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Pierce County

Prosecuting Attorney
1992 Annual Report

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Pierce County

Office of the Prosecuting Attorney

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**U.S. Department of Justice
National Institute of Justice**

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Honorable Mike Lowry
Governor
State of Washington
Executive Office
Legislative Building
Olympia, WA 98504

Dear Governor Lowry:

The following annual report represents the year ending December 31, 1992.

Very truly yours,

JOHN W. LADENBURG
Prosecuting Attorney

JWL:sv

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1992 was an eventful year for the Pierce County Prosecutor's office. For the second year in a row, we saw overall good indicators and no return to the skyrocketing crime rates of the late eighties. While the total felonies charged rose 17% over 1992, this was not due to huge increases in crime, but to an ability to file backlogged cases in the welfare fraud area. We were able to increase filings in welfare fraud by over 450 cases, accounting for most of the overall increase. Thus total defendants increased from 4021 to 4898. Cases per deputy prosecutor dropped to 146, still well above recommended levels. Our trial conviction rate remained high at close to 90% and our overall conviction rate exceeded 96%, numbers we can be proud of considering the high caseload. We saw a slight increase in drug felonies, but are still below the records set in 1989 and 1990.

We made positive strides in the Victim-Witness area, integrating our victim advocates with our trial teams and bringing new computerized management of our victim services. Our investigative services unit continued it's excellent work for the citizens, handling independent investigations of officer-involved shooting and potential corruption.

The juvenile court experienced a growth spurt with violent crime, as evidenced by the fact that twice as many juveniles were transferred to adult court as were in 1991. This increase is especially troubling because the already overworked adult system cannot offer many resources to these individuals. The increasing workload was partially met with volunteer help from law students and paralegals, but it is clear that the county will have to allocate more resources to the juvenile division in the future.

The misdemeanor section experienced significant growth for another year. This growth has seriously undermined the ability of the 12 deputies assigned to this unit to do an effective job for the taxpayer. The cases filed in just District Court Number One rose from 22,448 in 1990 to 32,162 in 1992. That is a 40% increase in two years, without any additional staffing. With an increase in domestic violence, our office began a process to restructure the handling of these cases and participated in joint efforts with other agencies to enhance protection of victims.

The Family Support Division continued it's excellent work by collecting millions of dollars in child support to offset taxpayer financing of dependant children. The division was recognized by the State of Washington for it's work and given a special grant to begin a trial unit to pursue collection in difficult cases. Our unit was the only county so honored.

The Civil Division suffered the problems of having to move half it's staff across the street due to space problems, but continued to serve with distinction. The division spent hundreds of hours working with the Executive and Council on growth management problems and drafting ordinances. The Risk Management lawyers continued to post an impressive array of trial victories protecting the taxpayer from lawsuits.

In the area of case management, our office has moved to a system that enables us to manage the over 10,000 active files in a efficient and timely manner. Our computerized database is the most sophisticated in the state and allows us to operate with a support staff to attorney ratio that is much less than that of private law firms.

We can look back on 1992 with pride in the goals we reached and the reputation for honesty, integrity and ethics that we established and abided by. We look forward to 1993 with more ambitious goals in mind. We will move to bring our misdemeanor division into our computer database and also encourage other county departments to share information to avoid duplication of effort. When government is strapped for money, every department must do their part and we intend to lead the way. We will encourage the county and cities to join in a new effort to decrease domestic violence, we will continue our effort to expand victim services, and we keep our aggressive effort against violence, drugs and gangs in place.

The Prosecutor's office is one that touches all other county offices and most local city governments on a daily basis. As an independent part of government, we represent the people of this county and state and thus stand ready to act in their behalf. In many ways we can be an ombudsman for the citizen and an arbitrator of disputes. Simply, it is our goal to help make government work for the people.

**JOHN W. LADENBURG
PIERCE COUNTY PROSECUTING ATTORNEY**

PIERCE COUNTY PROSECUTING ATTORNEY'S OFFICE

STAFFING LEVEL BY DIVISION	ATTORNEYS	SUPPORT STAFF	TOTAL
Administration (Includes Prosecuting Attorney)	2	3	5
Civil Division	16	9	25
Felony Division	34	29.5	63.5
Appeals Unit	2	1	3
Juvenile Division	5	4.5	9.5
Misdemeanor Division	13	6.5	19.5
El Cid Program		2	2
Family Support	10	24	34
Total	82	79.5	161.5

The above table represents full-time employees of the Prosecuting Attorney's Office. Not included: Legal Interns and extra hire positions.

ADMINISTRATION

Prosecuting Attorney

Administrative Manager

Administrative Deputy

Office Services Manager

Legal Assistant

Staffing level 5

PIERCE COUNTY PROSECUTING ATTORNEY

1992 EXPENDITURES

Salaries	\$6,089,285
Overtime	12,943
Personnel Benefits	1,567,147
Office/Operating Supplies	108,744
Minor Equipment	23,151
Professional Services	114,450
Communications	208,640
Travel	67,765
Legal Advertising	909
Rentals	157,213
Insurance	325,160
Repairs/Maintenance	54,706
Miscellaneous	302,282
(witness fees, dues and memberships, other miscellaneous, filing fees, outside printing, quick copy, print shop county, sales tax payment, photo developing and print, extradition fees, radio communication reim, data processing, risk management loss & exp, records management, routing and delivery, operating transfers)	
Machinery & Equipment	62,278
OPERATING EXPENDITURES	9,094,673
FUNDING DISTRIBUTION:	
COUNTY	6,982,818
GRANTS (FEDERAL	2,111,855
AND STATE)	

1992 REVENUE (INCLUDES GRANT REIMBURSEMENTS) 2,584,782

CIVIL DIVISION

**PIERCE COUNTY COUNCIL, EXECUTIVE, EXECUTIVE DEPARTMENT DIRECTORS,
CORONER-MEDICAL EXAMINER, PUBLIC DISCLOSURE,
CIVIL DIVISION ADMINISTRATION
Chief Civil Deputy (1)**

**LAND USE, GROWTH MANAGEMENT, CURRENT PLANNING
HEARING EXAMINER, BUILDING DIVISION, FIRE PREVENTION BUREAU
County Attorney (2)**

**RISK MANAGEMENT, INSURANCE, TORT CLAIMS, LAWSUITS, LITIGATION,
INDUSTRIAL INSURANCE
County Attorney (3)
Paralegal (1)**

**UTILITY DEPARTMENT, SOLID WASTE DIVISION
AND ALL RELATED MATTERS
County Attorney (2)**

**BUDGET AND FINANCE, ASSESSOR/TREASURER, INDIAN LAW,
PROCUREMENT & PURCHASING, SPECIAL PROJECTS
County Attorney (1)**

**PUBLIC WORKS DEPARTMENT
County Attorney (1)**

**PERSONNEL, LABOR LAW AND UNION MATTERS
DISCRIMINATION COMPLAINTS, CIVIL SERVICE COMMISSION
SCHOOLS, AUDITOR, BUSINESS LICENSES, BOUNDARY REVIEW BOARD
County Attorney (2)**

**INVOLUNTARY COMMITMENT, HUMAN SERVICES
County Attorney (2)**

**SPECIAL PROJECTS, BANKRUPTCY AND COLLECTIONS
AUDITOR, CLERK, PARKS, ELECTIONS, ETHICS COMMISSION
County Attorney (1)**

**CIVIL CODE ENFORCEMENT
County Attorney (1)**

**Legal Assistant (6)
Office Assistant (1)
Clerical Assistant (1)**

Staffing Level 25

CIVIL DIVISION

Serving in its role as an in-house law firm for the County, the Civil Division works closely with its clients in solving a wide range of legal problems by issuing formal written opinions and memoranda, providing general day to day legal advice, and handling civil litigation to which Pierce County is a party, whether as plaintiff or defendant. The Civil Division provides legal counsel to all Pierce County elected officials, the Superior and District Courts, executive department heads, and numerous County agencies and departments.

In addition to providing legal counsel to the County Executive, County Council, and other County departments, the Civil Division also handles litigation on behalf of its clients, since not all problems are amenable to resolution short of litigation. The range in types of legal services include such diverse areas as tort liability, public disclosure, labor and personnel law, utilities, taxation and bankruptcy, laws against discrimination, condemnation, public works construction, parks and recreation, election law, business licensing, solid waste management, and the entire field of land use, growth management, and environmental law.

In regard to litigation, the majority of cases handled by the Civil Division take place at the Pierce County Superior Court level, but the division is likewise active in other courts, both federal and state, as well as before various state, local and administrative bodies.

In providing legal services, the Civil Division places strong emphasis on assisting its clients from the early stages of encountered or anticipated legal problems. Early involvement assists in preventing situations which result in costly and time consuming litigation.

COUNTY COUNCIL AND EXECUTIVE

During 1992, the Civil Division worked closely with the Council and Executive's office providing early stage legal advice and counsel on a wide variety of legislative and management oriented issues, including the attendance of numerous committee hearings, weekly quasi-judicial land use hearings, and regular Council meetings. A substantial amount of time is devoted yearly to the drafting and review of all ordinances and resolutions for the Council and Executive Departments prior to passage and enactment.

Once again, growth management issues continued as a primary focus for the County in 1992, placing significant demands on the Civil Divisions legal staff.

In addition, the Civil Division continued to assist the Facilities Management Department in formulating policies, procedures, and forms to improve construction contracting and labor standards.

Assistance was also continued to the Executive and Department heads in adopting procedures to meet County requirements under the Land Settlement Agreement with the Puyallup Tribe. A representative for counties was provided to the Indian Gaming Caucus created by the Governor to recommend important public policies and procedures to be used in negotiation of compacts with Indian tribes required by the federal Indian Gaming Regulating Act.

LAND USE, GROWTH MANAGEMENT, AND ENVIRONMENTAL LAW

Throughout 1992, the Civil Division provided legal advice to the various divisions within the Planning and Land Services Department. This large department is responsible for all development permits issued by the County as well as creation of a county-wide comprehensive plan under the Growth Management Act, RCW 36.70A. et seq.

Legal counsel devoted considerable time in advising Pierce County's decision makers regarding implementation of the Growth Management Act. For example, the Civil Division assisted in the adoption of regulations for the protection of "critical areas"; i.e., agricultural areas, aquifers, fish and wildlife habitat areas, flood areas, forest lands, geologically hazardous areas, mineral resource lands and wetlands. In addition, the Civil Division assisted in making Pierce County one of the first counties to adopt a County-wide Planning Policy.

During 1992, substantial assistance was provided to a multi-disciplinary committee of citizens and public officials leading to recommendations for amendment of County codes dealing with subdivisions and boundary line adjustments.

The Civil Division also successfully represented the County in numerous contested land use matters before the Hearing Examiner, County Council, Superior Court, State Court of Appeals, State Shorelines Hearing Board, Federal Bankruptcy Court and the recently created Growth Planning Hearings Board.

CODE ENFORCEMENT

During 1992, numerous Code Enforcement actions were instituted in District Court on behalf of the Health Department, Building Department, Planning Department, Development and Engineering Departments, the Fire Marshall's Office, the Department of Labor and Industries, and the Department of Fisheries. In 1992, the number of cases filed in court increased approximately 45.2% over 1991. A major trend emerged involving more cases being referred to the Prosecutor's Office with multiple code violations.

Criminal charges were also filed against persons failing to maintain septic systems, improper use of zoned land, building without permits, failing to maintain fire safety standards, filling or grading land without permits, unlawful dumping of solid wastes and debris, illegal dumping of tires, operation of wrecking and junk yards without permits, illegally operating as a contractor without proper permits.

PUBLIC WORKS

In 1993 the Pierce County Department of Public Works will manage a budget of \$93,500,000 with a staff of 370. The Pierce County Prosecutor acts as general legal counsel to this multi-purpose, modern, engineering/construction organization.

Public Works' responsibilities include planning new roads, redesigning and improving existing roads, and road maintenance. At present the Department takes care of 1,835 miles of county roads, 161 bridges, over 100 traffic signals and approximately 50,000 traffic signs. Other ongoing programs include inter-county river improvement involving maintenance of 46 miles of dikes and levees, surface water management, surveying and mapping, right-of-way acquisition, and participation in a variety of special activities such as lending engineering support to other county departments for, among other things, implementation of the growth management act, private land development, and working with other governmental agencies.

Throughout 1992, the Civil Division provided legal counsel in all of the above activities, often in a critical and determinative manner.

FISCAL MATTERS

The Civil Division assisted the County Purchasing Agent in developing new streamlined contracting procedures and forms. Improvements to construction contracting procedures also continued.

TAXATION - BANKRUPTCY - COLLECTIONS

In 1992, assessment enforcement continued to be provided to the Assessor-Treasurer. Past cooperative activities in this area have been quite successful and continued legal support was provided to enhance the effectiveness of assessment and audit activities performed by the Assessor-Treasurer. The result of these efforts is the assurance given to each taxpayer that everyone is contributing their fair share toward the cost of all the services which government is asked to provide to the citizens of Pierce County. Each year one major proceeding to foreclose real property taxes upon approximately 600 parcels is filed and the previous year's foreclosure is concluded by public auction.

During 1992, the Civil Division continued the vigorous enforcement and collection of various fees, charges and taxes owing to the County.

AUDITOR-BUSINESS LICENSES

In 1992 the Business License division, with the legal counsel of the Civil Division, developed a cohesive approach to the issuance of licenses and enforcement of licensing provisions mandated by the Pierce County Code. Applications were streamlined to conform with applicable code sections, and changes were made in the Pierce County Code where there was a conflict with state law. 1992 saw the vigorous enforcement of licensing regulations in the adult entertainment area, and all other business operations regulated by the Pierce County Code. The Civil Division represented the Auditor in all matters before the Hearing Examiner, County Council and Superior Courts.

BOUNDARY REVIEW BOARD

The Pierce County Boundary Review Board reviews incorporation, annexations, mergers, creation and dissolutions of cities, towns and special purpose districts. During 1992, the Board was busy holding numerous public hearings and deciding annexation proposals by cities and towns that wish to expand their borders before full implementation of the Growth Management Act. The Civil Division represents the Boundary Review Board at the regular monthly meetings, public hearings and in Superior Court. Assisting the Board's chief clerk with complex legal issues and questions, including amending the local rules of practice and procedure is also a responsibility of the Civil Division.

CIVIL SERVICE COMMISSION

The Civil Division provides legal counsel to the Pierce County Civil Service Commission for Sheriff's Employees. The Commission oversees the hiring, promotion, discipline and termination of all employees of the Pierce County Sheriff's Department. During 1992, the Civil Division worked closely with the Chief Examiner and Commissioner on all issues and matters of law, including amendments to the civil service rules.

UTILITIES

The Civil Division provides legal advice and representation to the Pierce County Utilities Department which is responsible for the maintenance and operation of the County's sanitary sewerage system and the coordination and implementation of the County's solid waste recycling and waste reduction program. County attorneys provided legal assistance in a variety of areas ranging from sanitary sewers, lien foreclosure, acquisition of real property, solid waste and waste reduction, code development and enforcement, and interpretation of local and state environmental regulations.

During 1992, the Civil Division was involved in the drafting and/or review of several documents crucial to

the Department's on-going operations such as ordinances adopting revisions to the Pierce County Code, interlocal agreements between the Department and other municipalities, requests for proposals for professional and technical services, requests for bids for goods and services, and specifications for capital construction projects. Civil Division attorneys also assisted in the negotiation of personal services agreement for engineering, architectural and other professional services and acted as a liaison between the Utilities Department and the Pierce County Council, members of the public, private contractors, and other County departments. The Civil Division also represented the Department before the Pierce County Council and the Pierce County Hearing Examiner.

In addition, Civil Division attorneys also appeared before the Pierce County Superior Court to defend the Department and to conduct foreclosure proceedings on fifty-one properties for nonpayment of sewer assessments and on one hundred and sixty-two properties for nonpayment of sewer service charges.

CIVIL COMMITMENT

In 1992, the Civil Division provided legal representation to local and state mental health hospitals in 1907 cases heard in Pierce County Superior Court. Those hearings concerned individuals from all areas of Western Washington. The Mental Health section adapted well to a change in its role as the various regional support networks come onto line and was on the innovative edge of mental health law in Washington. A combination of vigorous representation and compassion for those less fortunate in our community led to an equitable and just administration of the law.

LABOR, PERSONNEL AND CIVIL RIGHTS LAW

The Prosecuting Attorney's Office, Civil Division, advises the Department of Personnel and all county agencies in the area of personnel, labor, and employment law. This includes, but is not limited to agency advice, representation before both state and federal agencies, and representation in both state and federal court.

During 1992, specific efforts were made to assist agencies in implementing recent legislation including the Americans with Disabilities Act and the Civil Rights Act of 1991. This allowed County Agencies to continue to update their policies and procedures thereby limiting the potential risk of litigation and furthering the preventative law mission of the Civil Division.

To accomplish these tasks deputy prosecutors regularly review periodicals and attend regional seminars, which allows them to stay abreast of the most recent changes in the law.

RISK MANAGEMENT

Of the attorneys in the Civil Division, the three deputy prosecutors in the Risk Management Section appear the most frequently in court. Like any corporation, Pierce County is subject to being sued for money damages; recent cases have involved such things as injuries occurring in county parks, vehicular accidents involving county drivers, and claims that the Public Works Department is responsible for surface water flooding of people's property. Sometimes, too, Pierce County finds it necessary to file a civil suit. In these and other ways, the County finds itself before the courts, federal and state, trial and appellate, on a regular basis.

Historically, the County purchased liability insurance to protect itself from catastrophic losses and to provide itself defense attorneys in the more serious cases. Since April of 1986, however, the cost of such coverage has been so high, and the extent of its protection so limited, that the County has been self-insured in virtually all areas of its operations. It now relies almost exclusively upon deputy prosecutors

The Risk Management Section of our office functions as a small law firm. It consists of three experienced trial attorneys, a trained paralegal, two legal secretaries and two law student researchers. The attorneys provide advice to the various departments of county government about prospective liability concerns, and advise the Risk Management and Insurance Department as claims are processed. In addition, the attorneys handle depositions and engage in other discovery after suits are filed, file and defend pretrial motions, arbitrate or try cases that cannot or should not be settled, and handle any appeals that follow.

In 1992 the deputies in this Section won defense jury verdicts in both the state and federal courts and also handled several appeals and arbitration hearings. The successful trials included claims of false arrest and excessive force by the Sheriff's Office. As in previous years, the Section was also able to have several other cases dismissed prior to trial.

The role of the Risk Management Section is obviously one of reducing exposure to money judgments, but perhaps equally important is the assistance the Section can give county employees in performing their jobs in a lawful fashion, and the support which is provided employees who are sued and alleged to have engaged in wrongful conduct. Because municipal governments have contact with the public in so many ways today, the Risk Management Section has had an opportunity to serve virtually every Division of Pierce County.

CIVIL DIVISION - 1992 STATISTICS

Ordinances - Drafted and/or Reviewed	177
Resolutions Drafted and/or Reviewed	182
Mental Health Cases	1,907
Claim Files Opened	277
Litigation Files Opened	116

CRIMINAL DIVISION

FELONY DIVISION	16
JUVENILE DIVISION	19
APPEALS	22
INVESTIGATIVE SERVICES	23
VWAS	24
EL CID	24
MISDEMEANOR/TRAFFIC	25

CRIMINAL DIVISION

CHIEF CRIMINAL DEPUTY

Legal Assistant (1)

MURDER AND MANSLAUGHTER*

VWAS Specialist (2)

*Trial Team VI is comprised of senior attorneys assigned to Felony Teams

**ARSON, WHITE COLLAR CRIME, SPECIAL INQUIRY, FORGERY
WELFARE FRAUD, UIBC, MALICIOUS MISCHIEF**

County Attorney (4)

Legal Assistant (1)

VWAS Specialist (1)

ROBBERY, ASSAULT, KIDNAPPING, ESCAPED FUGITIVES

County Attorney (6)

Legal Assistant (1)

VWAS Specialist (1)

**BURGLARY, THEFT, POSSESSION OF STOLEN PROPERTY, AUTO THEFT
ACCIDENTAL INJURY, VEHICLE ASSAULT, FTR**

County Attorney (5)

Legal Assistant (2)

VWAS Specialist (1)

SPECIAL ASSAULT UNIT

County Attorney (7)

Legal Assistant (2)

Child Interviewer (2.5)

VWAS Specialist (.5)

DRUGS, PROSTITUTION AND GAMBLING

County Attorney (11)

Legal Assistant (2)

Office Assistant (2)

Administrative Assistant (1)

FELONY RECORDS

Legal Assistant (3)

CRIMINAL DIVISION

INVESTIGATIVE SERVICES UNIT

Chief Criminal Investigator (1)
Investigator (2)
Paralegal (1)
Legal Assistant (3)

APPEALS

County Attorney (2)
Legal Assistant (1)

JUVENILE DIVISION

County Attorney (5)
Legal Assistant (3)
Child Interviewer (.5)
VWAS Specialist (1)

MISDEMEANOR DIVISION

County Attorney (13)
Legal Assistant (6)
Domestic Violence Coordinator (.5)

EL CID PROGRAM

Diversion Counselor (2)

STAFFING LEVEL - CRIMINAL DIVISION	ATTORNEYS	SUPPORT STAFF	TOTAL
FELONY DIVISION	34	29.5	63.5
APPEALS UNIT	2	1.0	3.0
JUVENILE DIVISION	5	4.5	9.5
MISDEMEANOR DIVISION	13	6.5	19.5
EL CID PROGRAM		2.0	2.0
TOTAL	54	43.5	97.5

FELONY CRIMINAL DIVISION
1992 SUMMARY OF FELONY CHARGES

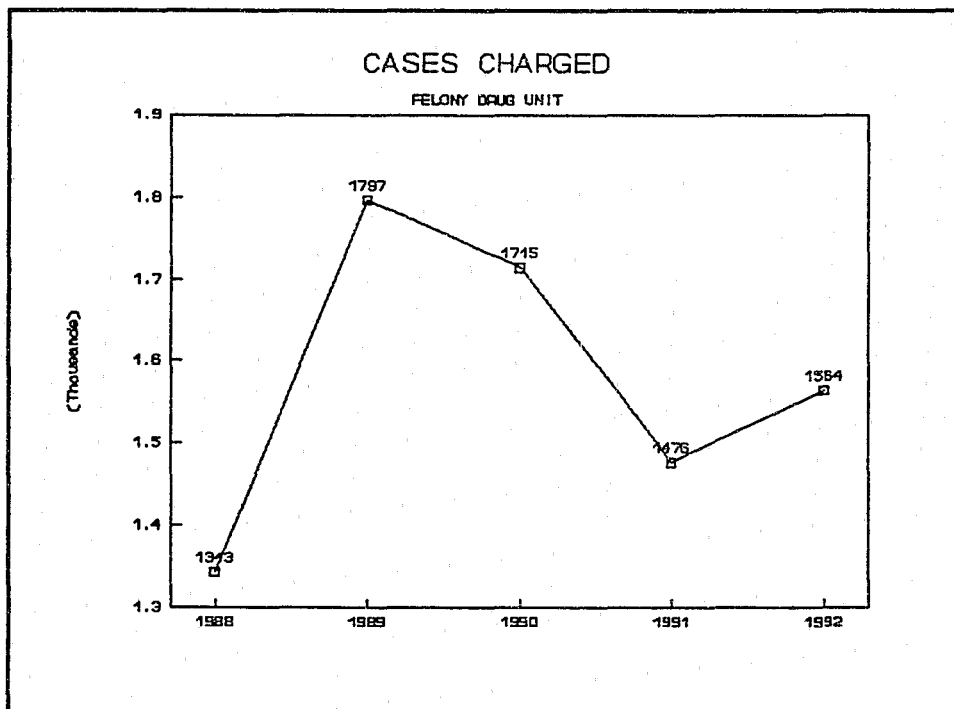
DESCRIPTION	1990	1991	1992	% OF CHANGE
Arson	22	38	35	8%-
Assault	481	507	585	15%+
Bribery	6	4	5	25%+
Burglary	374	453	473	4%+
Drugs (Dealing Possession)	2,391	2,125	2,340	10%+
Escape	52	40	34	15%-
Family Offense (Custodial Interference, Family Abandonment, Family non-support)	2	14	24	71%+
Forgery	285	222	253	14%+
Fraud	232	85	543	539%+
Fugitive and Extradition	233	231	256	11%+
Kidnapping	42	30	23	23%-
Malicious Mischief	73	71	103	45%+
Murder Manslaughter	60	74	63	15%-
Obstruction of Justice	29	33	41	21%+
Robbery	233	185	230	24%+
Sex Offense	389	390	444	14%+
Theft	916	924	946	2%+
Threats Harassment	1	9	10	11%+
Unlawful Checks	61	48	37	23%-
Vehicular Homicide Assault	222	217	219	1%+
Vice	17	37	27	27%-
Total Charges	6,121	5,737	6,691	17%+

We are encouraged by statistics showing that during the past three years Pierce County has gotten away from the spiraling trend of increasing criminal charges, unlike the period from 1984 to 1989, when felony charges more than doubled. Although a low number of felony charges in 1991 produced a 17% increase in total felony charges in 1992 (6691), the increase over that of 1990 (6121) was a more palatable 9%.

However, we are still concerned with those statistics which indicate that Pierce County has a greater percentage of violent crimes than elsewhere in the state. Felony assault charges (585) were up 15% over 1991. And murder charges, although down slightly over the previous year, still numbered 63 during 1992. We believe those large numbers are fueled in part by gang violence, drive-by shootings, and disagreements that quickly escalate to deadly violence by young, armed men with a macho gang mentality. Murder trials continued to consume an inordinate amount of our resources.

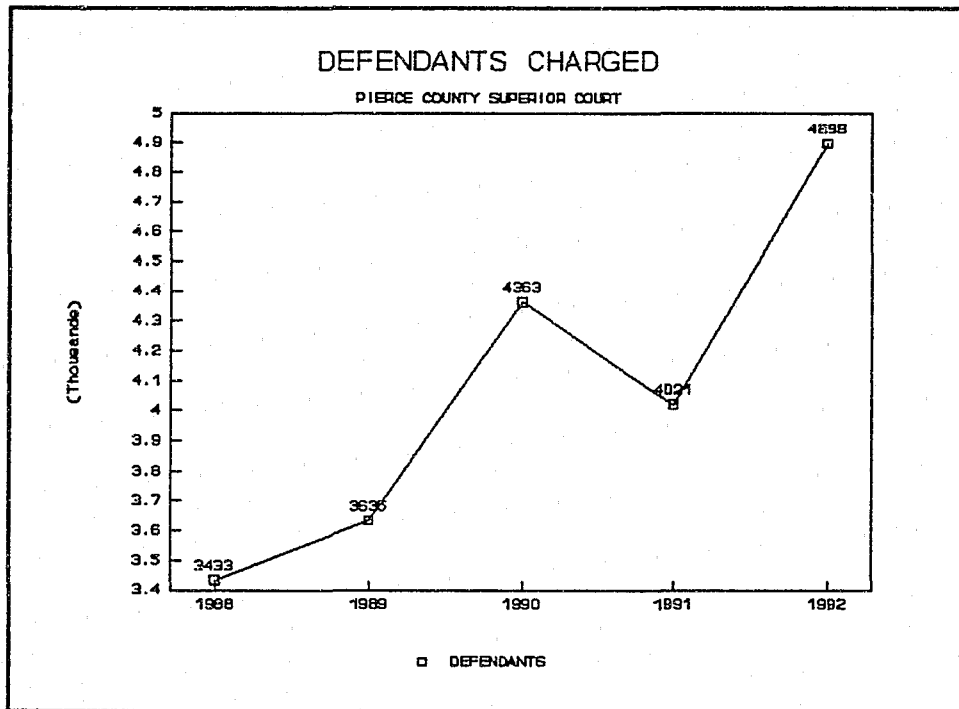
1992 also saw a 14% increase in felony sex offense charges (444) over that of '91 (390). More sex cases tend to go to trial than other felonies, due in part to stiff sentences authorized for sex offenders and a greater reluctance of defendants to admit to deviant, criminal sexual behavior. Our sexual assault team continues to be a model in its aggressive pursuit of predatory sexual offenders and those who target children.

Pursuant to RCW 26.44.075 reporting requirements, in 1992, 28% of the child sexual abuse cases referred were charged.



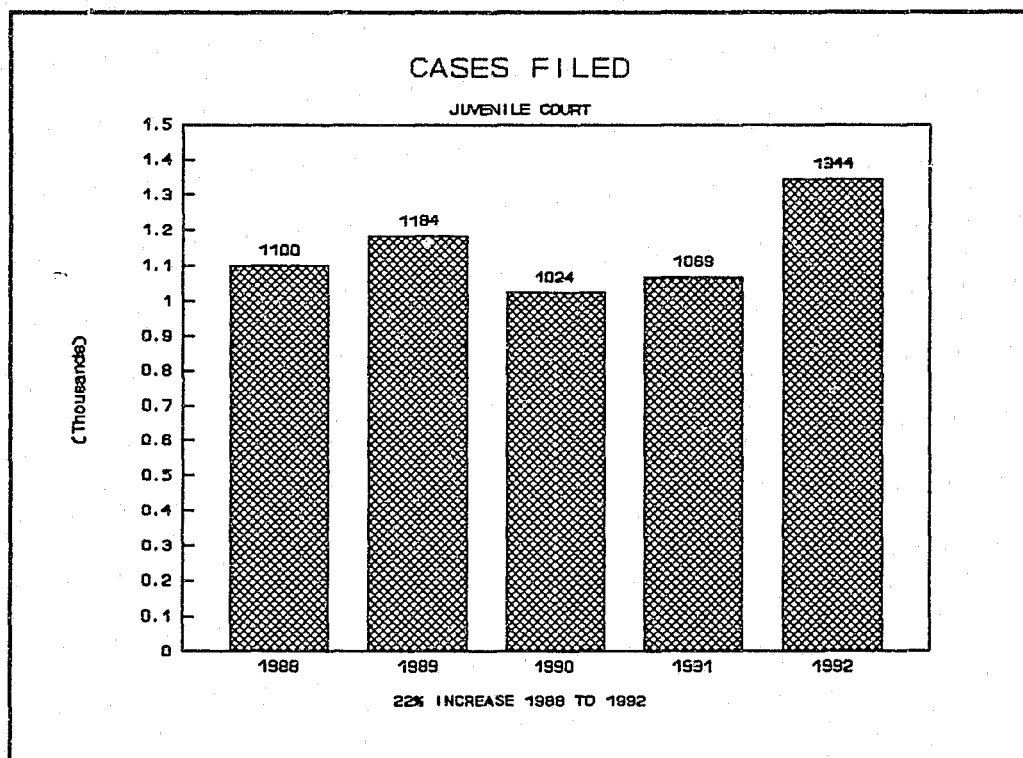
Felony drug defendants (1584) were up 7.3% over '91, but encouragingly were still down from the '90 total of 1715.

After dipping from 4363 in '90 to 4027 in '91, the total number of persons charged with felony offenses in '92 increased to 4898. Most of that dramatic increase is due to the extra efforts of our Fraud Unit which charged 543 cases against individuals defrauding the State on welfare and unemployment compensation payments.



JUVENILE DIVISION ANNUAL REPORT

The Juvenile Division is responsible for reviewing and resolving criminal actions committed by suspects under 18 years of age. Once again there is an increase in cases filed (and in the number of serious felonies). In 1992, twice as many juveniles were declined to adult court as there were in 1991. Another disturbing trend is the increase in referrals on juveniles under the age of twelve. Many of these referrals are for sex offenses and serious felonies.



The increasing number and seriousness of juvenile criminal matters continues to create courtroom pressure. The scheduling conference, initiated in late 1991, has been successful in resolving numerous cases at an early stage in the proceedings. At the beginning of 1992, roughly 75% of all cases were resolved at the scheduling conference. Although this resolution rate dropped to 50% by the end of the year, the procedure will be kept. Nevertheless, the delinquency courtroom dockets are overflowing. All declination hearings and most trials are sent to Superior Court Administration for courtroom assignment. Frequently the dependency courtroom will be used to assist in handling the delinquency dockets. It has not been unusual to find, at any given time, that three or four Pierce County courtrooms are handling juvenile criminal matters.

In the last half of 1992, the Juvenile Division began to use volunteer law and paralegal students to help handle the increasing workload. This program has been extremely successful and has greatly improved morale while reducing backlog.

<u>CHARGES FILED 1992</u>	NUMBER OF CASES FILED	CONVICTIONS	ACQUITTALS	DECLINE TO ADULT STATUS	BAIL FORFEITURE AND RETURN TO DIVERSION AND JURIS. TRANSFER	DISMISSALS	1992 PENDING
AGG MURDER 1	1	-	-	1	-	-	-
ASSAULT (FELONY)	83	43	2	6	6	13	13
ASSAULT (MISD)	249	117	-	-	55	48	29
ARSON	7	2	-	-	-	-	5
BURGLARY 1	34	18	-	-	-	9	7
BURGLARY 2	221	152	-	-	4	15	50
CHILD MOLEST	33	19	-	-	2	-	12
CHILD RAPE	42	22	-	-	-	6	14
CRIMINAL TRESPASS	145	87	-	-	36	16	6
DRUGS (NARCOTIC)	72	40	-	2	9	11	10
DRUGS (NON-NARCOTIC)	22	8	-	-	6	6	2
ELUDING	18	12	-	-	4	1	1
ESCAPE	23	20	-	1	-	2	-
FORGERY	15	6	-	-	4	3	2
INDECENT LIBERTIES	12	5	-	-	1	2	4
KIDNAPPING	2	-	-	1	-	1	-
MAL MISCHIEF (FELONY)	41	13	-	-	10	6	12
MAL MISCHIEF (MISD)	86	44	-	-	28	10	4
MANSLAUGHTER	3	3	-	-	-	-	-
MINOR IN POSSESSION	35	11	-	-	9	7	8
MURDER 1	6	-	-	4	-	1	1
MURDER 2	2	-	-	2	-	-	-
OTHER FELONY	10	6	-	-	-	1	3
OTHER MISDEMEANORS	99	59	-	-	25	11	4
PSP (FELONY)	59	29	1	1	10	5	13
PSP (MISD)	37	25	-	-	9	2	1
PROSTITUTION	6	3	-	-	-	1	2
RAPE	9	5	-	1	-	2	1
RECKLESS BURNING	13	7	-	-	5	-	1

<u>CHARGES FILED 1992</u>	NUMBER OF CASES FILED	CONVICTIONS	ACQUITTALS	DECLINE TO ADULT STATUS	BAIL FORFEITURE AND RETURN TO DIVERSION	DISMISSALS	1992 PENDING
RECKLESS ENDANGERMENT	38	20	-	3	4	8	3
ROBBERY	77	32	1	6	1	9	28
STUDENT WITH WEAPON	27	14	-	-	4	5	4
TAKING MOTOR VEHICLE	335	197	-	-	78	26	34
THEFT (FELONY)	111	62	-	1	25	6	17
THEFT (MISD)	338	134	1	-	88	56	59
TRAFFIC VIOLATIONS	48	19	-	-	11	8	10
VEHICLE PROWLING	80	56	-	-	20	2	2
WEAPON VIOLATIONS	101	54	-	3	14	14	16
TOTALS:	2,540	1,344	5	32	468	313	378

APPEALS DIVISION

In 1992 the number of appeals handled by the unit increased dramatically. In 1991 there were 74 new direct appeals filed compared with 111 in 1992. District Court appeals (RALJ) were also up from 44 in 1991 to 83 in 1992. Personal Restraint Petitions also nearly doubled from 19 in 1991 to 31 in 1992. Despite the continued upgrading of computer skills and new organization systems for accessing existing responses to repetitive issues, the workload continued to grow in 1992 at a pace which continually stressed and overtaxed the two appellate deputies and two legal interns in the unit.

As a continuing member of the Washington Association of Prosecuting Attorneys Appellate Committee, Pierce County reviewed legislation, identified pivotal appellate issues and prepared amicus briefs to assist the courts in resolving issues of importance to the entire state.

TYPE OF APPEAL	NEW	ACTIVE	CASES RESOLVED
Direct Appeals	111	207	70
State's Appeals	6	14	5
District Court Appeals (Rules for appeal of decisions of Courts of Limited Jurisdiction - RALJ)	83	100	97
State's Appeals from District Court	3	6	5
Juvenile Appeals	25	54	25
Personal Restraint Petitions (PRP's)	31	41	28
Appellate Motions/Other	4	8	7
1992 TOTALS	263	430	237

INVESTIGATIVE SERVICES UNIT

The Investigative Services Unit was created by this office in early 1988, becoming the first such program in any prosecutors office statewide. It has since become a model for other prosecutors, providing the public with independent investigations of alleged official misconduct, officer involved shootings and complex fraud cases. Assistance with unsolved homicides has been provided to area law enforcement agencies resulting in several successful convictions.

This unit also conducts pre-employment background investigations and internal affairs investigations, locates hard to find witnesses, serves subpoenas, court orders and performs numerous other support functions necessary for trial preparation.

The following figures reflect activity level.

ACTIVITY	1989	1990	1991	1992
Subpoenas served in criminal cases	12,895	16,400	20,386	18,595
Revocation hearings orders, bench warrants, agreed orders	2,987	2,626	6,000	4,708
Criminal history files processed	4,979	5,820	4,598	5,182
IN-HOUSE INVESTIGATIONS				
Homicides/Officer Involved Death Investigations	18	21	16	20
Special Investigations	6	20	33	13
Pre-employment background investigations	48	69	69	62

EL CID

The EL CID program (Enforcement of the Law through Correctional Intervention and Diversion) continued to expand service to first offender felony clients. In 1992, a total of 341 clients were active in the program. Of the 142 clients terminated from the program, only 8 % were unfavorable terminations. Due to the back-log of cases waiting to enter the program, a new counselor position was approved and will begin in 1993. By having clients deal with their felony behavior within a month of being referred, the program should be able to access more clients and begin working on anti-social behavior.

VICTIM WITNESS ASSISTANCE SERVICE

Case Status and Restitution information provided to victims ..	19,688
Domestic Violence	3,608
Witness Assistance	2,217
Court Escort	735
Outreach to Victims of Violent Crime	1,164
Outreach to Burglary Victims	753
Property Release	619
 Victims Served	 10,591
 Volunteer hours	 711 hours

The Victim Witness Assistance Service continued to focus on providing services to victims of hate crime/crimes against persons and burglary victims. These outreach programs utilize full-time staff and volunteers. Outreach to victims of these crimes, regardless of current prosecution, has allowed more individuals to access community resources.

Major changes were made in program operation when letters to victims were automated. This allowed more victims to have better information regarding the status of cases. It also gave victim advocates more time to personally address victims' concerns and prepare restitution information in a more timely fashion. VWAS' involvement in streamlining the restitution hearing process has prevented victims from making unnecessary trips to court and improved our response to victims.

Each trial team advocate has assumed new witness responsibilities. Deputy prosecuting attorneys have advocates work as liaisons in cases where witnesses must travel some distance to testify. Advocates set up travel arrangements with the witnesses and are available to accompany them to court if necessary.

MISDEMEANOR DIVISION

The Misdemeanor Division is responsible for four district courts which consist of nine separate courtrooms. Fourth degree assaults are given priority in criminal non-traffic cases. Fourth degree assaults include: domestic violence, child abuse and other assaults not charged as felony cases. The domestic violence unit continues to file a growing number of cases. New advocates have been added to increase our ability to assist victims of domestic violence and successfully prosecute their cases. DWPs are given priority in criminal traffic cases. The number of DWPs filed have increased steadily.

The increasing amount of courtroom time put in by the deputy prosecutors is reflected by the number of cases filed, other hearings and bench/jury trials. The division continues to be challenged in maintaining the quality of prosecution as the number of cases filed steadily increases.

1992	DISTRICT COURT NO. ONE	DISTRICT COURT NO. 2	DISTRICT COURT NO. 3	DISTRICT COURT NO. 4
CASES FILED	17,347	1,562	1,132	311
BENCH TRIALS	90	20	10	5
JURY TRIALS	126	16	10	7

DWPS FILED	1990	1991	1992
DISTRICT COURT NO. ONE	2,073	1,739	2,270
DISTRICT COURT NO. TWO	232	200	399

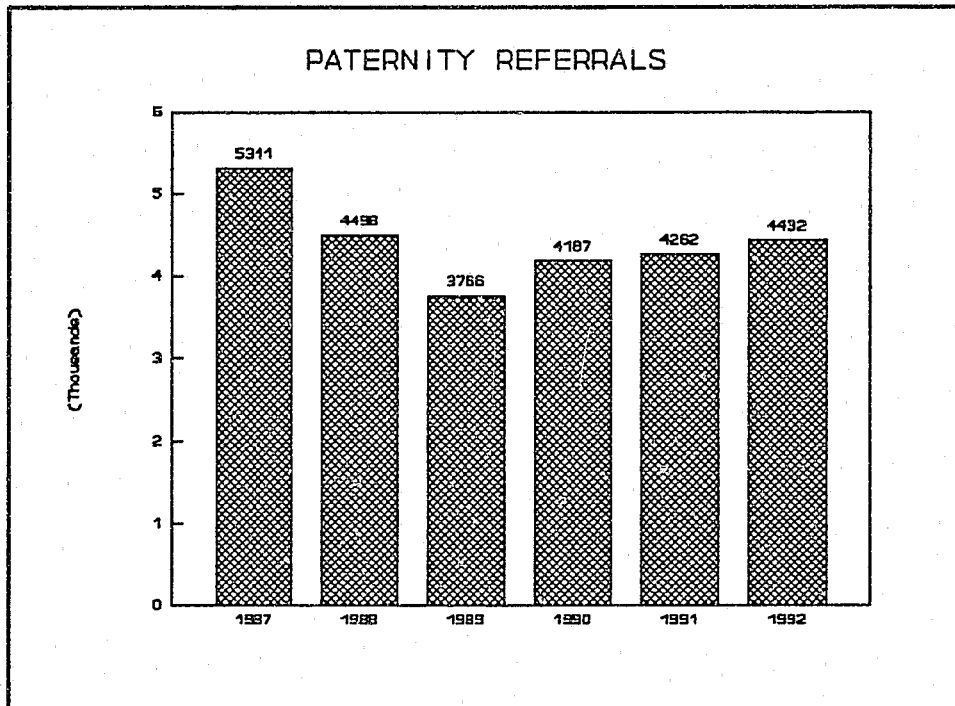
CASES FILED	1990	1991	1992
DISTRICT COURT NO. ONE	12,989	13,706	17,347

OTHER HEARINGS DISTRICT COURT NO. ONE	1990	1991	1992
	22,448	29,061	32,162

FAMILY SUPPORT

County Attorney (11)
Legal Interviewer/Supervisor (1)
Legal Interviewer (8)
Legal Assistant (10)
Word Processing Specialist (1)
Investigator (3)
Legal Interviewer Specialist (1)

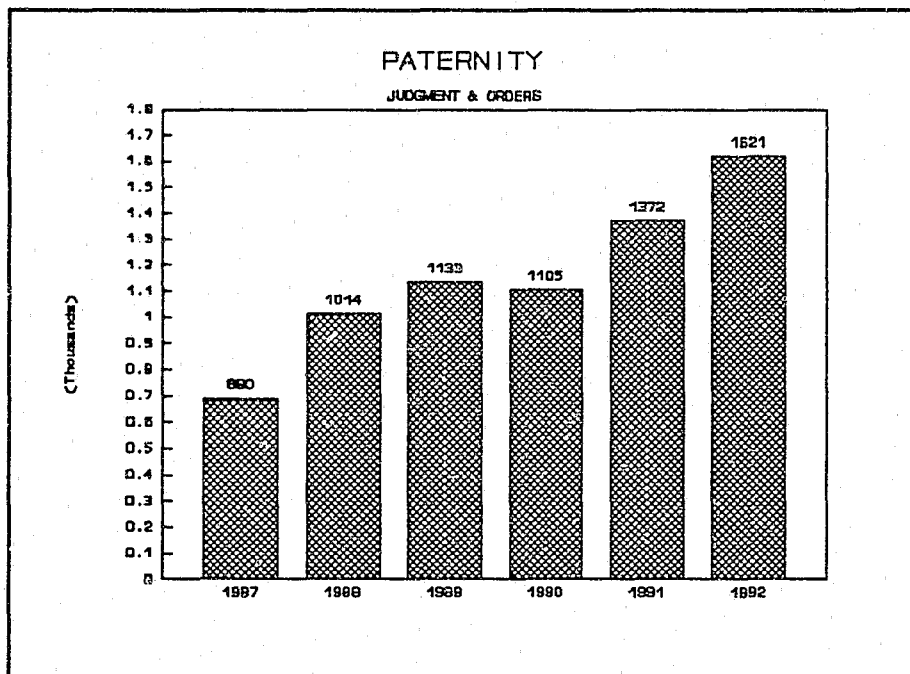
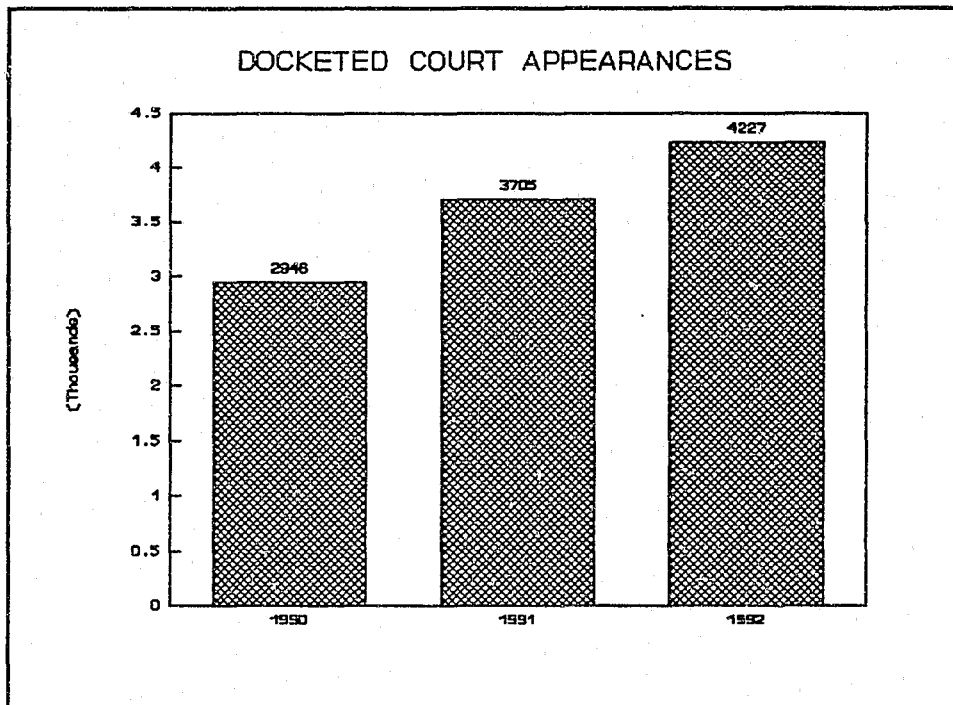
Staffing Level 35



The Family Support Division continues to be a model for the State with regards to policies, procedures and its aggressive stance in protecting the interests of children. This division ensures the legal establishment of paternity, the enforcement of court-ordered child support and making certain both parents accept their fair share of the financial, legal and emotional responsibilities of parentage.

The division was host for the 14th Annual State Family Support Conference held in September at the Tacoma Sheraton Hotel. This three-day training conference had over 400 attendees consisting of judges, attorneys general, deputy prosecutors, and federal and state child support enforcement personnel.

All litigation takes place at the Pierce County Superior Court level. The division had 4,227 court hearings/appearances in 1992 which represents a 14% increase over the 1991 docketed hearings.



The division was selected and has successfully piloted a project to mediate custody and visitation disputes that arise prior to a final court order in paternity cases. This project has resulted in 85% of the cases referred for such mediation to be amicably settled between the parties and for the benefit of the children. In addition, during the latter part of 1992 the division was authorized additional personnel to initiate court proceedings against parents who fail to pay their court-ordered current and back child support.