



## **LAKWOOD CITY COUNCIL STUDY SESSION AGENDA**

Monday, December 8, 2025

7:00 P.M.

City of Lakewood  
Council Chambers  
6000 Main Street SW  
Lakewood, WA 98499

Residents can virtually attend City Council meetings by watching them live on the city's YouTube channel:

<https://www.youtube.com/user/cityoflakewoodwa>

Those who do not have access to YouTube can call in to listen by telephone via Zoom: Dial +1(253) 215-8782 and enter meeting ID: 868 7263 2373

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Page No.1

### **CALL TO ORDER**

### **ITEMS FOR DISCUSSION:**

- (3) 1. Review of performance metrics related to permit review and timelines (SB5290). – (Memorandum)
- (27) 2. Review of Automated Traffic Safety Camera Program. – (Memorandum)
- (36) 3. Prosecution Services Update. – (Memorandum)

### **ITEMS TENTATIVELY SCHEDULED FOR THE DECEMBER 15, 2025 CITY COUNCIL MEETING:**

- 1. Proclamation recognizing Deputy Mayor Mary Moss for her service to the City of Lakewood.
- 2. Proclamation recognizing Mayor Jason Whalen for his service to the City of Lakewood.

*Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.*

3. Authorizing the execution of a collective bargaining agreement with Teamsters Local Union No. 117. – (Motion – Consent Agenda)
4. Authorizing the execution of an addendum to the agreement with Active Construction for the Steilacoom Boulevard Project. – (Motion – Consent Agenda)
5. Authorizing the execution of an agreement for right of way services for the Custer Road Safety Improvement Project. – (Motion – Consent Agenda)
6. Authorizing the execution of an interlocal agreement with the City of DuPont for municipal court services. – (Motion – Consent Agenda)
7. Appointing Planning Commission members. – (Motion – Consent Agenda)
8. Adopting amendments to the Lakewood Municipal Code related to the expansion of childcare center locations. – (Ordinance – Regular Agenda)
9. Granting a franchise agreement to Comcast Cable Communications Management. – (Ordinance – Regular Agenda)
10. Appointing a Presiding Officer to serve at the City Council meeting of January 5, 2026 until the election of the Mayor and Deputy Mayor. – (New Business – Regular Agenda)
11. Natural Environment & Climate Change (NECC) Program Climate Advisory Team Update. (Items for Discussion – Regular Agenda)

## **REPORTS BY THE CITY MANAGER**

## **CITY COUNCIL COMMENTS**

## **ADJOURNMENT**

*Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.*



**TO:** Mayor and City Council

**FROM:** Jeff Rimack, Planning & Public Works (PPW) Director  
Angie Silva, PPW Assistant Director

**THROUGH:** Doug Russell, City Manager *Doug Russell*

**DATE:** 12/8/25

**SUBJECT:** 2SSB 5290 PERMIT TIMELINES

**ATTACHMENTS:** Slide Deck

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### **Summary**

At the December 8<sup>th</sup> study session, the Department will outline the new State permit review requirements under 2SSB 5290, effective January 1, 2025, and compare the City's 2024 permit performance with its 2025 year-to-date results.

### **Background**

In the 1990s, Washington State adopted Chapter 36.70B RCW to establish a standardized framework for local project review of land use and environmental permits. These requirements do not apply to engineering or building permits.

The purpose of Chapter 36.70B RCW is to recognize that multiple permits may be required for a single development proposal, reduce duplication in local review processes, improve predictability for applicants, and ensure consistency with each jurisdiction's Comprehensive Plan. Local governments planning under the Washington State Growth Management Act must administer project review in a manner consistent with this state law.

In 2023, the Legislature amended Chapter 36.70B RCW through Second Substitute Senate Bill 5290 (2SSB 5290). Most provisions took effect on July 23, 2023, with the exception of the new permit decision timelines and annual reporting requirements, which are discussed below.

One of the most significant changes in 2SSB 5290 is the establishment of new decision timelines for certain project permits. A "decision" means approving, approving with conditions, or denying a project application. These new timelines took effect January 1, 2025, and are illustrated below.

Permit Type	Description	Decision Timeline	Examples
<b>Type 1</b>	Does not require a public notice or public hearing.	65 calander days	<ul style="list-style-type: none"> <li>• Design Review</li> <li>• Tree Removal</li> <li>• Shoreline Exemption</li> <li>• Temporary Use</li> </ul>
<b>Type 2</b>	Requires a public notice but no public hearing	100 calander days	<ul style="list-style-type: none"> <li>• SEPA Threshold Determination</li> <li>• Binding Site Plan</li> <li>• Shoreline Substantial Development</li> <li>• Short Plat</li> </ul>
<b>Type 3</b>	Requires both a public notice and public hearing ( <i>Hearings Examiner</i> ).	170 calander days	<ul style="list-style-type: none"> <li>• Preliminary Plat</li> <li>• Conditional Use Permit</li> <li>• Shoreline Variance</li> </ul>

**Permitting Operations & Workload**

Twenty-nine percent of PPW services are dedicated solely to permitting operations. In 2024, the city processed approximately 2,400 permits involving building, planning, and engineering reviews within the Planning & Public Works Department. Water, sewer, and fire permit reviews are completed by external service providers.

In 2025, between Quarters 1–3, the city has processed 2,110 permits, assisted 2,621 customers during lobby hours, and completed 5,799 inspections. At the December 8 briefing, we will review 2024 permit timelines and compare them to 2025 year-to-date performance.

# Permitting Statistics Overview

**12/8/2025 City Council Meeting**

Angie Silva, Assistant Director  
Planning & Public Works Department

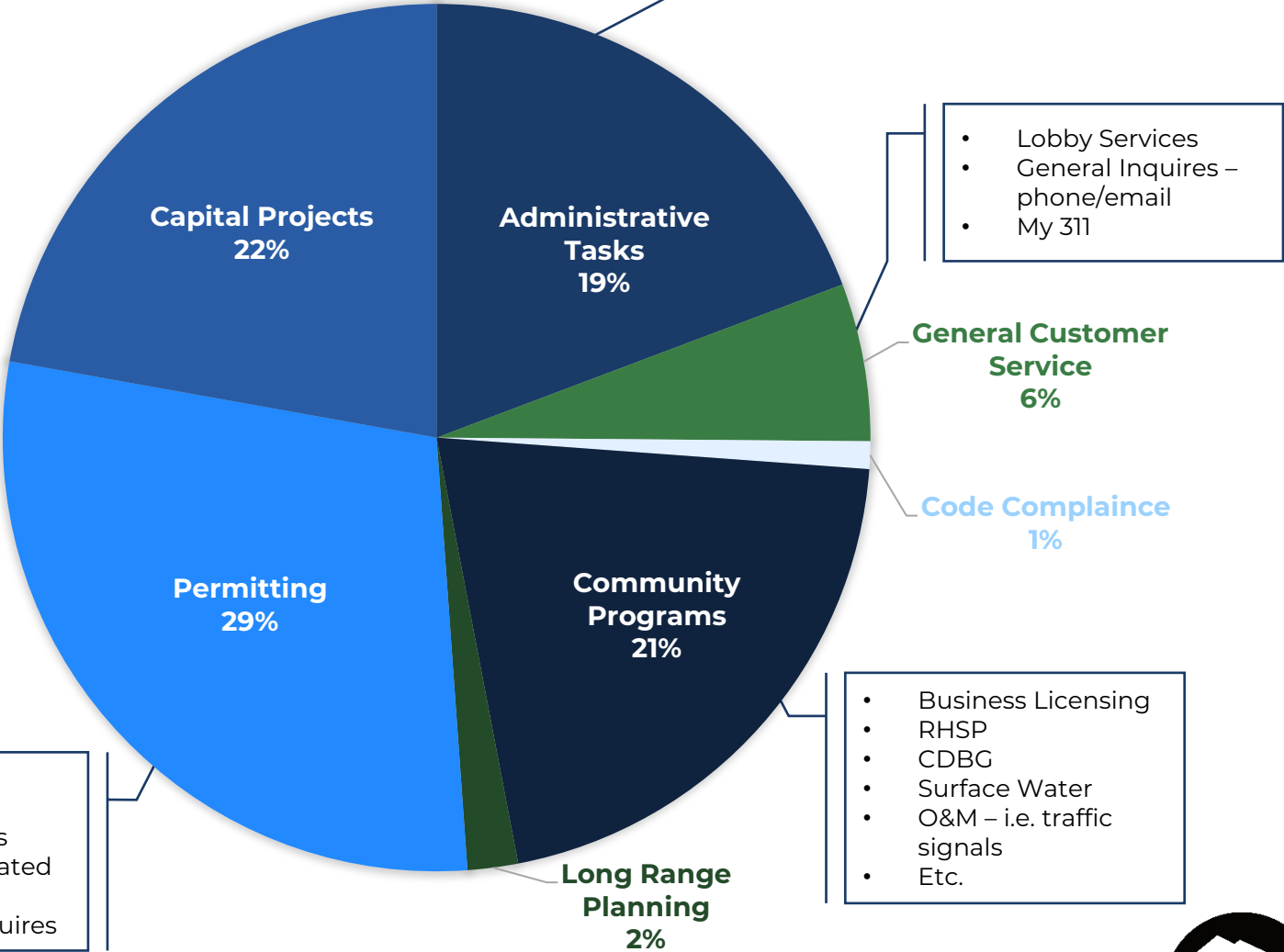


# Agenda

- Department Operations Overview
- 5290 Requirements
- Process Improvements
- Workload Distribution & Timelines
- Questions?



# PPW Operations



- Intake
- Review
- Inspections
- Permit Related Meetings
- Permit Inquires

- Internal Meetings
- Supervisory Responsibilities
- Public Disclosure Requests
- Required Reporting

- Lobby Services
- General Inquires – phone/email
- My 311

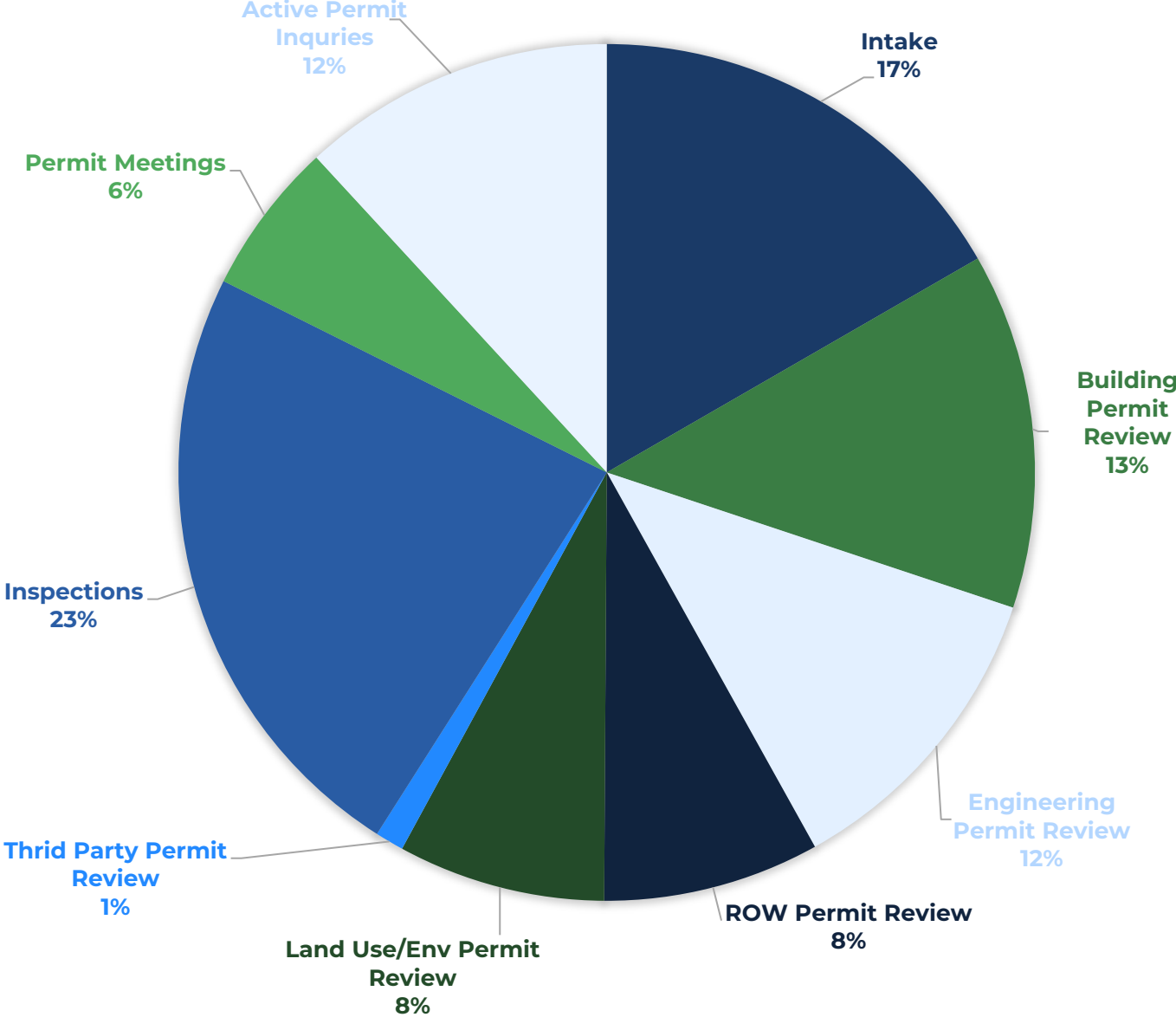
**General Customer Service**  
6%

**Code Compliance**  
1%

- Business Licensing
- RHSP
- CDBG
- Surface Water
- O&M – i.e. traffic signals
- Etc.



# Permitting Operations



# 5290 Requirements



# 2SSB Overview

## Chapter 36.70B RCW

- Established in the 1990s
- Land use & environmental permit review. *Does not include building and engineering permits.*
- Coordinated with GMA & SEPA
- Recognizes several permits may be necessary
- Removes duplication & enhances predictability to reduce cost and time
- Ensure consistency with the Comprehensive Plan & local development regulations

## 2SSB 5290

- Signed into law in 2023 and revised again in 2025
- Amends Chapter 36.70B RCW
- New permit review timelines (January 1, 2025)
- New annual performance reporting



# Major Changes

## TYPE 1

- **Does not require a public notice or hearing.**
- Administrative decision. Appealable.
- **65 days** to issue decision.

## TYPE 2

- **Does require a public notice (i.e. NOA, SEPA).**
- Administrative decision. Appealable.
- **100 days** to issue a decision.

## TYPE 3

- **Requires both a public notice and hearing.**
- Hearings Examiner decision. Appealable.
- **170 days** to issue a decision.

## ❖ New Permit Timelines

- Went into effect 1/1/2025
- “Shot clock” starts at “complete” application
  - *doesn't include time when requesting information or appeal*
- Define what is the appropriate permit “type” or process
- Allows exemptions
- Encourages additional procedures to meet timelines
- To avoid fee refund penalties=*City must incorporate measures (i.e 3<sup>rd</sup> party review, pre-application conferences optional, etc)*



# Process Improvements



# 2025 Process Improvements

## New Permit System

- Consolidated permit review
- Refined application submittal requirements including removing separate applications for SEPA and TMF
- Better reporting capabilities and performance monitoring
- Refinement of workflows for efficiencies/less process time

## Standard Operating Procedures

- Created over
  - 40 SOPs
  - 8 permit portal tutorial
  - 32 customer brochures

# Workload Distribution & Timelines



# What Impacts Permit Review Timelines?

## Staffing Levels & Workload

- Need dedicated staffing to assist in processing, review and inspection services
- 3<sup>rd</sup> party review assistance
- Anticipated staff reduction in 2026 due to Limited Duration Positions

## Quality of Submittals/Applicant Response

- Incomplete, inconsistent or missing documents delay process
- Applicant response time to Request for Information

# What Impacts Permit Review Timelines?

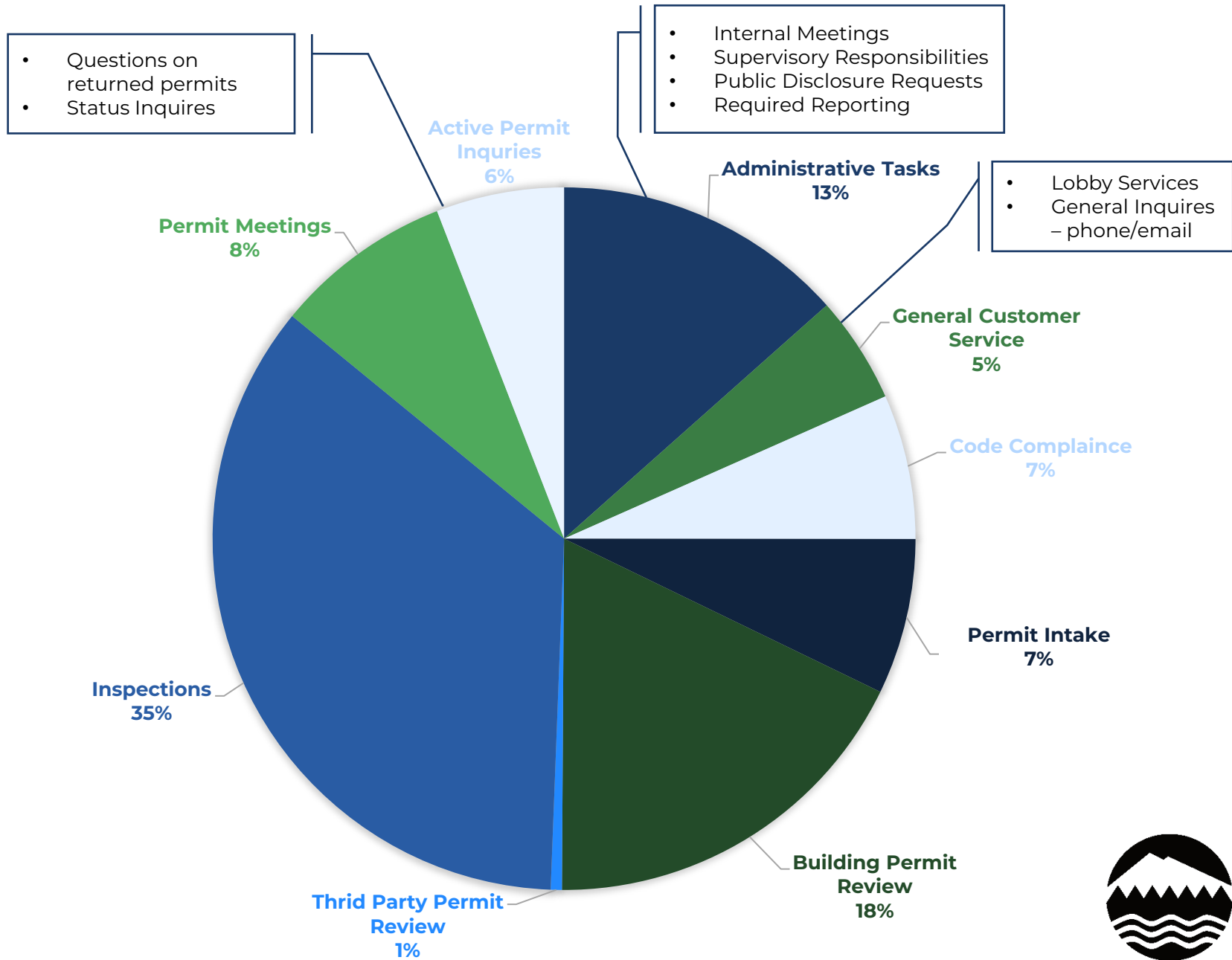
## Permit Complexity

- Large projects, require more review disciplines to ensure compliance
- Noticing, hearings and comment periods add time

## Tech & Process Efficiency

- Inefficient workflows and outdated systems slow process, communication and tracking

# Building Workload Distribution



# Building Permit Review Timelines

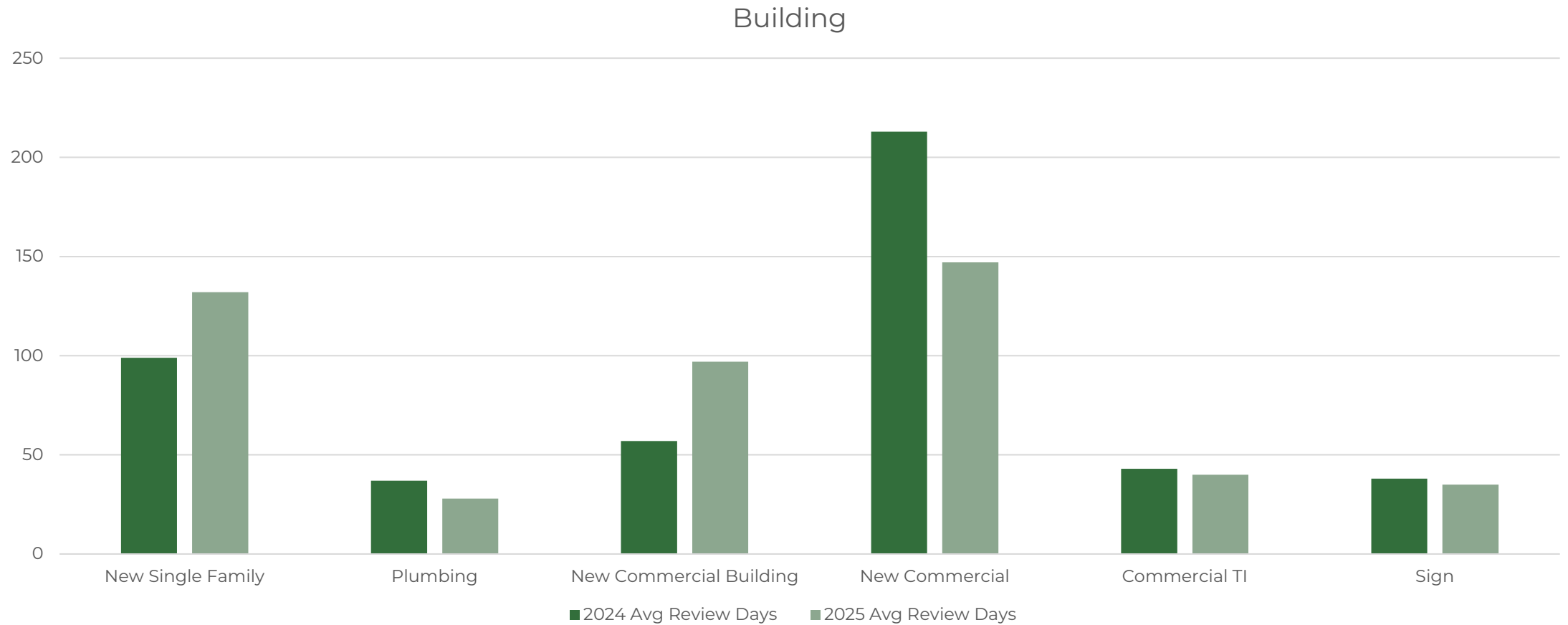
Permit Type	2024 Average Review Days	2025 Q1-Q3 Average Review Days
New Single Family	99	132
Plumbing	37	28
Mechanical	16	13
New Commercial	213	147
Commercial TI	43	40
Sign	38	35

## Review Goals:

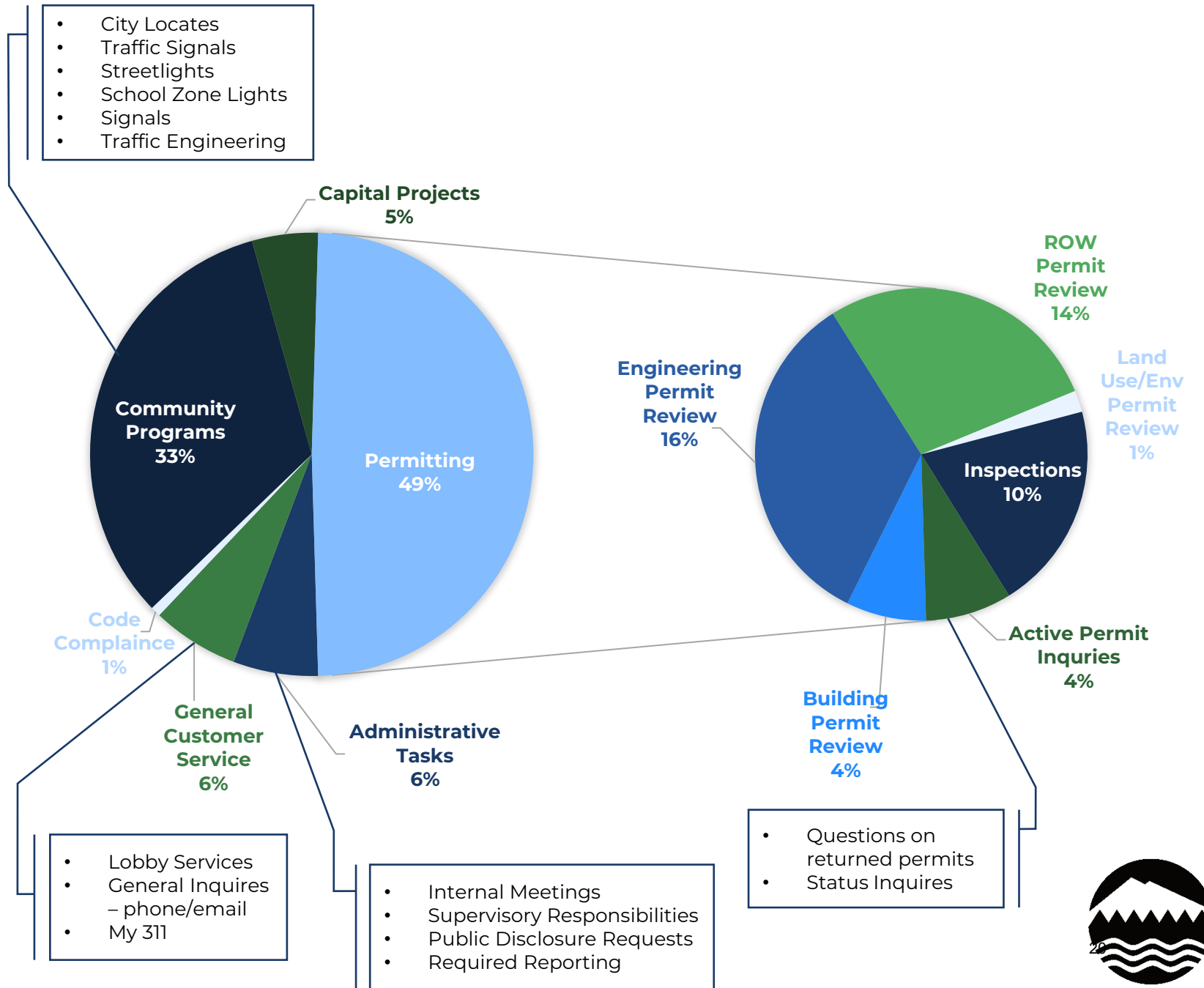
First Cycle - 30 days | Second Cycle – 20 days | Third Cycle – 10 days | Decision Deadline – 65 days



# Permit Timeline Snapshot— Building



# Engineering Workload Distribution



# Engineering Permit Review Timelines

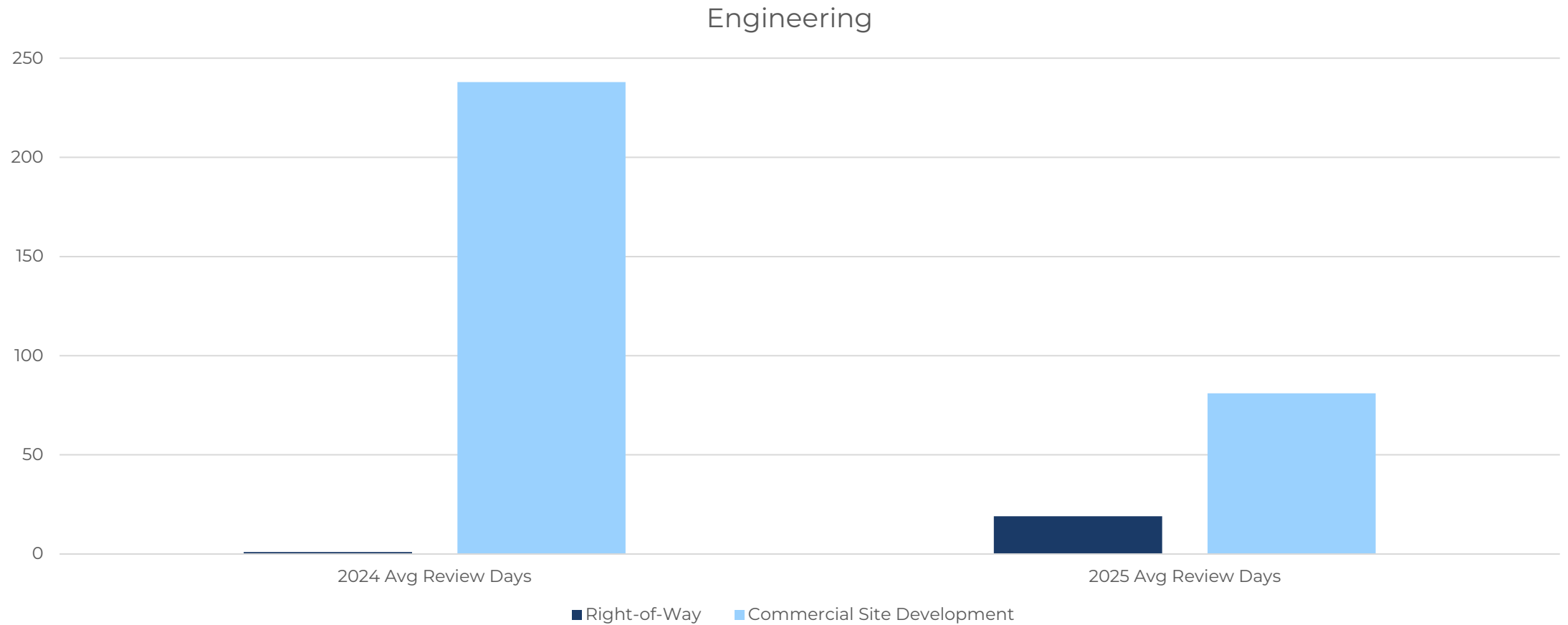
Permit Type	2024 Average Review Days	2025 Q1-Q2 Average Review Days
Right-of-Way	1	19
Commercial Site Development	238	81 <i>Combined into one application type</i>
Residential Site Development	184	
Traffic Mitigation Fee	35	<i>No longer standalone permit--Incorporated into other permit reviews</i>

## Review Goals:

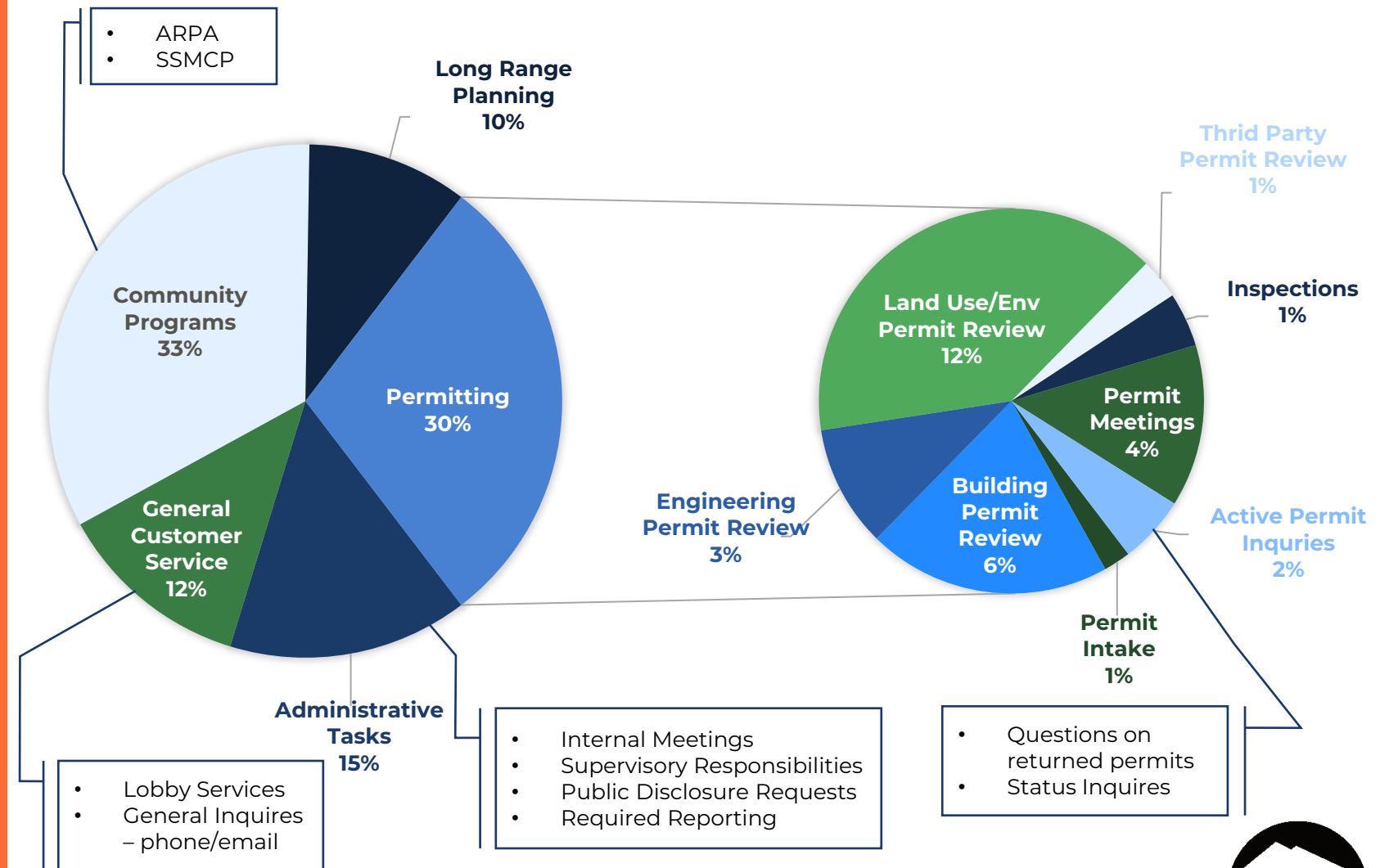
First Cycle - 30 days | Second Cycle – 20 days | Third Cycle – 10 days | Decision Deadline – 65 days



# Permit Timeline Snapshot— Engineering



# Planning Workload Distribution

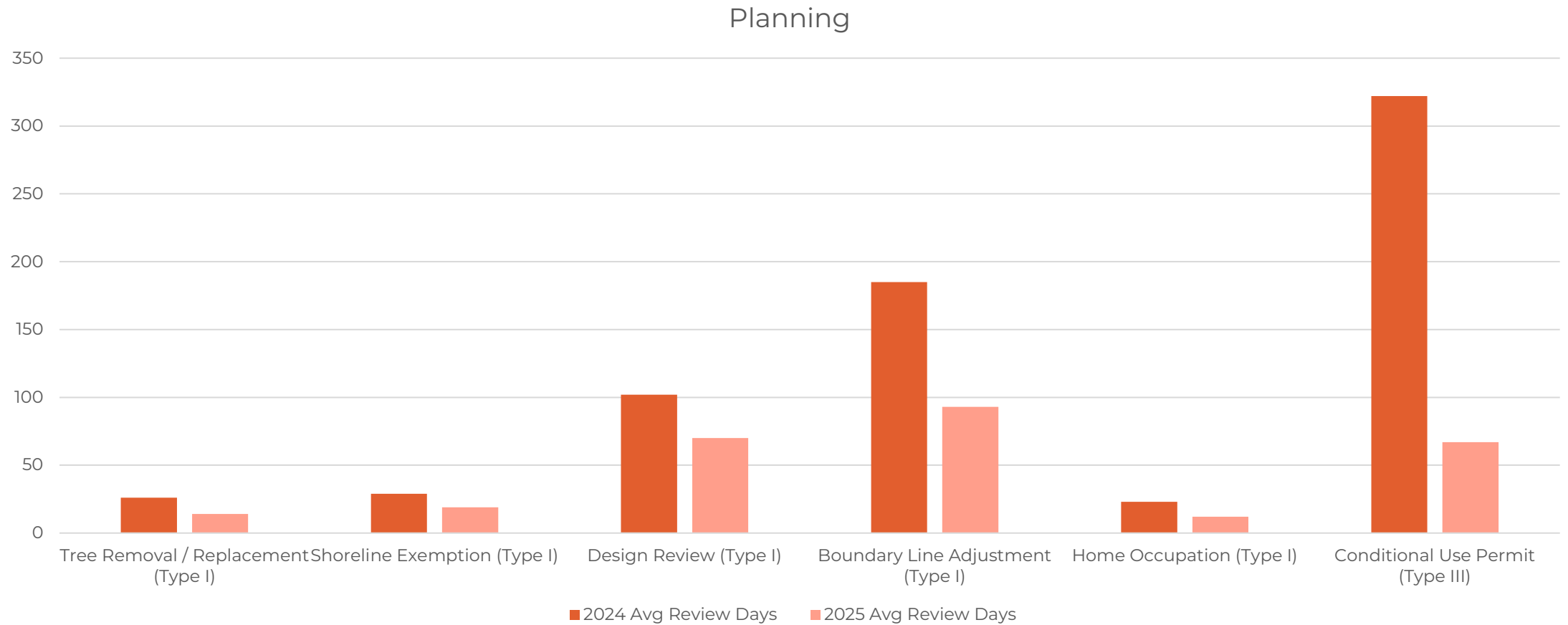


## Planning Permit Review Timelines

Permit Type	Permit Type	2024 Average Review Days	2025 Q1-Q3 Average Review Days
Tree Removal / Replacement	Type I	26	14
Shoreline Exemption	Type I	29	19
Design Review	Type I	102	70
SEPA	Type II	194	<i>No longer standalone permit-- Incorporated into other permit reviews</i>
Boundary Line Adjustment	Type I	185	93
Home Occupation	Type I	23	12
Conditional Use Permit	Type III	322	67



# Permit Timeline SnapShot— Planning




# Thank you!

*Questions?*

Angie Silva, Assistant Director

Planning & Public Works Department

 [asilva@cityoflakewood.us](mailto:asilva@cityoflakewood.us)

 253-983-7839





**TO:** Mayor and City Councilmembers

**FROM:** Heidi Ann Wachter, City Attorney

**THROUGH:** Doug Russell, City Manager *Doug Russell*

**DATE:** Monday, December 8, 2025

**SUBJECT:** Review of Automated Traffic Safety Program

**ATTACHMENTS:** Powerpoint

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This briefing is to explore the potential impact of expanding the automated traffic safety program in the city. The City Council was last briefed on legislative updates to the regulation of automated traffic safety cameras on [June 17, 2024](#). At that time the city opted to maintain the current number of cameras rather than expand, thus exempting the city from the requirements of the new legislation.

### **Restrictions on use of revenue under an expanded program**

Restrictions on the use of revenue by the state will apply to automated traffic safety camera revenue generated by an expanded program.<sup>1</sup>

...a county or a city may only use revenue generated by an automated traffic safety camera program as authorized under this section for:

(i) Traffic safety activities related to construction and preservation projects and maintenance and operations purposes including, but not

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<sup>1</sup> The city's current automated traffic safety camera program is exempted as a program "in effect before January 1, 2024" provided it does not expand more than ten percent. RCW 46.63.220(13)(d).

limited to, projects designed to implement the complete streets approach as defined in RCW [47.04.010](#), changes in physical infrastructure to reduce speeds through road design, and changes to improve safety for active transportation users, including improvements to access and safety for road users with mobility, sight, or other disabilities; and

(ii) The cost to administer, install, operate, and maintain the automated traffic safety cameras, including the cost of processing infractions.<sup>2</sup>

For ease of reference, these are labeled “traffic safety activities” and “cost of program” going forward. In short, under these regulations, the city would have more cameras, thus generating more tickets and consequently more revenue. The city’s use of the revenue is restricted but the city can use the revenue to in turn free up General Fund money.<sup>3</sup>

### **Requirement that traffic safety activities be supported by data**

Revenue used for traffic safety activities as detailed in this section of state law must include expenditures in specific census tracts:

(i) The automated traffic safety camera program revenue used by a county or city with a population of 10,000 or more for purposes described in (a)(i) of this subsection must include the use of revenue in census tracts of the city or county that have household incomes in the lowest quartile determined by the most currently available census data and areas that experience rates of injury crashes that are above average for the city or county. Funding contributed from traffic safety program revenue must be, at a minimum, proportionate to the share of the population of the county or city who are residents of these low-income communities and communities experiencing high injury crash rates. This share must be directed to investments that provide direct and meaningful traffic safety benefits to these communities. Revenue used to administer, install, operate, and maintain automated traffic safety cameras, including the cost of processing infractions, are excluded from determination of the proportionate share of revenues under this subsection...

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<sup>2</sup> [RCW 46.63.220\(13\)\(a\)](#).

<sup>3</sup> The city can effectively use camera revenue to supplant current expenditures.

This means that under an expanded program, the city could first use revenue to pay for the cost of the program. Remaining revenue must go to traffic safety activities as proscribed by statute.

Revenue used for traffic safety activities requires a determination as to what share of the city's population are residents of census tracts with household incomes in the lowest quartile and areas that experience rates of injury crashes that are above average for the city. The city must use revenue for these areas in proportion to the share of population in these areas.

Census data can be analyzed to determine which census tracts receive traffic safety activities first. Additionally, the city will need to document the areas experiencing rates of injury crashes above the city's average. Revenue also goes to these areas first. Revenue spent on traffic safety activities in these areas must be proportionate to the population of these areas in the context the overall city population.

If the census tracts are 25% of the city's population and the areas experiencing high injury accident rates represent another 25% of the city's population, then 50% of the revenue generated (after paying for the program) must be spent on traffic safety activities in these areas.

The remaining 50% of revenue after paying for the program may be used for traffic safety activities in any part of the city. None of the revenue may be spent for other than the program and traffic safety activities as detailed in the statute.

Expenditure from the General Fund for roads is insufficient to address the need, particularly in neighborhood streets that are unlikely to attract grant funding through the National Highway System Asset Management Program. The city uses a Transportation Benefit District that covers a chipseal program. There are funds provided through the General Fund for basic maintenance but not a dedicated fund for roads in the city.

Revenue generated under an expanded camera program could fund road work that is currently not funded.

### **Revenue sharing with the state**

Four years after initial placement of an automated traffic safety camera as authorized under the new state law, twenty-five percent (25 %) of revenue after paying for the program must be deposited into the Cooper Jones active

transportation safety account.<sup>4</sup> The Cooper Jones Active Transportation Safety Council (ATSC) was created by the state legislature in 2019 by combining the Pedestrian Safety Council and the Cooper Jones Bicyclist Safety Advisory Council.

The ATSC is staffed by the Washington Traffic Safety Commission and submits recommendations to the state Legislature annually. The report addresses data and programs related to fatalities and serious injuries involving those using active forms of transportation, points of improvement for the transportation system and patterns in active transportation fatalities and serious injuries.

Once the cost of the program is paid and the state is paid, the remaining revenue may be expended as previously indicated. The revenue must be spent in accordance proportionately with the census tracts and high-incident areas.

### **Consideration of options must consider both revenue and traffic safety**

Essentially, the decision regarding expansion of an automated traffic enforcement program becomes a math exercise.

#### Formulas:

For illustration rough 2025 numbers are used in each formula. The formulas do not account for specific volume by camera; the volume is divided evenly between cameras. If authorized to move to a next step, more detailed analysis can be performed including consideration of specific volume to be expected at each camera.

#### *Current program*

Number of tickets X amount of fine = \$759,698.60 to the General Fund.

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<sup>4</sup> ...beginning four years after an automated traffic safety camera authorized under this section is initially placed and in use after June 6, 2024, 25 percent of the noninterest money received for infractions issued by such cameras in excess of the cost to administer, install, operate, and maintain the cameras, including the cost of processing infractions, must be deposited into the Cooper Jones active transportation safety account created in RCW [46.68.480](#). RCW 46.63.220(13)(c).

Tickets actually paid versus unpaid has not been considered nor has variation in fine amount. The current number of cameras is 8 which, assuming the revenue generated is approximately the same across the program, means that approximately \$10,551.37 is generated per camera per month.

Automated traffic safety cameras cost approximately \$4870.00 per camera per month.

AS camera revenue \$10,551.37 – AS camera cost \$4870.00 = \$5681.37 per camera per month that goes into the General Fund and can be spent without restriction. At 8 cameras, the revenue realized is \$45,450.96 per month, or \$409,058.64 to date for 2025.

*Expanded program 1<sup>st</sup> four years.*

Assuming \$5681.37 per camera per month, the number of cameras becomes the multiplier:

$\$5681.37 \times 10 \text{ cameras} \times 9 \text{ months} = \$511,323.30$

$\$5681.37 \times 15 \text{ cameras} \times 9 \text{ months} = \$766,984.95$

Adding 2 cameras yields a 20% increase in revenue generated. Adding 7 cameras yields a 46% increase in revenue generated.

This formula accounts for the cost of the program, a cost that can be paid with automated camera revenue. This means that the remaining money is available for traffic safety activities.

The city population in the “lowest quartile census tracts” must be determined and compared with the city population to determine the proportion of revenue to be spent in these census tracts. Roughly 33% of the city meets the lowest quartile; this analysis does not reach how much of this is confined to certain census tracts.

Similarly, population in the areas with high incidents of traffic injuries must be determined and compared with the city population to determine the proportion of revenue to be spent in these areas. The number of traffic injuries in the city is small. Areas with 2% or more of the city’s traffic injuries qualify.

To the degree that these numbers hold, this means that 65% of the remaining revenue is available for traffic safety activities. Using the \$5681.37 per camera

from the previous formula, this means \$3692.89 per camera per month for traffic safety activities throughout the city.

$$\$3692.89 \times 10 \text{ cameras} \times 9 \text{ months} = \$332,360.10$$

$$\$3692.89 \times 15 \text{ cameras} \times 9 \text{ months} = \$498,540.15$$

*Expanded program from 4<sup>th</sup> year on:*

In the fourth year after expanding the program, the city must remit 25% of revenue after paying for the automated traffic camera program to the Cooper Jones fund.

This is \$1420.34 per camera, leaving \$4261.03 per camera per month. The city is required to use 35% of this amount on traffic safety activities in “lowest quartile” and high traffic injury areas; this is \$1491.36 per camera per month, leaving \$2769.67 per camera per month for use throughout the city on traffic safety activities.

$$\$2769.67 \times 10 \text{ cameras} \times 9 \text{ months} = \$249,270.30$$

$$\$2769.67 \times 15 \text{ cameras} \times 9 \text{ months} = \$373,905.45$$

### **Camera placement for an expanded program**

The following potential locations were selected based on two primary criteria: (1) school zones within higher-traffic corridors, and (2) city parks situated along busier city streets or minor arterial roads. Consistent speed enforcement at these locations is expected to improve pedestrian safety, encourage compliance with posted speed limits, and address community concerns regarding vehicular speeds in sensitive pedestrian areas.

Recommended Locations: **minor arterial roads in bold**

#### **School Zones**

Clover Park High School	<b>Gravelly Lake Drive SW</b> , 112th Street SW
Lakes High School	Farwest Drive SW, Military Rd SW
Harrison Preparatory School	Lakewood Drive SW
Hudtloff Middle School	Phillips Road SW
Lochburn Middle School	<b>Steilacoom Blvd SW, Gravelly Lake Dr SW, Bridgeport Way SW</b>
Thomas Middle School	Holden Road SW
Custer Elementary School	<b>Steilacoom Blvd SW</b>

Dower Elementary School	<b>Custer Road SW</b>
Park Lodge Elementary School	<b>Gravelly Lake Drive SW</b> , 100th Street SW, Alfaretta St SW
Tillicum Elementary School	Washington Ave SW, Maple Street SW, Grant Ave SW
Lake Louise Elementary School	Holden Road SW, 112th Street SW
Oakbrook Elementary School	83rd Ave SW, Onyx Drive SW
Gravelly Lake K-12 Academy	112th Street SW

**City Park Zones**

Blueberry Park	<b>Lakewood Dr SW</b>
Fort Steilacoom Park	<b>Steilacoom Blvd SW</b> , Farwest Drive SW, Elwood Drive SW
Kiwanis Park	<b>Bridgeport Way SW</b>
Oakbrook Park	Onyx Drive SW
Ponders Park	<b>Pacific Highway SW</b>
Seely Lake Park	<b>Lakewood Drive SW</b>
South Puget Sound Wildlife Area	Phillips Road SW
Wards Lake Park	<b>S 84th Street</b>
Washington Park	Military Road SW

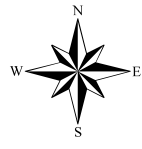
This initial list does not include sites for potential placement of Automated Traffic Safety Cameras at major intersections for red light enforcement, major roadways adjacent to hospitals, or for speed enforcement on minor arterial city roads. Those candidate sites could be readily identified and would be subject to the same analysis for suitability as described above.

**Next steps**

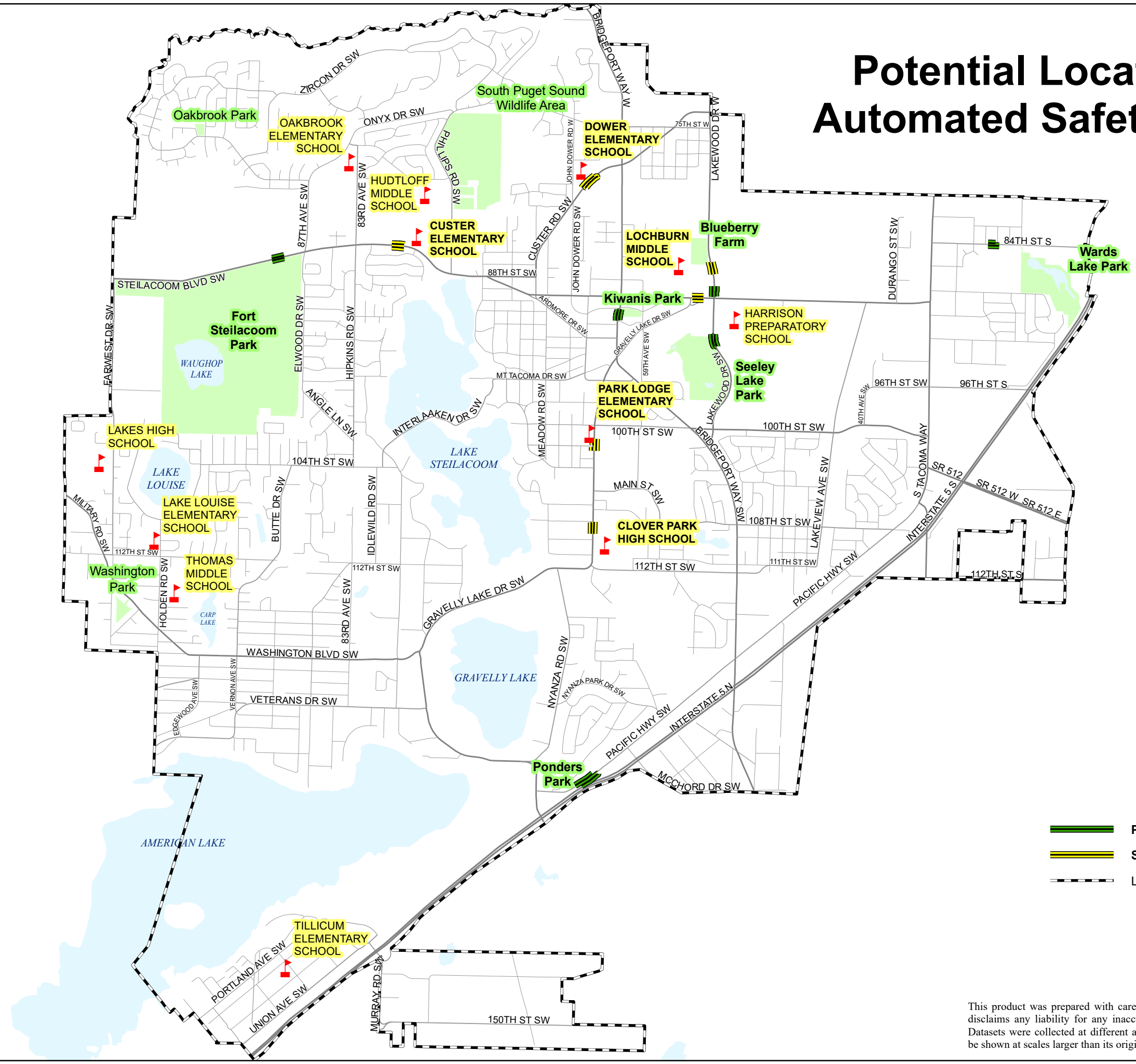
1. City Council direction regarding expansion of the automated traffic camera program.
2. If the program is to be expanded, traffic studies and other necessary steps will be taken to determine appropriate traffic safety camera location, including number of traffic safety cameras to add.
3. Further City Council consideration including further data such as traffic volume and more detailed analysis of revenue potential. This phase includes collecting historical data and traffic analysis to determine the

suitability of each location, done in cooperation with the Lakewood Police Department Crime Analyst and the provider of our current automated system, Verramobility. This includes speed studies, volume counts, and an evaluation of past reported collisions.




4. Determination of next steps based on this more detailed analysis. If an expanded program is desired, number and location of automated traffic cameras would come forward.

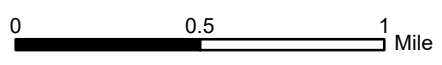


# Potential Locations for Automated Safety Cameras



DRAFT

-  Park Camera Corridor
-  School Camera Corridor
-  Lakewood City Limit



Map Date: December 01, 2025

This product was prepared with care by City of Lakewood GIS. City of Lakewood expressly disclaims any liability for any inaccuracies which may yet be present. This is not a survey. Datasets were collected at different accuracy levels by various sources. Data on this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.



TO: Mayor and City Councilmembers

FROM: Heidi Ann Wachter, City Attorney

THROUGH: Doug Russell, City Manager *Doug Russell*

DATE: Monday, December 8, 2025

SUBJECT: Prosecution Services Update

Approximately two years have passed since the City Council last reviewed prosecution services. During that time availability of attorneys to serve the need has changed and new pressures brought onto the city's criminal justice system. This briefing will describe the current level of service and anticipates the future course of this service.

### **The market for hiring and retaining attorneys is weak**

The city has hired seven attorneys in the past three years. The average tenure has been five months and the time it has taken to fill positions has extended. The current advertisement for an entry level prosecutor has been posted since May 8, 2025.

Anecdotally, this appears to be related to an attorney shortage. While much attention is paid to the shortage of attorneys to provide public defense, there is concern for the impact of the shortage of attorneys on prosecution.<sup>1</sup>

As the city has worked through periods without full-time prosecutors, the value of a contract for services has become apparent. The city currently has a contract for about half of the court calendars with a private firm; essentially, the work of finding court coverage has been contracted out. The remainder of court coverage, along with drug forfeiture and impound hearings, is performed by an in-house prosecutor.

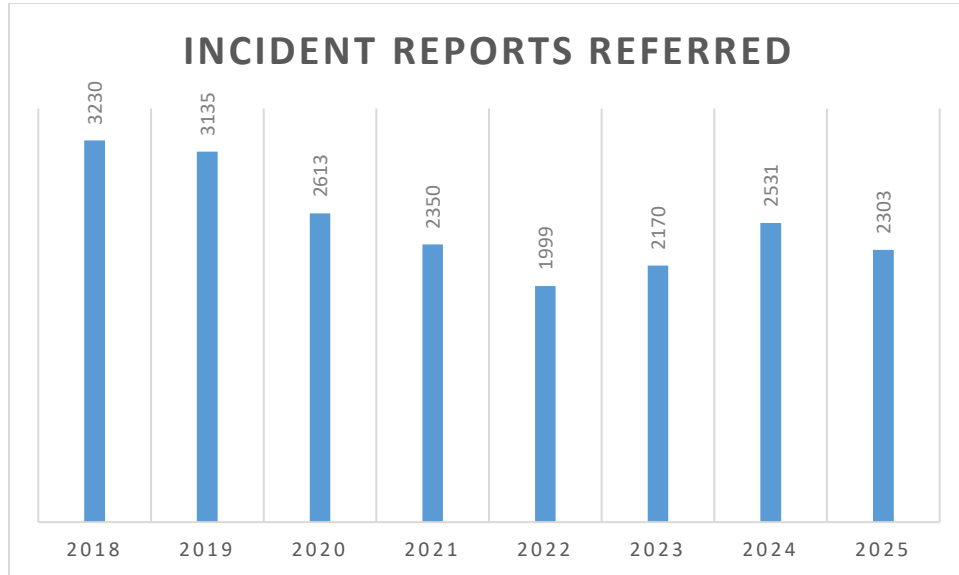
Based on observations of surrounding jurisdictions our recommendation is to continue in the direction of contracted services. The issue of hiring and retaining effective prosecutors does not appear related to either staffing levels, salary or other working conditions but to a genuine shortage in the region.

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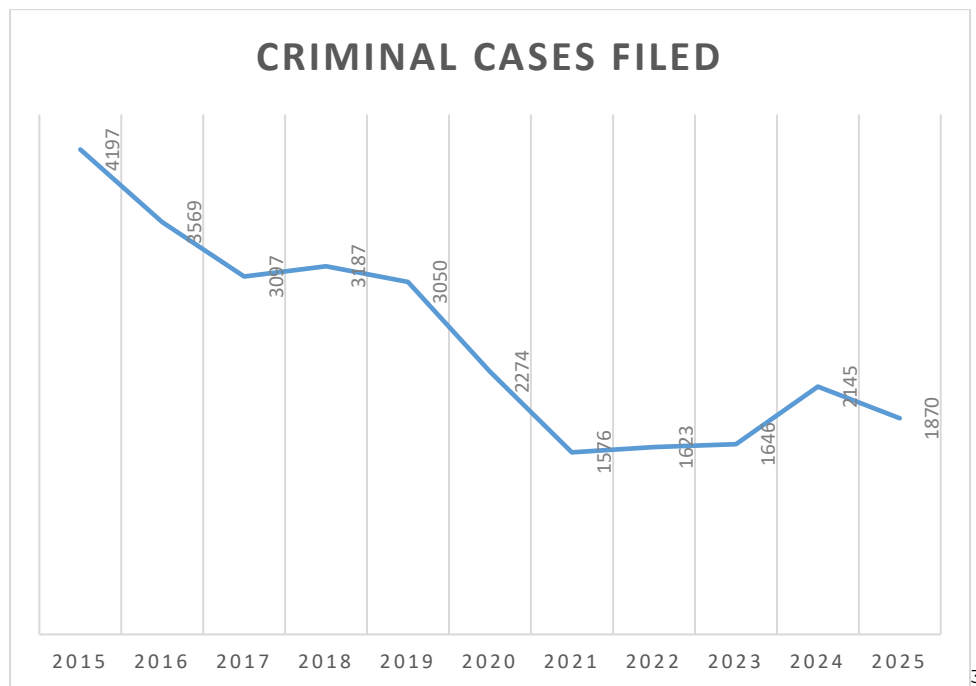
<sup>1</sup> See, generally, ['Attorney shortage continues in courts around WA, with new proposals on the table,' Donald W. Meyers, Yakima Herald-Republic, December 27, 2023.](#)

## Caseload remains steady

Caseload dropped through 2022 but with the city reaching full staffing in police caseload has correspondingly increased.<sup>2</sup>

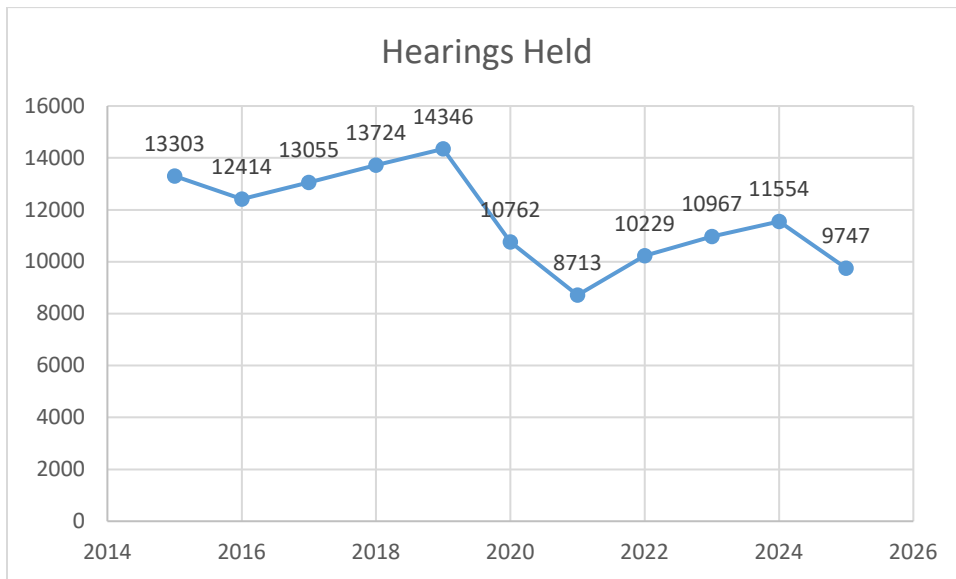


In 2025, approximately 81% of incidents referred were charged and filed:



<sup>2</sup> Throughout this memo 2025 numbers are through October 31, 2025.

The number of hearings per case is steadily increasing. Each hearing requires the attendance of court staff and attorneys for all parties. Some hearings are legally required, such as a first appearance for a defendant to plead guilty or not guilty. Other hearings are discretionary, such as review hearings to determine compliance with a court order when the case might otherwise have closed.



## Progression of a Criminal Case



A criminal case in Lakewood Municipal Court begins with a police report from Lakewood, Dupont, or Steilacoom Police Departments. The municipal court only has jurisdiction over misdemeanor crimes committed by adults. All felony and juvenile cases are reviewed and managed by the Pierce County Prosecutor's Office. Police reports from other agencies, like the Pierce County Sheriff's Office or Washington State Patrol are typically reviewed and managed by the Pierce County Prosecutor's Office regardless of whether the crime occurred in a city.

When a case is charged, a criminal complaint is filed with the Lakewood Municipal Court. The court will then set the case for an Arraignment hearing where bail is set and other conditions of release are ordered by the court. The case will proceed through at least one pre-trial, sometimes more and ultimately trial, whether to the judge or a jury.

During this process the prosecutor and defendant will negotiate to resolve the case short of trial. The number of cases that go through to trial is very small; it is less than one percent of the caseload.

### Support for special emphasis

The goal of prosecution is to support the enforcement necessary to maintain the lawful behavior in the city. Several areas are emphasized for this purpose:

#### Lakewood Towne Center

Due to a concern for the quality of the Lakewood Towne Center for our citizens, the city recommends that certain offenders be trespassed from the

area. This recommendation is based on type of illegal activity in the area, criminal history in general and nature of offense.

## **Retail Emphasis**

Theft makes up approximately 31% of the crimes reviewed by the City Prosecutor. Of those thefts, 97% were from commercial retailers. In order to address this, the city is employing an aggravated theft policy. This policy allows the city to seek increased penalties based on factors such as whether the individual resides in the city (are they targeting Lakewood for theft), theft of over \$500 in value, coordinated theft effort with another offender, and/or the theft is sophisticated as demonstrated by the use of tools specific to retail theft or the way the theft is accomplished is characteristic of experienced thieves.

## **Driving Under the Influence (DUI)**

Driving Under the Influence cases are not as common but are time consuming for officers and evidentially challenging for prosecutors. Year to date the city has filed 84 DUIs cases. There are 50 incidents that have been reviewed and are awaiting toxicology lab results on blood draws based on a determination that prosecution will not succeed without test results. Offenders in this category are free to continue driving while the city awaits these results and occasionally the time it takes to get results exceeds the statute of limitations, which means the case will never be filed.

The remaining percentage of cases move forward as test refusals, cases where a test has not been taken or cases that do not require test results.

## **Domestic Violence (DV)**

Domestic violence is the second most prolific crime in the City making up approximately 20% of the city's caseload. Often Assault 4 is a push, shove, slap or punch with little to no marks. The goal in prosecution of these crimes is to break the cycle. The city contacts victims and provides information to connect victims with services.

The city partners with service providers such as the Crystal Judson Family Justice Center and YWCA who are dedicated to supporting victims of domestic violence and can provide tailored support. The City is responsible for victim services within the criminal justice system pursuant to state law.<sup>4</sup> Current law requires victim contact before and after each court date.

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<sup>3</sup> [RCW 7.69.030 Rights of Victims, survivors and witnesses](#)

## **Code Enforcement Cases**

The city also prosecutes code enforcement cases. These cases are brought forward in strong coordination with the city's Community Safety Resource Team (CSRT). The goal of prosecution in these cases is to get the property into compliance with the municipal code.

## **Looking forward**

To best address the shortage of attorneys applying for prosecution positions the city will continue to explore contracting options. Currently the municipal court runs within one courtroom. This requires one prosecutor at any given time; having an additional prosecutor allows adequate preparation for each calendar as well as coverage for drug forfeiture hearings, police advice and training, and public engagement such as the Public Safety Advisory Committee (PSAC).

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