

Amendment D to CB 120836 – Prostitution Crimes and Diversion

Sponsor: Councilmember Strauss

Adding Reporting Dimensions and Requiring Impact Evaluation

Effect: This amendment would add reporting dimensions to the annual report on the effect of CB 120836's application. The bill requires this report's publication by the Seattle Police Department with input from the City Attorney's Office. Additionally, the amendment would require that the Office of the City Auditor (City Auditor) conduct a phased evaluation of the bill's impacts, on a timeline that the Council and City Auditor would develop collaboratively.

1. Amend Section 12A.10.040 as follows and renumber as appropriate:

E. City annual reporting and recommendations. The Office of the Inspector General (OIG) and/or an independent, academically based research organization engaged by OIG shall review implementation of this Section 12A.10.040. A preliminary report shall be provided to the Council by June 30, 2026. The following data, or an explanation of why the data is unavailable, and written recommendations shall be provided by the OIG to the Council by December 31, 2026, and at least annually by December 31 until 2030:

1. The number of 911 calls about prostitution loitering on a quarterly basis (including baseline years of 2019-2023 and the first half of 2024);

2. The number of documented contacts between police officers, including community service officers, and individuals encountered during enforcement of the crimes described in subsection 12A.10.040.A;

3. The number of attempts by police officers, including community service officers, to contact and coordinate efforts for diversion, referral to social services, safe house placement, and other alternatives to booking as described in subsection 12A.10.040.D;

4. Data describing the number of individuals who were referred to diversion services, broken out by type of service and provider;

~~((4.))~~ 5. The numbers of each type of arrests for the crimes described in subsection 12A.10.040.A;

~~((5.))~~ 6. The number of individuals transported for booking at jail and of that number: the name of the jail, the number of individuals who are booked into jail, the number of individuals the jail did not accept, the number of individuals transported to a medical facility;

~~((6.))~~ 7. The number of individuals released without booking into jail or being transported to a medical facility;

~~((7.))~~ 8. The number of individuals administratively booked;

~~((8.))~~ 9. The number of prostitution and prostitution loitering cases referred to the City Attorney's Office for prosecution;

~~((9.))~~ 10. The number of referred cases dismissed before or during trial, including pre-filing diversion;

~~((10.))~~ 11. The reasons for dismissal of referred cases;

~~((11.))~~ 12. The results of any interviews of SPD personnel with experience in the field implementing this Section 12A.10.040 and their suggestions, if any, for improving the law or related policies; and

~~((12.))~~ 13. Any other information deemed by OIG as helpful for the purpose of review required by this subsection 12A.10.040.E or providing written recommendations. OIG will work with SPD to determine reporting requirements and periodicity.

2. Add a new Section 6 and renumber subsequent sections as appropriate:

Section 6. It is the intent of the Council that a phased evaluation of this ordinance be conducted by the Office of City Auditor (City Auditor).

A. At a minimum, this evaluation shall consist of: (1) a scoping exercise, to be initiated prior to the ordinance's implementation date, to determine what evaluative dimensions not referenced in Seattle Municipal Code subsection 12A.10.040.E (City annual reporting and recommendations) would best contribute to an understanding of the ordinance's impacts and can be accomplished by the City Auditor with existing resources; (2) identification of evaluative dimensions that would enhance an understanding of the ordinance's impacts and would require incremental resources; (3) identification of potential implementation challenges and strategies that could mitigate them; (4) an evaluation of the implementation process; and (5) an impact evaluation consistent with the dimensions identified in the scoping exercise described in this subsection.

B. The Council and the City Auditor shall collaboratively identify target completion dates for each of the deliverables required as components of the evaluation.

C. The City Auditor's evaluation of the implementation process and the evaluation of the ordinance's impact ("impact evaluation") will require access to the data and analysis referenced in Seattle Municipal Code subsection 12A.10.040.E (City annual reporting and recommendations). To the extent that the City Auditor is not provided access to these products or that the products as delivered differ from their descriptions in this ordinance, the City Auditor may be unable to complete the requested deliverables.

D. The City Auditor should consider including, in the impact evaluation, such dimensions

as:

1. Disposition, at the King County Jail and any other contracted correctional facilities, of those convicted of the crimes listed in Section 12A.11.020;
2. For those receiving SOAP orders, a comprehensive outcomes analysis including a racial and socioeconomic equity component;
3. Community response to the establishment of SOAP zones and to any dispersal of activity related to the crimes listed in Section 12A.11.020 out of any SOAP zone into other areas of Seattle;
4. The degree to which medical, social, and legal service providers can substantiate that the existence, and specific boundaries of, SOAP zones has been a barrier to the receipt of services for their clients with active SOAP orders, including clients' ability to access public defenders and other attorneys;
5. Opportunities to confirm, refute, or refine any findings or recommendations from relevant audits previously completed by the City Auditor;
6. Potential or actual unintended consequences of this ordinance;
7. Efficacy of the ordinance in disrupting commercial sexual exploitation, focusing on commercial sexual exploitation in SOAP Zone 1; and
8. The efficacy of diversion, referral to social services, safe house placement, and other alternatives to booking, and an analysis of what resources and opportunities may help those receiving these resources.