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CADF Files Formal Civil Rights Complaints Over King County Prosecuting Attorney's Office's Mishandling of Juvenile Sexual Assault Cases

The complaints come alongside a formal request to independently investigate a specific juvenile sexual assault case and a renewed request to audit the King County Prosecuting Attorney's Office

Olympia, Washington — DECEMBER 19, 2023 — This morning, the Citizen Action Defense Fund (CADF) submitted formal complaints with the civil rights divisions of both the Office of the Attorney General and the U.S. Attorney's Office for the Western District of Washington. These complaints stem from allegations that the King County Prosecuting Attorney's Office's (KCPAO) mismanaged juvenile sexual assault cases and violated the civil rights of sexual assault survivors. The letter was prompted by a recent report on KOMO News that outlined significant problems with the program. In addition to the formal civil rights complaints, the letter seeks an independent investigation into the specific case that was identified in the KOMO report and calls for the State Auditor to conduct financial and performance audits of both the KCPAO and the diversion programs.

Background

CADF first became aware of the issues earlier this year when a father of a sexual assault survivor alleged that the KCPAO had mishandled his daughter's case. As reported in the media, the father learned that his daughter's case was not an isolated incident. According to the letter, the KCPAO's Juvenile Division entered into an agreement with juvenile diversion programs that implemented a no-charge, no-track policy for the handling of 28 serious felony offenses. Under the agreement and policy, which likely violated state law governing juvenile prosecutions, accused youth offenders were diverted from the court system to activist organizations against whom KCPAO abdicated any measure of accountability. This has resulted in a [catastrophic increase in juvenile crime in King County](#) and a system in which victims and their families are shut out of the process.

The Impact

The letter outlined the legal concerns with the KCPAO agreement and policy that CADF alleges effectively outsourced responsibility to prosecute juvenile offenders to community programs that amounted to a decision not to prosecute at all. According to CADF, the process likely violated state law and the civil rights of survivors of violent crime. These improper, wholesale, anti-charging efforts create

an office culture that disproportionately impacts sexual assault cases, whose survivors are overwhelmingly female and frequently members of minority communities. The letter also alleges that the KCPAO's choice to ignore state law on juvenile prosecutions has led to a dismal 17% charging rate for youth offenses. The letter cites similar civil rights cases brought by U.S. Attorney Offices in other jurisdictions with similar low prosecution rates of sexual assaults as a rationale for taking similar action here.

“The King County Prosecuting Attorney’s Office has made a grave mistake by mishandling cases of this nature. If the majority of offenders are diverted to programs that don’t actually hold them accountable for their actions, or are simply allowed to go uninvestigated, how can we have any faith in the justice system?” said Jackson Maynard, Executive Director and Counsel for CADF. “The evidence here indicates that the KCPAO has cultivated a systemic approach that benefits offenders, rather than protects survivors and helps them seek justice. We are calling on the Office of the Attorney General and the U.S. Attorney’s Office to intervene and investigate this immediately because survivors deserve more than what the KCPAO is providing.”

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