

From: [Debbie Tarry](#)
To: [Carolyn Wurdeman](#); [Chris Eggen](#); [Chris Roberts](#); [Doris McConnell](#); [Jesse Salomon](#); [John Norris](#); [Keith McGlashan](#); [Shari Winstead](#); [Will Hall](#)
Cc: [Julie Ainsworth-Taylor](#); [Shawn Ledford](#); [Heidi Costello](#)
Subject: FW: SODA
Date: Monday, June 02, 2014 12:03:09 PM
Attachments: [20140602 SR - Salomon Amendments.docx](#)

Council –

Please see the two requested amendments from Councilmember Salomon for Ordinance No. 688 (SODA) on tonight's agenda for action. You can see Julie's explanation below. I am recommending that Council adopt #1 (SMC9.10.285.D (2)) but not adopt #2 (SMC9.10.285.F). This will be added to I-Legislate and will be on power point slides for tonight.

Debbie Tarry
City Manager
City of Shoreline
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From: Julie Ainsworth-Taylor
Sent: Monday, June 02, 2014 11:42 AM
To: Debbie Tarry; Shawn Ledford - Contact
Cc: John Norris; Heidi Costello
Subject: RE: SODA

All –

Attached is a draft of the Salomon Amendments. They are save in the K:// drive under staff reports for tonight as well.

As to the Notice question- I have amended to delete reference to attorney; notice is demonstrated by either signature or appearance before court.
I recommend approval of the amendment.

As to the Violation question – I have amended to set up 2 types of violations – pre-trial (contempt) and post-trial (gross misdemeanor).
I recommend denial of this amendment. SMC 9.10.560, Shoreline's SOAP regulation, states that a violation of a SOAP order, as either a condition or release, is a gross misdemeanor so maintaining the same for the SODA aligns with existing regulations. In addition, the SODA is patterned after RCW 10.66, the state's law on Potential Areas of Drug Trafficking, which allows for both pre and post trial orders restricting individuals. RCW 10.66.090 does not distinguish when it comes to violations – if you willfully disobey an off-limits order it is a gross misdemeanor. Similarly, RCW 26.50.110 states that the violation of a domestic violence order (issued pretrial – RCW 10.99.045) is a gross misdemeanor. Thus, the SMC currently sets pre/post SOAP order violations as gross misdemeanor and the State Legislature has previously provided that the violation of a pre-trial condition involving drugs is a gross misdemeanor.



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From: Debbie Tarry
Sent: Monday, June 02, 2014 11:14 AM
To: Shawn Ledford - Contact
Cc: John Norris; Julie Ainsworth-Taylor; Heidi Costello
Subject: RE: SODA

Shawn -

These look good – I would add a slide recapturing the process (dates of when Council reviewed) along with the action asking for Council to take tonight. Also Julie is working on a couple of amendments that Jesse requested – so those will need to be added to the power point. Julie – can you do that? We will make a recommendation on whether staff recommends incorporation of the amendments or not.

Debbie Tarry
City Manager
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From: Ledford, Shawn [<mailto:Shawn.Ledford@kingcounty.gov>]
Sent: Monday, June 02, 2014 10:20 AM
To: Debbie Tarry
Cc: John Norris; Julie Ainsworth-Taylor
Subject:

Debbie,

I'm have 3 slides for tonight and will give a brief overview on the history and some of the main points. Let me know if you want more slides.

Thanks, Shawn

Shawn V. Ledford
Chief of Police
City of Shoreline
(206) 801-2711

SALOMON - PROPOSED AMENDMENT #1

SMC 9.10.285

D. Notice of SODA Order.

A person is deemed to have notice of the SODA order when:

1. The signature of the person prohibited in the order is affixed to the bottom of the order, acknowledging receipt of the order; or
2. The order otherwise indicates that ~~either the person or the person's attorney received a copy of the order~~ appeared before the court at the time the order was entered.

SALOMON - PROPOSED AMENDMENT #2

SMC 9.10.285

F. Penalties.

1. Pre-Trial SODA Order: Any person who knowingly disobeys a SODA order entered as a condition of pre-trial release shall be ~~guilty of a gross misdemeanor~~ found in contempt of court.
2. Post-Sentencing SODA Order: Any person who knowingly disobeys a SODA order entered as a condition of sentencing ~~may also be found in contempt of court~~ shall be guilty of a gross misdemeanor.