eradicate the system

20) How can the diversion program benefit the FAMILIES of people that are justice involved?

- Family
 - Family reunification and some form of family intervention
 - Utilize the family support system.
 - Help reconnect participants to estranged families
 - Access to FAMILY therapy
 - Supporting the needs of family in relations to the charges

- If family is involved in the diversion process, it provides a natural support system
- Families will benefit when participants are supported with new resources and participants growth
- Resources
 - Provide housing support; provide opportunities to build community
 - it is important to compensate individuals for their time, including transportation and meals
 - The whole family benefits from the additional resources
 - Resources to support the family needs
 - Assessment and linkage to care
- Creates less of a record for an individual in the community
- If the diversion process includes an element to have system players examine ways humanity is lost by reducing people to actions and behaviors.
- It benefits the community by building up the members of the community so that we have more rolemodels and leaders
- This question is posed with the premise that the diversion is warranted/sensical/wanted/helpful/necessary
- eliminate the stigma of a criminal record and the barriers that currently go with that

21) What/How can this benefit the community?

- A supported community is a safe community
- Community based projects helps bond people to the community they live in
- Makes the community feel supported
- Diversions should be community based and build community naturally
- Prosecution and jail undermine community safety while providing supportive services promotes community safety
- Reduce recidivism and provide more public safety within communities of color.
- providing an immediate response will help addressing underlying needs
- Increase the PEACE and SAFETY of the communities.
- Mentor/mentee relationships gives benefits both ways
- Establish ways for community to be part of the process so that they become a vibrant part of the healing
- Importance of business community stepping up, too
- Prevents a charge from creating/adding to a record
- It could restore and build community engagement amongst the people
- helps meet basic needs/assess what needs aren't being met
- Helps the harm of court fines, fees
- Creates an alternative moving away court system-- cost to taxpayers
- As the healing process begins for the accused person the community reaps the benefits from the restoration of any citizen. if its a healthier person they'll make better choices.
- The community could benefit if it can be used for more serious offenses and if poverty can be decriminalized and if in the process it humanizes the system actors

22) What are the program elements that would address the root causes of the persons why (i.e. why the offense occurred)

- i think all of the suggestions for responses would address underlying needs
- Therapy/Healing
- Therapeutic community support from people that have the lived experience and who are directly impacted.
- Healing Centered Engagement

- Resources
 - will need to find a way to help people meet their needs
 - Harm reduction Case management , financial support to community agencies to deliver the support needed. and linkage to care there are so many contributing factors to a persons action/reaction; (mental health, financial, stress ,housing fidelity, food fidelity. environmental. substance use.)
 - Assistance to get resources-- like Social Security benefits, food benefits
 - provide immediate response
 - provide housing support. assist with behavioral health struggles, medication assisted treatment (3)
 - Baselines for SUD (substance use disorder)
 - Provide tools to help someone overcome barriers
 - Behavioral health specialists, if there is counseling aspect
 - counselors or social workers that are equipped to determine underlying issues leading to an offense
 - Help with getting identification-- if no photo ID it is hard to apply for employment, housing, etc.
 - Employment opportunities element connected/partnered with the model.
 - Substantial changes to a person's condition. House people who are homeless for example.
 - Accessible inpatient and outpatient mental health, behavioral, trauma, and addiction services that are culturally/racially/linguistically responsive
 - Adequate funding for programs and services
 - Offer actual housing
- Identity Development/support/coaching
 - Programs that develop culture and who they are-- identity development
 - IDENTITY DEVELOPMENT. When folks do not have culture, they don't have identity. There need to be roots to stabilize. How do help people understand who they are despite their circumstances
 - a true life coaching/life skills component that supports the mindset and skills development of the individual. Not mentoring, plain coaching, or plain life skills.
 - cultural/ linguistic matches in mentor/mentee relationship
 - Need to understand the systems that you're navigating and how to overcome regardless of circumstances
 - Stop treating person like a problem, but rather a possibility
 - Accomplishment ceremony - this would give a sense of accomplishment for those who don't feel like they matter
- Addressing institutional racism
 - Addressing racism, lack of resources inequity, poverty, people raised around abuse
 - Most clients are involved in multiple systems
 - can the different systems communicate and support the individual
 - Acknowledgment ceremony perhaps for harm the person charged has endured
- Accessibility
 - go to person rather than having them come to a certain place at a certain time; provide transportation for anything
 - Competitive wages for the staff - Fund the program appropriately. Program may currently not have the capacity to really follow participants through the program.
 - Programs where staff receive solid development opportunities that encourage them to truly live not just teach the life.
 - Poverty
 - Expand funding for community orgs already doing the work

- Adequate funding for programs and services

23) How would you determine who is eligible for the program? What charges? Keeping equity in mind.

- no charges should be excluded; if any charge is excluded, need to look at the data regarding who is charged with the offense to assess the impact of any exclusion
- It should be based on FACTS not accusations.
- don't exclude anyone due to victim compensation
- don't exclude anyone due to criminal history
- Not only first-time offender
- Using data to determine eligibility
- identifying the most visible group based on data
- Both thief and assault misdemeanors should be eligible for the program
- Anyone, or maybe if there is convictions that would bar participation maybe have a time limit of past conviction
- it would be ideal if everyone went through an initial screening process where the requirements for diversion were decided by community before hand and the criterion is established
- most charges if no substantial harm is caused to a victim/the offense is non-violent
- The parameters should be as broad as possible and should focus on the most "serious" cases and on the most impacted populations
- Everyone going through the system should be eligible
- Any process should be person centered

24) If done well, what outcomes would occur/

- divesting from the legal system (and the jail) and investing in people and community
- meeting needs and not causing additional harm
- Reduction in the JAILS and Prisons.
- Housing and Employment Sustainability
- Job and Housing Retention
- help people in their relationships through a restorative justice focus
- not labeling people and harming with criminal history
- Decrease in Substance Use
- with a prescriptive approach to serve, individuals should be able to navigate with success
- Reduce Black, Indigenous persons in the system
- Individuals gaining self-autonomy
- Provide individuals with support systems
- Education, employment, centered in family structure, strong sense of identity, gain significant role in community, understand value of sharing their story
- personal improvement plan
- become a person who can share their testimonial
- reunification or reconciliation in family unit
- the community will all benefits from the restoration of any citizen
- the number of people facing criminal charges/in the system would go down
- Recidivism rates and/or filings would decrease
- The victim would get some relief
- The person in the program would feel more whole and able to contribute to society productively
- There would be cost savings in the long run

- The system would shift money into the community. It's budget would become smaller, employment of attorneys would reduce, less judges, less everything.
- The outcomes would be based on the changes that happen in the system, not on the people the system exploits
- keep people out of the system. Allow them to become empowered

25) If you had to choose, would you rather see more people go through a less intense program OR less people receive more intensive long-term services and support?

- more people go through less intensive program (6)
 - with a referral for people to get additional support. at a minimum, we need to stop harming people through the criminal legal system
 - More people go through a less intense program (Case by Case basis)
 - Short intensive intervention which leads to a body of choices which leads to a better outcome
 - as many people as can be served without resources being stretched thin and the opportunities are actually beneficial
 - Provide quality programming to as many people as we can
- More intensive. Less people. (2)
 - Sustainable change takes time. Past models that serve the masses for pennies a person doesn't work.
 - it would be most beneficial if we did a thorough job of care with a few than inadequate services for many. The life change brings hope and is contagious. Each one teach method
- assessment and self-selection to decide how to serve the individual
- Connect to resources in the community (community--natural partners)
- Have to offer choices
- Based on the criminal history and offenses this should establish the criteria for less or intensive long term devices
- Scaled to offense-- theft or assault could have different look
- Neither
 - This framing puts us in a place of deciding who is more deserving. Nobody should be in that position. People deserve more than the bare minimum. They should receive it all.
 - have to understand, when you look at a dichotomy between less/more, you cheat yourself out of the real experience. It has to be situational based on what that person needs. It has to be based in relationship so you know what people need
 - Establish a process, not a program
 - Neither are helpful or supportive of the community. Neither is equitable
 - This framing is presented to the benefit and advantage of the system through a White supremacist frame of a scarcity mentality
 - People should have the support they need. Any process or program that doesn't do this is not helpful.

26) What are your suggestions for the implementation of the program to determine effectiveness that can be used to spread the work? (starting small to grow)

- i don't think the program should start small to grow. rather, i think it should work to provide response while limiting the harm of the system immediately
- Capture data when it is implemented. (4)
 - Who was served and outcomes. Quantitative and Qualitative including feedback from participants.
 - Maintaining accurate data based on equity
 - Ask for anecdotal feedback from participants to supplement data

- Have more peer support and mentorship from people who have the lived experience.
- Create an awareness to understand the benefit
- When success occurs, celebrate publicly
- How do you inform the community?
- Can it be decentralized into individual communities?
- Community investment
- Adequately fund from the beginning
- Strong care from community partner
- Piloting the program is effective and informs the areas for improvement and scaling up
- And if there is cost savings reinvest to expand
- Start with the most intense needs, intervene with people who are Black and from most impacted demographic communities
- Start with the most intense needs, intervene with people who are Black and from most impacted demographic communities
- slow process to itemize and prioritize individual needs. Serves person to person
- Person in the program chooses what services they need and from whom
- the more centered it is in the community and not in the system, the more effective will it be

27) How can this diversion program meet the needs of harmed parties? Including their material needs?

- I think there should be a victim compensation fund that the city funds in order to provide support for harmed parties as putting people in debt is very harmful
- Victim compensation fund by government
- Have a fund where restitution actually gets paid
- there should be a financial obligation/remedy to the victim
- Have resources available to refer victim to, like non-profit victims service agencies
- Have an option of a victim's statement that is received from victim to be given/read to person who caused the harm
- Have an option where suspect writes apology to victim
- Provide the necessary support "Financially" for any services needed to help with healing and restoration.
- Large corporations with the ability to have loss prevention and insurance should not be considered a harmed party for purposes of this discussion
- RESTORATIVE JUSTICE
- Ability to be seen as caregiver not a criminal
- Some option of mediation, or circle

28) Are there any other ideas, comments, information, you would like to share to inform the development of this toolkit & Design of the diversion program?

- Set up a response that can allow for people to have an immediate response
- Important that we act with urgency given the harms of the system
- Important that impose restrictions on who can be "booked" into custody so that folks eligible for diversion are not arrested and booked into jail
- structure the response around a divestment of funds from the legal system and investment in community response
- Allow People to make amends by becoming community involved.
- throughout this discussion, needs to be recognition that the current system is harmful and that doing nothing is better than what is currently happening

- Don't tokenize community members. There are community members that don't have an informed analysis that offer harmful/uninformed feedback, but are involved only based on the virtue of their identity (skin color, job, etc) (2)
- This isn't fundamentally shifting power dynamics. At the end of the day, the prosecutor still holds the decision about how this program is going to be developed and executed. (2)

