

2022 Seattle City Council Budget Action

Council Budget Action: Agenda

Tab	Action	Option	Version
LAW	002	B	001

Budget Action Title: Add 2.0 FTE to LAW to fully staff and expand pre-filing diversion, abrogate 3.0 FTE from LAW, cut \$88,000 GF from LAW to offset funds added to SMC for electronic home monitoring subsidies, and impose provisos

Ongoing: Yes Has Budget Proviso: Yes

Has CIP Amendment: No Has Attachment: No

Primary Sponsor: Tammy Morales

Council Members:

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)
General Fund		
General Fund Revenues	\$0	
General Fund Expenditures	\$(88,000)	
Net Balance Effect	\$88,000	
Total Budget Balance Effect	\$88,000	

Budget Action Description:

This Council Budget Action (CBA) would take the following actions affecting the City Attorney's Office (LAW): (1) add 1.0 FTE assistant city attorney and 1.0 FTE management system analyst to fully staff the existing pre-filing diversion program and expand the program to include individuals 25 and older; (2) impose provisos on existing funding to support pre-filing diversion positions; (3) abrogate 1.0 FTE Strategic Adviser 3 (SA3) and 2.0 FTE assistant city prosecutors; and (4) cut \$88,000 GF to offset funds added in the 2022 proposed budget to the Seattle Municipal Court (SMC) for electronic home monitoring (EHM) subsidies.

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

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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 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 two assistant city prosecutors, an assistant city attorney, and a management systems analyst.

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 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.

The 2022 Proposed Budget also includes \$88,000 for SMC to provide subsidies to those individuals released pre-trial or sentenced to EHM who are indigent and cannot afford the costs of EHM.

LAW currently has eight open assistant city prosecutor positions. This CBA would provide two of those positions to staff the pre-filing diversion program. It would abrogate an additional assistant city prosecutor position and impose a proviso on that funding to support the new assistant city attorney position this CBA would add. It would abrogate another assistant city prosecutor position and impose a proviso on a portion of the funding to support the remaining cost of the assistant city attorney and the management system analyst this CBA would add. This CBA would cut the remaining \$88,000 from the second abrogated position to offset the addition of funds in the Mayor's proposed budget to SMC for EHM subsidies.

CBA LAW-001-A-003 imposes a proviso on all funds related to pre-filing diversion.

This CBA would impose the following provisos:

"Of the appropriations in the 2022 budget for the City Attorney's Office Criminal Budget Summary Level (BO-LW-J1500), \$263,270 is appropriated solely for funding two existing assistant city prosecutor positions to staff pre-filing diversion and may be spent for no other purpose."

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(BO-LW-J1500), \$131,635 is appropriated solely for funding an assistant city attorney position to staff pre-filing diversion and may be spent for no other purpose."

"Of the appropriations in the 2022 budget for the City Attorney's Office Criminal Budget Summary Level (BO-LW-J1500), \$43,635 is appropriated solely for funding an assistant city attorney position and a management system analyst position to staff pre-filing diversion and may be spent for no other purpose."

Budget Action Transactions

#	Transaction Description	Position Title	Number of Positions	FTE	Dept	BSL	Fund	Year	Revenue Amount	Expenditure Amount
1	Cut funds to offset add to SMC for EHM		0	0	LAW - LW000	LAW - BO-LW-J1500 - Criminal	00100 - General Fund	2022	\$0	\$(88,000)
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 Sysys Anlyst	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