

# 2022 Seattle City Council Budget Action

Council Budget Action: Agenda

Tab	Action	Option	Version
LAW	002	A	001

**Budget Action Title:** Add \$267,000 GF and 4.0 FTE to LAW to fully staff and expand pre-filing diversion and cut a 1.0 FTE Strategic Adviser 3 position

Ongoing: Yes Has Budget Proviso: No

Has CIP Amendment: No Has Attachment: No

Primary Sponsor: Lisa Herbold

Council Members: Andrew Lewis, Lorena González

Staff Analyst: Asha Venkataraman

Council Bill or Resolution:

Date		Total	LH	TM	KS	AP	DJ	DS	AL	BC	LG
	Yes	0									
	No	0									
	Abstain	0									
	Absent	0									

## Summary of Dollar Effect

See the following pages for detailed technical information

	2022 Increase (Decrease)	2023 Increase (Decrease)
<b>General Fund</b>		
<b>General Fund Revenues</b>	\$0	
<b>General Fund Expenditures</b>	\$267,172	
<b>Net Balance Effect</b>	<b>\$(267,172)</b>	
<b>Total Budget Balance Effect</b>	<b>\$(267,172)</b>	

## Budget Action Description:

This Council Budget Action (CBA) would: (1) add \$267,171 GF and 4.0 FTEs to fully staff the existing pre-filing diversion program and expand the program to include individuals 25 and older; and (2) abrogates 1.0 FTE Strategic Adviser 3 (SA3) in the City Attorney's Office (LAW). The four positions that would be added by this CBA include: one assistant city attorney, two assistant city prosecutors, and one management system analyst.

LAW began a pre-filing diversion program in 2017 for individuals between 18 and 24 who are accused of committing low level misdemeanors, partnering with the non-profit organization Choose 180. In 2018, it expanded pre-filing diversion to support relicensing for all individuals accused of Driving While License Suspended in the 3rd degree (DWLS3), partnering with the non-profit organization Legacy of Equality, Leadership, and Organizing (LELO). In 2021, it expanded pre-filing diversion for individuals between 18

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and 24 accused of non-intimate partner/family domestic violence, partnering with the non-profit organization Gay City.

The Seattle Reentry Workgroup Report, issued in 2018, recommended expanding the use of pre-filing diversion to individuals aged 25 and older. The Council adopted Statement of Legislative Intent (SLI) CJ-24-A-2 in the 2020 Adopted Budget, which requested that LAW evaluate the staffing and resources that would be needed to expand diversion to individuals 25 and over. The Council also provided funding for LAW to conduct a Racial Equity Toolkit (RET) assessing the concept. The SLI response and RET indicated a need for adequately staffing the pre-filing diversion program.

The 2022 Proposed Budget includes \$247,490 to increase a part-time paralegal to full time and adds an SA3 position. LAW has indicated that if additional staffing is added to expand the existing program, it would no longer need the SA3 position. Instead, it estimates that it would require the four positions described above for this work.

The current lead prosecutor position oversees the work of this program. An additional assistant city attorney position would take over some of those responsibilities, oversee staff workload, manage the external contracts and deliverables, identify and update program goals, oversee data collection and management, and collaborate with stakeholders. This would allow the current lead prosecutor to focus on program implementation and training the two new prosecutors on case diversion. In addition, the assistant city attorney would lead LAW in its criminal legal system reform work (such as bail reform, clearing old warrants, encouraging vacating old convictions, reviewing use of pre-trial detention, etc.).

The two additional prosecutors would review and assess cases eligible for pre-filing diversion for the increased volume of cases to be diverted. The management systems analyst would manage programs and data currently done by each of the existing staff and help with reform and systems improvement work.

While this CBA does not include a proviso on these funds, CBA LAW-001-A-001 imposes a proviso on all funds related to pre-filing diversion.

## Budget Action Transactions

#	Transaction Description	Position Title	Number of Positions	FTE	Dept	BSL	Fund	Year	Revenue Amount	Expenditure Amount
1	Pocket Adjustments		0	0	LAW - LW000	LAW - BO-LW-J1500 - Criminal	00100 - General Fund	2022	\$0	\$267,172
2	Pocket Adjustments	City Attorney,Asst	1	1	LAW - LW000	LAW - BO-LW-J1500 - Criminal	00100 - General Fund	2022	\$0	\$0
3	Pocket Adjustments	City Prosecutor,Asst-BU	2	2	LAW - LW000	LAW - BO-LW-J1500 - Criminal	00100 - General Fund	2022	\$0	\$0
4	Pocket Adjustments	Mgmt Sys Analyst	1	1	LAW - LW000	LAW - BO-LW-J1500 - Criminal	00100 - General Fund	2022	\$0	\$0
5	Pocket Adjustments	StratAdvsr3,Exempt	(1)	(1)	LAW - LW000	LAW - BO-LW-J1500 - Criminal	00100 - General Fund	2022	\$0	\$0