



SEATTLE CITY COUNCIL  
**CENTRAL STAFF**

# **Council Bill 120247: Duties of the City Attorney's Office**

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DECEMBER 9, 2021

# CB 120247

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- No current section in the code governing the City Attorney's Office except for what is in the City Charter:
  - Article XIII, Section 3 of the City Charter provides that "The City Attorney shall have full supervisory control of all the litigation of the City, or in which the City or any of its departments are interested, and shall perform such other duties as are or shall be prescribed by ordinance..."
- CB 120247 adds a new Section 3.46 to the code
- Adds data reporting responsibilities to the City Attorney's duties for the criminal division, pre-filing diversion, and pre-booking diversion

# Criminal Division Reporting: Quarterly Reports

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- Percentage and number of cases:
  - charged compared to cases declined or diverted;
  - going to trial and for which offenses; and
  - resulting in conviction, including, but not limited to, dispositional continuances and the ultimate disposition in those cases;
- The final disposition on all charged cases; and
- As available in the criminal case management system, demographics, including race, ethnicity, and gender for individuals for individuals in cases identified

# Pre-filing Diversion: Annual Report

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- Number of individuals referred, participating, and completing the program;
- Barriers preventing completion;
- Total number of reports referred and diverted;
- Self-identified race, ethnicity, and gender;
- Self-identified race and ethnicity for victims supporting participant diversion and the corresponding participant and for when individuals cannot participate in diversion because victims expressed safety concerns;
- Self-reported age, housing status, housing stability, employment status, school enrollment, income, employment if a student, and whether the individual is supporting children;
- Services provided or after care through the Court Resource Center
- Recidivism for crimes committed in Washington State; and
- The annual goal for each part of the program and if the goal was met.

# Pre-booking Diversion: Quarterly Report on LEAD Support Position

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- Any changes from the scope of work for staff supporting pre-booking diversion:
  - The scope of discretion of the attorney making filing decisions for booked/in-custody reports and out of custody reports;
  - Coordinating negotiation for all enrolled clients with open SMC cases;
  - Appearing at all substantive enrolled client hearings at SMC;
  - Attending all LEAD operational workgroup meetings and other LEAD, Co-LEAD, and Vital meetings;
  - Training new staff working on pre-booking diversion;
  - Tracking information on enrolled clients; and
  - Primary focus of the pre-booking diversion attorneys on pre-booking diversion programming except for short-term coverage of other matters.

# Potential Amendments

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- Amendment 1, sponsored by CM Lewis: Technical Changes
- Amendment 2, sponsored by CP González: Adding Notice Requirement
  - The City Attorney's Office shall notify the Council at least 90 days before it implements any material changes to the pre-filing diversion program, including, but not limited to changes in eligibility parameters for individuals to qualify or participate in pre-filing diversion, changes in the type of offenses that are eligible for diversion, and changes in the pre-filing diversion model or how it is being administered that would impact participants, to the extent such information is not protected by attorney work-product.

# Questions?