

## **Project Safe Neighborhoods – FFY 2018 Award Proposed 2018 PSN Strategy**

Addressing violent crime is a special priority of the Department of Justice. In furtherance of this priority, the Department is strengthening its Project Safe Neighborhoods program to improve community safety. The five pillars of the PSN program are leadership by the United States Attorney; partnership with federal, state, local, and tribal law enforcement and prosecutors, as well as the community; targeted and prioritized enforcement of laws against the drivers of violent crime; prevention, deterrence, re-entry, and outreach; and accountability, by measuring the impact of efforts on violent crime. This document is a working draft of the 2018 PSN strategy of the U.S. Attorney’s Office for the Western District of Washington, intended to generate discussion and input on each of these key components.

### **I. Background**

As of 2017, the Western District of Washington has a population of over 5.7 million residents.<sup>1</sup> King County has a population of nearly 2.2 million people, and is one of the fastest growing counties in the country. Indeed, its population grew by more than 20% from 2000 to 2016. That growth is largely driven by migration from other parts of the country and—especially—immigration from other parts of the world. Its racial diversity and its median household income are well above national and state averages; at the same time, the poverty rate and inequality of income are rising.<sup>2</sup>

Seattle, the seat of King County, is the largest city in the state with an estimated population of over 710,000 in 2017—up from about 609,000 just seven years earlier.<sup>3</sup> This represents considerably faster growth than the county as a whole; indeed, Seattle is the country’s fastest growing city over the past decade.<sup>4</sup> Like the surrounding county, Seattle is becoming more racially diverse and is experiencing more income inequality than ever before.

The counties neighboring King County—Pierce and Snohomish—and their largest cities—Tacoma and Everett—are feeling the effects of the rapid growth in King County. Their populations are also growing significantly faster than the national average.<sup>5</sup> The cities in Pierce

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<sup>1</sup> See State of Washington 2017 Population Trends, Office of Financial Management, Forecasting & Research Division (November 2017), available at [https://www.ofm.wa.gov/sites/default/files/public/dataresearch/pop/aprill/ofm\\_aprill\\_poptrends.pdf](https://www.ofm.wa.gov/sites/default/files/public/dataresearch/pop/aprill/ofm_aprill_poptrends.pdf) (visited June 21, 2018).

<sup>2</sup> Data regarding King County demographics are available at <https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/Demographics.aspx> (visited June 21, 2018), and “King County’s Changing Demographics,” a PowerPoint presentation accessible from that website.

<sup>3</sup> Data regarding Seattle’s population and demographics, unless a different citation is provided, is drawn from data published by Seattle’s Office of Planning & Community Development, available at <http://www.seattle.gov/opcd/population-and-demographics/about-seattle>.

<sup>4</sup> See, e.g., Balk, G., “114,000 more people: Seattle now decade’s fastest-growing big city in all of U.S.,” *Seattle Times* (May 24, 2018), available at <https://www.seattletimes.com/seattle-news/data/114000-more-people-seattle-now-this-decades-fastest-growing-big-city-in-all-of-united-states/> (visited June 29, 2018).

<sup>5</sup> Data regarding population trends in Pierce and Snohomish Counties, Tacoma, and Everett are available at <https://www.census.gov/quickfacts> (visited June 21, 2018).

County in particular also have growing racial diversity and high levels of poverty.

While violent crime rates in Washington are generally below national norms, as the population in the region has grown, so too has violent crime. For instance, from 2013 to 2017, violent crime in Seattle steadily increased.<sup>6</sup> Everett and Snohomish County have seen an increase in violent crime, particularly homicides and aggravated assaults, over the last two years.<sup>7</sup> And, on average, slightly more people in Washington are killed each year by gun violence (including suicides and accidents) than car crashes. Moreover, research shows that firearm-related homicide rates were higher in the Seattle/Tacoma region as compared to the rest of the state, with a significantly higher clustering of these types of events in the cities of Lakewood and Graham in Pierce County, and the Duwamish region of King County.<sup>8</sup>

A recent gang audit conducted in Seattle (2016) identified 42 distinct gangs across the five precincts of the city. The estimated total number of members/associates was between 1,344 and 1,764, with the South Precinct having the most reported gang members (an estimated 700 to 1000). On average, there were between about 33 and 44 members per group. Findings indicated an overwhelming majority of these gangs were extremely violent and had very little or no organizational structure.<sup>9</sup> A gang assessment completed by the Tacoma Police Department (2014) indicated that five major gangs were active within the city's boundaries, with an estimated 56 gang sets and approximately 400 members or associates.

As part of the Strategic Action Plan process completed for the FY2015 PSN grant, Maike & Associates reported gun crime and associated gang violence in Seattle oftentimes generated retaliatory violence that spilled over into surrounding jurisdictions. Similarly, law enforcement partners explained that groups associated with violence often cross jurisdictional boundaries to commit crimes in neighboring communities and/or to engage in retaliatory actions with rival gangs. Recent research done by the King County Prosecuting Attorney's Office shows that shots-fired incidents appear to be disproportionately clustered at jurisdictional boundaries, although they do not yet have an explanation for this phenomenon.

## **II. Strategies**

The U.S. Attorney's Office for the Western District of Washington is focused on the following strategies to address gun and gang violence in the region, keeping in mind the five pillars of PSN: leadership, partnership, targeted and prioritized enforcement, prevention, and accountability.

### **A. Collaboration.**

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<sup>6</sup> See Maike, M., FY2015 PSN Final Evaluation Report, at 12-13 (April 2018).

<sup>7</sup> See FBI Uniform Crime Reports (2012-2014).

<sup>8</sup> Campo, J., Firearm Deaths in Washington State (April 2013), available at <http://www.ofm.wa.gov/researchbriefs/2013/brief071.pdf> (visited June 21, 2018).

<sup>9</sup> Fox, A., Maike, M., & Osborn, M. Comprehensive Community Assessment: Seattle, Washington, (2016).

The U.S. Attorney's Office has longstanding relationships with both federal and local law enforcement partners, including ATF, FBI, DEA, USMS, the King County Prosecuting Attorney's Office, Seattle PD, Tacoma PD, the Washington State Patrol, the Washington Department of Corrections, and other local departments, to address violent crime. These partnerships should continue to be nurtured and strengthened, and new partnerships developed, with the following goals in mind:

- exchanging information among partner agencies regarding large-scale operations or investigations being undertaken in the jurisdiction that could affect partner agencies, and regarding important developments that arise during those operations/investigations;
- informing partner agencies about gun and gang violence trends;
- collaborating regarding future operations or investigations, based on common needs, trends in the district, and agency competencies, especially with respect to collaborating on long-term investigations, using tools such as VICAR, RICO, or Title III targeted at groups that are driving violence in the community;
- sharing best practices and strategies to address gun and gang violence in the district;
- identifying other potential PSN-related partners (nonprofits, health departments, and other community-based organizations) to collaborate on outreach and prevention;
- developing "hot spot" initiatives to address localized violence; and
- addressing other common issues as they arise.

B. Impact Prosecution.

The U.S. Attorney's Office has partnered for the last several years with the King County Prosecuting Attorney's Office to jointly identify all defendants who could be prosecuted in either jurisdiction, and collaborate on where prosecution could have the most impact. For example, between September 2015 and September 2017, a SAUSA jointly funded by KCPAO and DOJ reviewed nearly 600 felony cases involving firearms. Among the 241 cases eligible for federal prosecution, 72 firearms cases were identified and adopted for federal prosecution (nearly 30%), and an additional 91 firearms cases were resolved in state court with a federal no-prosecution agreement (nearly 40%). This procedure ensures that appropriate firearms cases are prosecuted federally, and informs a better understanding of hot spots, gang rivalries, and violent offenders that can support other decisions about how to combat gun violence. And, the SAUSA acts as a bridge between local and federal law enforcement, which facilitates information-sharing between prosecutors and law enforcement agencies and improves decision making with respect to each individual case. Continuing this collaborative approach, and choosing the locus of prosecution based on which jurisdiction will have a more significant impact on violent crime, is a critical component of the District's PSN strategy. In the future, the District would benefit from an expansion of this collaborative effort to other counties that have significant gun and gang violence in their communities, most notably Pierce, Snohomish, and Skagit Counties.

### C. NIBIN and CGIC.

In approximately 2013, the local field office of ATF launched the Crime Gun Intelligence Center, including a multi-agency Crime Gun Task Force, targeting firearm violence and illegal gun sales. The CGIC's vision was to establish a collaborative effort between federal, state, local and regional law enforcement agencies to investigate firearms-related violent crimes and identify suspects for proactive investigation. The CGIC was developed, in part, to address a significant underutilization of the National Integrated Ballistic Information Network (NIBIN) system, as well as to address a considerable backlog of evidence collected and submitted for testing. Goals included the identification of crime gun sources, development of factual basis for resource allocation, and the provision of accurate crime gun data to decision makers.

Local law enforcement agencies, most notably SPD, made NIBIN testing of recovered bullet casings and firearms a priority. As a result, SPD significantly increased its evidence submittals and improved its actionable intelligence, targeted identifiable "hot spots" where firearm and gang activity was prevalent, and focused efforts on removing active shooters from the community.<sup>10</sup> This has been largely successful. For instance, as evidence submittals have increased, so did the "hit rate" (rate of leads generated by NIBIN matches), from 3% in 2012 to 30% mid-year 2017. Further, between October 2015 and September 2016, 41 cases were investigated by the CGTF, 63% of which were the result of one or more NIBIN leads. In all, 63 individuals were arrested, 75% of whom were gang affiliated.<sup>11</sup> The CGIC program has proven to be an important investigative tool for law enforcement agencies, supporting the identification of suspects through the linking of crime scenes, and revealing patterns of gun crime, such as gun usage, gun sharing, and other gun related criminal activities typical of street gangs, drug cartels, and other organized crime entities.<sup>12</sup> The information generated by the CGIC also informs strategic and prioritized enforcement by this Office and local prosecutors.

Increasing the use of NIBIN technology and building the capacity of the CGIC are thus key strategies of the U.S. Attorney's Office. Law enforcement partners have identified a number of steps to be taken to improve the efficacy of the CGIC:

- aligning policies and protocols regarding evidence collection and submission across law enforcement agencies to ensure timely submission of evidence;
- assisting smaller agencies with submission practices so that casings can be entered within 24 to 72 hours;
- assigning officers/detectives to ATF task forces, on either a full- or part-time basis, in order to permit collaborative investigation of all NIBIN leads;
- addressing the Crime Lab's backlog of hit confirmations;

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<sup>10</sup> Maike, M., PSN Crime Gun Intelligence Center/Puget Sound Regional Crime Gun Task Force 2012-2016 NIBIN Data – Seattle Police Department (Internal Memo) (2016).

<sup>11</sup> *Id.*

<sup>12</sup> Ritter, N., "Study identifies ways to improve ATF ballistic evidence program," *NIJ Journal No. 274* (December 2014), available at <https://nij.gov/journals/274/Pages/ways-to-improve-nibin.aspx> (visited June 29, 2018).

- examining firearms already in evidence that have never been test-fired and submitted to NIBIN; and
- hiring of crime intelligence analysts to pair NIBIN results with local crime reports to successfully build cases against active shooters.

D. Continuing Outreach, Prevention, and Re-Entry Strategies and Developing New Approaches.

The U.S. Attorney's Office has long been engaged in prevention, outreach, and re-entry work. In 2012, the Office worked with the court and defense bar to create a drug court program, DREAM, which offers opportunities and support for rehabilitation to certain drug-addicted offenders. The USAO is committed to continuing this important work.

In the last two years, we have collaborated with the defense bar, the Bureau of Prisons, and U.S. Probation, to develop a re-entry handbook to provide to federal inmates upon release that addresses common questions and issues. Further, the Office launched an Outstanding Warrants Initiative to address local bench warrants while federal inmates are still incarcerated in order to permit them to access re-entry programs such as drug treatment programs and halfway houses. We will continue our partnerships with the defense bar, U.S. Probation, and the Bureau of Prisons to improve re-entry and reduce recidivism among federal defendants.

Finally, for a number of years, this Office has collaborated with local law enforcement and the Washington State Department of Corrections to provide information directly to releasing inmates informing them of state and federal firearms laws and the consequences of violating them (the FACE program). This in-person notification is coupled with a written pamphlet, also available electronically, advising inmates and their families about state and federal firearms laws.

This Office also intends to develop partnerships with local law enforcement and treatment providers to pilot an extension of the FACE program that would communicate one-on-one with individuals in the community who are at risk of committing violent acts. This "custom notification" program would identify high risk individuals and present them with a unified message about the consequences that will result should they continue to be involved in violent activity. This message is paired with a "moral voice" component and an offer of services. The model is predicated upon national research that concluded certain actions and associations within an individual's environment are a precursor to continued criminal behavior,<sup>13</sup> and research from New York shows that gang-involved juveniles were far less likely to remain gang involved or to reoffend when law enforcement officers engaged directly with them at home and in their neighborhoods, provided information about potential legal consequences for future criminal behaviors, and offered them individually tailored help.<sup>14</sup>

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<sup>13</sup> Kennedy, D. & Friedrich, M., "Custom Notifications: Individualized Communications in the Group Violence Intervention," Office of Community Oriented Policing Services (2014).

<sup>14</sup> See Ruderman, W., "To Stem Juvenile Robberies, Police Trail Youths Before the Crime," New York Times (March 3, 2013), available at <http://www.nytimes.com/2013/03/04/nyregion/to-stem-juvenile-robberies-police-trail-youths-before-the-crime.html> (visited June 29, 2018).

E. Research and Accountability.

The U.S. Attorney's Office is committed to following best practices, informed by data regarding violent crime trends in the region. Implementation of a proactive, intelligence-led crime reduction strategy is not feasible without the assistance of an embedded action research partner. Thus, to the extent possible, the Office will partner with a researcher who can help the USAO, our law enforcement partners, and any community partners access existing data and research, as well as collect and analyze our own data, to inform decision making.