

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Legislative	Amy Tsai/684-5509	

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to a public safety bill of rights for the Seattle public; renumbering Subchapter VI as Subchapter V and creating a new Subchapter VI in Chapter 3.28 of the Seattle Municipal Code.

Summary and background of the Legislation: If passed, this legislation would codify the Seattle Police Department's policies protecting the rights of public observers of police activity, and would specify a claims pathway for recovery of equipment and recording damage.

2. CAPITAL IMPROVEMENT PROGRAM

_____ **This legislation creates, funds, or amends a CIP Project.**

3. SUMMARY OF FINANCIAL IMPLICATIONS

_____ **This legislation does not have direct financial implications.**

The City has an existing tort claims process under SMC Chapter 5.24. This legislation codifies the value of damaged or destroyed recordings at \$500 and provides an avenue for appeal that can carry a bad-faith penalty against the Chief of Police of \$5,000. It is unknown how many successful claims there might be. It is anticipated that imposition of the penalty would be rare.

4. OTHER IMPLICATIONS

a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?

Yes. There may be administrative costs within SPD to respond to claims, plus resources of the Hearing Examiner, SPD, and City Attorney's Office for any appeals.

b) Is there financial cost or other impacts of not implementing the legislation?

To the extent that passage of the legislation would have the intended benefits of making observer protections more permanent and create a cause of action as a remedy for the observer, not implementing the legislation would have the impact of failing to achieve those objectives.

c) Does this legislation affect any departments besides the originating department?

Seattle Police Department, Department of Finance and Administrative Services, City Attorney's Office and Office of the Hearing Examiner

d) Is a public hearing required for this legislation?

No.

e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

g) Does this legislation affect a piece of property?

No.

h) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

Race and social justice issues are often closely tied to situations of police conduct that the public would be interested in observing. As such, greater protections in this arena for the public has a direct bearing on race and social justice, including vulnerable or disadvantaged communities.

i) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

N/A.

j) Other Issues:

None

List attachments/exhibits below:

N/A