## STAFF REPORT

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| **Agenda Item:** | 5 | **Name:** | Brandi Vena |
| **Proposed No**.: | 2020-B005 | **Date:** | January 21, 2020 |

**SUBJECT**

The eighth panel briefing related to security issues along the perimeter of the King County Courthouse.

**SUMMARY**

On January 22, 2020, a panel will brief the Government Accountability and Oversight Committee on security issues along the perimeter of the King County Courthouse. Invitees include representatives from the Department of Executive Services.

The Government Accountability and Oversight Committee held its last panel briefing, the seventh briefing, related to security issues along the perimeter of the King County Courthouse on December 10, 2019.

**BACKGROUND**

***Introduction / First Panel Briefing on Courthouse Perimeter Security***

At its July 11, 2017 meeting, the Government Accountability and Oversight (GAO) Committee hosted a panel of Superior Court judges, City of Seattle and King County law enforcement personnel and county executive staff to discuss security concerns around the perimeter of the King County Courthouse. The panelists raised the following issues and described previous and anticipated actions related to the issues:[[1]](#footnote-1)

* Safety issues, including assaults on jurors and courthouse employees, a bullet shot into Superior Court from south of the courthouse; broken windows from thrown objects,
* Illegal behavior, including drug dealing and lewd conduct, and
* Sanitation issues, including garbage, feces and urine.

At the same meeting, King County Chief Administrative Officer Caroline Whalen reported that a joint City of Seattle-King County work group was formed to address security issues and she has assigned a project manager to track action items and follow up. The work group, named the Courthouse Vicinity Improvement (CVI) Committee, consists of directors and senior staff from the King County Department of Executive Services, Metro Transit, Superior Court, the King County Sheriff’s Office, the Department of Community and Human Services, the Facilities Management Division, the City of Seattle Mayor’s Office, Seattle Police Department, Seattle’s Office of Intergovernmental Affairs, the City Attorney’s Office, and the Downtown Emergency Services Center. The CVI Committee was tasked to look at the courthouse perimeter security issue from four perspectives: public safety, transportation, human services, and sanitation.

Also at the meeting, King County Superior Court Presiding Judge Laura Inveen reported that an Ad Hoc Security Committee was established comprised of 12 Superior Court Judges, 1 Commissioner, 2 District Court Judges, the King County Prosecuting Attorney and several of his staff, and the Court Facilities and Security Manager. The committee had been made permanent under General Rule of the Court 36, a new statewide rule that requires all Courts to convene a security committee with all stakeholders. The committee identified the following 11 recommendations, the first 10 of which had unanimous support:

1. Immediately open Fourth Avenue entrance to the Courthouse.
2. Clean and scrub the sidewalks and outside walls of the Courthouse daily; pick up trash more frequently.
3. King County Metro Police emphasis on patrols.
4. Facilities Management Division’s security emphasis outside the courthouse.
5. Request Seattle Police Department’s emphasis on City Hall Park and Prefontaine Place.
6. Request the Seattle Police Department to remove tents and sleeping bags adjacent to the courthouse and also in City Hall Park.
7. Follow Facilities Management Division’s security recommendations.
8. Create a process to allow tenants, litigants and jurors to report all incidents.
9. Ask Metro to remove the bus stop shelter and/or seating on Third Avenue.
10. Advise jurors to use only the tunnel entrance from the Administration Building.
11. Order Third Avenue closed as an emergency measure. (split vote)

***Second and Third Panel Briefings*** ***on Courthouse Perimeter Security***

The GAO Committee held two additional panel briefings on this matter at its October 11, 2017 and April 24, 2018 meetings. The panelists provided several updates since the prior panel briefing. The highlights are grouped according to the CVI Committee’s four focus areas.

Public Safety

* Seattle Police Department’s (SPD) ongoing monthly report of crime data along the courthouse perimeter to the CVI Committee.
* SPD has provided an increased presence focusing primarily on the hours jurors arrive and leave the courthouse. Officers have been assigned to provide a presence directly in front of the courthouse and to patrol the area on bikes and in police vehicles.
* SPD’s Neighborhood Corrections Initiative team (State Department of Corrections with SPD) has worked this area for emphasis, and SPD’s bike and anti-crime teams have engaged in narcotics enforcement work.
* Metro Transit Police have continued visibility and patrol with Bike Patrol officers. The Bike Patrol, consists of 12 deputies and 2 sergeants and typically patrols the area that includes the courthouse and Prefontaine Place approximately 4-6 times per shift on average. They also cover Pioneer Square Station. Patrols generally operate Monday through Friday between the hours of 10 a.m. through 9 p.m.
* King County Facilities Management Division (FMD) security officers received additional training on rules of engagement and standards of conduct.
* FMD’s completion of a courthouse security assessment (recommendations underway).
* Council appropriated $400,000 of which $362,000 would be used to increase 3.0 FMD FTEs to increase security (1 FTE) and expand exterior cleaning and housekeeping support (2 FTEs).[[2]](#footnote-2)
* Additional juror wayfinding tools developed, including suggested walking directions to the Administration Building on the Superior Court website and improved signage in the Tunnel on the mezzanine and exists, directing people toward government facilities.
* Council appropriated $182,000 and the Sheriff’s Office opened the courthouse Fourth Avenue entrance for 16 hours per week (Monday through Thursday 7:45 a.m. – 9:45 a.m. and 12:00 p.m. – 2:00 p.m.). Although funding for this activity was available in November 2017, there was a delay in implementation due to retirements and marshal leave schedules.
* Implemented the Security Incident Report Portal[[3]](#footnote-3) for King County employees to report security concerns.
* Juror Incident Report Portal[[4]](#footnote-4) for jurors to report incidents.
* Superior Court Presiding Judge Laura Inveen reported that Fourth Avenue under the Yesler Bridge is a primary corridor for court users, however, employees and jurors are avoiding the corridor due to public safety issues.

Sanitation

* Power washing the sidewalks of the courthouse 2-3 times per week and general cleaning daily.
* Community correction work crews are cleaning the downtown King County campus six mornings a week (not Sunday) and Monday afternoons (includes light washing, but not power washing).
* City of Seattle Parks, Downtown Seattle Association’s Metropolitan Improvement District (MID), FMD and Downtown Emergency Service Center (DESC) commitment to increasing services for sanitation related to garbage removal and sidewalk cleaning.
* Completion of a report which outlined recommendation for a hygiene facility near the courthouse. The report was presented to the Budget and Fiscal Management Committee on May 9, 2018.[[5]](#footnote-5)

Transportation

* Completed installation of No Parking/Towing signs in alley and enforcement by Parking Enforcement Unit, in collaboration with SPD and Seattle Department of Transportation.
* Initiation of feasibility plan to install gate at east end of Jefferson Street (Jefferson Street Alley).
* Metro Transit not recommending to relocate bus stops and removal of bus stop seating on Third Avenue.

Human Services

* The City of Seattle’s Navigation Team and community police team have provided outreach and assistance to homeless individuals in the area.
* SPD is working with county executive staff and City of Seattle representatives in a multidisciplinary work group to address broad issues affecting the area.

In addition, Superior Court Presiding Judge Laura Inveen reported that some of the judicial staff met with City of Seattle Mayor Jenny Durkan and other Seattle offices to address long-term and short-term solutions on this matter, particularly regarding the short-term activation of City Hall Park, researching feasibility of removal of Prefontaine fountain, and development of design improvements for City Hall Park and Prefontaine Place in the Seattle Parks 2021-2026 capital budget.

***Supplemental Appropriation Related to Courthouse Perimeter (Ordinance 18602)***

In November 2017, the council appropriated $400,000 for FMD to “…*implement strategies to maintain cleanliness and security of the immediate vicinity of the King County courthouse building*”.[[6]](#footnote-6) Of the total appropriation, $362,000 would be used to fund 3.0 new FTEs: one FTE to increase security and two FTEs to expand exterior cleaning and housekeeping support. According to executive staff, FMD implemented additional security and exterior cleaning efforts immediately following the July 11, 2017 GAO Committee panel briefing, and the appropriation was used to reimburse those expenses.

In addition, through a proviso[[7]](#footnote-7), FMD was requested to provide a report providing recommendations for implementation of hygiene facilities in partnership with the City of Seattle in order to improve cleanliness of the exterior perimeter of the courthouse. The report recommended that the City of Seattle contract for a non-profit operated hygiene center in the vicinity of the courthouse. The report estimated that the hygiene center would have an annual operating cost of approximately $300,000. FMD completed and presented this report to council and the council accepted the report on May 2018.[[8]](#footnote-8)

Through the same supplemental appropriation ordinance, the council also appropriated $182,000 to the Sheriff’s Office to “*solely fund a one-year pilot for 2018 to reopen the King County Courthouse Fourth Avenue entrance at least during the periods of Mondays through Thursday between 7:45 a.m. and 9:45 a.m. and between 12:00 noon and 2:00 p.m. and to track the usage and variations of wait times at the fourth avenue entrance during those hours*”.[[9]](#footnote-9) The appropriation would add 2 FTEs (1 Marshal FTE and 1 Sergeant FTE) to the Sheriff’s Office.

***Fourth Panel Briefing on Courthouse Perimeter Security***

The GAO Committee held its fourth panel briefing on August 28, 2018. At the meeting, executive staff stated that since the third panel briefing on April 24, 2018 the CVI Committee membership and interested parties had grown with approximately 75 participants representing over 20 King County and City of Seattle departments and community based organizations.

Additionally, staff discussed the activation of City Hall Park by the City of Seattle Parks Department which began on August 6, 2018 and continued daily through September 2018. At that time the park was activated Mondays through Fridays[[10]](#footnote-10) and included a park concierge, buskers[[11]](#footnote-11) and other activities and amenities. A food truck was scheduled to be on-site daily, when possible.[[12]](#footnote-12) Seattle Parks also conducted general clean-up, tree limbing, and lighting improvements to City Hall Park. Several panelists reported anecdotally that activation of the park made a positive impact to the area, although a lack of SPD response to incidents was still a concern.

Captain Noel Fryberger from the King County Sheriff’s Office gave an update on the King County Courthouse Fourth Avenue security entrance and indicated that the office is trying to keep the entrance open as often as possible but that the approved supplemental appropriation only funds one screener and one marshal when two screeners and one marshal are required. As such, the office often has to pull staff from other areas to fill in; the office would need additional funding to be able to provide two screeners and one marshal to keep the entrance open full time. Superior Court Assistant Presiding Judge Jim Rogers indicated that a budget request would be made to keep the entrance open at all times.

Finally, executive staff indicated that Metro Transit plans to relocate the bus stop at southbound Third Avenue and James Street one block north by March 2019 as permitting and construction timelines allow.

***Fifth Panel Briefing on Courthouse Perimeter Security***

The fifth panel briefing on this topic took place on February 26, 2019. Meg Goldman from the Department of Executive Services gave a brief overview of progress made in City Hall Park activation and in planning for the area termed “Yesler Crescent” by Seattle City Councilmember Sally Bagshaw. Yesler Crescent includes City Hall Park, Prefontaine Place, Fortson Square, and Dilling Way. She confirmed that the City of Seattle Parks Department had approved funding for City Hall Park activation to continue into 2019 and 2020, and that a design and budget proposal for improvements to Yesler Crescent would be considered for the 2021-2026 Seattle Parks Department capital budget cycle.

With regards to security entrance at the courthouse, Captain Noel Fryberger from the King County Sheriff’s Office indicated that his team was looking at acquiring new magnetometers to keep people moving more quickly through the 3rd Avenue entrance and better screen for weapons. He stated that keeping the 4th Avenue entrance open full time is completely dependent upon staffing and that, at that time, there were several vacancies for screeners and one vacancy for a marshal. Captain Fryberger discussed keeping continuous recruitment open for screener positions in an effort to keep staffing levels where they need to be.

Judges Jim Rogers and Sean O’Donnell also spoke at the fifth briefing where they emphasized that they prioritize keeping the 4th Avenue courthouse security entrance open full time and the acquisition of new magnetometers in an effort to keep the courthouse free of weapons. Judge O’Donnell also stated that coordination by SPD and other police agencies has made a significant difference in number of incidents reported.

***Updates after the Fifth Panel Briefing***

The CVI committee has convened twice after the fifth briefing to the GAO Committee: on July 30, 2019 and September 30, 2019. At these meetings, representatives from SPD, DESC, the Navigation Team, and King County discussed their respective incident reports which indicated that incidents were generally trending downwards. Quarterly reports on crime data are provided by each group regarding area crime statistics, employee and juror incidents, and encampment data. Of note at the July meeting, Colleen Echohawk, Executive Director of the Chief Seattle Club, gave a presentation on the organization’s design of its new annex building and housing development which is part of an area redesign in collaboration with SDOT and the Alliance for Pioneer Square.

At both meetings several updates were provided on various subjects including, but not limited to, a City Hall Park Master Plan, an evaluation of City Hall Park summer activation, Fortson Square area plan, the King County Downtown Civic Campus, and plans by Seattle Parks for the area. Funding allocations from the City of Seattle for projects in Yesler Crescent were provided, with a total of $498,000 for 2019 and $472,000 in 2020. Finally, SDOT commissioned a Pubic Life Study for Pioneer Square. The study will document how many people are passing by or hanging out, whether they are alone or being social, what activities they are doing, and demographic information like age and gender. The data will be used to inform future projects.

In previous briefings to the committee, panel members have discussed the relocation of the southbound 3rd Avenue bus stop, which was located in front of the Morrison Building. Metro Transit originally planned to relocate the stop to an area on 3rd Avenue north of James Street in March 2019; that relocation was completed on September 21, 2019.

***Sixth Panel Briefing, Ensuing Events, and Seventh Panel Briefings***

On October 22, 2019 the Government Accountability and Oversight Committee held the sixth panel briefing where Anthony Wright, Director, King County Facilities Management Division, the Honorable Jim Rogers, Presiding Judge, King County Superior Court, and the Honorable Sean O'Donnell, Chief Criminal Judge, King County Superior Court updated the committee on security concerns and measures being taken around the perimeter of the courthouse.

After this briefing, as part of its deliberations on the 2019 2nd Omnibus Budget legislation, on November 20, 2019 Council appropriated $202,000 and 2.0 FTE positions for a screener and a marshal to allow the 4th Avenue entrance to the King County Courthouse to remain open full time in the final ordinance[[13]](#footnote-13). The appropriation was for the remainder of the 2019-2020 biennium and the ongoing biennial cost for the two positions is approximately $405,000.

Shortly thereafter, on December 2, 2019 the presiding judge of the King County Superior Court ordered that the Third Avenue entrance to the King County Courthouse be closed until January 1, 2020 as a response to an incident outside of the entrance in which a King County employee was physically assaulted. The seventh panel briefing was then held on December 10, 2019. Several county employees gave public comment regarding their safety concerns in the vicinity of the courthouse.

Speaking on the panel were King County Sheriff Mitzi Johanknecht; Honorable Jim Rogers, Presiding Judge and Honorable Sean O'Donnell, Chief Criminal Judge, King County Superior Court; Caroline Whalen, County Administrative Officer and Director, Department of Executive Services; Stephen Tucker, Deputy Director of Public Safety, Sound Transit; Chief Troy Olmsted, King County Sheriff; and Dave Jutilla, Transit Policy Chief, King County Metro Transit. The panel members discussed specific measures to be taken from a law enforcement perspective as well as a social services perspective, including what funding would be required to enact those measures. Panelists also discussed what could be accomplished in partnership with the City of Seattle and the Seattle Police Department.

***Updates since the Seventh Panel Briefing***

On December 11, 2019 the King County Council declared an emergency and made an appropriation of $400,000 to the King County Sheriff for overtime costs for two deputies to provide security enhancement through June 30, 2020 and authority for 3.0 additional FTEs to provide two additional screeners and one marshal in an effort to keep the 4th Avenue security entrance open consistently through June 30, 2020. The legislation also included $200,000 to the Department of Community and Human Services to provide outreach workers to connect people in the vicinity of the courthouse to critical services and resources[[14]](#footnote-14).

**INVITED**

* Caroline Whalen, County Administrative Officer and Director, Department of Executive Services
* Anthony Wright, Director, Facilities Management Division

1. A more detailed summary of the panelists’ report to the Committee is available in the 2017-B0200 staff report for the October 10, 2017 GAO committee meeting. [↑](#footnote-ref-1)
2. Ordinance 18602, enacted November 16, 2017. [↑](#footnote-ref-2)
3. URL: https://www.kingcounty.gov/audience/employees/safety-claims/safety-at-work/incident-report.aspx. [↑](#footnote-ref-3)
4. URL: https://kingcounty.gov/courts/superior-court/juror-information/juror-incident.aspx. [↑](#footnote-ref-4)
5. Motion 15153, adopted May 21, 2018. [↑](#footnote-ref-5)
6. Ordinance 18602 Section 69 ER1, enacted November 16, 2017. [↑](#footnote-ref-6)
7. Ordinance 18602 Section 69 P2, enacted November 16, 2017. [↑](#footnote-ref-7)
8. Motion 15153, adopted May 21, 2018. [↑](#footnote-ref-8)
9. Ordinance 18602 Section 9 ER5, enacted November 16, 2017. [↑](#footnote-ref-9)
10. Activation was weather dependent, therefore if it is raining heavily or predicted to do so, the park was not activated that day. [↑](#footnote-ref-10)
11. Street performance or busking is the act of performing in public places for gratuities. [↑](#footnote-ref-11)
12. Link to the food truck schedule: <https://www.seattlefoodtruck.com/schedule/city-hall-park>. [↑](#footnote-ref-12)
13. Ordinance 19021, enacted on December 4, 2019. [↑](#footnote-ref-13)
14. Ordinance 19044, enacted on December 19, 2019. [↑](#footnote-ref-14)