

Notes from the King County Prosecuting Attorney's Office

Lake City Community Meeting, February 25, 2026

Neighbors:

Thank you for the opportunity to hear from you and to have this important initial conversation. The King County Prosecuting Attorney's Office (KCPAO) has tried to answer some of the most common questions. You likely will have others. When you do, please reach out to our office anytime. The KCPAO's Communications Director is Casey McNerthney (who also grew up in Lake City). His email is cmcnerthney@kingcounty.gov, and his cell phone number is 206-247-2446.

How is public drug use addressed in Seattle?

Understanding the difference between drug use and possession cases (which are misdemeanors under the law) and drug dealing cases (which are felonies) – and keeping straight which office handles which cases – can be confusing. Here is a way to remember who handles which type of cases:

- Someone arrested for **possessing fentanyl** (or other drugs, aside from marijuana) in Seattle: By law that goes to the **City Attorney's Office**. (Drug possession and drug use cases are misdemeanors. These cases have not been felony offenses since a state law change in February of 2021.)
- Someone arrested for **using fentanyl** (or other drugs, aside from marijuana) in Seattle: By law that would go to the **City Attorney's Office**.
- Someone **selling fentanyl** (or other drugs) in Seattle: By law that would go to the **King County Prosecuting Attorney's Office**.

The King County Prosecuting Attorney's Office charges drug dealing cases, and we will continue to do so. The vast majority of these felony cases involve fentanyl and meth, which have contributed to high overdose numbers county-wide.

- In 2026, King County prosecutors charged 329 drug dealing crimes.
- Typically, between 70-75% of the drug dealing cases filed by the King County Prosecuting Attorney's Office involve fentanyl or meth or both. This matches the countywide trends we are seeing with overdoses.
- Typically, between 10-15% of these felony cases also have a separate charge for unlawful gun possession.

I'm tired of my windows being smashed over and over again. My landlord won't cover the cost. My insurance is going up. What can I do?

First, if you have a specific case number you want to inquire about and want help from the King County Prosecuting Attorney's Office, please reach out to (cmcnerthney@kingcounty.gov or 206-247-2446).

With a specific Seattle Police incident number, we can determine if the incident is:

- Under investigation with Seattle Police.
- Referred by SPD to the City Attorney's Office as a misdemeanor offense under the law.
- Referred by SPD to the King County Prosecuting Attorney's Office as a felony offense under the law.

When the KCPAO gets a referral from law enforcement investigators, multiple prosecutors give that referral an individual review to determine if there is sufficient evidence to file criminal charges. Within 30 days of law enforcement referral, prosecutors can charge the case if there is sufficient evidence, return the case to police investigators if additional evidence is needed, or decline to file charges in cases where there is insufficient evidence to support the filing of charges in accordance with state law.

Two key steps you can do to help police:

- Providing police with as much detail and evidence as you safely can and
- Provide police with a specific written damage estimate

Courts are specific and require evidence, pursuant to state law, of the damage amount. Saying something was thousands of dollars to replace – even when that's understandable – doesn't hold up in court the way a written window replacement showing a cost of \$5,256 does, for example. Sharing videos or photographs with police can also be helpful. Police investigations are generally improved when victims and those experiencing loss or damage can share detailed information. Police can then determine which details are most helpful to share with prosecutors when making referrals for potential criminal charges.

The court system has some very strict timelines, particularly in the early stages of an investigation or the filing of criminal charges. Once someone is arrested, they can be held for only 48 hours. Before the end of those 48 hours, a first appearance judge must determine that probable cause has been established that the person held has committed a crime. If the judge determines that probable cause exists for an arrest, the person can be held for 72 hours. There is a much higher burden of proof under the law for the filing of charges. If there is not sufficient evidence to file charges within 72 hours, the person is released from jail under court rules. Charges can only be filed when there is sufficient evidence to prove every element of the crime beyond a reasonable doubt – that's the legal standard that prosecutors are required to meet. However, even if there is not sufficient evidence immediately, police can still gather evidence and refer a case to prosecutors anytime within the statute of limitations.

When business owners and individuals share with police any available video or photos and a specific damage estimate, it can help support the filing of charges within those 72 hours window. Prosecutors have until the expiration of the statute of limitations to file charges. The KCPAO completes its review of law enforcement investigations within 30 days of a police referral.

Who do I call when I see public fentanyl use or other illegal drug use?

You can call 911. Dispatchers will make the call regarding who is best to respond. Even though it may feel like that call is not getting an immediate response, it's important to make that report. Seattle Police and other resources in Seattle rely heavily on data from what is reported, which is why making those reports – even though it can feel frustrating and tedious – is an important step.

If there's an immediate medical concern, medics may be dispatched. Police also may be dispatched. Community Crisis Responders (CCR) assist Seattle Police officers in responding to 911 calls involving people experiencing crisis or behavioral health challenges (non-violent people down, welfare checks, and other calls), to streamline the process of connecting people to the appropriate service providers. That also frees police officers and firefighters to respond to other calls.

LEAD (a long-term recovery services and case management response, coordinated with police & prosecutors) is also designed to be able to respond to community referrals for individuals who are chronically engaged in low-level law violations related to addiction, mental health or poverty. LEAD has shared that because of scarce capacity, community referrals currently can only be made from a few areas of the city and it's possible this will be expanded to include Lake City this year.

Ricky's law was passed in 2018 allowing involuntary commitment for people with substance use disorders, including narcotic use. Is possession and intoxication drugs such as fentanyl a low enough threshold to file a petition and have a person detained in efforts to save their life from this drug? How often is your team intervening to apply Ricky's Law?

For Ricky's Law, a Designated Crisis Responder initiates involuntary treatment proceedings by filing a petition for initial detention after evaluating the individual and determining they meet involuntary treatment act. Designated Crisis Responders work through King County Crisis and Commitment Services (and by law that department is separate from King County prosecutors).

To contact designated crisis responders in Seattle, call or text 988 to reach the King County Crisis Solutions Center and Mobile Crisis Teams. You can also contact the Seattle Community Crisis Responders (CCR) through the 911 call center.

Possession and use of fentanyl or other drugs alone is not enough for involuntary commitment under the current case law. The law says that the respondent must also be a harm to self or

others or gravely disabled as a result. Washington State does not have involuntary inpatient substance use treatment in Washington. Legislators are the ones who can change that.

What do we have available right now? An example is Valley Cities Behavioral Health Care/Recovery Place Kent. Staff there address stabilization, withdrawal and management. A lot of patients agree to treatment as a result, even ones who initially come there involuntarily.

Valley Cities/Recovery Place Kent has 16 beds for respondents with substance use disorders. Staff from the King County Prosecuting Attorney's Office Civil Division are addressing Ricky's Law petitions daily. Patients cannot be taken directly to Valley Cities. Most ITA patients are detained by a Designated Crisis Responder in a emergency room, where they need to be medically cleared first before being transferred to Valley Cities if there is a bed available.

LEAD has shared there are also several programs providing state-of-the-art treatment opioid use disorder, including the Orca Center downtown across from the King County Courthouse, operated by the Downtown Emergency Service Center, which offers long-acting buprenorphine. There are also here are also a small number of supportive shelter and case management slots through LEAD and CoLEAD that are designed to provide long-term case management aligned with modern recovery services concepts. For some people, the City of Seattle has some dedicated inpatient treatment resources that outreach teams are able to access. LEAD can share more information about their work and experiences.

How do you get someone appropriate care for substance use disorder? Start with a call to 988 or 911 (or, if LEAD opens up to community referrals from Lake City, you can make a community referral to LEAD). A Designated Crisis Responder can determine if a person meets the criteria outlined in the law (substance use + harm to self, others, or gravely disabled). LEAD has shared that a CARE responder or Fire Mobile Integrated Health team member can also make that determination.

Parks and playgrounds are hot spots of using lethal and illicit drugs. What can you/voters do to champion steeper penalties for narcotic use in public spaces?

The State Supreme Court determined in 2021 that drug use – even in a park or public space – is not a felony. As a result, in Seattle (and statewide) it's now a misdemeanor, meaning that it's handled at the city level. There are three steps to take when you are concerned about public drug use in parks:

- Report it when you see it. A dispatcher will determine who is best to respond, but city officials also need to know the true scope of the problem and having that accurate data is essential.
- If there is evidence of fentanyl (or other drug) dealing, that escalates the crime into a potential felony, if police can gather the evidence to prove that beyond a reasonable doubt. Fentanyl dealing is killing people every day and must be addressed. Police would likely say any supporting information you can safely provide to investigators is helpful.

Can I send evidence directly to prosecutors?

For evidence to be accepted by the court, it needs to be submitted by police under the penalty of perjury. That's why it's best to get information to the investigating officer or detective and they can get it to prosecutors. An important note: sometimes people presume prosecutors have information when it hasn't been submitted to them yet. Better to send what you have to investigators when you can.

33rd Avenue Northeast doesn't feel safe. What can be done to address the problems there?

King County Prosecutors can and do file charges from 33rd when cases are referred to us with the evidence to prove them. Here are some specific scenarios and what you can do.

Open air fentanyl or meth use: Report that to 911 and dispatchers will determine the best response they can provide under city laws. Those reports can feel tedious, but that data is important. Fentanyl use cases don't come to the KCPAO by law, but drug dealing cases can.

Drug dealing: Contact police with as much specific information as you can safely provide. When police believe drug dealing cases can be proven in court, they refer those to King County prosecutors. Fentanyl and meth cases are the most commonly charged drug cases in King County. There were 329 drug dealing cases county wide in 2025, and about 70-75% of them were fentanyl or meth or both.

Violence: Call 911. Depending on the severity of the violence, police may refer a case to either the City Attorney's Office or the King County Prosecuting Attorney's Office. If you want to know the status of any case that's been referred to the KCPAO, reach out to our office and we can walk you through it. If the case is not with our office, we can help you find out where it is.

Encampments: These can be addressed with Councilmembers and other city officials. Encampments and how those are regulated are separate from King County prosecutors. But if there is a crime in an encampment it should be reported – the same why a crime in any other part of King County should be reported – and police can refer it to the City Attorney's Office or KCPAO if they have evidence to prove that case.

Who do I contact if I have questions about homelessness, housing-first initiatives, encampments, or tiny house villages?

Those are separate from the King County Prosecuting Attorney's Office. The Seattle Mayor's Office, your councilmember, or specific housing providers who run the properties in Lake City are the best places to start.

What if I see a crime in an encampment?

Report it to police. If police determine there's a crime, they can either refer it to the City Attorney's Office or the King County Prosecuting Attorney's Office. Speaking for the KCPAO, prosecutors review cases individually and handle them the same way regardless of whether they happen in Medina or in an encampment.

I have questions about police staffing, officers' response, and North Precinct assignments. Who should I contact?

North Precinct Captain George Davisson is here tonight. Regarding police staffing overall, your City Councilmember (Debora Juarez) or the Mayor's Office are also helpful points of contact.

Why can't Albert Davis Park be fenced and only open during daylight hours? When will our community center be rebuilt?

This is a question that's best for Seattle Parks Department, your councilmember, and the Mayor's Office. If you see crime in Albert Davis Park, near the former community center site, or anywhere in Lake City, report that to police with as many specifics as you can safely provide, and police can refer cases to prosecutors when they have evidence to prove them beyond a reasonable doubt.

What are plans for the former Fred Meyer site? Or the Bartells or Papa Johns or T-Mobile? How can city departments work together? What resources are available for neighbors or businesses?

These are all important questions, and ones that are separate from King County Prosecutors. These questions are best for city offices such as the Department of Neighborhoods, your councilmember, the Mayor's Office, and the Seattle Parks Department. If you see crime in these areas, it's the same answer as above – please report it with as many specifics as you can safely provide, and police can refer cases to prosecutors when they have evidence to prove them beyond a reasonable doubt.

It seems like Washington State's Involuntary Treatment Act needs work. What is being done?

That's right – it does need work.

As part of her 2023 election, King County Prosecuting Attorney Leesa Manion committed to working with interested parties to reimagine a more effective ITA system to improve public health, safety, and health equity.

In 2023, Leesa convened a Reimagining ITA Task Force to develop a plan, statement of purpose, goals, and timeline for a forthcoming Statewide ITA Listening Tour. The listening tour launched in May of 2024.

Success would mean building a coalition of individuals committed to improving the ITA system, and leveraging key insights for changes that get people help in the least restrictive means

possible before they decompensate and hurt themselves or others. In addition to Leesa as the King County Prosecuting Attorney, here are some of the others on her ITA Task Force:

- **Steve Strachan**, Executive Director of the Washington Association of Sheriffs and Police Chiefs
- **Kim Mosolf**, lead class counsel for AB v DSHS (Trueblood) and former Director of the Treatment Facilities Program at Disability Rights Washington
- **Jason Schwartz**, Director of the Snohomish County Office of Public Defense
- **Sally Bagshaw**, former Seattle City Councilmember and former Chief Deputy of the PAO's Civil Division
- **Aleksandra Letts**, Senior Deputy Prosecuting Attorney and ITA Task Force Project Manager
- **Carmen Pacheco-Jones**, Co-founder and Executive Director of Health and Justice Recovery Alliance
- **Eric Richey**, Whatcom County Prosecuting Attorney
- **Anna Nepomuceno**, Director of Public Policy and Advocacy at the National Alliance for Mental Illness – Washington.

Updates on Lake City incidents mentioned on the SPD Blotter:

- **[Aug. 2025 double homicide in Virgil Flaim Park](#)**: A senior deputy prosecutor from the KCPAO responded to the scene that night. No arrests have been made, but it's an ongoing Seattle Police investigation. The KCPAO Special Operations Unit is available to help with search warrants, which they do in all types of felony investigations.
- **[June 2025 machete attack in Albert Davis Park](#)**: Police said the person hit was playing music and dancing near an encampment when a man approached and struck him in the back, then cut the man's hand with a machete-style weapon. This case has not been referred to the KCPAO – it's still with Seattle Police investigators.
- **[Dec. 2024 fatal shooting](#)**: This was the shooting in the 12500 block of 33rd Avenue Northeast. Police found a 41-year-old woman and a 31-year-old man, both suffering from multiple gunshot wounds. The man died at Harborview. Officers determined there was an altercation shortly before the shooting, with a third man who left on foot and wasn't immediately located. Police identified him and later referred a case to prosecutors in 2025, but there was insufficient evidence to file charges. In short, there is a video that showed the man killed approaching the man later arrested with what appeared to be a gun and pointing it at him. That person tried to walk away, but the shooting victim hit him

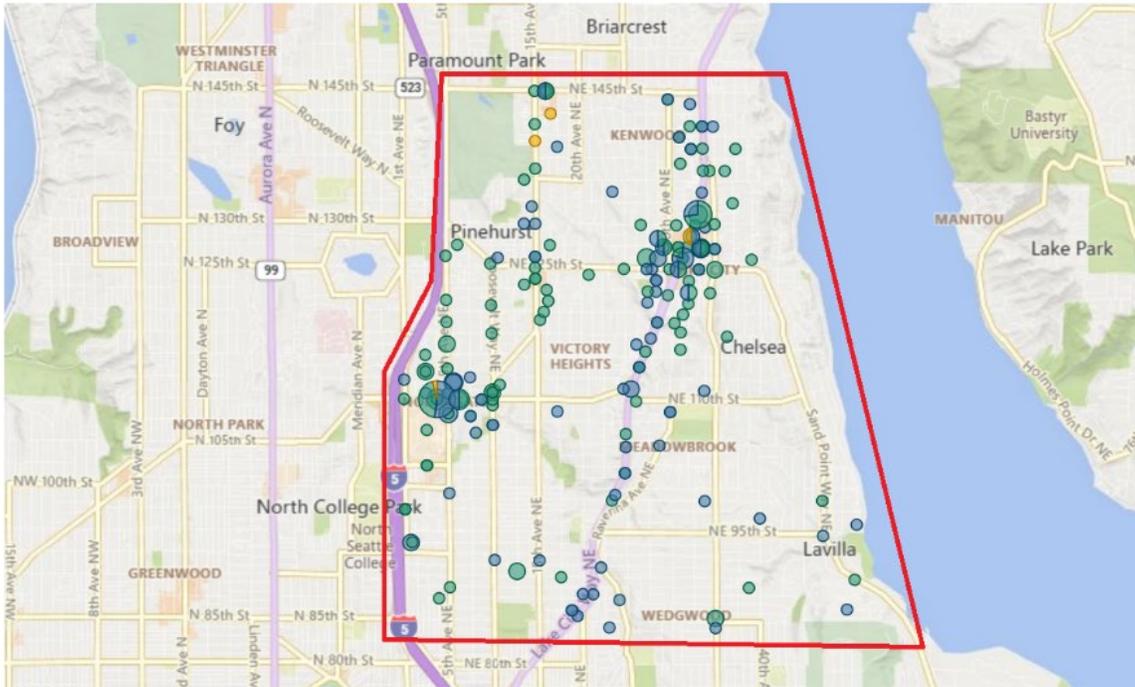
with the gun and kicked him. The person arrested fired a single shot, after an analysis by multiple senior deputy prosecutors, had a claim of self-defense that could not be disproven under the law (specifically RCW 9A.16.050.)

- **July 2024 vehicle-pedestrian homicide:** This happened in the 12500 block of 30th Avenue Northeast. A 33-year-old died at the scene. Police said there was a disturbance between two men prior to the collision. Police said the 41-year-old suspect fled but was booked later that month for investigation of murder. The case was referred by Seattle Police investigators to the King County Prosecuting Attorney's Office. On July 29, 2024, the KCPAO charged the defendant with Murder in the First Degree with a \$5 million bail request. He pleaded not guilty and remains in jail. The criminal case (24-1-02681-5) is ongoing. Defendants are innocent until proven guilty in court.
- **Jan. 2024 kidnapping and vehicular assault investigation:** This case involved a 19-year-old who was arrested for an armed kidnapping after police said he fled the scene of an injury collision on Lake City Way N.E. near N.E. 115th Street. Seattle Police investigators referred that case to King County prosecutors and on Jan. 5, 2024, the KCPAO charged the defendant. Last month, on Jan. 15, 2026, the defendant was convicted of Vehicular Assault, Hit and Run – Felony, Kidnapping in the Second Degree (a felony) and Attempted Theft of a Motor Vehicle (also a felony). Under state law, his sentences are concurrent. The defendant is scheduled to be sentenced March 27 and faces a range of 22-29 months under the sentencing guidelines set by state lawmakers.

Felony Crime Data in Lake City

This is a map of felony cases referred by police investigators to the King County Prosecuting Attorney's Office. Some offenses do not include a specific address in the location data field, so there likely are at least a few additional cases.

Year ● 2019 ● 2025 ● 2026



Looking at 2025, there were 35 violent crime felony cases filed by the KCPAO in Lake City and an additional 32 felony-level property crimes filed by the KCPAO.

Looking at the data from 2019-2025, **King County prosecutors were able to charge 70% of the Lake City violent crimes referred to our office and 68% of the property crimes.** (For example, in 2025 there were 23 violent crimes that could not be filed and 11 property crimes that could not be filed.)

Why not file every felony case that is referred by police to prosecutors? The most common reason a case is declined is because there is insufficient evidence under the law, and that can happen even with great police work. The self-defense example from the Dec. 2024 fatal shooting case on 33rd Ave. N.E. is an example of the requirements prosecutors face under the law and why sometimes violent crime referrals are not charged.

When prosecutors receive a case with sufficient evidence, filing charges are straightforward. Felony cases go to Superior Court, those documents are filed publicly, and cases proceed.

When prosecutors receive a case in which there is insufficient evidence, they communicate with the investigating detective or officer and outline what elements are needed under the law

to prove the case. **If that additional needed evidence is available – anytime within the statute of limitations – it’s referred by police to prosecutors and the case can be filed.**

Retail Crimes

Most shoplifting cases are misdemeanors under the law. That includes cases where people push entire shopping carts out of a store. That’s incredibly frustrating to see. However, when there is a pattern of repeat misdemeanor shoplifting crimes, police can refer those to King County prosecutors for filing as a felony Organized Retail Theft case.

In a recent example from the North Precinct, there was a defendant accused of 24 thefts from Ulta Beauty over 55 days. The KCPAO charged him with Organized Retail Theft; he pleaded not guilty; and the case is ongoing.

Overall, with Seattle Police, the King County Prosecuting Attorney’s Office charged 141 felony retail crimes in 2025.

What are examples of crimes the KCPAO has filed from Lake City

- The kidnapping example from Lake City Way N.E. is a good example. In that case, the kidnapping and vehicular assault investigation was referred to us by SPD investigators in 2024. Felony cases can take years to work through the system, in line with court rules. But next month, the defendant is being sentenced for four felony crimes - Vehicular Assault, Hit and Run – Felony, Kidnapping in the Second Degree, and Attempted Theft of a Motor Vehicle – after convictions were secured by the KCPAO.
- Last year, there was a case where a defendant held a gun to another man’s head and asked, “What are you doing to my girlfriend?” according to police. This happened in the parking lot of 11038 Lake City Way N.E. Seattle Police investigated, referred the case to prosecutors, and the KCPAO charged the defendant with Felony Harassment (case 25-1-02045-9). The defendant pleaded not guilty and the case is ongoing with the next pre-trial hearing scheduled in March.
- Please reach out to the KCPAO if you have a police incident number and you wonder: Where is the case in the system? We can help you determine if the case is with Seattle Police investigators, if it was referred by police to the City Attorney’s Office, or if it was released by police to the KCPAO. The KCPAO’s Communications Director is Casey McNerthney (who also grew up in Lake City). His email is cmcnerthney@kingcounty.gov, and his cell phone number is 206-247-2446.