



National Prosecutors' Consortium

Survey Highlights

Washington



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A photograph of the Washington State Capitol building, a large neoclassical structure with a prominent dome and a portico supported by columns. The building is surrounded by green trees and a clear blue sky. The title text is overlaid on a dark blue horizontal band across the middle of the image.

WASHINGTON REPORT Acknowledgements

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BACKGROUND

The National Prosecutors' Consortium (NPC), a collaboration between Justice & Security Strategies (JSS) and the Prosecutors' Center for Excellence (PCE), is designed to collect information on innovative programs employed by prosecutors' offices, to assist prosecutors in developing and deploying new programs, and to expand the research capacities of prosecutors' offices. The team developed a survey that is being administered at the county level across the United States on a state-by-state basis. This survey seeks to accomplish two objectives to support prosecution needs: 1) collection of a thorough baseline of information on the operation of county prosecutors' offices across the country, and 2) identification of those offices that have adopted innovative programs.



METHODOLOGY

NPC conducted focus groups with prosecutors and prosecutor coordinating offices. As part of this effort, NPC identified the desired topic areas and reviewed survey questions. The survey was designed as an agency-based questionnaire intended to collect data on the characteristics and operations within each prosecutor's office. The survey was delivered through an online, secure, cloud-based service using the Qualtrics survey platform. States are being offered this survey on a rolling basis.

As part of the data quality assurance process, we identified a battery of 84 questions that provide the core information requested by the survey. To minimize the proportion of missing data, the weighted number of completed responses was compared to a threshold. Offices in counties where the responses did not pass this threshold will be contacted and additional responses will be requested. This report discusses responses from all partially complete surveys, but there may be changes in the number of valid cases for some questions as follow-ups with agencies continue.

THE CURRENT STATE - WASHINGTON

This report discusses preliminary results from the state of Washington. Out of the 39 prosecutors' offices operating in Washington, at the time of this report (September 26, 2019), 13 counties (33%) had completed the survey.



TYPES OF CASES

Figure 1 depicts the percentage of prosecutors' offices handling specific types of cases. All responding offices reported handling all or at least some felonies, misdemeanors, and juvenile cases. Ten offices reported handling infractions. In addition, all of the responding offices (N = 13) reported handling civil matters. Figure 2 highlights the percentage of prosecutors' offices involved in various types of civil matters. All offices reported handling civil forfeitures and FOIA or other public information requests. The majority of responding offices reported handling nuisance abatement (92%), child support matters (85%), and mental health commitments (69%). Two offices reported handling adult protection cases (15%), and one office reported handling child protection (8%) cases.

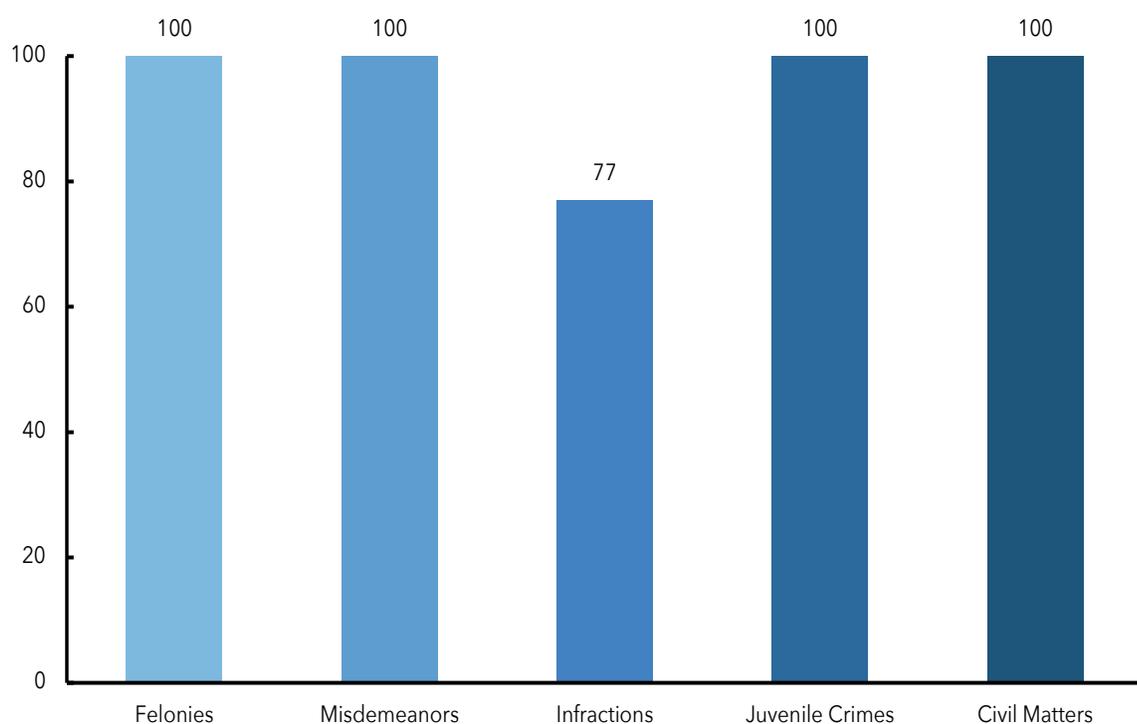


Figure 1. Percentage of Prosecutors' Offices with Jurisdiction over Cases by Type (N = 13).

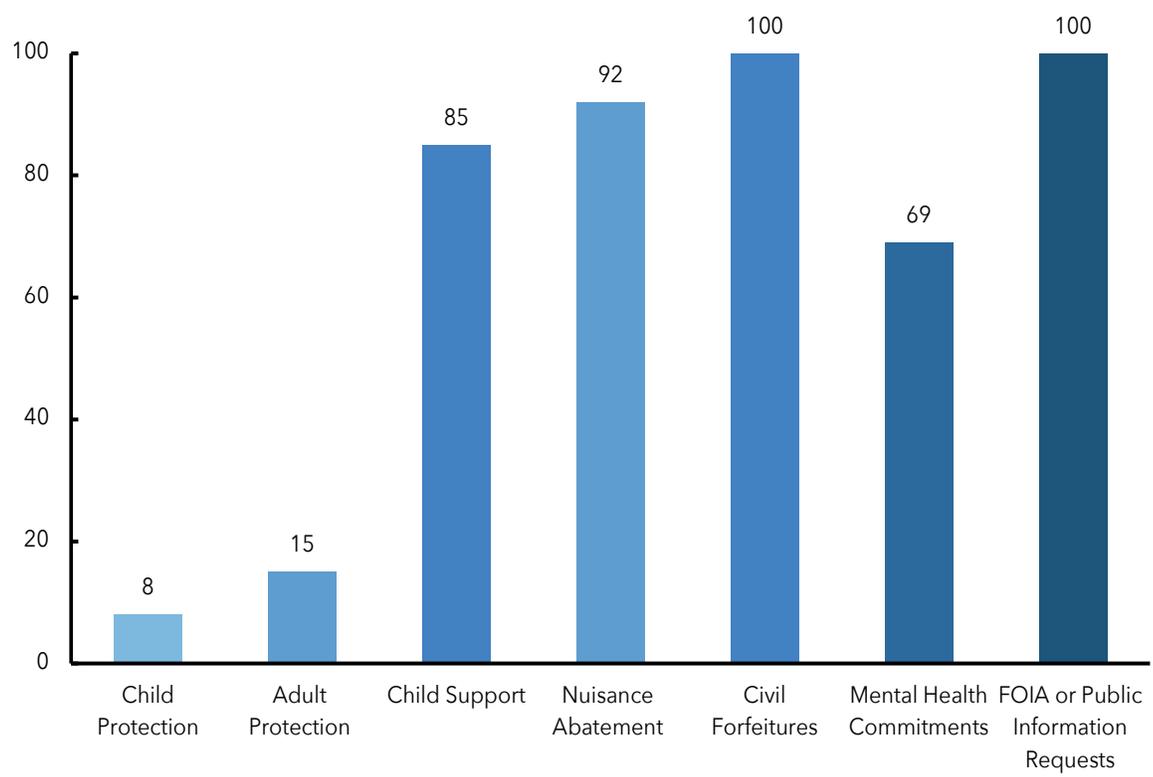


Figure 2. Percentage of Prosecutors' Offices with Jurisdiction over Civil Matters by Type (N = 13).

CHIEF PROSECUTOR

Of the 13 counties that responded to the survey, the majority (85%) indicated that their Chief Prosecutor was elected. On average, the Chief Prosecutors had been in office for about 13 years. The tenure of the Chief Prosecutor ranged less than one year to 32 years. As seen in **Figure 3**, 31% of prosecutors had been in office for fewer than 5 years, 38% for 5-15 years, and 31% for 16 or more years.

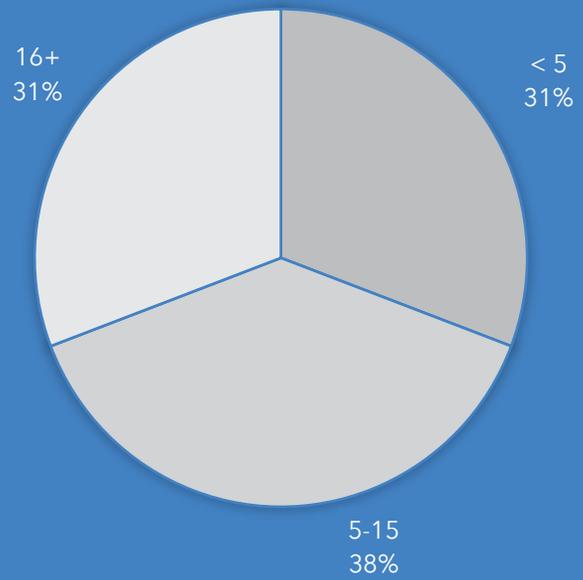


Figure 3. Chief Prosecutor Years in Office (N = 13).

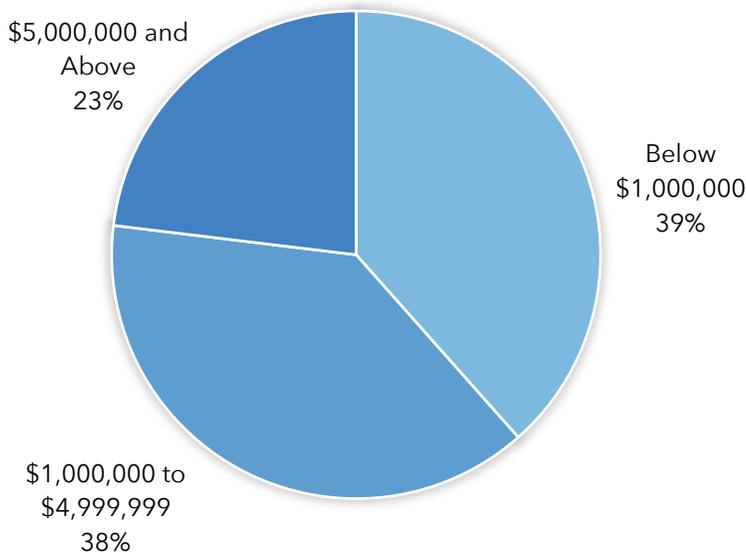


Figure 4. Ranges of 2018 Total Budgets (N = 13).

OFFICE BUDGET

The average 2018 budget for prosecutors' offices was approximately \$9,494,220. **Figure 4** depicts that 39% of the offices had a budget under \$1,000,000, 38% had budgets between \$1,000,000 and about \$4,999,999, and 23% had budgets over \$5,000,000.

The average 2018 personnel budget for Washington prosecutors' offices was \$8,523,021. **Figure 5** presents the ranges of personnel budgets. Approximately 46% of the offices had a personnel budget under \$1,000,000, 31% had budgets between \$1,000,000 and about \$4,999,999, and 23% had budgets over \$5,000,000.

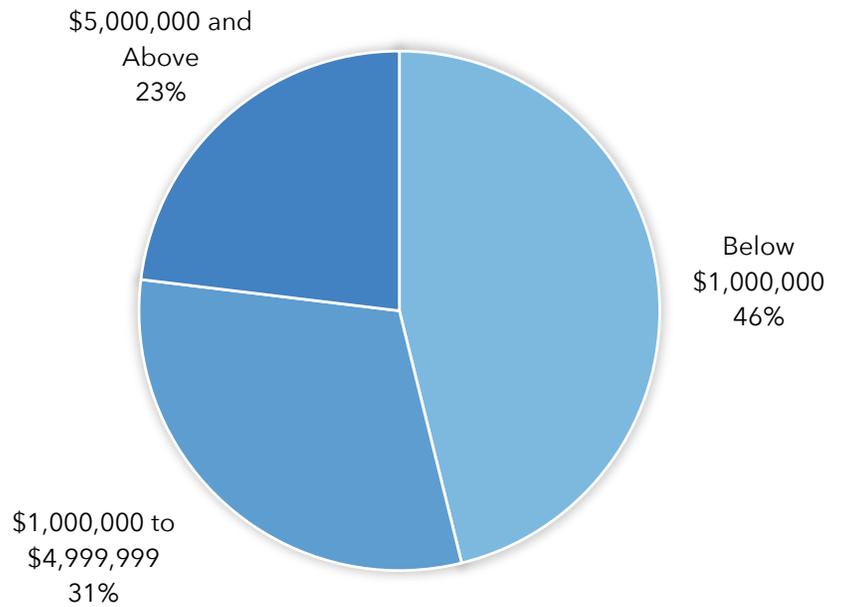


Figure 5. Ranges of 2018 Personnel Budgets (N = 13).

The average percentage of personnel to total budget by budget category is displayed in **Figure 6**. This graph provides a method to determine whether agencies with large budgets spend a disproportionate amount of their budget on personnel costs. From this graph it appears that average percentage of personnel to total budget is similar across budget categories with agencies spending an average of 88% their total budgets on personnel costs.

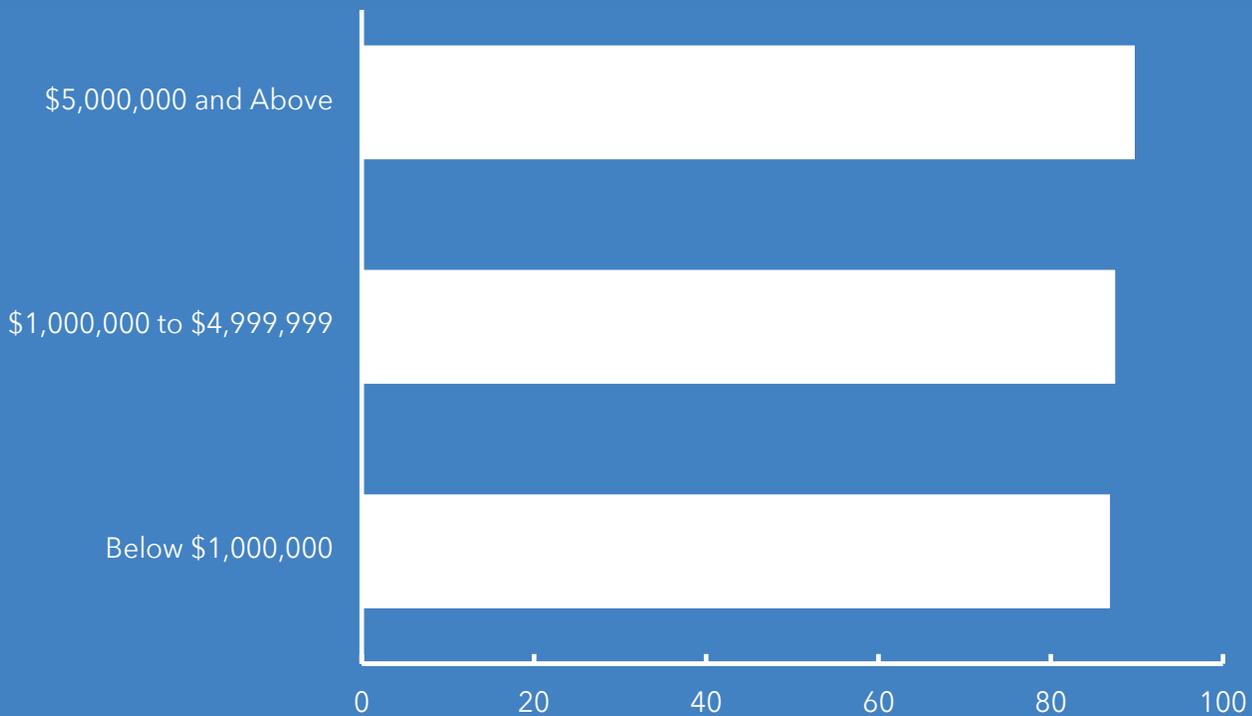


Figure 6. Average Percentage Personnel to Total Budget by Budget Category (N = 13).

STARTING SALARIES

The 2018 starting salaries of recently graduated law students hired as prosecutors in Washington ranged from a minimum of \$53,160 to a maximum of \$69,000. The average of the 12 responding offices was \$60,534.

CASE PROCESSING

In 2018, the offices surveyed reviewed on average 2,382 felony cases, resulting in 1,374 felony cases charged, 853 felony cases with at least one conviction, and 63 felony cases diverted. Further, on average, the offices reported reviewing 3,069 misdemeanor cases, resulting in 2,141 misdemeanor cases charged, 1,578 misdemeanor cases with at least one conviction, and 192 misdemeanor cases diverted. Finally, on average, the offices also reviewed 661 juvenile cases, resulting in 304 juvenile cases charged, 69 juvenile cases with at least one conviction, and 133 juvenile cases diverted.¹

¹ The analysis of caseload information is preliminary and pending additional data validation. For this reason, one site was excluded from this and subsequent caseload analyses.

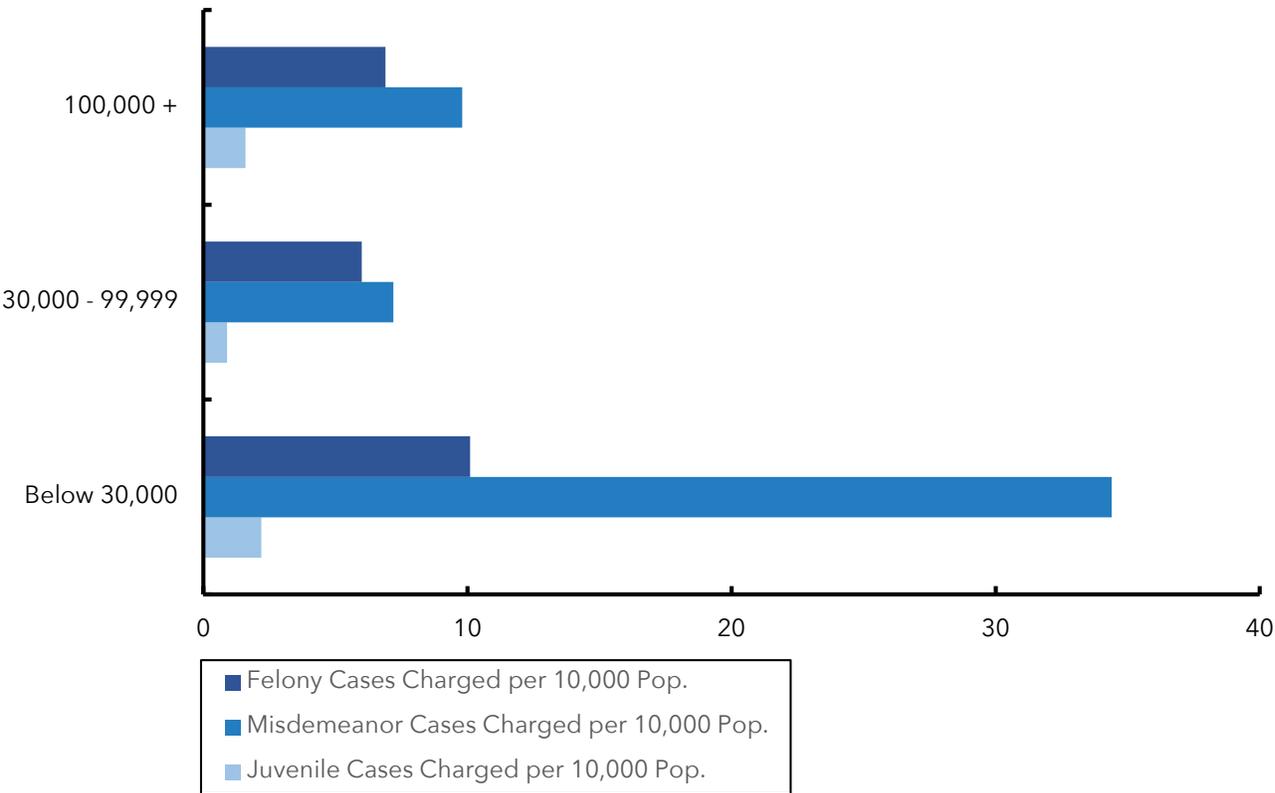


Figure 7. Cases Charged per 10,000 Population by Population Category (N = 12).

Figure 7 depicts the number of felonies, misdemeanors, and juvenile cases charged by county population category. The mid-sized offices (30,000-94,999 residents) and larger offices (100,000+ residents) charged a similar number of felonies, misdemeanors, and juvenile cases per 10,000 population. However, the smallest offices (Below 30,000 residents) charged nearly 4 times more misdemeanors per capita than the mid-sized and largest offices.²

² Misdemeanor Cases Charged per 10,000 population category is significantly higher in the smaller counties (less than 30,000 population). One site was excluded from this analysis pending data verification.

Figure 8 presents the average number of reviewed cases per full-time attorney for felonies, misdemeanors, and both felonies and misdemeanors combined. While these data are limited, the estimated workloads can provide a useful benchmark for agencies. Across reporting offices, there were an average of 69 reviewed felony cases per full-time attorney and 228 reviewed misdemeanor cases per full-time attorney. Overall, this resulted in an average of 298 reviewed misdemeanor and felony cases per full-time attorney.

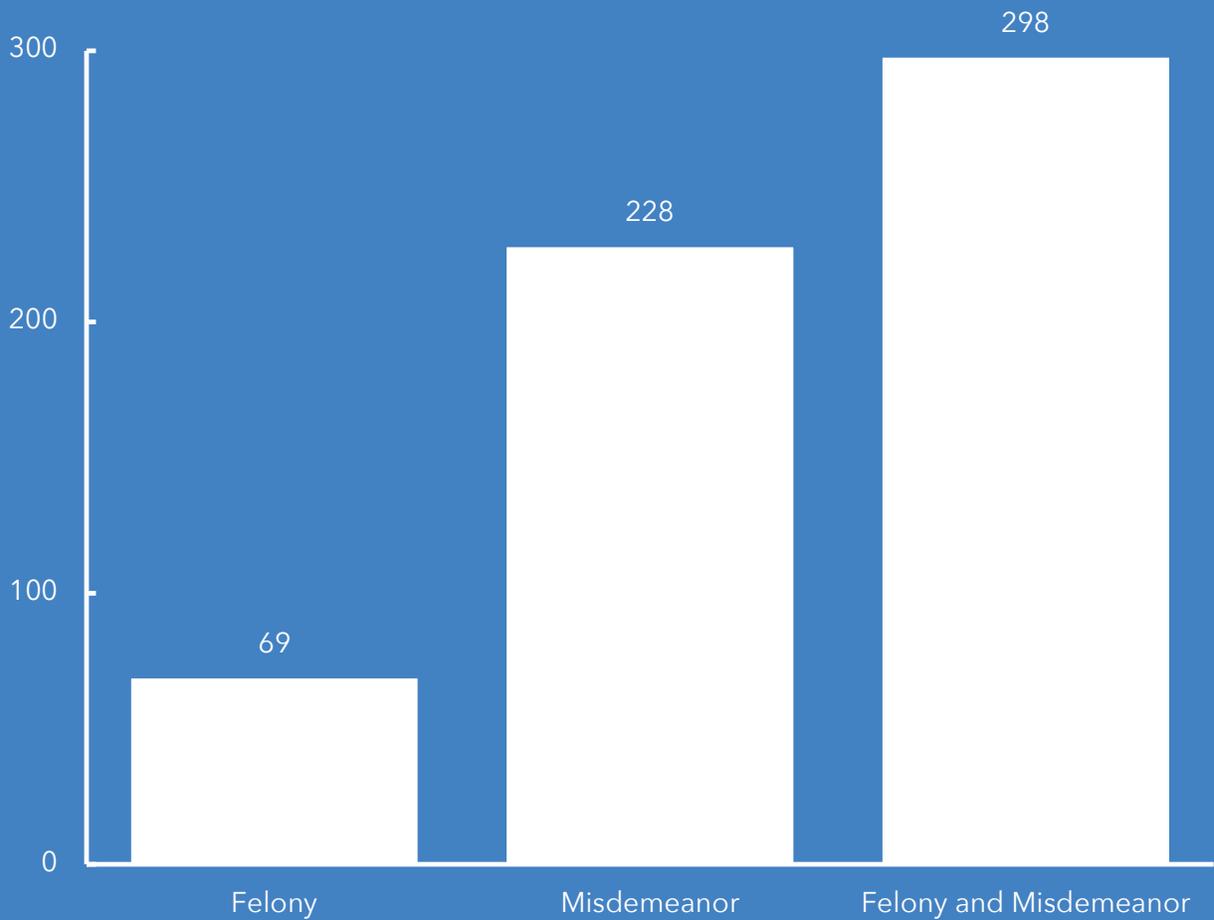
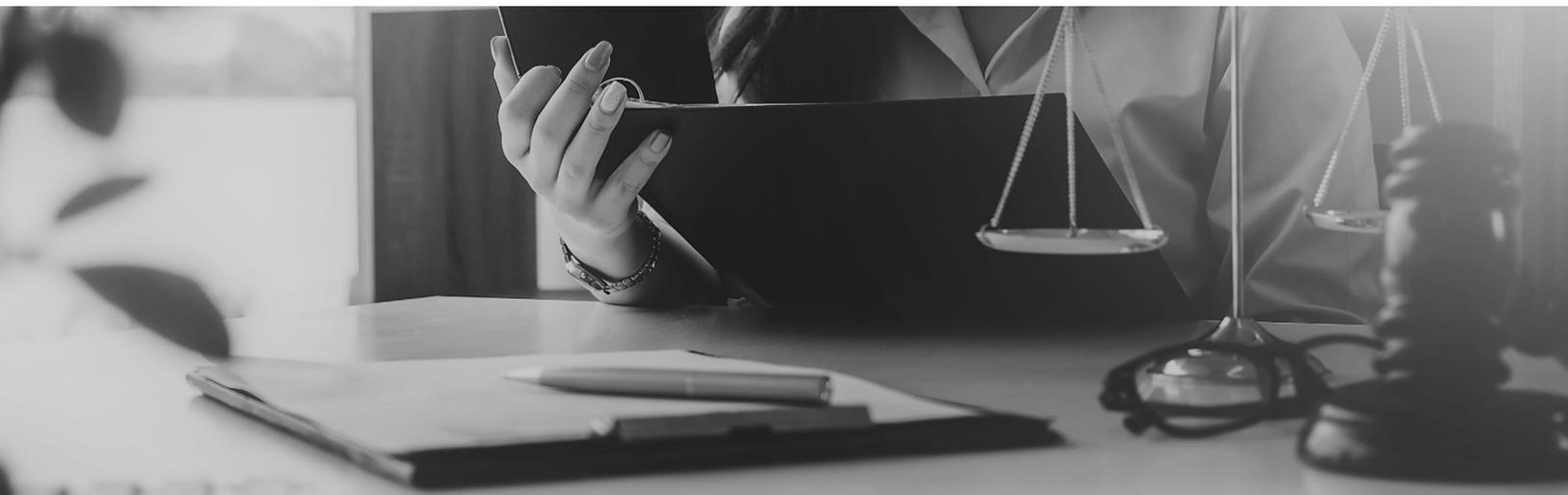


Figure 8. Average Number of Cases per Full-Time Attorney by Type of Case (N =12).



NUMBER OF EMPLOYEES

On average, prosecutors' offices in Washington reported employing 34.9 full-time and 0.6 part-time attorneys. These offices also reported employing 35.6 full-time and 0.7 part-time non-attorneys.

Figure 9 presents the number of full-time employees per 10,000 population by population category. Offices covering fewer than 30,000 residents had the highest number of full-time employees, full-time attorneys, and full-time non-attorneys per 10,000 residents.

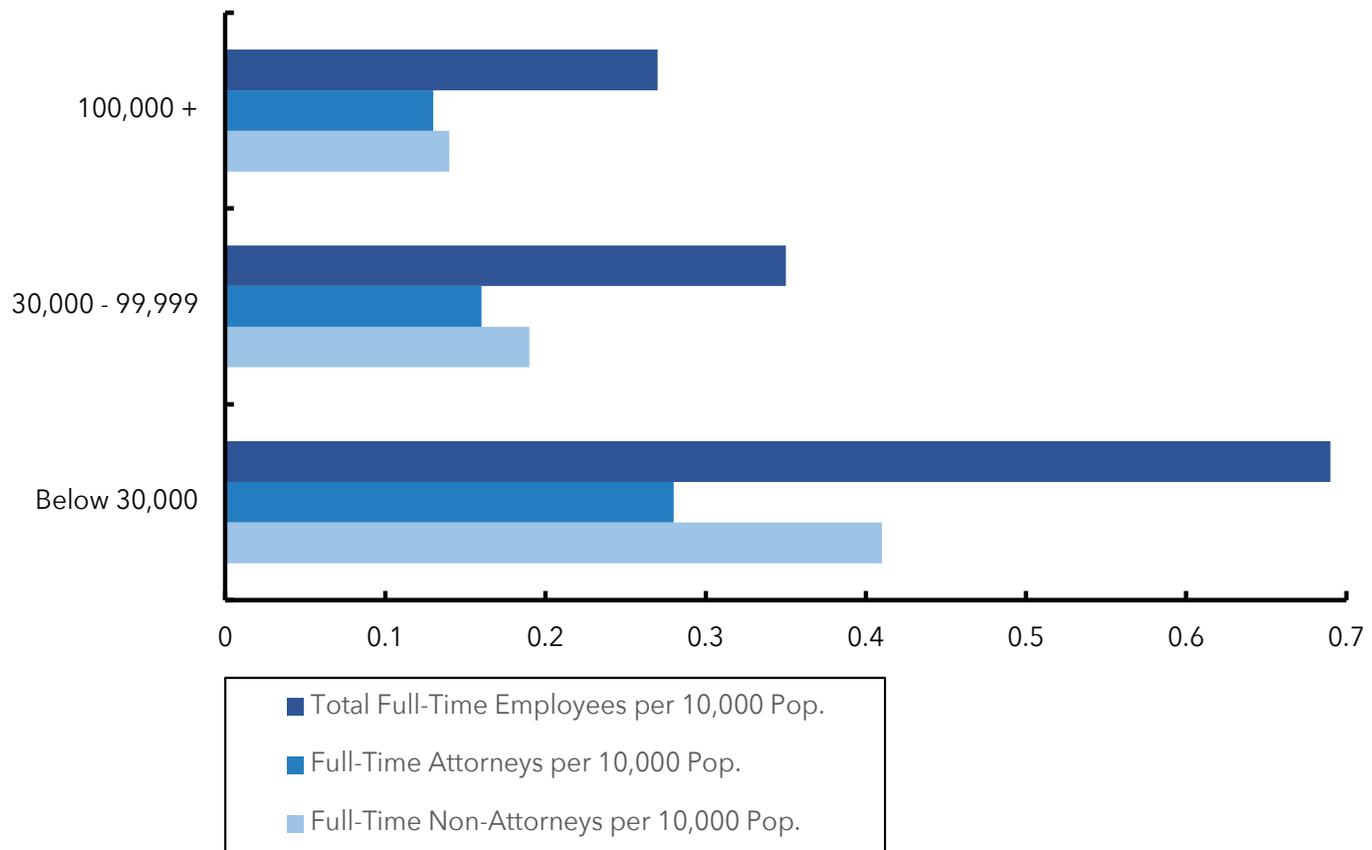


Figure 9. Full-Time Employees per 10,000 Population by Population Category (N = 13).

A different strategy for examining staffing information is to consider the ratio of staff to a measure of workload. **Figure 10** presents the average number of full-time employees per 1,000 felony and misdemeanor cases reviewed. Counties covering 30,000 to 99,999 residents had the most full-time employees, full-time attorneys, and full-time non-attorneys per 1,000 cases.

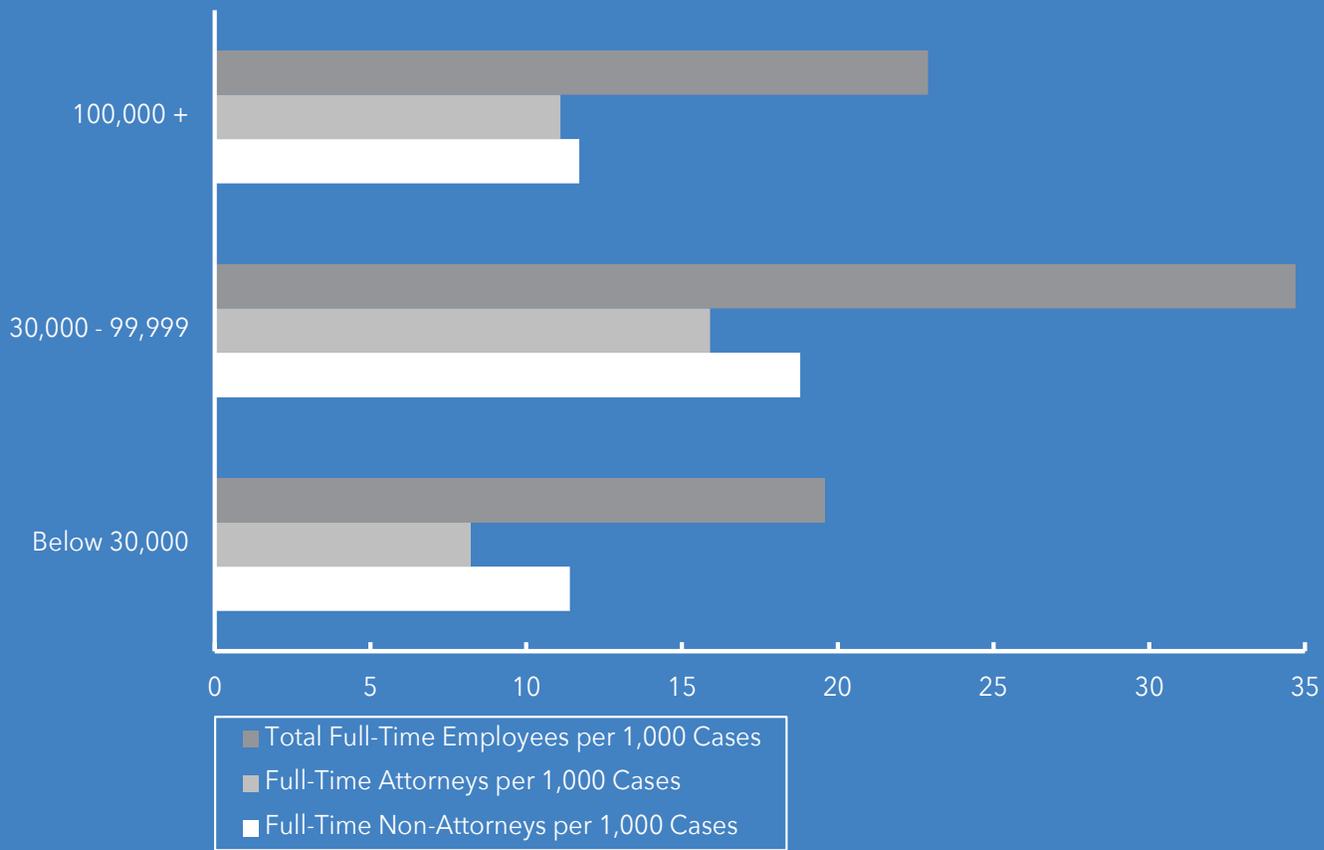


Figure 10. Average Number of Employees per 1,000 Felony and Misdemeanor Cases by Population Category (N = 10).



PROSECUTOR INITIATIVES

A total of 92% of responding offices reported engaging in problem solving courts or other programs that offered alternatives to incarceration in 2018. The majority of offices reported that offenders with low-level felonies (92%), non-violent felonies (90%), and misdemeanors (85%) were eligible for participation in these programs. Very few offices reported that offenders with violent felonies (18%) were eligible to participate.

SPECIALTY COURTS

We asked respondents about nine different types of specialty courts: Drug courts, Veterans' courts, Mental Health courts, Human Trafficking courts, Homeless courts, Alcohol/Driving Sobriety courts, Domestic Violence courts, Community courts, and Re-entry courts. **Figure 11** provides the frequency of counties with each type of specialty court in 2018. While the majority of offices reported Drug courts (92%), fewer than half of respondents reported Mental Health (50%), Veterans' (17%), Domestic Violence (17%), Alcohol/Driving Sobriety (8%), and Community (8%) courts. No offices reported Re-entry, Human Trafficking, or Homeless courts.

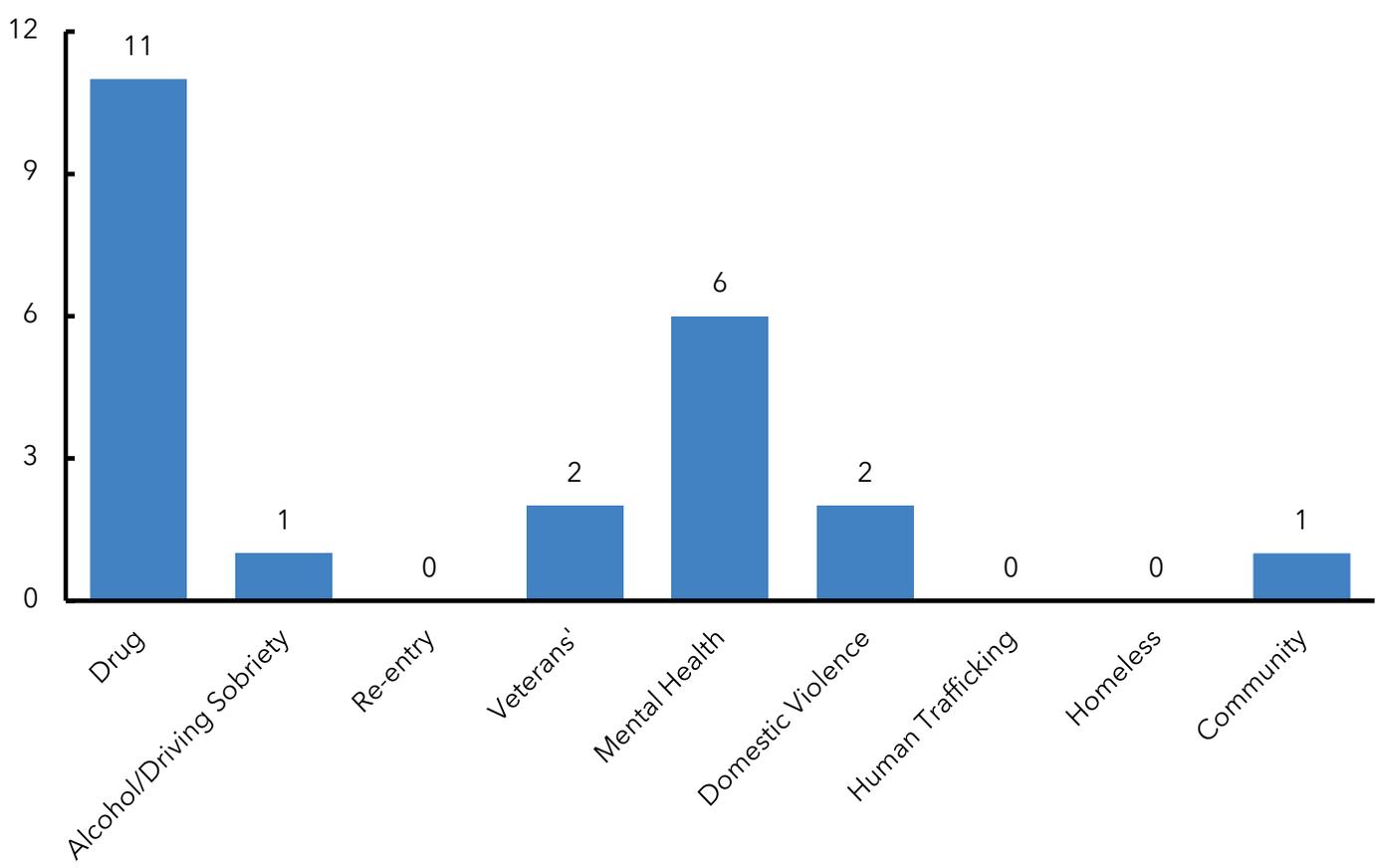


Figure 11. Number of Counties Reporting Specialty Courts by Type (N = 12).

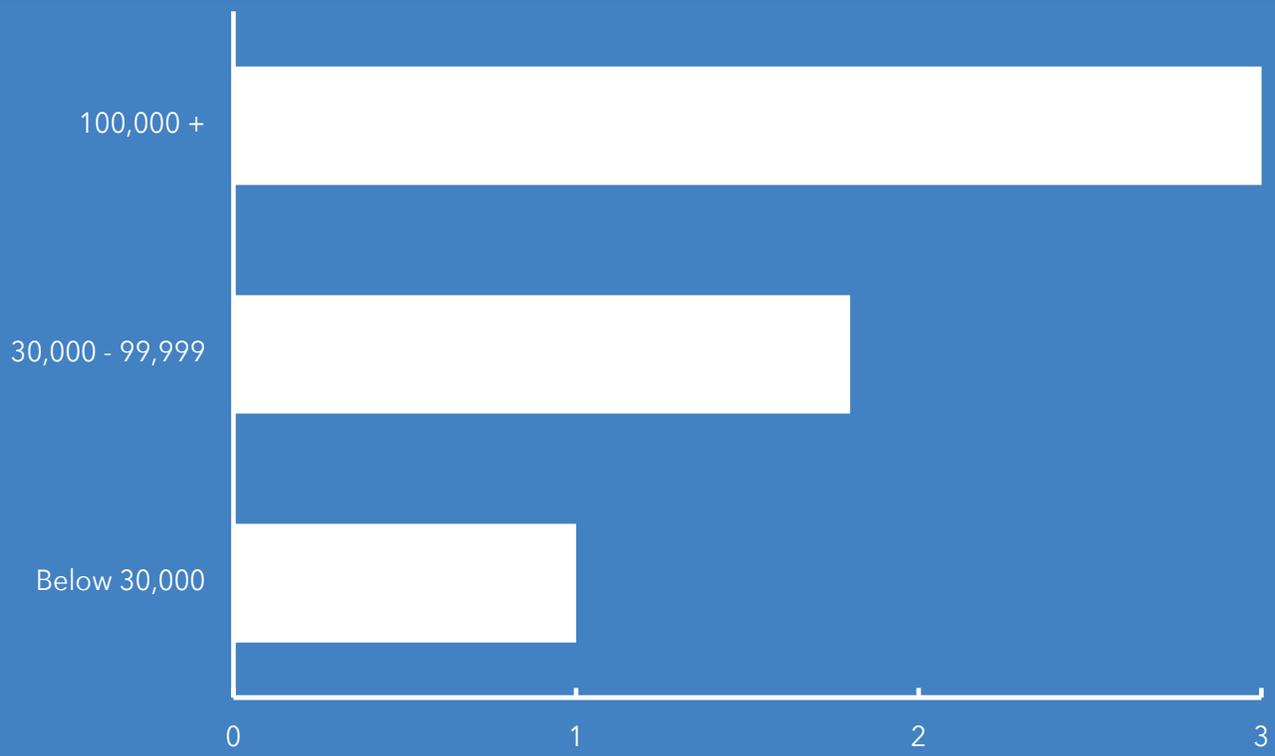


Figure 12. Average Number of Specialty Court Types by Population Category (N = 13).

Figure 12 shows the number of specialty court types compared to the population category of the county. Counties with more than 100,000 residents had on average three specialty court types compared to about one to two types for the other population categories.





ALTERNATIVES TO INCARCERATION

We also asked whether the offices in each county offered alternatives to incarceration in 2018, as shown in **Figure 13**. Mental health services (83%), drug treatment (75%), anger management (75%), and community service (67%) were the most common offerings. Slightly less common were training/education programs (25%), restorative justice (17%), and deflection (17%) programs.

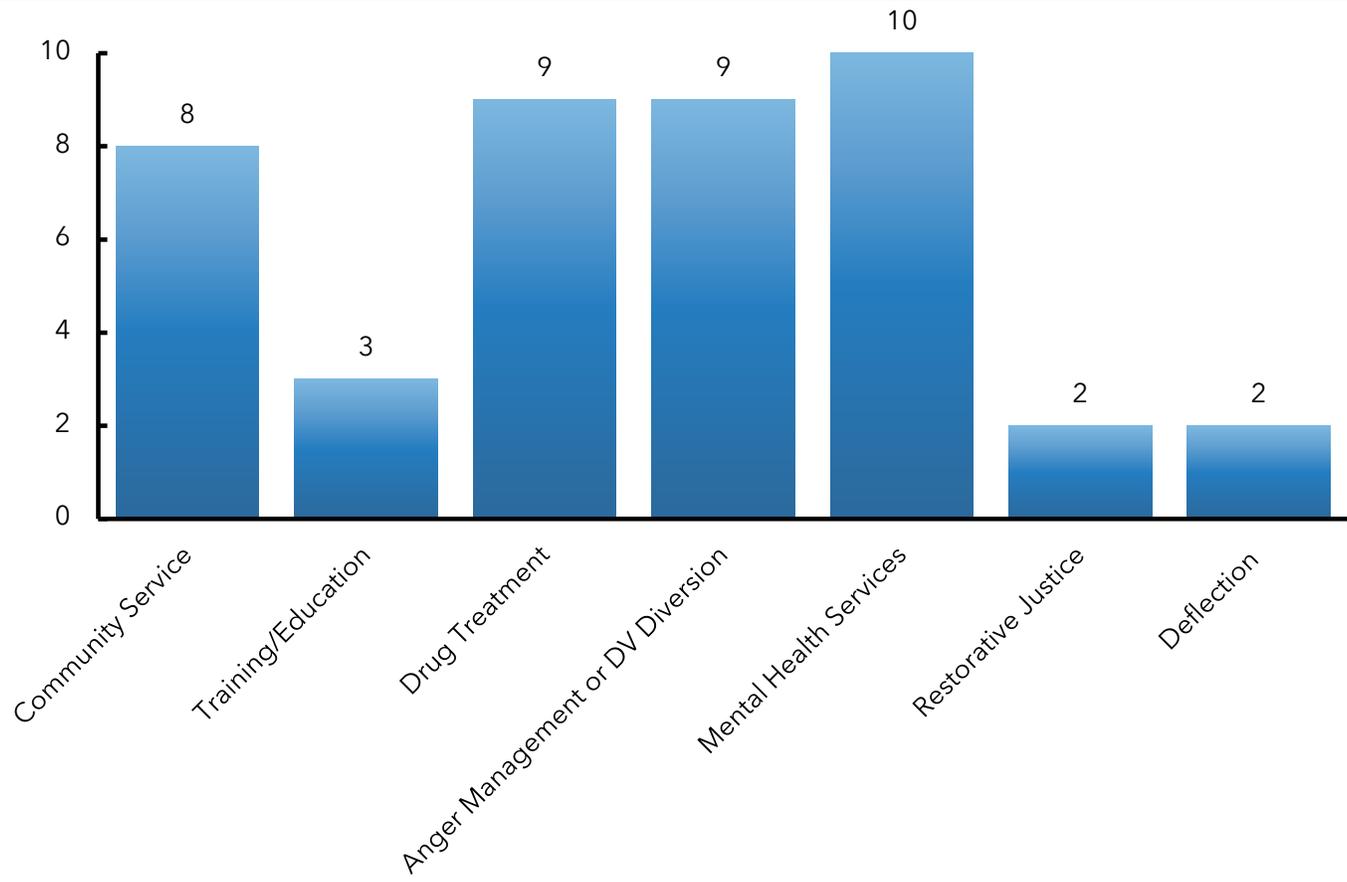


Figure 13. Number of Counties Reporting Alternatives to Incarceration by Type (N = 12).

SPECIALIZED PROGRAMS

Figure 14 presents the number of prosecutors' offices that reported operating specialized programs. The most common types of programs were Victim Assistance (92%), Witness Assistance (85%), Restitution (69%), and Victim Services without Arrest (54%). Slightly less common were Conviction Review Units (23%). Community Affairs Units and Victim/Witness Relocation were offered in 15% of counties. Crime Strategies Units were offered in 8% of counties, and no offices reported offering Community Prosecutors programs.

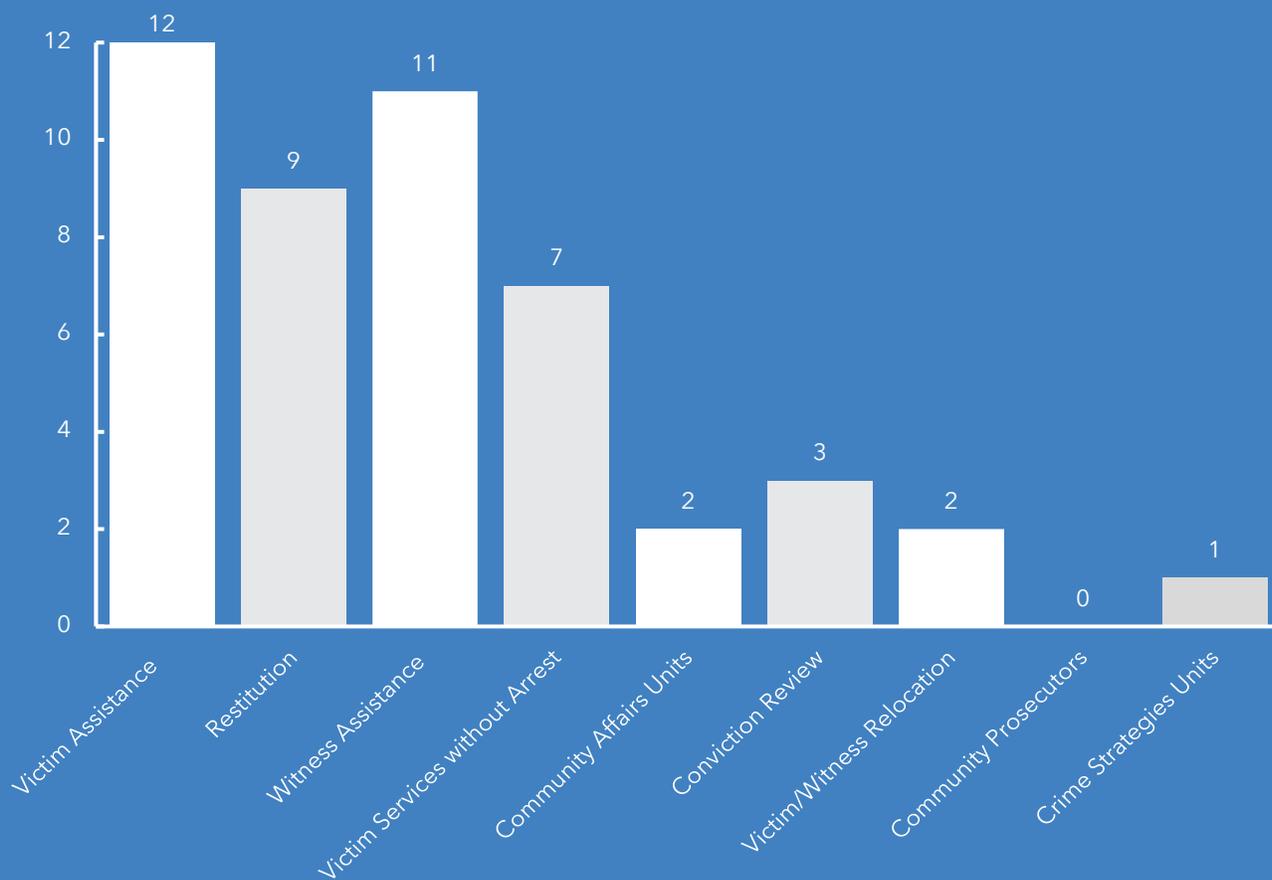
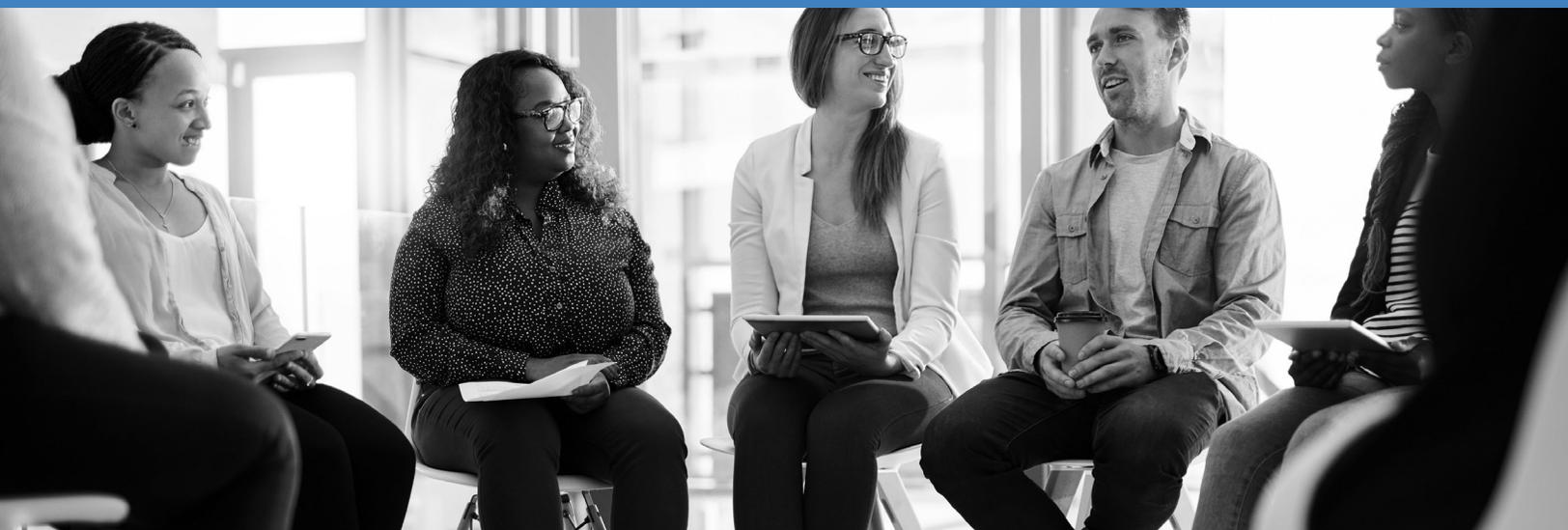


Figure 14. Counties Reporting Specialized Programs by Type (N = 13).



COMMUNITY PROGRAMS

Finally, we asked whether Washington prosecutors' offices ran or participated in several different community programs. These results are presented in **Figure 15**. The majority of offices reported participating in Community Engagement (54%) programs. Slightly less common were Co-located Child Abuse (46%), Youth Education (46%), Truancy (31%), Co-located Domestic Violence (31%), and Violence Reduction (23%) programs. Rarely did prosecutors' offices report running Adult Education programs (15%) and Re-entry programs (8%). No offices reported offering Sports programs, Neighborhood Clean-up, Neighborhood Courts, or Children of Inmates programs.

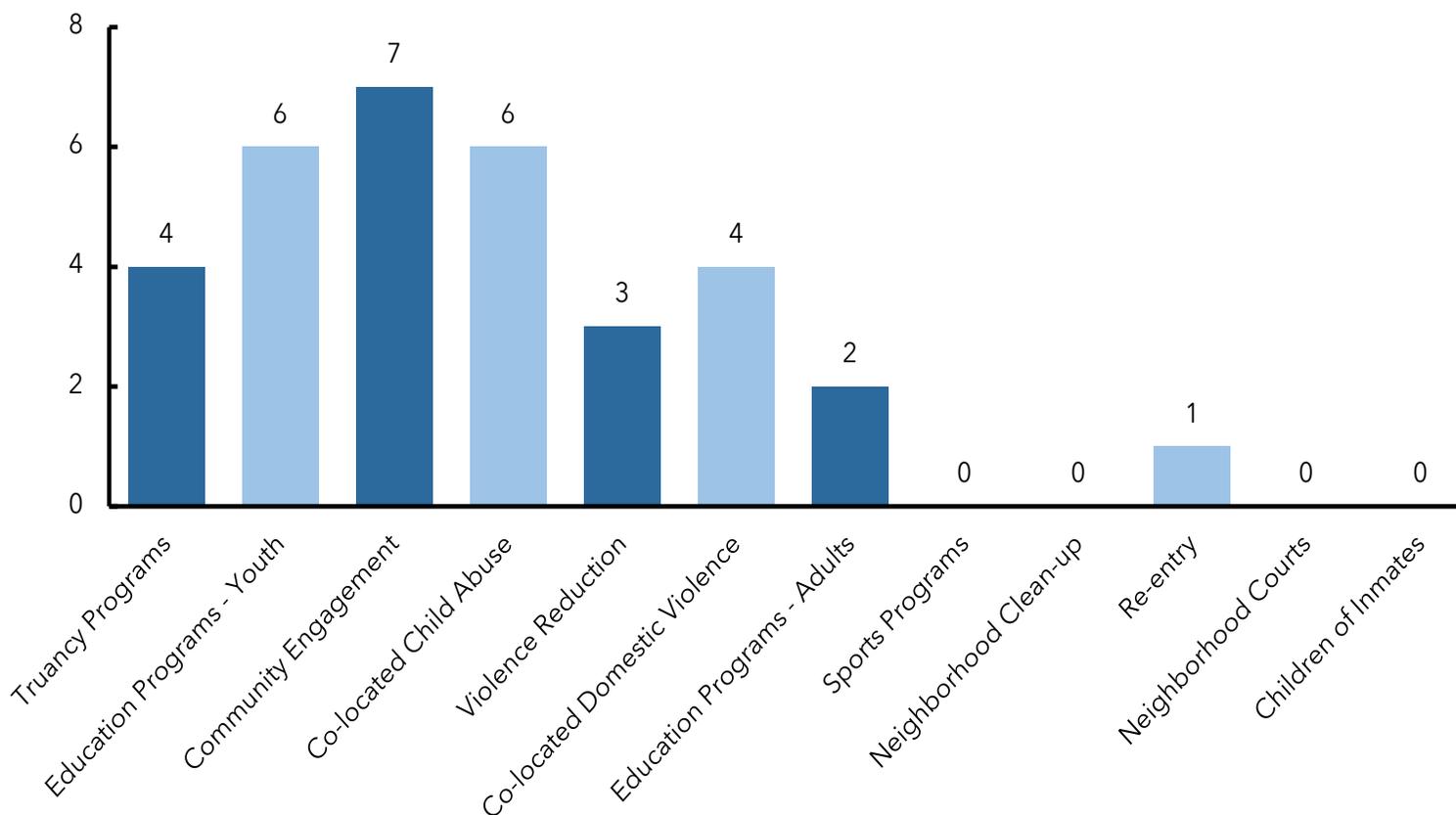


Figure 15. Participation in Community Programs by Type (N = 13).

TECHNOLOGY

In the following section, we asked respondents about the use of technology within their offices. Thirty-one percent (31%) of the offices reported having a technology unit responsible for the computers, data, software, and hardware functioning within their offices. Sixty-two percent (62%) reported using an electronic case management system, and 69% of the offices reported using electronic discovery. Eighty-five percent (85%) of responding offices reported using technology in their courtrooms, and 64% reported having staff to support them with the use of this technology.

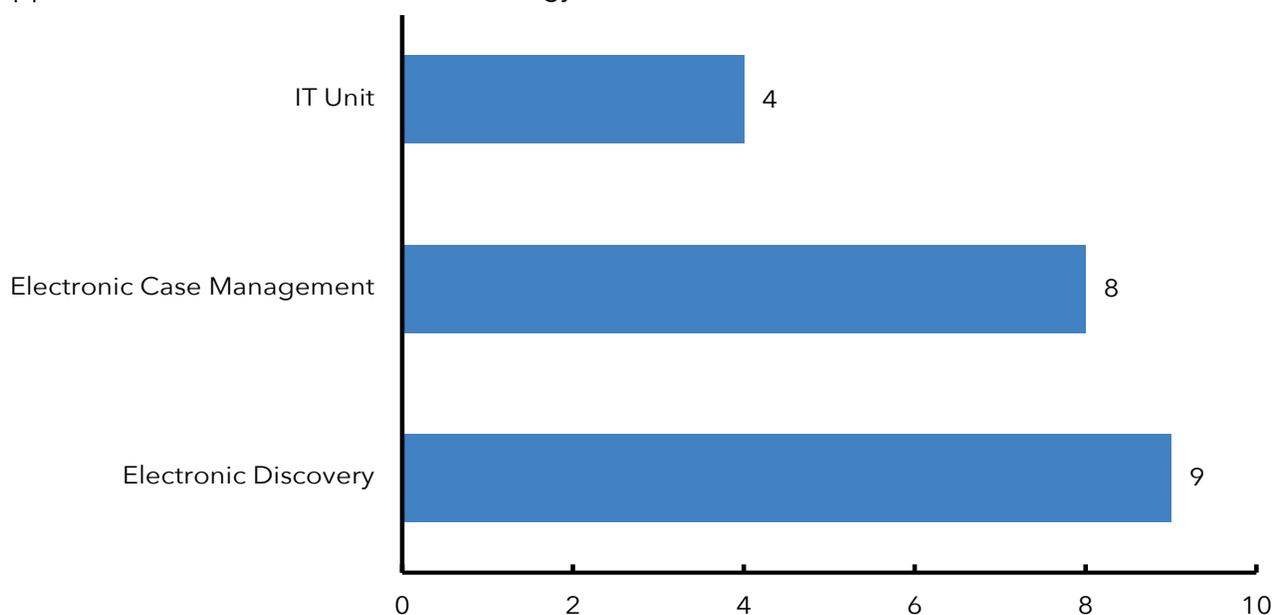


Figure 16. Technology Use within Prosecutors' Offices by Type (N = 13).



BODY-WORN CAMERAS

In addition, 38% of the respondents reported having at least one police agency within their jurisdiction that has implemented a body-worn camera (BWC) program. **Figure 17** presents the method of delivery for BWC video. Of the five offices receiving BWC video, all reported solely using cloud-based interfaces. A total of 40% of those respondents reported needing additional staff to view and manage the evidence collected by BWCs. Half of responding offices in the smallest and largest population categories stated that they needed additional staff to review BWC footage. No offices with 30,000 to 99,999 residents stated that they needed additional staff for reviewing BWC footage.

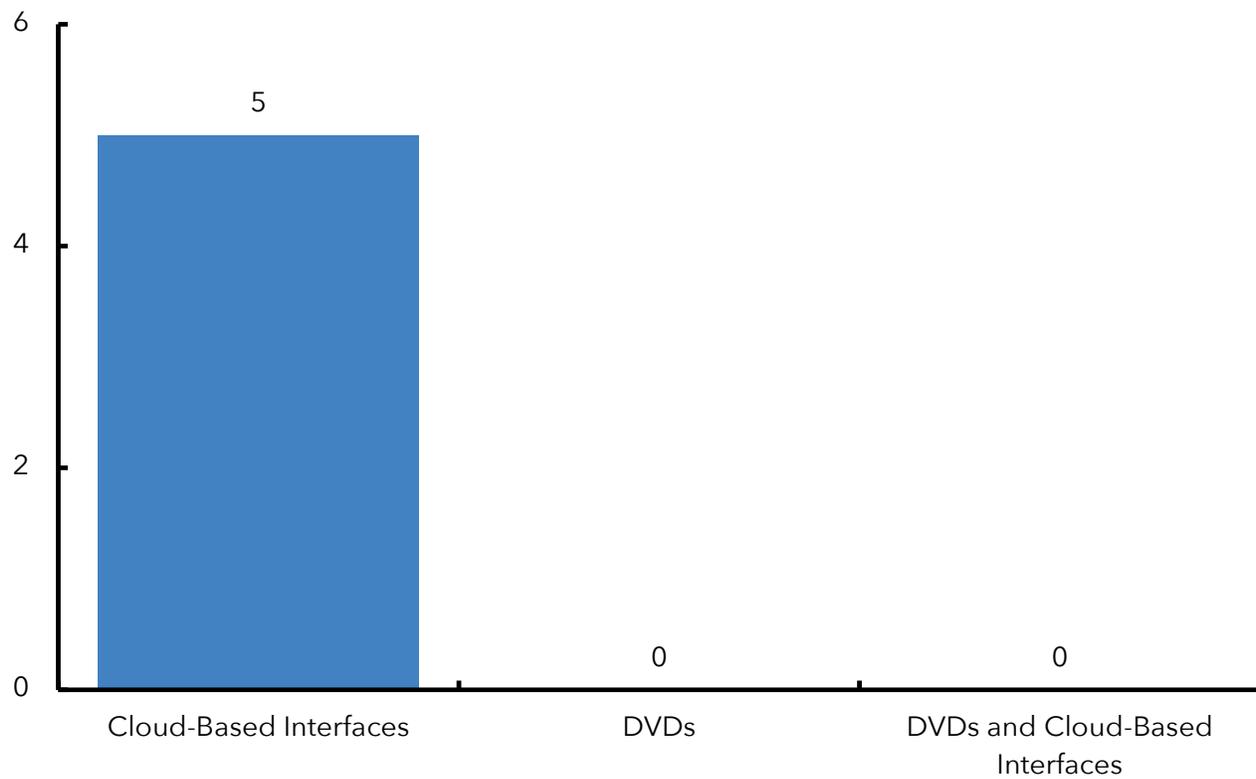


Figure 17. BWC Recordings Received by Prosecutors' Offices by Type (N = 5).



WEBSITES

Asked what they share with the public online, 92% of survey respondents reported having office websites and 42% reported updating their websites routinely (monthly, quarterly, or annually).

RESEARCH

A minority of the responding offices reported engaging in research and analysis. Fifteen percent (15%) of offices reported involvement in a research project in the last two years with a university, college, consultant, or independent research firm.

Thirty-eight percent (38%) of offices reported analyzing crime data, caseloads, or other types of information routinely on a monthly, quarterly, or annual basis. Twenty-three percent (23%) of offices reported providing an annual report to the public on the work of the office.

All of the responding counties had participated in major U.S. Department of Justice grant-based programs. Of those offices, 85% had participated in Violence Against Women Act programs. Ninety-two percent (92%) reported participating in Federal Victims of Crimes Act programs, and 23% reported participating in Project Safe Neighborhoods programs. No offices had participated in a Smart Prosecution Initiative or a Violence Reduction Network program.



CONCLUSIONS

The statewide survey administered by JSS and PCE has provided many insights into the day-to-day functioning of Washington prosecutors' offices. From the wide range of submissions from Washington counties thus far, a number of trends have emerged.

In the survey, all responding Washington prosecutors' offices reported handling felonies, misdemeanors, juvenile cases, and civil matters. The majority of offices also reported handling infractions.

The majority of the responding prosecutors' offices reported elected Chief Prosecutors with an average tenure of 13 years. Thirty-nine percent (39%) of the offices reported budgets under \$1 million. The number of full-time employees per 10,000 population was highest for the smallest counties.

The per capita rates of felony, misdemeanor, and juvenile cases reviewed was highest for counties in the smallest population category (fewer than 30,000 residents). Additionally, the smallest offices had the highest number of total full-time employees, attorneys, and non-attorneys per 10,000 residents.

It is apparent that nearly all offices offered specialty or problem-solving courts and that some courts were significantly more common than others. While a majority of offices reported offering Drug

courts, fewer offices reported offering Veterans', Domestic Violence, and Community courts. No offices reported Re-entry, Human Trafficking, or Homeless courts.

Most offices reported running specialized programs. The most common specialized programs offered fell under the headings of Victim Assistance and Witness Assistance programs. On the other hand, only a few offices had Community Affairs Units, Victim/Witness Relocation, and Crime Strategies Units.

The majority of respondents reported providing specific community programs to the areas they serve. The most common offerings were Community Engagement, Youth Education programs, and Co-located Child Abuse programs.

This research has provided great insight into the basic needs of prosecutors' offices. Further research based on these findings should focus on prosecutors' caseloads. Specifically, researchers should continue to investigate ideal caseloads for prosecutors and evaluate proper resource management.

All in all, the Washington offices that completed the statewide prosecutor survey provided vital data that increased the knowledge base on the functioning of Washington prosecutors' offices as well as on the role of Washington prosecutors.