



# SEATTLE CITY COUNCIL

## Public Safety Committee

### Agenda

Tuesday, June 25, 2024

9:30 AM

Council Chamber, City Hall  
600 4th Avenue  
Seattle, WA 98104

Robert Kettle, Chair  
Rob Saka, Vice-Chair  
Joy Hollingsworth, Member  
Cathy Moore, Member  
Sara Nelson, Member

Chair Info: 206-684-8807; [Robert.Kettle@seattle.gov](mailto:Robert.Kettle@seattle.gov)

[Watch Council Meetings Live](#) [View Past Council Meetings](#)

Council Chamber Listen Line: 206-684-8566

The City of Seattle encourages everyone to participate in its programs and activities. For disability accommodations, materials in alternate formats, accessibility information, or language interpretation or translation needs, please contact the Office of the City Clerk at 206-684-8888 (TTY Relay 7-1-1), [CityClerk@Seattle.gov](mailto:CityClerk@Seattle.gov), or visit <https://seattle.gov/cityclerk/accommodations> at your earliest opportunity. Providing at least 72-hour notice will help ensure availability; sign language interpreting requests may take longer.



# SEATTLE CITY COUNCIL

## Public Safety Committee

### Agenda

June 25, 2024 - 9:30 AM

#### Meeting Location:

Council Chamber, City Hall , 600 4th Avenue , Seattle, WA 98104

#### Committee Website:

<https://www.seattle.gov/council/committees/public-safety>

---

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

Members of the public may register for remote or in-person Public Comment to address the Council. Details on how to provide Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at the meeting at

<https://www.seattle.gov/council/committees/public-comment>

Online registration to speak will begin one hour before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

In-Person Public Comment - Register to speak on the Public Comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Pursuant to Council Rule VI.C.10, members of the public providing public comment in Chambers will be broadcast via Seattle Channel.

Submit written comments to Councilmembers at [Council@seattle.gov](mailto:Council@seattle.gov).

*Please Note: Times listed are estimated*

**A. Call To Order**

**B. Approval of the Agenda**

**C. Public Comment**

**D. Items of Business**

1. [Appt 02896](#) **Reappointment of Lisa Allison Judge as Inspector General, for a term to December 31, 2030.**

Attachments: [Appointment Packet](#)

Supporting

Documents:

[Office of Police Accountability \(OPA\) Letter](#)

[Community Police Commission \(CPC\) Letter](#)

**Briefing, Discussion, and Possible Vote** (5 minutes)

**Presenter:** Chair Kettle

2. **Seattle Waterways Safety Overview**

Supporting

Documents:

[Seattle Waterways Safety Report](#)

[Presentation](#)

**Briefing and Discussion** (30 minutes)

**Presenters:** Ariel Hsieh and Allegra Calder, BERK Consulting; Lt. Bob Kerns, Seattle Fire Department

3. [CB 120799](#) **AN ORDINANCE** relating to street racing; adding the crime of racing; adding the traffic infraction of vehicle participation in unlawful racing; adding a new Section 11.58.440 to the Seattle Municipal Code; and amending Sections 11.20.230, 11.31.020, 11.31.121, 11.56.120, and 12A.09.020 of the Seattle Municipal Code.

*Supporting  
Documents:*

[Summary and Fiscal Note](#)

[CAO Presentation](#)

**Briefing and Discussion** (30 minutes)

**Presenters:** Ann Davison, City Attorney, Scott Lindsay, Deputy City Attorney; Dan Nelson, Assistant Chief, Seattle Police Department; Tamaso Johnson, Council Central Staff

## E. Adjournment





Legislation Text

---

**File #:** Appt 02896, **Version:** 1

---

Reappointment of Lisa Allison Judge as Inspector General, for a term to December 31, 2030.

The Appointment Packet is provided as an attachment.

**City of Seattle**



**Inspector  
General for Public Safety**

**Confirmation Packet**

**Lisa Allison Judge**



SEATTLE CITY COUNCIL | DISTRICT 7

# COUNCILMEMBER ROBERT KETTLE

MEMORANDUM

To: Inspector General Lisa Judge

From: Councilmember Robert Kettle

Date: May 21, 2024

Subject: Reappointment of Inspector General Lisa Judge

---

It is my intention to nominate Lisa Judge as Inspector General (IG) to serve a second six-year term. IG Judge has been an integral component in creating a formal police accountability system following the onset of the 2012 consent decree and 2017 Accountability Ordinance. IG Judge has led the OIG towards the goal of a more effective, robust, and trustworthy police accountability system, developing a small office into a fully-fledged department capable of taking over the oversight of SPD from the Federal Monitor and the Court. It now boasts an award-winning audit team, a refined policy team, and an experienced investigations team that have undergone years of difficult analysis in response to the protests in 2020, like the Sentinel Event Review and review of the SPD crowd management tactics.

IG Judge has effectively led the Office of the Inspector General in engaging with community, studying concerns, surfacing problems, and following up on recommendations. The Inspector General's reports and audits are publicly available online, providing transparency for those who wish to know how the Seattle Police Department has operated and developed into a more accountable organization since the onset of the consent decree.


Please see IG Judge's attached letter of interest and résumé for a longer list of her accomplishments and experience.

IG Judge's current term expires on December 31, 2024, but the Municipal Code requires the Council to act on the reappointment 45 days prior to this date. Since Council's annual budget deliberations consume much of the fall schedule, my Committee will first consider this reappointment on June 11 with a second meeting and vote on June 25.

Please send any questions or concerns to myself and Brent Lo at [brent.lo@seattle.gov](mailto:brent.lo@seattle.gov). Thank you for your consideration.



# City of Seattle Department Head Notice of Appointment

<b>Appointee Name:</b> <i>Lisa Allison Judge</i>	
<b>City Department Name:</b> <i>Office of the Inspector General for Public Safety</i>	<b>Position Title:</b> <i>Inspector General</i>
<input type="checkbox"/> Appointment OR <input checked="" type="checkbox"/> Reappointment	<b>City Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input checked="" type="checkbox"/> City Council <input type="checkbox"/> Mayor <input type="checkbox"/> Other:	<b>Term of Position: *</b> 1/1/2025 <b>to</b> 12/31/2030 <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>
<b>Legislated Authority:</b> SMC 3.29.110	
<b>Background:</b> Inspector General Lisa Judge has a background in police reform, an understanding of police culture and policing, a commitment to procedural justice, and an articulated vision on how accountability and community coexist. Previously from Tucson, IG Judge has over 20 years of experience as an attorney, serving as the Senior In-House Counsel to the Tucson Police Department and their Chief of Police Chris Magnus. In this role, she led efforts to implement both a Critical Incident Review Board and a Force Review Board, which include community review and transparency mechanisms. During the search process, IG Judge displayed subject matter expertise, management experience, and sound moral character. In addition to her professional experience, IG Judge served as an ACLU approved trainer on Fourth Amendment and Anti-Bias Training for the Maricopa County Sheriff’s Department, was a past Chair of the Legal Officers’ Section of the International Association of Chiefs of Police, and has a long standing relationship with the Innocence Project. IG Judge has led the OIG towards the goal of a more effective, robust, and trustworthy police accountability system since being first appointed in 2018, developing a small office into a fully-fledged department capable of taking over the oversight of SPD from the Federal Monitor and the Court. It now boasts an award-winning audit team, a refined policy team, and an experienced investigations team that have undergone years of difficult analysis in response to the protests in 2020, like the Sentinel Event Review and review of the SPD crowd management tactics.	
<b>Authorizing Signature:</b>  <b>Date Signed:</b> 5/29/2024	<b>Appointing Signatory:</b> <i>Robert E. Kettle</i> <i>Councilmember, District 7</i>

\*Term begin and end date is fixed and tied to the position and not the appointment date.

May 4, 2024

Council Member Robert Kettle  
Public Safety Committee Chair

Re: Request for Re-Appointment

Dear Councilmember Kettle,

It has been my honor to serve the City of Seattle as its first Inspector General for Public Safety, and I am writing to express my strong desire to continue to serve our community in this capacity with reappointment to a second term. My first term will expire on December 31, 2024, and I would like the opportunity to continue the important work of the Office of Inspector General (OIG) in seamlessly transitioning from federal oversight as well as ensuring accountable policing practices remain a cornerstone of the Seattle Police Department (SPD).

Over the past six years, I have taken the theoretical blueprint for OIG, envisioned by the 2017 Accountability ordinance, and created a diverse, well-respected, high-performing office that delivers quality systemic oversight of SPD and OPA and performs detailed audits and reviews of SPD systems and operations. The office has gone from a small operation in the basement of City Hall to a properly staffed department capable of assuming systemic oversight of SPD from the federal monitor and Court. I am proud of how OIG has grown in terms of structure and staffing and of the substantial body of significant work we have produced in a relatively short time frame. I am excited to continue the important work we have in progress and partner with SPD, stakeholders, and our community to solidify the strong foundation of systemic public safety oversight we have created.

Of paramount importance on the near horizon is transitioning oversight work performed by the federal monitor and Court to the City, with OIG at the helm. Federal oversight has resulted in significant progress by SPD and the City but has come at a cost, both in terms of financial investments and reduced independence for the City. Transitioning the work to OIG will allow the City to assume independence to tailor police accountability to address our specific community concerns, and will provide savings to the City when it no longer must pay for external oversight. This transition is well underway and an interim work plan and methodology have been filed with the federal court, but it is important for OIG and the City to have stability and a steady vision for assuming oversight in a comprehensive, thoughtful, collaborative manner. I have brought significant policing expertise to OIG and have built relationships based upon trust and respect with SPD, stakeholders, and community that will foster continued collaboration and growth.

I respect and value external feedback and critique of OIG and have welcomed several independent examinations of our operations. In 2021, I engaged the OIR Group to evaluate OIG

handling of OPA oversight, and in 2023, the OIG audit function passed an extensive peer review by The Association of Local Government Auditors (ALGA), which is a remarkable achievement for a first evaluation. Notably, the federal monitor recently commissioned an independent evaluation of the Seattle accountability system by Dr. Richard Rosenthal. The Rosenthal report provided an in-depth review of OIG operations within the Seattle Accountability triad, finding OIG is credible, produces reputable work, and has the confidence of stakeholders.

A compendium of projects, accomplishments, and milestones is attached to this letter, but I would like to highlight some significant achievements from the first six years of OIG:

- Audits are highly collaborative and factually supported, resulting in a high implementation rate for recommendations.
- OIG Audit operations passed its first peer review by a national organization.
- The audit of SPD compliance with youth Miranda requirements won a prestigious national “Knighton” Award in 2023.
- Significant work in the area of Use of Force, including: mapping of the process for investigation and review of force, creation of various reports on less lethal weapons, crowd management, systemic review of 2020 protests, assessment of FRB in 2019 and 2023, technical assistance with force response to persons in crisis, and technical assistance with policy.
- Traffic Stop safety projects designed to reduce the instances where officers and community members come into contact in uncertain and potentially dangerous encounters when unnecessary for traffic safety, and to explore alternative approaches for enforcement and reduction of offenses.
- Projects to improve SPD practices around the use of deception in interrogations and to explore and implement more effective means of interviewing using the “peace model” of interviewing.
- Audits and projects to better understand the disciplinary system and assess its effectiveness, including: mapping of the process for investigation and meting out discipline, an audit with recommendations around the discipline process, with a follow-up audit currently ongoing.
- Input and technical assistance with Collective Bargaining Agreement issues, including: Identifying barriers to accountability in CBAs, providing input to Council and LRPC on bargaining parameters, and providing technical assistance during bargaining.
- Surveillance technology oversight, including reports on 12 technologies to date, development of internal expertise and capability to conduct assessments, ongoing assessment of new technologies, and revamping of the review process to efficiently allocate city efforts and resources.
- Created an innovative, community-centered Sentinel Event Review to pioneer a new way to problem-solve issues of great concern to community by facilitating a cooperative, forward-looking approach with SPD and community at the table.

- Projects to improve approaches to responding to persons in crisis, including an alert letter to the Chief in 2021, ongoing technical assistance, ongoing evaluation of SPD use of force and practices related to crisis response.
- Review of all OPA classification decisions and investigations with regular reporting out to stakeholders and community.
- Significant engagement with community and relationship building. Centering our work around community concerns and values and imbuing all our endeavors with DEI principles.
- Liaison and partnership with Seattle City Councilmembers, the Mayor’s Office, and system and community partners in planning, conducting and communicating our work.

Although I came to the position of Inspector General with expansive knowledge and expertise in police policy and practices, I have worked during my term to cultivate expertise in auditing, choosing to have my audit team adhere to the stringent Generally Accepted Government Auditing Standards (GAGAS or “Yellow Book”), as well as to attain certification as an Inspector General from the Association of Inspectors General, a national standards and certification organization. The unique experience and skillset I possess continue to make me uniquely qualified to continue serving as Seattle’s Inspector General for Public Safety.

A second term would allow for establishing a solid foundation and body of work reflecting the priorities and concerns of a new council, fully assuming responsibility to provide full systemic oversight of SPD, ensuring reforms established under the consent decree continue and the underlying philosophy of continuous self-reflection, innovation, and improvement flourish in a cooperative atmosphere where oversight is understandable and transparent. I appreciate your partnership in public safety oversight and your consideration of this request. I would be honored to continue to serve the City of Seattle.

Respectfully yours,



---

Lisa Judge  
Inspector General for Public Safety

Attachments:

- A—First Term Review
- B—Report on the Seattle Accountability System by Dr. Richard Rosenthal
- C—Audit Recommendation Tracker
- D—Policy Recommendation Tracker

# LISA ALLISON JUDGE

## SKILLS SUMMARY

I have spent the previous six years as the inaugural Inspector General for Public Safety for the City of Seattle. I have built the office from the ground up into a robust, values-driven oversight body, committed to objectivity, independence, and reliance on data. During this time, I have become proficient in the principles of auditing under the Generally Accepted Government Auditing Standards (GAGAS) and have earned certification as an Inspector General from the Association of Inspectors General.

Prior to that, I spent over 23-year practicing criminal and municipal law with the City of Tucson. I was General Counsel for the Tucson Police Department for more than 21 years of that time, where my focus was constitutional law, criminal procedure, and risk management.

## EDUCATION

UNIVERSITY OF ARIZONA

*Juris Doctor, 1994*

UNIVERSITY OF ARIZONA

*Bachelor of Arts, Anthropology, 1989*

## CONTINUING PROFESSIONAL EDUCATION

Ongoing participation in a wide variety of training opportunities to maintain current knowledge and expertise in relevant areas of law, management, auditing, and topics specific to Inspectors General. Attendance at training conferences focused on civilian oversight, policing practices, anti-bias, and DEI.

## PROFESSIONAL EXPERIENCE

I have six years of experience as an Inspector General with oversight of the Seattle Police Department and the Office of Police Accountability. I have demonstrated proficiency in management and leadership of the Seattle OIG. Previously, I had more than 23 years of experience as a practicing attorney, with over 21 years as General Counsel for the Tucson Police Department.

### CITY OF SEATTLE

INSPECTOR GENERAL FOR PUBLIC SAFETY / MAY 2018 TO PRESENT

Lead an office of audit, policy, and statistical analysis professionals in providing independent, data-driven systemic oversight of SPD and OPA. Act as the audit executive and subject matter expert for OIG policy and audit projects, as well as OPA oversight efforts. Guide and direct efforts to transition systemic oversight from the federal monitor and Court to OIG.



## CITY OF TUCSON

PRINCIPAL ASSISTANT CITY ATTORNEY, POLICE LEGAL ADVISOR / AUGUST 1996 TO MAY 2018

Senior in-house counsel to a large urban police department, providing legal and management advice to the Chief and senior commanders. Provided legal advice to command and line-level personnel on use of force and force investigation, employment law, criminal law, contracts, labor issues, Fair Labor Standards Act, public relations and public records; provided ongoing legal advice and guidance for handling high-profile events, including misconduct investigations; represented the agency in various administrative and judicial proceedings; drafted proposed state legislation and engaged in lobbying efforts regarding law enforcement related legislation; provided 24/7 legal assistance to department personnel; drafted and reviewed agency policy and training.

## SIGNIFICANT ACCOMPLISHMENTS AND EXPERIENCE

- Created and led a comprehensive "Sentinel Event Review" (SER) of the SPD response to protests in the summer of 2020, which included innovative use of emerging crowd psychology research and significant inclusion of community input and participation, resulting in dramatic improvements to SPD crowd management practices.
- Received a "pass" for the first-ever peer review of the OIG audit function by the Association of Local Government Auditors (ALGA). This is uncommon and a major achievement.
- Received a "Knighton Award" from ALGA for an audit of SPD compliance with Youth Miranda laws. This is a prestigious award and a noteworthy accomplishment for a new audit office.
- Attained Inspector General certification through the Association of Inspectors General.
- Acted as an ACLU-approved trainer for court-ordered refresher training on Fourth Amendment law and anti-bias in the DOJ lawsuit against Maricopa County, Arizona.
- Served as Chair of the Legal Officers Section of the International Association of Chiefs of Police.
- Published articles on *Miranda* rights, *Brady* issues, and other legal training topics.
- Presented numerous times at NACOLE and IACP conferences on a variety of legal and equity topics, and at the 2023 Penn Law Spring Symposium on the SER process.

## PROFESSIONAL ORGANIZATIONS AND ACTIVITIES

- Member of the Association of Inspectors General
- Member of the Association of Local Government Auditors
- Member of the National Association for Civilian Oversight of Law Enforcement
- Member of the National Association of Black Law Enforcement Executives
- Committee member of the IACP Policy Center since 2008
- Admitted to practice before the U.S. Supreme Court, Ninth Circuit Court of Appeals, and the U.S. District Court for the District of Arizona, and Member of the State Bar of Arizona



CITY OF SEATTLE ▪ STATE OF WASHINGTON  
OATH OF OFFICE

---

State of Washington

County of King

I, Lisa Allison Judge, swear or affirm that I possess all of the qualifications prescribed in the Seattle City Charter and the Seattle Municipal Code for the position of Inspector General of the City of Seattle; that I will support the Constitution of the United States, the Constitution of the State of Washington, and the Charter and Ordinances of The City of Seattle; and that I will faithfully conduct myself as Inspector General.

---

Lisa Allison Judge

Subscribed and sworn to before me

this \_\_\_\_ day of \_\_\_\_\_, 2024.

[Seal]

---

Scheereen Dedman, City Clerk



## Seattle Office of Police Accountability

June 10, 2024

Robert Kettle  
Councilmember/Public Safety Committee Chair  
City Hall  
600 Fourth Avenue (2<sup>nd</sup> floor)  
Seattle, WA. 98104

Chair Kettle and Public Safety Committee Councilmembers—

Please accept this letter as my input as the Office of Police Accountability's (OPA) director regarding Inspector General Lisa Judge's reappointment, as required by 3.29.230(B) of the *Police Accountability Ordinance* (125315). Since I joined OPA in August 2022, IG Judge has proven to be a committed and innovative partner. Her four-part sentinel event review reports, covering the Seattle Police Department's (SPD) response to the 2020 protests, demonstrated both. Similarly, her award-winning research and recommendations concerning SPD's consistency in issuing youth *Miranda* rights when required, police surveillance, crowd management, traffic enforcement, SPD employee discipline, collective bargaining agreements, and oversight of chief of police complaints highlight some of IG Judge's contributions to Seattle's police accountability partnership.

Moreover, IG Judge is a proven asset in ensuring high-quality OPA investigations and decision-making. Her office provides meaningful reviews and feedback concerning OPA's classification of complaints and investigations. That collaboration resulted in 94% of OPA investigations being disposed of within mandated timelines and over 92% being certified as timely, thorough, and objective in 2023. These outstanding outcomes are a direct reflection of IG Judge's work ethic and leadership and should instill confidence in her reappointment. Thank you for your leadership and for considering my perspective. Please feel free to reach out if I can assist you further.

Sincerely,

A handwritten signature in black ink, appearing to read "Gino Betts", written over a horizontal line.

Gino Betts  
OPA Director

# Seattle Community Police Commission

June 10, 2024

VIA EMAIL

Councilmember Robert Kettle  
Chair, Public Safety Committee  
Members, Public Safety Committee

Dear Councilmember Kettle and Members of the Public Safety Committee,

As part of the reappointment process for the Inspector General for Public Safety, the 2017 Accountability Ordinance requires that the Public Safety Committee receive input from the Community Police Commission (CPC) and the Office of Police Accountability (OPA) Director prior to reappointments (3.29.230 B). The CPC welcomes the opportunity to offer input into this process.

A strong working relationship and engagement among the accountability partners are essential for the accountability system to operate effectively. The current leadership at the CPC has been in place for approximately two years, with a top priority of building and strengthening our relationships with all accountability partners, including the Office of Inspector General (OIG).

The CPC is pleased with recent progress from OIG in improving its relationship with the Commission. Each year, as mandated by the Accountability Ordinance, OIG seeks input into their next year's work plan from all accountability partners, including CPC. In May 2024, Inspector General for Public Safety Lisa Judge presented to the CPC on the 2024 OIG work plan and the status of CPC's contributions to that work plan. The CPC is grateful that the OIG plans to begin work on concerns with the 911 dispatch center, which have been noted as a CPC priority for several years. The OIG has also recently engaged with the CPC on the CPC's hiring process for critical staff roles, which has been beneficial.

The appointment packet published last Friday, June 7, included the Monitor's report from December 2023 but did not include the city's response to that report. Key points from the city's response highlight the Monitor's recommendation to grant the OIG the primary role of researching and making recommendations on police policy, with OPA and CPC providing information and data to the OIG. Under this model, the OIG would function as a "clearinghouse" for policy reviews and be responsible for publicly tracking and reporting on the implementation of recommendations.

The City, however, emphasized the importance of preserving the policy roles for CPC and OPA to publicly make recommendations directly to SPD, recognizing the significant contributions CPC has made to policy development since the early years of the Consent Decree. The City's response underscores the value of CPC's role in policy development as envisioned by the original Accountability Ordinance and opposes the idea of OIG serving as the central clearinghouse for policy recommendations.

The CPC's amicus brief, filed simultaneously, emphasized the ongoing importance of the CPC's role in policy. The brief highlights that the CPC has consistently provided a forum for community members to voice their concerns and suggestions, translating these into organized policy recommendations. Working

in partnership with all our accountability partners, including OIG, is crucial, but granting all policy authority to OIG undermines the community's direct input, which is fundamental to the CPC's mission and the original accountability structure.

Moving forward, the CPC and our Executive Director, Dr. Cali Ellis, is looking forward to engaging with the Inspector General for Public Safety, Lisa Judge. We look forward to a more robust relationship with the OIG, where we can jointly support each other's roles in the accountability system.


Thank you for considering our input on the reappointment of Inspector General for Public Safety Lisa Judge. We remain committed to our role in ensuring a fair and effective accountability system for the City of Seattle.

On behalf of Seattle Community Police Commission,

Sincerely,



Reverend Patricia Hunter, Co-Chair



Reverend Harriett Walden, Co-Chair



Joel Merkel, Co-Chair

CC: Public Safety Committee

THE HONORABLE JAMES L. ROBERT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	
	)	Case No. 2:12-cv-01282-JLR
Plaintiff,	)	
	)	<b>CITY OF SEATTLE’S RESPONSE TO</b>
v.	)	<b>MONITOR’S ACCOUNTABILITY</b>
	)	<b>ASSESSMENT</b>
CITY OF SEATTLE,	)	
	)	
Defendant.	)	
	)	
	)	
	)	
	)	

The City of Seattle submits its response to the Monitor’s Accountability System Sustainment Assessment. While the Assessment does not evaluate compliance with the Consent Decree, the topics it covers are important to the City and speak to concerns raised by the Court. Moreover, the Assessment contains valuable feedback, and the City agrees with the Monitor’s overarching conclusion that “the City has developed a sophisticated accountability system, yet

**CITY OF SEATTLE’S RESPONSE TO ACCOUNTABILITY  
ASSESSMENT - 1**  
(12-CV-01282-JLR)

**Ann Davison**  
Seattle City Attorney  
701 5th Avenue, Suite 2050  
Seattle, WA 98104-7095  
(206) 684-8200

1 sustaining the system will require ongoing attention, funding, innovation, and support from the  
2 community, the city, and police leadership.”<sup>1</sup>

3 **1. Greater Clarity in the Roles of CPC, OIG, and OPA**

4 The Monitor recommended establishing greater clarity in the respective roles of CPC, OIG,  
5 and OPA.<sup>2</sup> Much work in this area is already underway, as described in the Monitor’s Assessment.  
6 Notably, CPC-proposed legislation<sup>3</sup> was enacted in July 2023 and accomplished the following:

- 7
- 8 • Clarified the roles, responsibilities, and relationship between the CPC Co-Chairs and Executive Director;
  - 9 • Established the qualifications for the CPC Executive Director, consistent with the OIG and OPA Directors;
  - 10 • Added a Deputy Director Position, consistent with the OIG and OPA; and
  - 11 • Returned the Commission to a size of 15 commissioners, reducing from 21, as it was originally when it was established.

12 CPC is in the process of working to fulfill the newly created Deputy Director position. In  
13 addition, CPC has made significant progress in developing its internal policies and procedures to  
14 clarify its work and processes and has completed its initial draft.

15 OIG is actively engaged in efforts to help the community understand the role that each  
16 agency plays in oversight within the City of Seattle. OIG is in the process of adding a new, half-  
17 time position for a Public Relations and Community Engagement Specialist. Among other  
18

---

19 <sup>1</sup> Monitor’s Seattle Accountability System Sustainability Assessment (Dkt. 782) at 5.

20 <sup>2</sup> See Recommendations 1, 8, and 11-12. A synthesized, numbered set of recommendations  
21 appears at pages 6-7 of the Assessment and those numbers are used throughout.

22 <sup>3</sup> Ordinance 126860 is available at  
<https://seattle.legistar.com/View.ashx?M=F&ID=12242730&GUID=5E4AFB8D-934D-43CA-B7AF-A0FF8BAC7934>

1 important work, this new resource will help increase public awareness of OIG’s role in the City’s  
 2 police accountability system; develop newsletters, presentations, reports, press releases, social  
 3 media and website content; and organize and participate in OIG-sponsored community events and  
 4 events sponsored by outside organizations.

5 OPA has continued its work engaging and educating community members about Seattle’s  
 6 police oversight system. For example, in 2023 OPA surveyed almost 500 members of the public  
 7 in communities that experience disproportionate police contacts. The survey gauged awareness  
 8 about the police accountability system and OPA complaint process, and it revealed new ways to  
 9 better reach and serve these communities. Among other efforts, OPA circulates a monthly  
 10 newsletter and regularly posts to social media. In 2023, OPA led events featuring the heads of  
 11 CPC, OPA, and OIG to educate faith-based leaders and the NAACP. All told, OPA’s outreach  
 12 work increased over 200% from 2022 to 2023.

## 13 **2. Greater Efficiency and Better Tracking of Policy Recommendations**

14 The Monitor recommends “granting the OIG the primary role of researching and making  
 15 recommendations on police policy with the OPA and the CPC providing information and data to  
 16 the OIG.”<sup>4</sup> Under this model, OIG would function as a “clearinghouse” conducting policy reviews  
 17 on issues identified by CPA and OPA and then reporting the resulting recommendations to SPD  
 18 and the public. The Monitor also suggests that OIG be responsible for publicly tracking and  
 19 reporting on the implementation of recommendations.<sup>5</sup>

---

21 <sup>4</sup> Recommendation 6.

22 <sup>5</sup> See Recommendations 2 and 6.



1 The City is committed to improving the policy recommendation process to address the  
2 Monitor’s findings of inefficiency, and the City agrees that having OIG coordinate and track policy  
3 recommendations would improve effectiveness and transparency. The City will incorporate the  
4 Monitor’s findings in a way that preserves the policy roles for CPC and OPA to publicly make  
5 recommendations directly to SPD. That structure achieves the right balance for our community.  
6 Since the early years of the Consent Decree, the CPC has served an important role in policy  
7 development. Among other contributions, the CPC provided substantial input to SPD’s use-of-  
8 force policy, a process that the Monitor described as: “a historic moment” in which “community  
9 representatives and police rank and file and union leaders were involved in a structured process  
10 that gave each a voice.”<sup>6</sup> CPC also contributed significantly to SPD’s bias-free policing training.  
11 Dkt. 176 at 7. When the City enacted the Accountability Ordinance in 2017, it established CPC as  
12 a permanent body with an expanded mission, while retaining CPC’s original role as the voice of  
13 the community.

14 OPA also has a valuable perspective gained from its firsthand knowledge of complaints  
15 filed by community members, among other sources. OPA issues recommendations to SPD when  
16 its investigations indicate that improvements to Department policy or training may help prevent  
17 similar negative outcomes in the future.

18 The Monitor’s goals of improving efficiency and transparency can be advanced while  
19 preserving the historical policy roles of CPC and OPA. The Monitor’s Assessment suggests that  
20 OIG take on the role of tracking and reporting out publicly on the status of policy recommendations

---

21  
22 <sup>6</sup> Dkt. 212 at 2 n.5 (quoting NACOLE presentation); *see also* Court’s Order (Dkt. 225) at  
23 3 (recognizing “CPC’s attempts to reach out to SPD officers and the community”).

1 made to SPD as well as the status of implementation of the Accountability Ordinance.<sup>7</sup> The City  
2 agrees that such tracking and reporting are critical tasks and align well with OIG’s mission.

### 3 **3. Discipline-Related Recommendations and Legislative Reform**

4 The Monitor’s Assessment raises several areas that bear on police discipline and the  
5 disciplinary process.<sup>8</sup> Mayor Harrell already has designated reform of the police accountability  
6 arbitration system as one of his top legislative priorities in the 2024 session—addressing  
7 Recommendation 14.<sup>9</sup>

8 The City also agrees with Recommendation 9 to develop a more streamlined and practical  
9 process for addressing minor misconduct by officers. OIG, OPA, and SPD have conferred on this  
10 topic and will continue these discussions. This recommendation is an especially high priority for  
11 SPD because OPA’s involvement in minor performance issues is not only inefficient, but it also  
12 interferes with effective supervision. Implementing Recommendation 9 would allow for more  
13 robust mentorship by empowering SPD supervisors to promptly address performance and  
14 customer service concerns (as opposed to serious misconduct—which would continue to be  
15 investigated by OPA). And, as noted by the Monitor, it would allow OPA to prioritize its  
16 investigative resources on allegations of serious misconduct. SPD looks forward to, in  
17 collaboration with the Accountability Partners, developing “specific expectations for first-line  
18

---

19 <sup>8</sup> See Recommendations 9 and 14-16.

20 <sup>9</sup> Mayor Harrell supports legislation that would require arbitrators to afford substantial  
21 deference to discipline imposed by a Chief of Police or Sherriff.  
22 [https://harrell.seattle.gov/2024/01/08/as-state-legislative-session-begins-mayor-harrell-  
highlights-key-priorities-for-seattle/](https://harrell.seattle.gov/2024/01/08/as-state-legislative-session-begins-mayor-harrell-highlights-key-priorities-for-seattle/)

1 supervisors to address such misconduct,” ensuring that “the policy and process [] is fair and  
2 uniform; is adequately documented; and is subject to ongoing, systematic review and oversight by  
3 OIG.”<sup>10</sup>

4 Addressing Recommendation 7, OIG is working to perform a limited follow-up of the 2021  
5 Audit of the Disciplinary System for SPD Sworn Personnel, as reflected in its 2024 Work Plan.<sup>11</sup>  
6 This audit will include an updated evaluation of disciplinary outcomes compared to  
7 recommendations, complainant input, and any impacts of recent arbitration.

### 8 **Conclusion**

9 Sustainable reform requires continuous innovation, improvement, and public engagement.  
10 The Monitor’s Assessment contains valuable feedback that will help inform the efforts of the  
11 City’s elected and appointed leaders in pursuit of meaningful police accountability.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21 

---

<sup>10</sup> Monitor’s Assessment (dkt. 782) at 7.

22 <sup>11</sup> Available at  
23 <https://www.seattle.gov/documents/Departments/OIG/Annual/OIG2024Workplan.pdf>

1 Respectfully submitted,

2 DATED this 29th day of January, 2024.

3  
4 For the CITY OF SEATTLE  
ANN DAVISON  
5 Seattle City Attorney

6 s/ Kerala Cowart  
Kerala Cowart, WSBA #53649  
7 Assistant City Attorney  
Phone: (206) 733-9001  
8 Fax: (206) 684-8284  
Email: Kerala.Cowart@seattle.gov

9 Jessica Leiser, WSBA #49349  
10 Assistant City Attorney  
Phone: (206) 727-8874  
11 Fax: (206) 684-8284  
Email: Jessica.Leiser@seattle.gov

12 Seattle City Attorney's Office  
13 701 Fifth Avenue, Suite 2050  
14  
15  
16  
17  
18  
19  
20  
21  
22

The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
CITY OF SEATTLE,  
  
Defendant.

Case No. C12-1282 JLR

**MOTION FOR LEAVE TO FILE  
*AMICUS CURIAE* MEMORANDUM**

TO: Clerk of the Court

AND TO: All Parties and Counsel of Record

The Community Police Commission (CPC) respectfully moves the Court for leave to file an *amicus curiae* memorandum commenting on issues recently raised before this Court by the Monitor and the City.

The Court granted the CPC *amicus curiae* status in 2013 (Dkt. # 106), stating that the CPC “may file memoranda commenting on any issue or motion raised by the parties in court proceedings.” *Id.* at 13-14. The CPC has actively participated in this action from the beginning, precisely as the parties anticipated in the original 2012 Settlement Agreement and Memorandum of Understanding. *See* Dkt. # 3-1 ¶¶ 3-12 (requiring creation of CPC and describing CPC role). The CPC is thus especially well-situated to provide “unique or helpful information beyond what the

1 parties can provide” (Dkt. # 734) because it “leverage[s] the ideas, talent, and expertise of the  
2 community.” Dkt. #3-1 ¶ 6. The CPC’s input is particularly appropriate now in light of the issues  
3 raised in the Monitor’s December 29, 2023 Report (Dkt. #782), which provides findings and  
4 recommendations concerning the CPC itself. The CPC thus respectfully moves for leave to file the  
5 attached *amicus curiae* memorandum.  
6

7 DATED January 29, 2024

Respectfully submitted,

8 By: /s/ Edgar Sargent

9 Edgar G. Sargent, WSBA #28283  
esargent@susmangodfrey.com  
10 Daniel J. Shih, WSBA #37999  
dshih@susmangodfrey.com  
11 Floyd G. Short, WSBA # 21632  
fshort@susmangodfrey.com  
12 Drew D. Hansen, WSBA #30467  
dhansen@SusmanGodfrey.com  
13 SUSMAN GODFREY L.L.P.  
401 Union Street, Suite 3000  
14 Seattle, WA 98101  
Phone: (206) 516-3880  
15 Fax: (206) 516-3883

16 **CERTIFICATE OF SERVICE**

17 I hereby certify that on January 29, 2024, I electronically filed the foregoing with the Clerk  
18 of the Court using the CM/ECF system, which will send notification of such filing to all counsel of  
19 record.  
20

21 /s/Edgar Sargent  
22  
23  
24  
25  
26  
27

The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
CITY OF SEATTLE,  
  
Defendant.

Case No. C12-1282 JLR

**COMMUNITY POLICE  
COMMISSION'S MEMORANDUM AND  
EXHIBIT COMMENTING ON  
MONITOR'S DECEMBER 2023  
REPORT**

TO: Clerk of the Court

AND TO: All Parties and Counsel of Record

Amicus curiae Seattle Community Police Commission submits this memorandum attaching as Exhibit 1 a letter signed by the CPC Co-Chairs addressing certain issues raised in the Seattle Accountability System Sustainability Assessment, submitted by the Federal Monitoring Team to the Court December 29, 2023 (Dkt #782).

DATED January 29, 2024

Respectfully submitted,

By: /s/ Edgar Sargent  
Edgar G. Sargent, WSBA #28283  
esargent@susmangodfrey.com  
Daniel J. Shih, WSBA #37999  
dshih@susmangodfrey.com  
Floyd G. Short, WSBA # 21632

fshort@susmangodfrey.com  
Drew D. Hansen, WSBA #30467  
dhansen@SusmanGodfrey.com  
SUSMAN GODFREY L.L.P.  
401 Union Street, Suite 3000  
Seattle, WA 98101  
Phone: (206) 516-3880  
Fax: (206) 516-3883

**CERTIFICATE OF SERVICE**

I hereby certify that on January 29, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/Edgar Sargent



Seattle  
Community  
Police Commission

Hon. Judge James Robart  
United States District Court for the Western District of Washington  
United States Courthouse  
1051 6<sup>th</sup> Avenue  
Seattle, Washington 98104

Your Honor:

The Seattle Community Police Commission (“CPC”) provides this letter responding to the Seattle Accountability System Sustainability Assessment submitted by the Federal Monitoring Team to the Court on December 29, 2023 (the “Monitor’s Report”). The Monitor provided the CPC with a draft copy of the Report and the CPC attempted to raise the issues addressed in this letter directly with the Monitor, but, in the CPC’s view, the short deadlines established for reactions to the draft precluded meaningful discussion of the CPC’s concerns. Whatever the cause, the CPC’s input does not appear to have been taken into account in the final Monitor’s Report, which is largely unchanged from the initial draft.

In performing his assessment, the Monitor minimized—and sometimes simply ignored—Seattle’s bold and singular plan to prioritize direct community involvement in police policy. Seattle’s approach has empowered its citizens by offering them direct input into the methods and conduct of the officers with whom they interact. Because this community engagement was a fundamental principle in Seattle’s police accountability system from the outset, the Community Police Commission was the first of the three accountability organizations to be created, and did the work of creating the other accountability partners in their current form.

Since its formation in 2012, the CPC has consistently provided a forum where community members could voice concerns, suggestions, complaints and commendations based on actual experience with the SPD. And the CPC could compile these diverse comments into organized and vetted proposals that the CPC could then submit directly to SPD. Over the past ten years, this process generated important policy recommendations in several areas, including use of force, crowd control, Seattle’s first-in-the-nation ruse policy, and the implementation of body-worn cameras.

The Monitor largely ignores the importance of this level of community involvement in his Report and thus downplays the purpose, mandate, and value of the CPC. Instead, the Report prioritizes efficiency and consistency of communication by, for example, repeating without proper context or qualification anonymous complaints that the CPC “gets divided” or suffers from a “lack of clarity.” (Report, page 50) This bias in favor of bureaucratic efficiency over community involvement pervades the report but is particularly evident in the section addressing the CPC. What is missing from the Monitor’s analysis is an acknowledgment that providing voice to the members of a diverse community such as Seattle inherently involves some “lack of clarity” and may “get

## Seattle Community Police Commission

divided.” Seattle’s City Council and the parties to the consent decree fully understood that a high degree of community engagement would likely lead to a multiplicity of voices and messages. Seattle nevertheless chose to prioritize community empowerment.

The Monitor’s failure to appreciate this history is evident in the Report’s use of extensive quotes from a May 2017 statement by former SPD Chief O’Toole addressing what he called “the abject complexity” of the three-part accountability structure being considered by the City Council. What the Monitor fails to acknowledge is that Chief O’Toole’s concerns were presented to the City Council before the accountability ordinance was passed and the City Council chose to proceed with the current structure regardless. Although the Monitor himself clearly found O’Toole’s concerns notable, the Report provides no concrete basis for revisiting the City Council’s 2017 determination to adopt the current system despite those concerns. In particular, the Monitor has not provided any examples of the SPD being “impeded” in its “ability . . . to implement timely and relevant change” or any evidence to believe that the accountability structure has “los[t] its force altogether through its unworkability,” as Chief O’Toole foresaw. Indeed, despite facing the challenges posed by the 2020 racial justice unrest, the pandemic, and other events, the accountability structure has continued to function coherently and effectively. Certainly, the Monitor provides no basis to conclude that any problems that *do* exist with the current system are the result of confusion or bureaucratic inefficiency.

In this general context, the voices that are missing from the Monitor’s Report are particularly notable. Although the Monitor quotes many current city employees as well as officials such as former Chief O’Toole, he includes no remarks from any of the civilian (*i.e.* non-city-employee) members of the community who are the direct constituency of the CPC. He also apparently failed to seek input from any of the community organizations which have been actively involved in efforts to reform the Seattle Police Department, such as the ACLU, Faith Action Network, El Centro De La Raza, Asian Counseling and Referral Service, or other community groups. In the CPC’s estimation, the Monitor’s omission of community viewpoints further skews the analysis in the Report to favor administrative and bureaucratic priorities over community empowerment.

The Monitor also raises several criticisms of the CPC that are either outdated or too one-sided to be useful. The Report focuses on allegations of conflict between the CPC Executive Director, staff, and members of the committee. These claims relate to a relatively brief period of discord which, unfortunately, immediately preceded the period in which the Monitor conducted most of his investigation. Subsequent personnel changes at the CPC have eliminated the previous problems, which were also exacerbated by the challenges of the pandemic and the aftermath of the 2020 racial justice protests. The CPC has not demonstrated a pattern of dysfunction or inaction over time and significant changes to its structure or authority are not warranted.

The most impactful modification to the accountability system proposed by the Monitor is also the most problematic. He suggests that proposals for SPD policy changes should all be made through OIG and that the CPC and OPA should no longer be authorized to communicate such proposals directly. (Report at pages 58-60). Once again, the Monitor bases his conclusions on reports from

## Seattle Community Police Commission

city employees that the current system is “frustrating” because it is “too complex and creates unnecessary conflict”, including “conflicts in policy recommendations.” (all quotes from Report, page 58). It may be correct that silencing the CPC as an independent voice—or, more accurately, collection of voices—would lead to a system that is less complex and has fewer conflicts. But taking this step would be a grave mistake. CPC has effectively demonstrated the importance of this role as assigned to CPC in the Accountability Ordinance, and the capability of the CPC to amplify community voices in the process. The CPC has policy responsibilities to the community by design, and this should not be discounted for the sake of convenience.

This proposed change directly contradicts Seattle’s accountability ordinance, which identifies its goals to include “building a strong community-based entity *with authority to review and weigh in on police policies and assess the responsiveness of SPD, the City of Seattle and accountability system professionals to community concerns.*” (Seattle Ord. No. 125315 § 1, K). Eliminating the CPC’s official authority to comment on police policy would require legislative action to amend the existing accountability ordinance and eliminate the many provisions which authorize the CPC to provide its own, independent evaluation of police policy. *See, e.g.* 3.29.030 (A) (requiring each accountability partner to “exercise independent judgment and offer critical analysis”) and (B) (requiring each accountability partner to “recommend and promote to policymakers changes to policies and practices.”) In addition to the practical challenges posed by the need to rewrite large sections of the relevant city ordinance, the change proposed by the Monitor would signal to the community that Seattle is retreating from its commitment to community involvement in police policy and conduct issues—a message that is both inaccurate and potentially detrimental to the City’s ongoing efforts at reform. This recommendation overrides the intentions of city leaders to provide separate and independent input on policy to the SPD. The community cannot be simply a feeder to the policy clearinghouse in OIG, they must have their own voice, as designed in the 2017 Accountability Ordinance.

Most troubling of all, the Monitor appears to have decided to propose this fundamental change to Seattle’s police accountability process based on the thinnest conceivable justifications. As former Councilmember Lisa Herbold (a member of the Council at the time the Ordinance was enacted) noted in an email to the Monitor, the decision to recommend stripping the CPC of policy proposal authority appears to have been driven by the opinions of a few, largely anonymous, city employees. As Herbold notes, “there are no examples of an actual CPC policy recommendation that created any sort of a problem.” If the only real-world problems being addressed by this Monitor’s recommendation are related to confusion over potentially conflicting communications, those concerns can be addressed in with far less radical proposals, or they can simply be accepted as one of the features of a system that was expressly designed to foster input from many sources.

One additional recommendation in the Monitor’s Report should also be rejected, although it is far less significant than stripping the CPC of its role directly commenting on police policy. The Monitor proposes that responsibility for the database used to track policy initiatives should be transferred from the CPC to OIG. This proposal was based on difficulties CPC staff had initially managing the software that is used to maintain the database. Those challenges have been overcome

## Seattle Community Police Commission

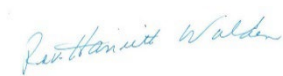
and the CPC is now fully capable of maintaining the database using the existing system, especially if all system partners commit to providing data to the CPC to update the trackers as has been requested.

Despite having a fundamental disagreement with the Monitor over the role of the community and the CPC in SPD policy reform, the CPC commends the Monitor and his team for having produced this extensive Report. Many of the reflections it contains will be valuable for the various parties involved as they seek to improve internal operations. Several of the Monitor's specific proposals are supported by the CPC, including creating and implementing internal policies and procedures to clarify roles, goals and processes for CPC staff, focusing on repairing relationships, and planning to evaluate the effectiveness of changes implemented by the CPC over time. We look forward to facilitating a robust and direct community voice in this important work.

On behalf of Seattle Community Police Commission,  
Sincerely,



Reverend Patricia Hunter, Co-Chair



Reverend Harriett Walden, Co-Chair



Joel Merkel, Co-Chair



Legislation Text

---

**File #:** Inf 2496, **Version:** 1

---

Seattle Waterways Safety Overview



# City of Seattle Waterways Safety Study



May 2024





2200 Sixth Avenue, Suite 1000  
Seattle, Washington 98121  
P (206) 324-8760  
[www.berkconsulting.com](http://www.berkconsulting.com)

---

***“Helping Communities and Organizations Create Their Best Futures”***

Founded in 1988, we are an interdisciplinary strategy and analysis firm providing integrated, creative, and analytically rigorous approaches to complex policy and planning decisions. Our team of strategic planners, policy and financial analysts, economists, cartographers, information designers and facilitators work together to bring new ideas, clarity, and robust frameworks to the development of analytically-based and action-oriented plans.

**Project Team**

Allegra Calder  
Katherine Goetz  
Oliver Hirn  
Ariel Hsieh  
Josh Linden

# Table of Contents

<b>Executive Summary</b> .....	<b>4</b>
<b>Introduction</b> .....	<b>7</b>
Study Methodology .....	8
<b>Context: Waterways and Activities</b> .....	<b>9</b>
<b>Existing Public Safety Operations</b> .....	<b>16</b>
Waterways Jurisdiction.....	16
Agencies Within the City Organization .....	17
Agencies Outside the City Organization.....	27
<b>Safety Response Types</b> .....	<b>30</b>
<b>Findings and Recommendations</b> .....	<b>39</b>
<b>Appendix A: List of Interviewees</b> .....	<b>45</b>
<b>Appendix B: Features of Other Cities</b> .....	<b>48</b>
<b>Appendix C: Other Organizations with Waterways Responsibilities</b> .....	<b>50</b>



# Executive Summary

## About this Report

Increased variety of activity on Seattle waterways, alongside a growing number of residents and visitors, is creating demand for more safety patrols, emergency response assets, and coordination of multiple activities occurring on the same bodies of water. These requests have prompted the City of Seattle (the City) to commission a study to better understand waterways safety concerns and needs. BERK Consulting was engaged to provide an assessment of the City's existing marine public safety operations and recommendations for improvement.

This report summarizes the activities, existing public safety agencies, and response types on Seattle waterways to establish a baseline for recommendations. The findings in this report are based on guidance from a City staff workgroup, interviews with various waterways stakeholders, desk research, data analysis, and peer city research.

## Context

Seattle waterways include over 200 miles of coastline, bodies of freshwater and saltwater, and different waterway types such as lakes, inlets, and rivers. These waterways are used for various activities, including recreation; commercial fishing and seafood processing; ship building, repair, and maintenance; residential use; moorage; maritime logistics and shipping; tourism; general and commercial aviation operations; and water transportation.

## Existing Public Safety Agencies

Multiple agencies have roles, responsibilities, and resources on Seattle waterways. Within the City organization, the Seattle Police Department (SPD), Seattle Fire Department (SFD), and Seattle Parks and Recreation (SPR) all have roles to ensure safe waterways activities among recreational, commercial, and residential users. SPD Harbor Patrol and SFD marine response units have complementary functions and share a responsibility to ensure an effective emergency response to incidents in both freshwater and saltwater areas. Seattle Parks and Recreation manages beaches, waterfront parks, and boat launches, some of which are staffed by lifeguards and boat ramp rangers during the summer, when there is increased recreational activity.

Outside the City organization, several agencies overlap in waterways safety responsibilities and carry out these roles in partnerships with Harbor Patrol, SFD, and SPR. These agencies include the King County Sheriff's Office Marine Unit; Mercer Island Police Department Marine Patrol; Port of Seattle; U.S. Coast Guard; U.S. Coast Guard Auxiliary; Washington State Parks; Washington State Department of Ecology; Washington State Department of Fish & Wildlife; Washington State Department of Natural Resources (DNR); U.S. Army Corps of Engineers; and Tribal Marine Police. Interviewees within and outside the City described good working relationships, collaboration, and information-sharing.

## Safety Response Types

Various response types are necessary to support safety on Seattle waterways, including law enforcement and regulation; patrols; fire incidents; dive rescue; search, rescue, and accident investigation; vessel inspections; education and community engagement; removal of navigational hazards; hazardous materials response; and permitting. These are currently shared responsibilities among multiple agencies. Specifically, the agencies who primarily patrol each waterway area are:

- **Lake Washington:** Harbor Patrol, King County Sheriff's Office Marine Unit, Mercer Island Police Department Marine Patrol, U.S. Coast Guard (for events), U.S. Coast Guard Auxiliary (for events)
- **Lake Union:** Harbor Patrol
- **Lake WA Ship Canal:** Harbor Patrol
- **Puget Sound:** SFD Fireboat Unit, U.S. Coast Guard, Port of Seattle (Port properties)
- **Duwamish:** Port of Seattle (Port properties)
- **Other Areas:** SPR (summer lifeguards and boat ramp rangers)

## Findings and Recommendations

In conducting our interviews, research, and analysis, we learned about safety concerns from the perspectives of various waterways stakeholders and investigated topics and recommendations related to these concerns. Many of our findings involve waterways users and agencies beyond the City, which reflects the shared responsibilities and collaborative relationships we heard about during interviews. Our recommendations focus on actions that the City could lead.

### *Findings on existing marine public safety operations:*

- **Seattle waterways accommodate a variety of uses.** There are more residents, visitors, and types of recreational activities around the waterways. More safety education is needed for recreational users.
- **Current resources for emergency response and patrols are limited.** Asset locations and staffing levels limit SPD and SFD response times. Property crime was identified as a problem that may benefit from more patrols.
- **Current Harbor Patrol data does not provide a complete picture of need.** It is difficult to establish a metric for recommended marine police unit staffing. Past data collection practices make it challenging to assess workload trends and determine locations where resources may be most needed.
- **Derelict vessel response is a resource-intensive activity.** There are insufficient resources to fully address the problems of derelict boats.
- **SPD and SFD work effectively together on emergency response.** There is generally good coordination and cooperation between SPD and SFD during emergency response, but more formal procedures are needed.

### *Recommendations supporting patrols:*

- Consider coverage by SPR Park Rangers to support noise ordinance enforcement.
- Support SFD's efforts to add a South Lake Union (SLU) fire station, which could add increased presence on Lake Union and Lake Washington, and improve SFD response times to freshwater.
- Use available call or incident data to understand the demand for Harbor Patrol services.

### *Recommendations supporting education and community engagement:*

- Improve recreational boater education with signage and situational training modules.
- Partner with other organizations to conduct safety checks for recreational users.
- Be transparent about the level of service Harbor Patrol can deliver.
- Maintain an online data dashboard for Harbor Patrol activity.

### *Recommendations supporting navigational hazards:*

- Raise awareness about the DNR's Vessel Turn-In Program.
- Lobby for stronger enforcement tools and additional state funding to address derelict vessels.

### *Recommendations supporting emergent needs:*

- Review memorandums of understanding (MOUs) between SPD and SFD to determine whether and how they should be updated. This review process should include agreement on a cadence for regular review going forward.
- Create a venue for regular conversation to strengthen agency relationships.

# Introduction

Seattle is a maritime city located between the Puget Sound and Lake Washington with the Lake Union/Lake Washington Ship Canal system connecting the freshwater lakes to the saltwater Sound. The area also has a significant maritime economy with numerous Port of Seattle facilities including Fisherman’s Terminal, a grain terminal, marine cargo terminals that move international cargo, several public marinas, and two cruise terminals.

In addition, there are increasing numbers of people living near Lake Union and visiting the Seattle area. The South Lake Union neighborhood has experienced greater population growth than other Seattle neighborhoods, with 10,000 new residents since 2010 and 3,800 residential units proposed or under construction.<sup>1</sup> In 2023, 37.8 million visitors came to Seattle and King County, which was 9% more visitors than in 2022, and approximately 90% of the number of visitors to Seattle and King County in 2019.<sup>2</sup>

Alongside a growing residential and visitor population, increased variety of activity on the waterways in Seattle is creating demand for safety patrols, emergency response assets, and coordination of multiple activities occurring on the same bodies of water. This prompted the City of Seattle (the City) to commission a study to better understand Seattle’s marine public safety operations and needs. BERK Consulting was engaged to assess the current state and provide recommendations for improvement.

It is important that the City continues to prioritize waterways safety due to the wide-ranging needs and activities of commercial, recreational, and residential users, as well as the maritime industry’s impact on the Washington State economy. In 2022, Washington’s maritime industry supported more than 174,000 jobs and brought in more than \$45 billion in business revenues, including more than \$380 million in state government revenues.<sup>3</sup>

This report summarizes the activities, safety needs, and response types on Seattle waterways, as well as the safety roles and responsibilities of public safety agencies with waterways jurisdiction to establish a baseline understanding of the current state as well as for future resources and staffing.

---

<sup>1</sup> Downtown Seattle Association, 2022. *Economic Report: State of Downtown*. Available at: <https://web.archive.org/web/20230930070313/https://downtownseattle.org/programs-services/research/economic-report/live/>.

<sup>2</sup> Visit Seattle, “Visit Seattle Celebrates Record-Setting \$8.2 Billion in Visitor Spending at Annual Meeting,” March 27, 2024. Available at <https://visitseattle.org/press/press-releases/visit-seattle-celebrates-record-setting-8-2-billion-in-visitor-spending-at-annual-meeting/>.

<sup>3</sup> McKinley Research Group and High Peak Strategy, 2022. *Economic Impacts of Washington’s Maritime Industry*, page 1. Available at: [https://www.maritimefederation.com/uploads/1/0/9/1/109194033/wa\\_maritime\\_impacts\\_2022\\_report.pdf](https://www.maritimefederation.com/uploads/1/0/9/1/109194033/wa_maritime_impacts_2022_report.pdf).

# Study Methodology

Findings in this report are based on workgroup guidance, interviews, desk research, data analysis, and peer city research.

**Workgroup.** This study was guided by a workgroup made up of representatives from the Seattle Police Department (SPD), the Seattle Fire Department (SFD), City of Seattle Finance & Administrative Services, the Seattle Mayor’s Office, and Seattle City Councilmember Dan Strauss’ office.

---

## Workgroup Members

- Captain Anthony Gaedcke, SPD
- Harbor Lieutenant Marc GarthGreen, SPD Harbor Patrol
- Captain Luke Schultz, SFD Fireboat Unit
- Lieutenant Robert Kerns, SFD Fireboat Unit
- Helen Fitzpatrick, SFD
- Kate Hoffman, Councilmember Strauss’ Office
- Adrian Matanza, Finance and Administrative Services
- Dan Nolte, Mayor’s Office

---

**Interviews.** From September 2023 through February 2024, BERK conducted interviews with local government, maritime industry, the residential community, and recreational organizations to learn about waterways safety needs. A list of interviewees is in **Appendix A: List of Interviewees**.

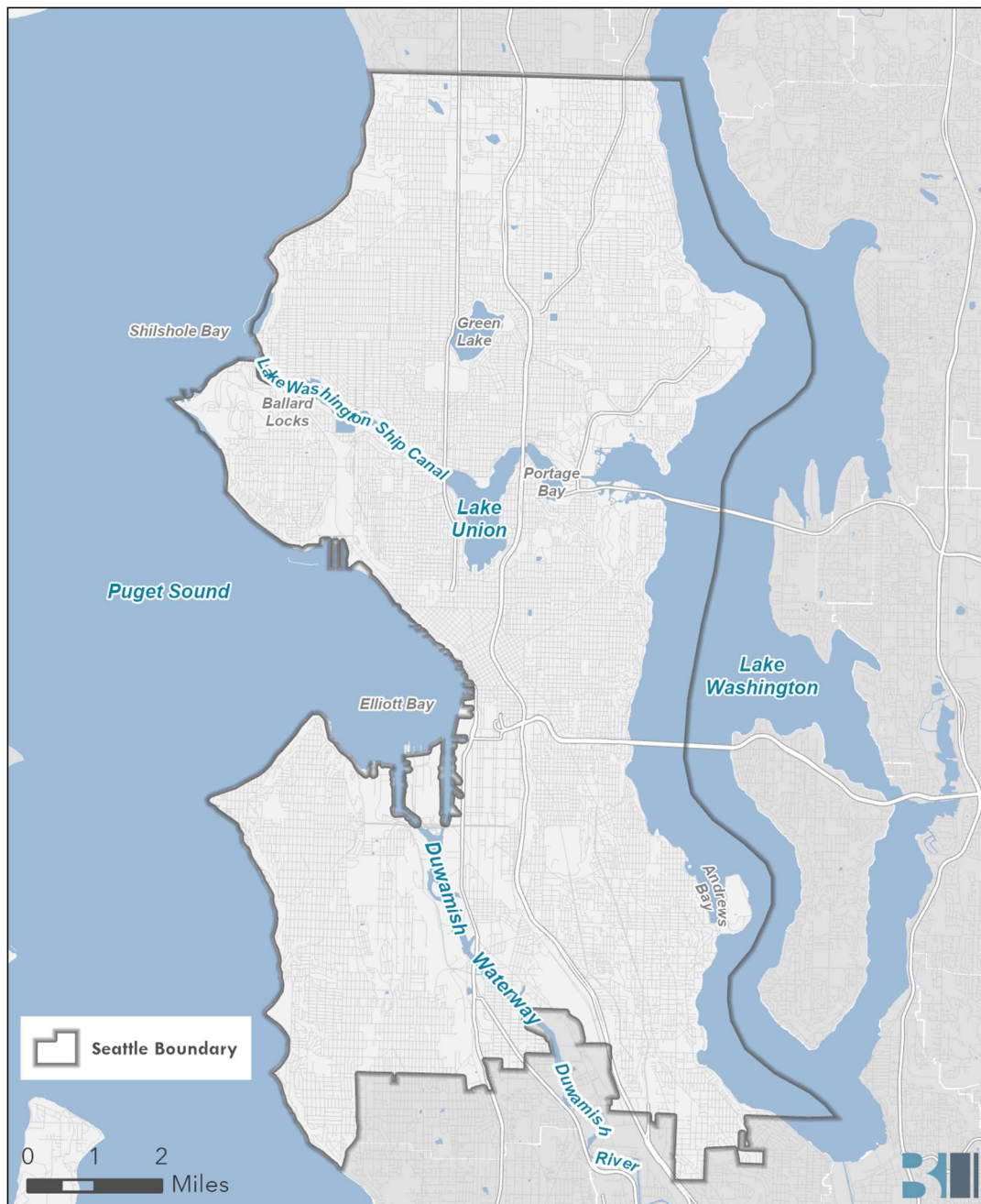
**Data Analysis.** BERK quantified the volume of waterway activities and safety responses using data from various sources including SPD, SFD, and Seattle Parks and Recreation. Data sources are cited in relevant exhibits and sections of the report.

**Peer City Research.** BERK researched marine safety operations in cities with similar waterway areas and safety needs. A summary of this research is in **Appendix B: Features of Other Cities**.

# Context: Waterways and Activities

Seattle’s waterways surround and bisect the city (Exhibit 1). At the west end of the Lake Washington Ship Canal, the Ballard Locks connect the Puget Sound (saltwater) and Lake Union (freshwater) through “locking,” which facilitates transit between waters of different elevations and types. Each waterway area hosts more than one type of activity, except “Other Areas” which are mainly used for recreation (Exhibit 2). Even so, multiple recreational activities occur on the same waterway, such as regattas, kayak rentals, and swimming at Green Lake.

**Exhibit 1. Map of Seattle Waterway Areas**



Source: BERK, 2024.

## Exhibit 2. Seattle Waterway Activities by Waterway Area

Area	Recreation	Commercial	Residential	Moorage	Cargo	Tourism	Seaplanes	Ferries
Lake Washington	✓	✓	✓	✓			✓	
Lake Union	✓	✓	✓	✓		✓	✓	
Lake WA Ship Canal	✓	✓		✓	✓			
Puget Sound	✓	✓	✓	✓	✓	✓		✓
Duwamish	✓	✓		✓	✓			
Other Areas	✓							

Source: BERK, 2024.

### Recreation

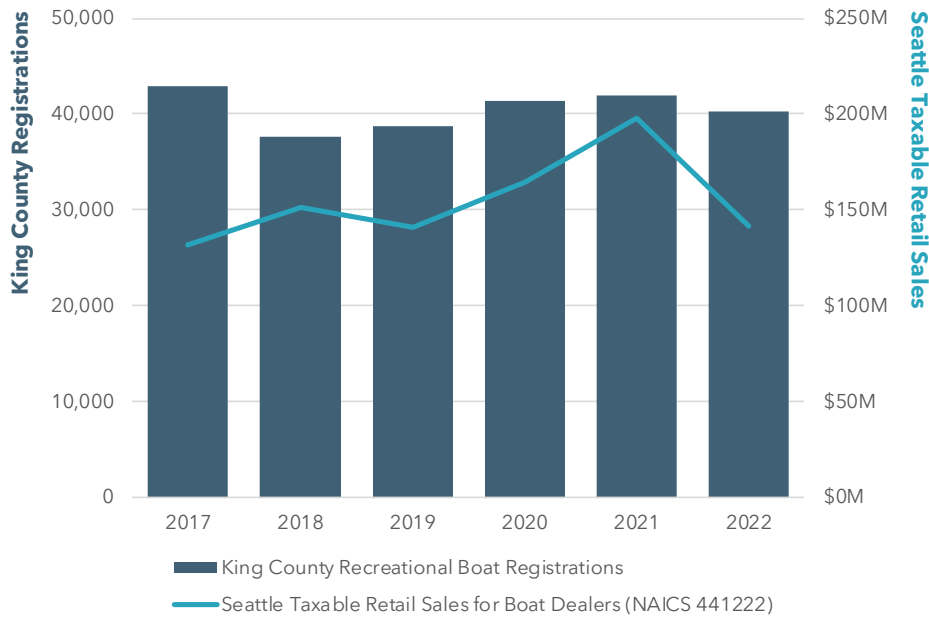
Recreational activities may occur in any unrestricted area with access to water. Along the waterfronts are private docks, boat clubs, rental companies, and City parks with fishing piers, swimming beaches, and boat launches (see **Seattle Parks and Recreation**). Examples include canoeing, crabbing, fishing, electric boats, hot tub boats, kayaking, kitesurfing, rowing, sailing, surfing, wakeboarding, waterskiing, and windsurfing. These activities are especially popular in the summer when there are more tourists, camps and lessons, regular events such as the Tuesday night Duck Dodge on Lake Union, and major multi-day events such as Seafair.

Participants may have varying levels of experience, from individuals renting a stand-up paddleboard (SUP) for the first time to rowing teams practicing for regattas. While users who operate motorized vessels are required to take a boater education course and obtain a Washington State Boater Education Card, users who operate human-powered vessels such stand-up paddleboards, kayaks, or canoes, are not required to. Users who rent human-powered vessels may receive some information or training from rental company representatives, but it is unclear if this happens consistently. In addition to boat rental companies, private owners rent boats and may not comply with all (or be aware of) education and safety requirements. When boaters get into trouble, private vessel assistance companies can help with towing or other services, in addition to public safety agencies.

Motorized boat registrations and sales trends show increased recreational activity through the COVID-19 pandemic (Exhibit 3). In 2022, however, the number of recreational boat registrations was lower than in 2021, which also follows the trend of boat sales and Seattle Parks and Recreation boat launch permits (see **SPR Permitting Activity**). Boats without a motor are exempt from registration with the Washington State Department of Licensing, which means that there is limited data on the number of these vessels on the waterways. Exhibit 4 shows that 15 companies offering recreational waterways activities and services filed business license tax certificates with the City between 2019 and 2023. These include boat rental, boat share, and boating instruction businesses.



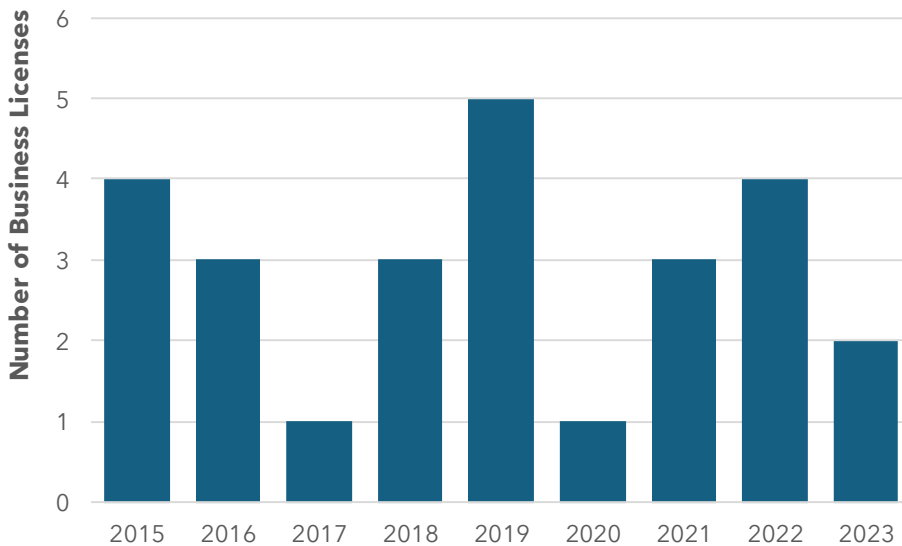
**Exhibit 3. King County Recreational Boat Registrations and Seattle Taxable Retail Sales for Boat Dealers, 2018-2022**



Note: King County includes waterways outside of Seattle such as Lake Sammamish.

Sources: Washington State Department of Licensing, 2023; Washington State Sea Grant, 2023; Washington Coast Economist, 2023; BERK, 2024.

**Exhibit 4. New Recreational Waterways Businesses, 2015-2023**



Note: Relevant businesses identified based on Trade Name.

Sources: [City of Seattle](#), 2024; BERK, 2024.



## Commercial

Manufacturing, seafood production plants, maritime logistics, shipyards, restaurants/bars, and other businesses are located along freshwater and saltwater waterfronts. A 2019 Port of Seattle study estimated that all segments of commercial fishing generated more than \$671.2 million in 2017.<sup>4</sup> Along the Duwamish River are industrial facilities including Boeing (aerospace), Lafarge (cement), and Recology (waste). The King County International Airport is also located by the Duwamish River. Several interviewees shared that they feel that the City neither fully recognizes the importance of the maritime location nor appreciates the economic impact and thus does not adequately protect the interests of the maritime sector or resource the needs.<sup>5</sup>

## Residential

Over 500 floating homes (permanently anchored) are located around Lake Union and Portage Bay,<sup>6</sup> in addition to over 200 legally recognized floating on-water residences such as houseboats (docked).<sup>7</sup> Shilshole Bay Marina is the largest liveaboard community on the West Coast with space for about 1,400 moorage customers.<sup>8</sup> There are also waterfront residences located along Lake Washington, Lake Union, and Puget Sound.

### Floating Homes on Lake Union



Source: BERK, 2023.

---

<sup>4</sup> Port of Seattle, 2019. *Port of Seattle, Port of Tacoma & The NWSA Economic Impacts*, Chapter 3, Commercial Fishing. Available at: [https://www.portseattle.org/sites/default/files/201905/190412\\_commercial\\_fishing\\_chapter\\_3\\_economic\\_impact.pdf](https://www.portseattle.org/sites/default/files/201905/190412_commercial_fishing_chapter_3_economic_impact.pdf). Commercial fishing includes fishing vessels moored in Seattle operating out of Alaskan fisheries (\$455M); fisheries outside of Alaska (\$26.6M), and cold storage, seafood processing, and service businesses (\$189.7M).

<sup>5</sup> This issue came up during a discussion convened by the North Seattle Industrial Association and an interview with the Transportation Institute.

<sup>6</sup> See <https://seattlefloatinghomes.org/floating-home-locations/>.

<sup>7</sup> Sarah Anne Lloyd, "Why Seattle Won't Allow New Houseboats Anymore," *Seattle Met*, June 10, 2021. Available at: <https://www.seattlemet.com/home-and-real-estate/2021/06/no-more-new-houseboats-in-seattle>.

<sup>8</sup> See "Monthly Moorage" at <https://www.portseattle.org/page/monthly-moorage>.

## Moorage

Marinas, piers, and terminals provide docking infrastructure for recreational and commercial vessels, and some also provide fuel and maintenance services. Dock space is rented subject to availability and many docks currently have long waiting lists. The Port of Seattle's Shilshole Bay Marina's estimated wait time is 6 months to 16 years depending on slip size and location.<sup>9</sup> Seattle has two long-term mooring facilities, Lakewood Moorage and Leschi Moorage, that were formerly operated by Seattle Parks but are now operated by a private entity.<sup>10</sup> Recreational boaters who are members at private yacht clubs also have access to moorage.

Boaters tying up inappropriately on private docks due to a lack of public moorage was an issue raised by some interviewees. Per Seattle Municipal Code (SMC) [16.40.030](#), Andrews Bay on Lake Washington is the only location in Seattle where recreational anchorage is permitted, for a maximum of 72 hours per seven-day period. Commercial anchorage areas are in Elliott Bay, Smith Cove, Shilshole Bay, Salmon Bay, and Portage Bay.

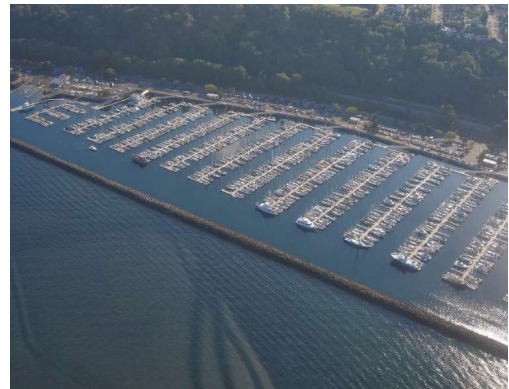
## Cargo

The Northwest Seaport Alliance (NWSA) partnership between the Port of Seattle and the Port of Tacoma manages five container terminals along Elliott Bay and the Duwamish River. In 2022, NWSA handled 0.73 million twenty-foot equivalent units (TEU) with domestic trading partners in Alaska and Hawaii and 2.65 million TEU with international trading partners.<sup>11</sup>

## Tourism

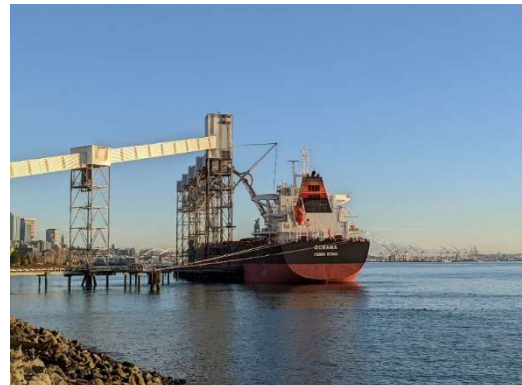
The Port of Seattle reported 291 cruises and over 900,000 individual passengers departing from Pier 66 and Pier 91 during the 2023 cruise season.<sup>12</sup> The Victoria Clipper operates whale watching tours from Pier 69 and passenger-only ferry service to Victoria. Smaller sightseeing boats such as Argosy Cruises also offer tours of Puget Sound and Lake Union. Visitors also rent boats and other watercraft (see **Recreation**).

### Shilshole Bay Marina



Source: BERK, 2012.

### Pier 86 Grain Terminal on Elliott Bay



Source: BERK, 2024.

<sup>9</sup> See "Moorage Rates & Estimated Wait Times" at <https://www.portseattle.org/page/monthly-moorage>.

<sup>10</sup> See "Moorages" at <https://www.seattle.gov/parks/recreation/outdoor-water-recreation/boating-and-sailing>.

<sup>11</sup> The Northwest Seaport Alliance, 2022. *Annual Trade Report*, page 3. Available at: <https://s3.us-west-2.amazonaws.com/nwseaportalliance.com.if-us-west-2-or/2023-04/2022%20NWSA%20Annual%20Cargo%20Report.pdf>.

<sup>12</sup> Port of Seattle, "Port of Seattle Completes Record-Setting 2023 Cruise Season," November 9, 2023. Available at: <https://www.portseattle.org/news/port-seattle-completes-record-setting-2023-cruise-season>.

## Seaplanes

The Federal Aviation Administration (FAA) recognizes two seaplane airports on Seattle waterways, both on Lake Union: Kenmore Air and Seattle Seaplanes.<sup>13</sup> Kenmore Air offers regularly scheduled flights to Tacoma, the San Juan Islands, and British Columbia.

Outside Seattle but on Lake Washington, Kenmore Air has another seaplane base at the north end of the lake, and Seaplane Scenics departs from Carillon Point (in Kirkland) or the Will Rogers-Wiley Post Memorial Seaplane Base (owned by the City of Renton). These commercial seaplane operators offer scenic flights and charter flights.

Lake Union does not have a dedicated runway for seaplanes, but there are advisory buoys intended to alert people on the water of a takeoff or landing. Five buoys were installed in the center of Lake Union in 2018, and they are active from Memorial Day to Labor Day. Seaplane pilots control the buoy lights and activate them during takeoff or landing. The Recreational Boating Association of Washington manages the “Mind the Zone” educational campaign to raise awareness of these advisory buoys.<sup>14</sup>

As seaplanes require large sections of waterway areas to operate, there continues to be push and pull between residential and recreational users and the seaplane industry. In the Lake Union area, interviewees noted incidents of less informed recreational boaters, kayakers, and paddleboarders venturing into the landing zone of Kenmore Air.<sup>15</sup> According to Kenmore Air, the number of Kenmore Air seaplane flights departing from Lake Union has decreased from 779 flights in July 2018 to 643 flights in July 2023, in part due to increased recreational activity on the lake that makes it difficult to execute safe landings.

Any proposed changes to the seaplane landing zone or operations for safety reasons would need to ensure that federal navigation requirements could still be met and weigh any economic and operational impacts to commercial seaplane operators such as Kenmore Air. See **Law Enforcement and Regulation** for more information on the regulatory roles of the FAA and U.S. Coast Guard.

### Kenmore Air Lake WA Terminal



Source: BERK, 2024.

<sup>13</sup> See facilities under Facility Type “Seaplane Base” at <https://adip.faa.gov/agis/public/#/advancedAirportMap>.

<sup>14</sup> See <https://www.rbaw.org/mindthezone>.

<sup>15</sup> This issue came up in interviews with the Recreational Boating Association of Washington, the Seattle Floating Homes Association, and Harbor Patrol.

## Ferries

Colman Dock is Seattle’s main ferry terminal. In 2023, Washington State Ferries (WSF) reported 8.9 million vehicle drivers, 5.8 million vehicle passengers, and 3.9 million foot passengers across the WSF system. The most popular route was Seattle-Bainbridge Island, with 4.7 million total riders.<sup>16</sup> Kitsap Transit operates three routes from Seattle’s Colman Dock to Bremerton, Kingston, and Southworth, and King County Metro operates water taxis to West Seattle and Vashon Island from Colman Dock. The Victoria Clipper operates regular service to and from Victoria, BC out of Pier 69. Increased passenger ferry service has added to boat traffic post-pandemic.

### Kitsap Transit and WSF ferries at Colman Dock



Source: BERK, 2023.

---

<sup>16</sup> Washington State Ferries, 2024. *Traffic Statistics Rider Segment Report, Jan 1, 2023 thru Dec 31, 2023*. Available at: <https://wsdot.wa.gov/sites/default/files/2024-01/WashingtonStateFerries-TrafficStatistics-2023Annual.pdf>.

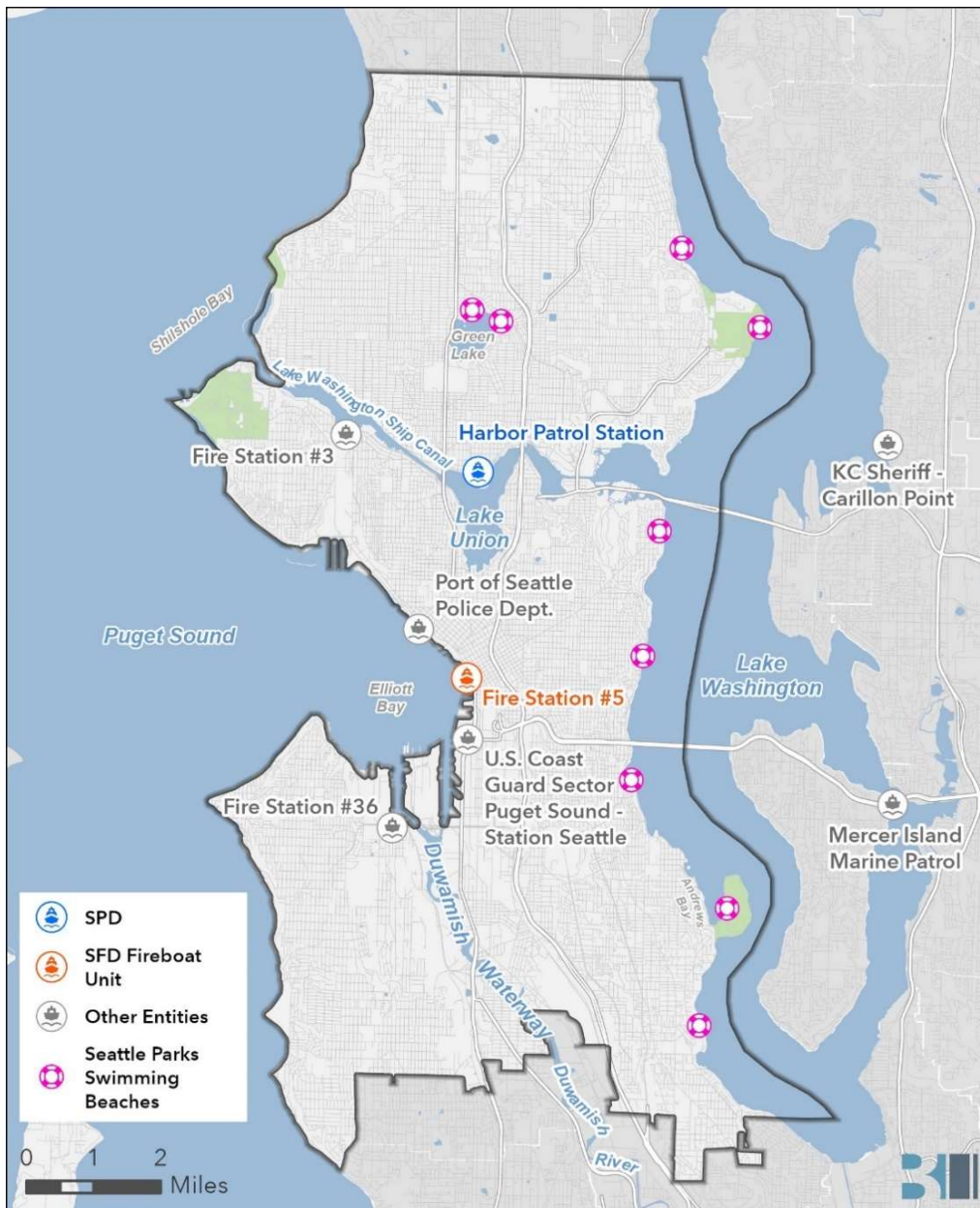


# Existing Public Safety Operations

## Waterways Jurisdiction

Revised Code of Washington (RCW) [35.21.160](#) describes that cities have jurisdiction over adjacent waters. The City of Seattle thus has jurisdiction over Lake Union, Green Lake, Haller Lake, Bitter Lake, a portion of the Duwamish River, Lake Washington, Elliott Bay, and Shilshole Bay. As these waterways are adjacent to other cities and under the jurisdiction of regional agencies, multiple agencies within and outside the city have public safety operations on Seattle waterways (Exhibit 5).

### Exhibit 5. Locations of Seattle Waterways Public Safety Agencies



Source: BERK, 2024.

# Agencies Within the City Organization

This section describes resources and activity levels for police, fire, and parks and recreation services based on site visits, interviews, desk research, and data provided by SPD, SFD, and Seattle Parks and Recreation. Activity trends describe current levels of service to provide a baseline of where additional support could be used.

## SPD Harbor Patrol

SPD Harbor Patrol is the primary law enforcement responder to incidents on Seattle waterways. Harbor Patrol responds to 911 dispatched calls in the city, calls directly to the Harbor Patrol phone line, requests for mutual aid which may be outside the city, and incidents arising during patrols. All Harbor Patrol officers are authorized to make arrests.

### *Harbor Patrol Assets*

The Harbor Patrol station is located at the north end of Lake Union (see Exhibit 5). Ten patrol boats of various sizes and specifications are docked there. This includes three larger platform boats with water pumping capabilities that are used for patrols, response, and dive training, as well as smaller response boats used for search, rescue, and patrols. SPD has a dive compressor building for filling dive tanks, a dive van for transporting equipment, remote-operated vehicles for sonar searches, and access to two cadaver dogs through a contract with King County. Harbor Patrol has dedicated staff that conduct maintenance and repairs on the boats. Officers also dedicate some of their time to maintenance and repairs.

Harbor Patrol has one boat with firefighting capability, which can maneuver through tight spaces such as docks and floating homes. When responding to incidents in Lake Union and Lake Washington, this boat can quickly respond and start firefighting activities ahead of SFD's arriving with their fireboats, which have increased water capacity.

### *Harbor Patrol Staffing*

Harbor Patrol is currently staffed under the Special Operations Unit. Candidates must have three years of police experience before applying for Harbor Patrol. Upon joining, officers participate in training for marine firefighting, diving, and boating, which can take up to six months to complete. It takes three weeks (prior to joining Harbor Patrol) to complete the boat training course; it can take up to two months to complete all required checkoffs and internal training requirements; and it takes up to six months to complete all required dive training.

Once Harbor Patrol officers have completed all but their diving training, they are assigned to squads of four officers consisting of one sergeant and three officers for 24-hour shifts. While on shift, the minimum staffing allowed is three individuals (to account for leave time and absences) and boats are typically staffed with two people. For larger operations and responses (and dive operations), three individuals might be needed.

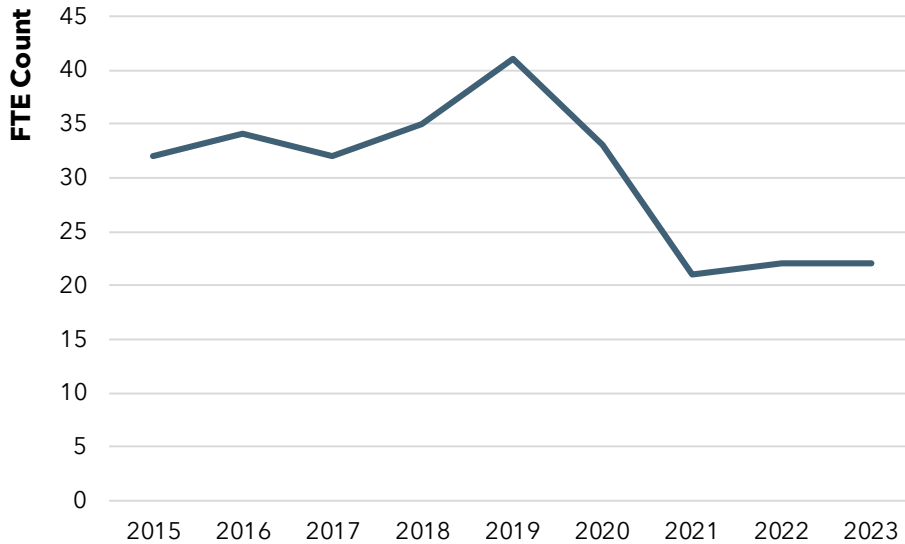
### **Harbor Patrol Boat 6**



Source: BERK, 2023.

Since January 2020, SPD sworn staffing has dropped by more than 450 below fully authorized levels. The use of “patrol augmentation” has been necessary to meet minimum safety and performance standards, which is often voluntary work at overtime rates. Between 2020 and April 2022, SPD transferred more than 100 officers from specialty, investigative, and other units into 911 response to address SPD’s goals for response times and patrol coverage.<sup>17</sup> These department-wide actions meant that the number of filled positions for Harbor Patrol decreased between 2019 and 2021, as shown in Exhibit 6. In addition, there are vacant Harbor Patrol officer positions that are currently not filled to ensure staffing needs elsewhere in SPD can be met (Exhibit 7).

**Exhibit 6. SPD Harbor Patrol Filled Positions, 2015-2023**



Sources: SPD, 2024; BERK, 2024.

**Exhibit 7. SPD Harbor Patrol Budgeted and Filled Positions, 2023**

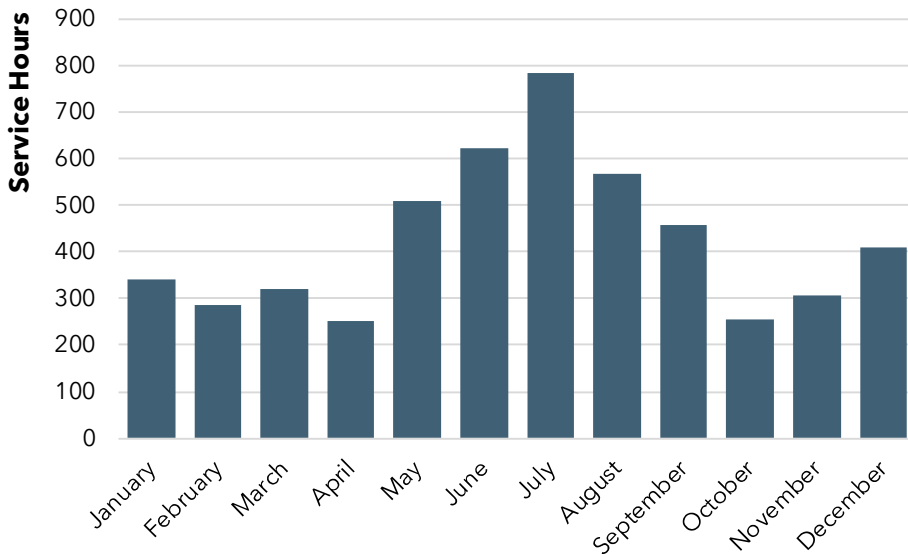
Position Type	Number of Budgeted Positions	Number of Filled Positions
Lieutenant	1	1
Sergeant	4	4
Officer	23	13
Marine Equipment Servicer	1	1
Administrative Staff Assistant	1	1
<b>Total</b>	<b>30</b>	<b>20</b>

Source: SPD, 2024.

<sup>17</sup> Greg Doss, “Resolution 32050 – SPD Staffing Incentives,” *Seattle City Council Central Staff Memorandum*, April 26, 2022.

The City’s 2023-2024 Budget includes funding for Harbor Patrol to increase patrols during the summer boating season. Harbor Patrol currently adds one boat on Lake Washington from Thursday through Sunday in the summer months. Auxiliary SPD officers in training for Harbor Patrol openings assist with summer patrols and events such as Seafair. Auxiliary officers are not trained in diving or firefighting, but can support overall safety. As shown in Exhibit 8, Harbor Patrol responder service hours peaked in summer months in 2023.

**Exhibit 8. SPD Harbor Patrol Service Hours by Month, 2023**



Note: Includes all Harbor Patrol responders, regardless of unit assignment.

Sources: SPD, 2024; BERK, 2024.

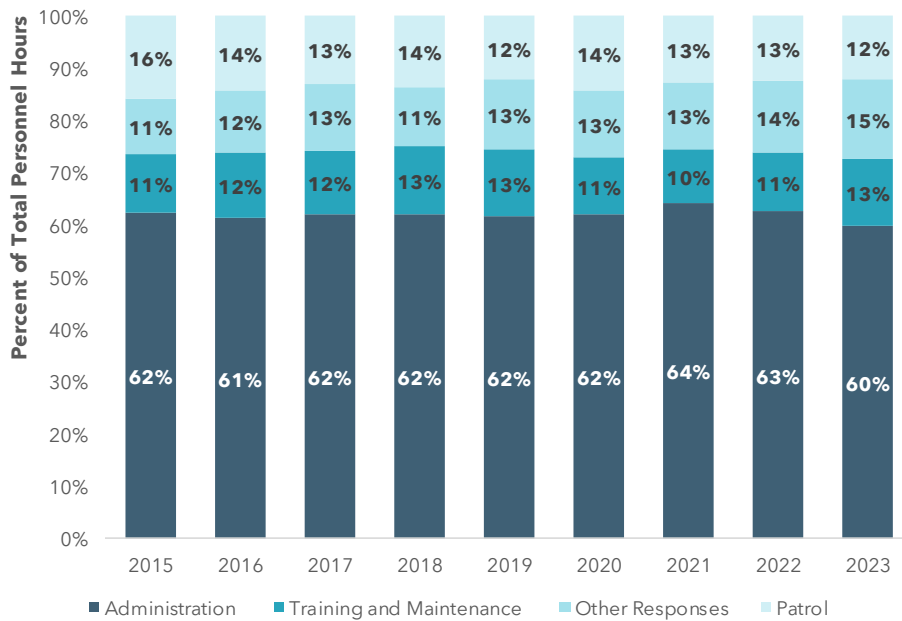
Harbor Patrol does not use unsworn officers to assist with its responsibilities, though research for this report identified other cities that take this approach. For example, the City of Santa Monica has civilian responders on the Santa Monica Pier and the Virginia Marine Resources Commission hires part-time and temporary employees to handle non-enforcement matters such as paperwork. See **Appendix B: Features of Other Cities** for examples of unsworn officers in other cities.

*Harbor Patrol Activity*

Based on data from Harbor Patrol paper logs, approximately 25% of personnel hours are spent on patrol or response. The remaining time is allocated to overhead such as training, administrative tasks, and maintenance (Exhibit 9). These percentages have remained consistent since 2015. Harbor Patrol also receives calls directly from residents and businesses on the waterways because of their established relationships. Those calls may not be included in paper logs. This data also shows that total personnel hours has decreased between 2015 and 2023, in line with a reduction in positions (Exhibit 10). With fewer total personnel hours and the same share of time spent on activities, Harbor Patrol is spending fewer total hours on patrol and response.

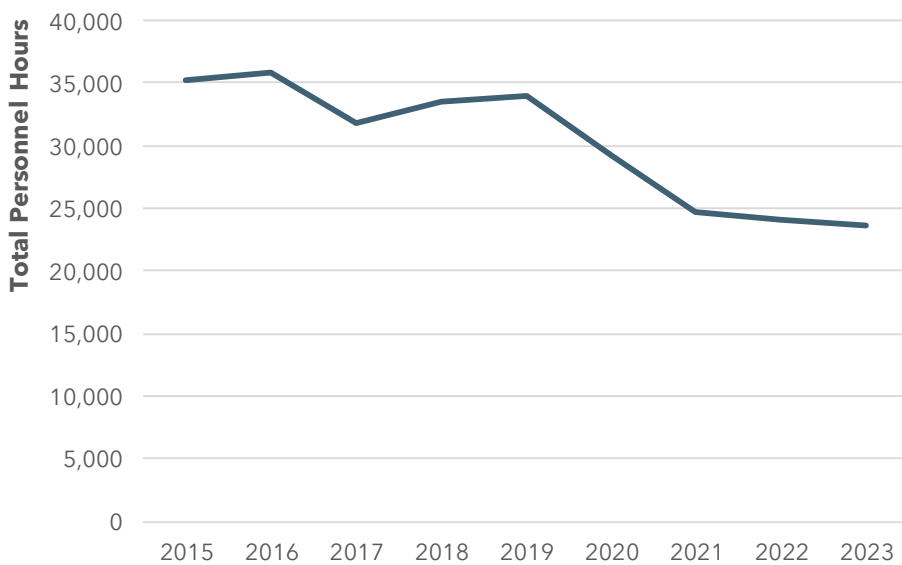


### Exhibit 9. Harbor Patrol Share of Activities, 2015-2023



Sources: SPD, 2024; BERK, 2024.

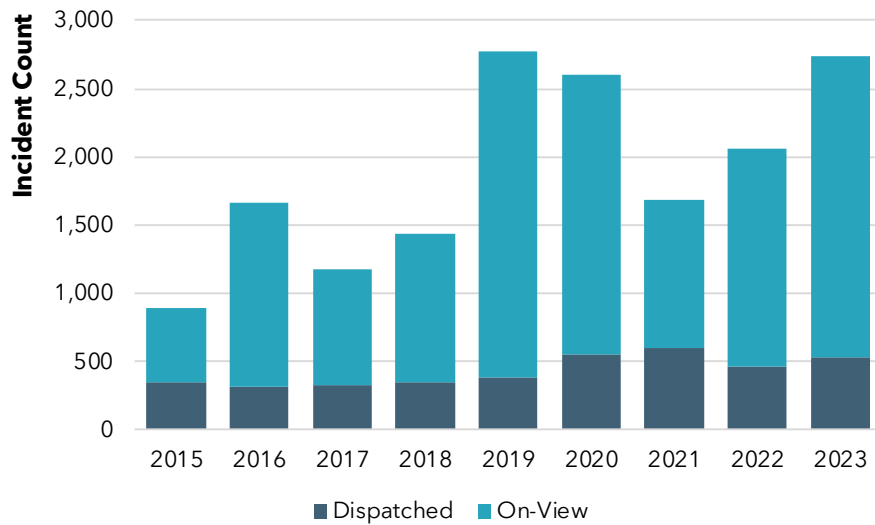
### Exhibit 10: Harbor Patrol Total Personnel Hours Based on Paper Logs, 2015-2023



Sources: SPD, 2024; BERK, 2024.

Data from the SPD Computer Aided Dispatch (CAD) system shows that most incident responses are “on-view,” which includes responses where the officer sees the incident first without being dispatched on a call, receives or is referred a call from an outside agency, receives a non-911 call such as directly to the Harbor Patrol phone line, or is “flagged down” by a community member (Exhibit 11). “Dispatched” responses indicate that an officer was sent to the field to respond to a call received to the 911 call center. In 2023, the top ten Harbor Patrol dispatch types accounted for 77% of total incidents, with patrols and premise checks comprising 52% of total incidents (Exhibit 12).

### Exhibit 11. SPD Harbor Patrol Incident Responses, 2015-2023



Note: The number of Harbor Patrol police officers declined from 26 to 14 from 2020 to 2021, which is likely contributing to some of the decline in officer-initiated responses from 2020 to 2021.

Sources: SPD, 2024; BERK, 2024.

### Exhibit 12. SPD Harbor Patrol Top 10 Incident Response Final Case Types, 2023

Final Case Type	Incident Count	Share of Total Incidents
Premise Checks - Crime Prevention	792	29%
Directed Patrol Activity	529	19%
Harbor - Harbor Code Violation	268	10%
Harbor - Debris, Navigational Hazard	171	6%
Harbor - Water Emergencies	104	4%
Assist Public - Other (Non-specified)	83	3%
Harbor - Assist Boater (Non-emergency)	71	3%
Suspicious Circumstance - Suspicious Person	50	2%
Assigned Duty - In-service Training	48	2%
Crisis Complaint - General	48	2%
<i>Other Premise Check Final Case Types</i>	99	4%
<i>All Other Final Case Types</i>	525	19%
<b>Total Incident Responses</b>	<b>2,740</b>	<b>100%</b>

Source: SPD, 2024.

## SFD Marine Response Units

SFD provides firefighting, emergency medical response, and rescue on Seattle waterways. SFD's primary responsibilities are life safety and property conservation on or near the water including vessels, houseboats, marinas, and boat storage facilities.

### *Marine Response Assets*

SFD's marine response is based out of three locations (see Exhibit 5):

- Fire Station 5, located between Pier 54 and Colman Dock, houses Fireboat 2, Fireboat Leschi, Rescue Boat 5, and other small rescue boats. Fire Station 5 is the home base for the Fireboat Unit, which staffs the fireboats at Fire Station 3 and Fire Station 5. This is also the home base for Engine 5 Unit which staffs the Engine 5 truck and Rescue Boat 5.
- Fire Station 3, located at Fisherman's Terminal, houses Fireboat 1 and Fireboat Chief Seattle. These boats are staffed by the Fireboat Unit, which will drive from Fire Station 5 to Fire Station 3 and launch.
- Fire Station 36, located in West Seattle, has the Marine 1 Unit, which provides landside firefighting response for fires on or near the water.

### **SFD Fireboat Leschi**



Source: BERK, 2023.

SFD is piloting a program to station rescue watercraft with rescue sleds at different locations around the city, with the goal of responding to any incident within 10 minutes. As an example, SFD would keep a watercraft in Leschi to be able to respond to needs on Lake Washington. The rescue watercraft can be driven by firefighter rescue swimmers. The City of Kirkland Fire Department and the City of Shoreline Fire Department have already adopted this rescue swimmer jet ski method to quickly respond to waterways emergencies.

### *Fireboat Unit Staffing*

Fireboat Unit candidates must have one year of SFD experience before applying. The requirement was previously three years, but this was reduced to address a younger candidate pool and higher SFD turnover in recent years. It takes one year to bring a new deckhand through deckhand and Acting Officer training, and at least three years to train acting Fireboat Pilots and Engineers. Pilot and Engineer trainees take Civil Service tests to be eligible to fill those positions when a Pilot or Engineer retires.

Staffing for the Fireboat Unit has remained stable since 2015, with no positions currently held vacant (Exhibit 13). SFD noted that three additional fireboats have been added to the fleet, but staffing has remained the same. Staff are assigned to four-person crews for 24-hour shifts. Staff participate in ongoing training during the day and are typically underway on patrol or training on the fireboats for two to four hours each day. The Fireboat Unit does not draw from outside the unit for staffing needs.

**Exhibit 13. SFD Fireboat Unit Budgeted and Filled Positions, 2024**

Position Type	Number of Budgeted Positions	Number of Filled Positions
Captain	1	1
Lieutenant	3	3
Fireboat Pilot	4	4
Fireboat Engineer	4	4
Firefighter (Deckhand)	8	8
<b>Total</b>	<b>20</b>	<b>20</b>

Source: SFD, 2024.

SFD has also formed a Surface Water Rescue Swimmer program to provide rapid response for drowning emergencies. The program added 13 new members in 2022, for a total of 45 members.<sup>18</sup> New rescue swimmers are firefighters who have completed a regional course and additional training to gain active rescue swimmer status. Rescue swimmers gather for quarterly training modules.

*Fire Station 5 Activity*

SFD tracks the run load for each unit, which is the average number of dispatches in a 24-hour shift. The Fireboat Unit is dispatched for incidents including onshore and offshore ship/boat fires, marina fires, fires immediately adjacent to the water, automatic fire alarms for waterfront occupancies, water rescues, emergency medical responses on the water, and vessels in distress. In 2023, the Fireboat Unit averaged 0.8 dispatches per shift across the four fireboats (Exhibit 14).

**Exhibit 14. SFD Unit Run Load for Marine Response Assets, 2019-2023**

Asset	Location	Staffed By	2019	2020	2021	2022	2023
Fireboat 1	Station 3	Fireboat Unit	0.2	0.2	0.1	0.2	0.3
Fireboat 2	Station 5	Fireboat Unit	0.1	0.3	0.2	0.2	0.2
Fireboat Chief Seattle	Station 3	Fireboat Unit	0.1	0.1	0.1	0.0	0.1
Fireboat Leschi	Station 5	Fireboat Unit	0.2	0.2	0.2	0.2	0.2
<b>Total for Fireboat Unit</b>			<b>0.6</b>	<b>0.8</b>	<b>0.6</b>	<b>0.6</b>	<b>0.8</b>
Rescue Boat 5	Station 5	Engine 5 Unit	0.4	0.5	0.3	0.3	0.4
Engine 5	Station 5	Engine 5 Unit	7.4	6.2	8.4	9.7	10.4
Marine 1	Station 36	Engine 36 Unit	0.1	0.1	0.1	0.1	0.1

Sources: SFD, 2023; BERK, 2024.

<sup>18</sup> Seattle Fire Department, 2022. *Annual Report*, page 28. Available at: [https://www.seattle.gov/documents/Departments/Fire/About/2022\\_Annual\\_Report\\_Web.pdf](https://www.seattle.gov/documents/Departments/Fire/About/2022_Annual_Report_Web.pdf).

As dispatch may differ from deployment (whether the asset is sent out) and response (whether the asset arrives at the scene and provides response), unit run load cannot be used to calculate total annual responses for each asset. Exhibit 15 shows that the Fireboat Unit responded to 81 incidents in 2023, compared to 3,171 incidents for Engine 5, and 19 incidents for Rescue Boat 5 (staffed by the Engine 5 Unit). The Fireboat Unit and Rescue Boat 5 primarily provided responses to rescues and marine fires, while Engine 5 primarily provided responses to EMS incidents.

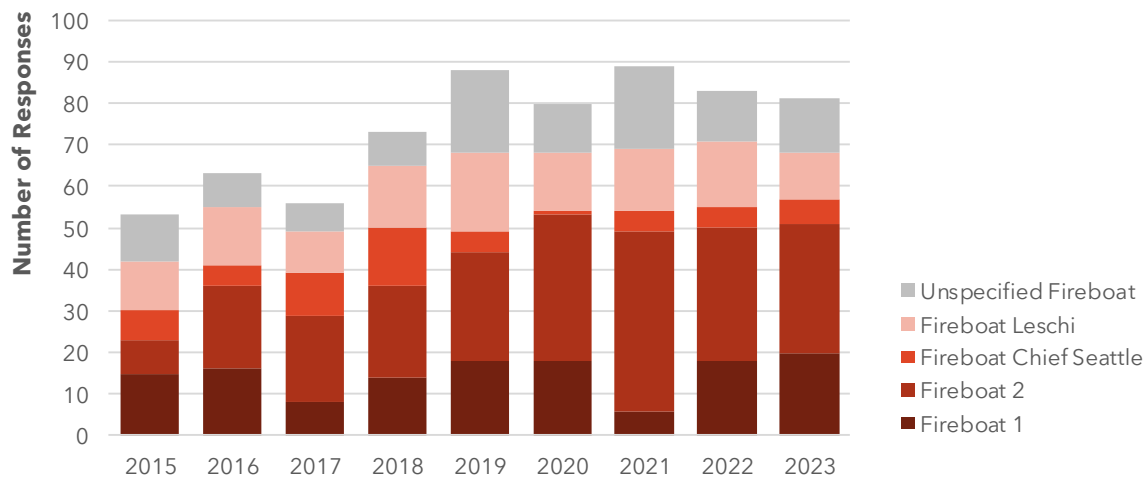
**Exhibit 15. SFD Fire Station 5 Response Types by Unit, 2023.**

Response Type	Fireboat Unit		Rescue Boat 5		Engine 5 Unit	
Rescue	23	28%	11	58%	28	1%
Marine Fire / Sinking	22	27%	5	26%	7	0%
Event	17	21%	0	0%	11	0%
Alarms	9	11%	0	0%	702	22%
Fire	6	7%	2	11%	531	17%
EMS	4	5%	1	5%	1,864	59%
Haz-Mat	0	0%	0	0%	17	1%
Other	0	0%	0	0%	11	0%
<b>Total Responses</b>	<b>81</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>3,171</b>	<b>100%</b>

Sources: SFD, 2024; BERK, 2024.

Among Fireboat Unit responses with specified assets, the saltwater assets Fireboat 2 and Fireboat Leschi housed at Fire Station 5 have been used in more incident responses than the freshwater assets Fireboat 1 and Fireboat Chief Seattle housed at Fire Station (Exhibit 16).

**Exhibit 16. SFD Fireboat Unit Responses by Asset, 2015-2023.**



Notes: For each response, an unspecified fireboat is first assigned to allow the crew to decide which assets to take. Then, the designation is changed to assign a specific asset or assets. "Unspecified Fireboat" refers to responses where this designation was not changed.

Sources: SFD, 2024; BERK, 2024.

## Seattle Parks and Recreation

Seattle Parks and Recreation (SPR) manages over 380 parks and green spaces in the city, including 34 waterfront sites with various recreational amenities (Exhibit 17). Waterfront Park at Pier 58 has recently been demolished to accommodate a new 20-acre park from Pioneer Square to Pier 62. There are approximately 1,000 part-time and full-time employees in the department with positions ranging from administration, to parks maintenance, to instructors, to safety and security.

### Exhibit 17. Seattle Parks and Recreation Waterfront Sites and Amenities

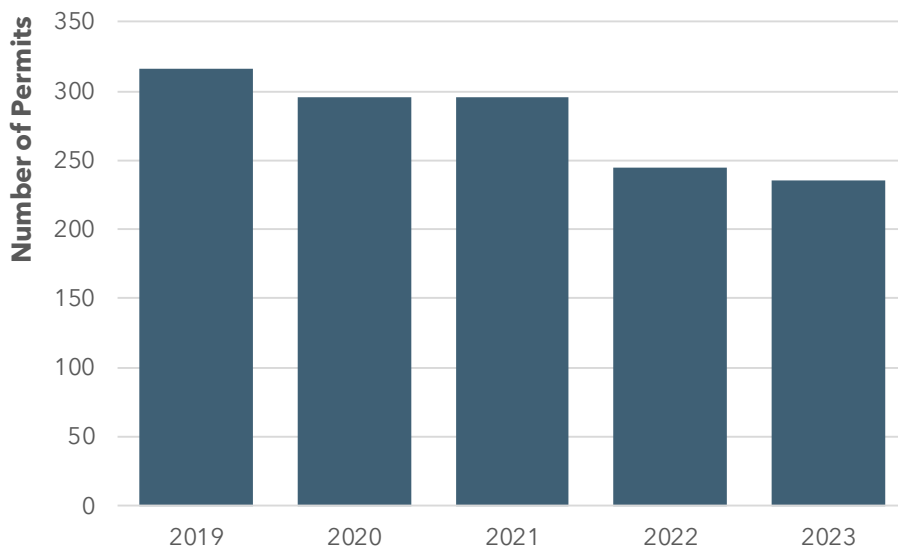
SPR Waterfront Site	Fishing Pier	Swimming Beach	Hand-Carry Boat Launch	Motorized Boat Launch
14 <sup>th</sup> Ave NW Boat Ramp				✓
Alki Beach Park			✓	
Atlantic City Boat Ramp				✓
Beer Sheva Park			✓	
Belvoir Place			✓	
Carkeek Park			✓	
Charles Richey Sr Viewpoint			✓	
Cormorant Cove			✓	
Discovery Park			✓	
Don Armeni Park				✓
Duwamish Waterway Park			✓	
Fairview Park			✓	
Fairview Walkway			✓	
Golden Gardens Park	✓		✓	✓
Green Lake Park	✓	✓	✓	
Lake Union Park			✓	
Lake Washington Boulevard	✓		✓	
Leschi Park			✓	✓
Lincoln Park			✓	
Lowman Beach Park			✓	
Madison Park		✓		
Madrona Park	✓	✓		
Martha Washington Park			✓	
Matthews Beach Park		✓	✓	
Mount Baker Park	✓	✓		
Piers 62 and 63	✓			
Pritchard Island Beach		✓		
Seacrest Park	✓		✓	
Seward Park	✓	✓	✓	
South Day Street Park				✓
Stanley Sayres Memorial Park			✓	✓
Sunnyside Ave N Boat Ramp				✓
Terry Pettus Park			✓	
Warren G. Magnuson Park		✓	✓	✓

Sources: SPR, 2024; BERK, 2024.

### SPR Permitting Activity

Five of the seven City motorized boat launches have parking and require launch permits: Eddie Vine at Golden Gardens; Don Armeni in West Seattle; and Stan Sayers, Atlantic City, and Magnuson Park on Lake Washington. Permits may be purchased for single-day, overnight, or annual use which allows up to four nights stay at the boat launch. Single-day and overnight permits are purchased at a kiosk at the boat launch. Applications for annual permits can be completed online, by phone, mailed in, or dropped off in person. Exhibit 18 shows that the total annual boat launch permits at these five boat launches has declined in recent years, with 236 permits in 2023. The launches at 14th Ave NW and Sunnyside Ave N along the Ship Canal do not require a permit.<sup>19</sup>

**Exhibit 18. Annual Boat Launch Permits, 2019-2023**



Sources: SPR, 2024; BERK, 2024.

### SPR Safety Enforcement Staffing

**Beach Lifeguards:** During the summer, SPR staffs between 80 and 100 lifeguards at the swimming beaches, with five to eight lifeguards at each beach, seven days a week. Lifeguard shortages in recent summers have led to SPR closing select swimming beaches.

**Boat Ramp Rangers:** SPR is budgeted to staff boat ramp rangers from May 1 through Labor Day on Saturdays and Sundays, in addition to occasional fishing peak days. At full staffing, there would be eight to ten seasonal staff and one year-round supervisor. Boat ramp location assignments shift based on staff availability and estimated ramp usage.

**Park Rangers:** Park Ranger duties include educating community members and visitors about rules of conduct; serving as ambassadors of the City’s park system and preservation of natural resources; and supporting compliance with park regulations through issuing warnings, citations, and requesting mutual aid when needed. Park Rangers are unsworn and unarmed. The minimum requirement for recruitment is one year of experience or an equivalent amount of education or

<sup>19</sup> See “Boat Launches” at <https://www.seattle.gov/parks/recreation/outdoor-water-recreation/boating-and-sailing>.

training in parks and recreation, security, or a related field. SPR is currently expanding the Park Ranger program to staff 28 Park Rangers. Initial deployment of the expanded program is expected to staff three teams of two Park Rangers, seven days a week from 6 a.m. to 9 p.m. with an emphasis on patrolling the downtown Seattle parks.<sup>20</sup>

## Agencies Outside the City Organization

There are several other public safety agencies with responsibilities on Seattle waterways (and beyond in some cases) outside the City organization. These agencies frequently work in partnerships with Harbor Patrol, SFD, and Seattle Parks and Recreation, and provide additional presence on Lake Washington (King County Sheriff and Mercer Island Marine Patrol) and Puget Sound (Port of Seattle and U.S. Coast Guard). Interviewees within and outside the City described good working relationships, collaboration on major events such as Seafair and Opening Day, and information-sharing on safety issues.

### King County Sheriff's Office Marine Unit

The King County Sheriff's primary responsibilities on the waterways are law enforcement and search and rescue on all county waterways. The King County Sheriff has firefighting capabilities on some of its boats and provides mutual aid to local jurisdictions in need of support. The King County Sheriff does proactive patrols during the summer months and will respond to incidents from their stations throughout the rest of the year.

Eight cities also contract for their services, including Beaux Arts Village, Kenmore, and Kirkland.<sup>21</sup> The Marine Unit is a team of 13 people with four full-time employees and nine part-time employees. There are four stations where it houses its fleet: Carillon Point (in Kirkland), Harbor Villa (in Kenmore), Des Moines, and Lake Sammamish. In addition to these stations, each full-time employee has an inflatable kayak carried in their vehicle that can be deployed in more remote locations.

### Mercer Island Marine Patrol

The Mercer Island Marine Patrol promotes boating safety and the protection of life and property in the waters surrounding Mercer Island. Mercer Island has interlocal agreements to provide marine patrol services with the cities of Bellevue, Hunts Point, Renton, and Yarrow Point.<sup>22</sup> The Marine Patrol provides regular boat patrols of Lake Washington and surrounding shoreline, enforces state and local laws, answers calls for assistance, gives emergency medical aid, suppresses boat and waterfront fires, investigates water related accidents, and educates the public in safe boating practices. The Marine Patrol has 22 trained officers, but not all are certified for subsurface diving.

---

<sup>20</sup> "Park Ranger Program Expansion," Seattle Park District Board Presentation, April 3, 2023. Presentation deck available at: <https://council.seattle.gov/wp-content/uploads/2023/03/Agenda-Item-4-Presentation-Park-District-Board-Park-Ranger-Overview.pdf>.

<sup>21</sup> See "Cities & Towns That Contract For Service" at <https://kingcounty.gov/en/legacy/depts/sheriff/about-us/enforcement/specialized/marine-patrol.aspx>.

<sup>22</sup> See documents ending with "Marine Patrol ILA" at [https://library.municode.com/wa/mercerc\\_island/munidocs/munidocs?nodeld=2b9a7cd32a055](https://library.municode.com/wa/mercerc_island/munidocs/munidocs?nodeld=2b9a7cd32a055).



## Port of Seattle

The Port of Seattle Police Department partners heavily with Harbor Patrol and works alongside the U.S. Coast Guard, specifically during the cruise ship season which typically runs from April to October. The Port of Seattle Police Department has jurisdiction over Port of Seattle properties from 1<sup>st</sup> Ave South to Shilshole Marina, as well as terminals 5, 18, 30, 46, and 115 managed by the Northwest Seaport Alliance. In 2021, there were 40 civilian personnel and 117 commissioned personnel in the Port of Seattle Police Department, including 89 police officers.<sup>23</sup>

The Port of Seattle Police Department has a Marine Patrol Unit as well as a Police Dive Team that performs searches, recoveries, and rescues. The Marine Patrol Unit operates the Harbor 1 vessel for patrols, emergency response, and threat detection. The Police Dive Team coordinates with U.S. Coast Guard to perform critical infrastructure checks. Other responsibilities and activities of the Port of Seattle include clearing debris (specifically old munitions and explosives), managing derelict vessels, and responding to thefts and break-ins.

## U.S. Coast Guard

The U.S. Coast Guard is a federal agency in charge of protecting the sea, engaging in maritime law enforcement and security, and facilitating maritime transportation. There are nine coast guard districts covering the United States. Seattle waterways are contained within Sector Puget Sound in District 13. Sector Puget Sound has over 780 active duty, reserve, and civilian personnel.<sup>24</sup>

Sector Puget Sound has boat stations in downtown Seattle near Colman Dock, Bellingham, Port Angeles, Neah Bay, and Forks. Their primary responsibilities within the Seattle waterways include facilitating vessel traffic; permitting marine events; establishing safety zones; enforcing local, state, and federal laws; and preventing and responding to emergencies and pollution.

The U.S. Coast Guard organizes the quarterly Area Maritime Security Committee (AMSC). The AMSC includes security officers for cruises, terminals, and critical facilities, as well as Harbor Patrol and SFD.

## U.S. Coast Guard Auxiliary

The U.S. Coast Guard Auxiliary is comprised entirely of volunteers and has the authority to perform most duties of U.S. Coast Guard, except for law enforcement. Volunteers provide their own boats but are given instructions and training through U.S. Coast Guard Auxiliary to perform vessel inspections and support with recreational boater safety. Their primary responsibility is to ensure boaters are educated and safe on the waterways.

There are over 600 Coast Guard auxiliary volunteers in the Puget Sound region.<sup>25</sup> Seattle is in the Coast Guard Auxiliary's District 13, Division 2. This division covers most of King County including the Seattle-Bellevue metropolitan area, the Eastside, Seattle-Elliott Bay, and Renton.

---

<sup>23</sup> See page 37 at <https://www.portseattle.org/sites/default/files/2022-07/POSPD%20Annual%20Report%202021.pdf>.

<sup>24</sup> U.S. Coast Guard, "[United States Coast Guard Sector Puget Sound Fact Sheet](#)," 2021.

<sup>25</sup> Ibid.

## Washington State Parks

Washington State Parks is responsible for keeping people safe on any named waterway in the State of Washington through programs such as the Recreational Boating Safety Program. This program distributes boater education cards and manages the Clean Vessel Act Grant, the Life Jacket Loaner Program, and Paddle Safe Week. Other responsibilities include collecting recreational boating fatality and accident information, distributing federal funds to increase safe waterways education, and training marine law enforcement.

## Other Organizations

The State Departments of Ecology, Fish & Wildlife, Natural Resources, U.S. Army Corps of Engineers, and Tribal Marine Police also have responsibilities on Seattle waterways. See **Appendix C: Other Organizations with Waterways Responsibilities**.

# Safety Response Types

Various response types supporting safety on Seattle waterways emerged through our research on code regulations and interviews with public safety agencies. These response types are all necessary and comprehensive of the response types used to support waterways safety. Exhibit 19 summarizes the primary existing safety response types currently shared by agencies around Seattle waterways.

## Exhibit 19. Summary of Response Types and Currently Responsible Agencies

Safety Response Type	Currently Responsible Agencies
Law enforcement and regulation	Harbor Patrol; King County Sheriff; Mercer Island Marine Patrol; U.S. Coast Guard; Port of Seattle Police Department; FAA; Department of Fish & Wildlife; Tribal Marine Police
Fire incidents	SFD marine response units; Harbor Patrol; King County Sheriff; Port of Seattle Fire Department
Search, rescue, and accident investigation	Harbor Patrol; SFD marine response units (search and rescue); King County Sheriff; Mercer Island Marine Patrol (search and rescue); U.S. Coast Guard; Washington State Parks (data collection); King County Medical Examiner's Office (data collection); WA State Department of Health (data collection)
Dive rescue	Harbor Patrol; SFD marine response units; King County Sheriff; Mercer Island Marine Patrol; Port of Seattle Police Dive Team; U.S. Coast Guard
Patrols	Harbor Patrol; SFD Fireboat Unit; Seattle Parks and Recreation; King County Sheriff; Mercer Island Marine Patrol; Port of Seattle Marine Patrol Unit; U.S. Coast Guard
Education and community engagement	Harbor Patrol; Washington State Parks; King County Sheriff; U.S. Coast Guard Auxiliary; rental companies and other service providers
Vessel inspections	Harbor Patrol; King County Sheriff; Mercer Island Marine Patrol; U.S. Coast Guard Auxiliary; U.S. Coast Guard; Department of Ecology
Navigational hazards	Harbor Patrol; Department of Natural Resources; King County Sheriff; Port of Seattle; U.S. Coast Guard; U.S. Army Corps of Engineers; Seattle Parks and Recreation; private property owners
Hazardous materials response	Harbor Patrol; SFD; Department of Ecology; U.S. Coast Guard; other city, county, and state agencies for emergency management
Permitting	Harbor Patrol; Seattle Parks and Recreation; King County Sheriff; U.S. Army Corps of Engineers

Source: BERK, 2024.

## Law Enforcement and Regulation

Regulations to promote waterways safety are outlined in city, county, state, and federal codes. Multiple agencies enforce laws and regulations on Seattle waterways.

**Harbor Patrol:** SMC [16.08.010](#) authorizes the City to exercise its police power over Seattle waterways. SMC [16.12.010](#) states that the Chief of Police has the authority to enforce City regulations.

**King County Sheriff:** King County Code (KCC) [12.44.010](#) authorizes King County to exercise its police power over county waterways, which include all Seattle waterways.

The **City of Mercer Island** has authority over waterways within its city limits (Mercer Island City Code [11.02.020](#)), which includes areas of Lake Washington.

The **U.S. Coast Guard** has the authority to enforce federal laws on waters subject to the jurisdiction of the United States per [Title 14 Section 2](#) and is acknowledged as having jurisdiction over Seattle waterways in SMC [16.08.010](#). When on the waterways, seaplanes are considered a waterways vessel and are subject to U.S. Coast Guard navigation rules according to [36 Code of Federal Regulations \(CFR\) Sections 327.3 and 327.4](#).

The **U.S. Army Corps of Engineers** also has jurisdiction over Seattle waterways according to SMC [16.08.010](#). [33 CFR Section 320](#) covers the general regulatory policies that the U.S. Army Corps of Engineers administers. [33 CFR Section 207.750](#) describes the administration and navigation regulations for the Lake Washington Ship Canal.

The **Port of Seattle Police Department** has jurisdiction over Port of Seattle properties.

The **Federal Aviation Administration** is charged to regulate the use of navigable airspace in [49 U.S. Code Section 40103](#) and also regulates pilot certifications and regulations such as those outlined in [14 CFR Section 61](#).

The **Washington Department of Fish and Wildlife** enforces fishing and collection permits and capture limits amongst waterways users (RCW [Title 77](#)). Their primary goal is to ensure the sustainable conservation of fish and wildlife on the waterways.

**Tribal Marine Police** patrol waterways and enforce when needed during fishing and shellfish seasons to ensure compliance with all ordinances and regulations related to fishing, harvesting, and hunting (RCW [10.92.020](#)).

---

### Examples of Waterway Regulations

Pertaining to recreational activity:

- SMC [16.20](#) enforces speeding, intoxication limits, and boat registration requirements.
- SMC [25.08.485](#) enforces noise from watercraft and residential quiet hours.
- KCC [12.44](#) enforces boating regulations including speed limits and intoxication on King County waterways.
- RCW [79A.60.640](#) requires boater education for recreational boaters.

Pertaining to residential activity:

- SMC [23.60A.202](#) limits new floating home moorage sites to Lake Union and Portage Bay.
  - [Director's Rule 9-2020](#) to SMC 23.60A.203.D legally recognizes floating on-water residences (e.g., houseboats) if the residence existed prior to July 1, 2014.
-

## Fire Incidents

SFD’s Fireboat Unit is the lead agency for fire incident response. Harbor Patrol provides support to SFD on Lake Union and other waterways within the City of Seattle, per a settlement agreement between the Seattle Firefighters Union and the Seattle Police Officers Guild.<sup>26</sup> This agreement states that for incidents on the water away from shore, Harbor Patrol first assumes incident command until it is determined that the fire requires the assistance of SFD. Once SFD arrives, SFD assumes incident command. For shore-based fire incidents, Harbor Patrol may begin firefighting until SFD arrives on the scene, upon which SFD takes over incident command. If SFD is the initial responder to the shore-based fire incident, SFD assumes incident command.

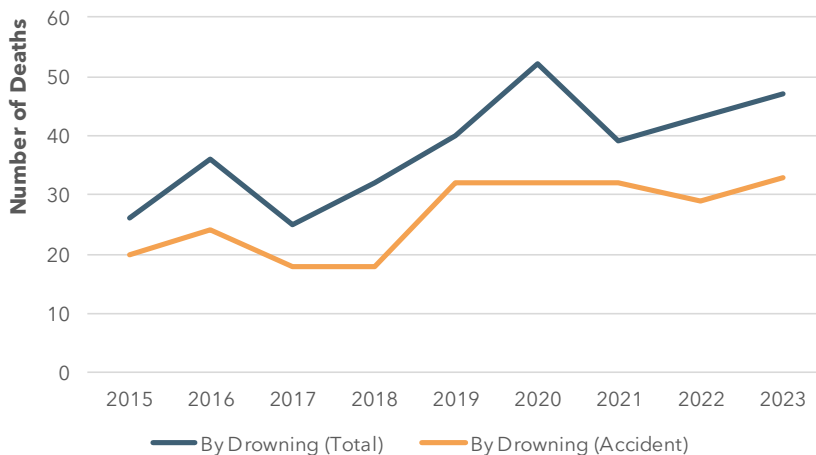
King County Sheriff and the Port of Seattle Fire Department also have firefighting capabilities. Since the pumping capacity per minute from their boats is significantly less than SFD’s, they may begin the fire suppression response until SFD arrives with the larger fireboat.

## Search, Rescue, and Accident Investigation

Harbor Patrol, SFD, KC Sheriff, Mercer Island Marine Patrol, and U.S. Coast Guard often work together for search and rescue. Harbor Patrol and King County Sheriff also provide emergency response to investigate crimes or accidents, such as reports of drownings. The U.S. Coast Guard has authority to investigate boating accidents, but generally defers to the respective local jurisdiction.

King County Medical Examiner’s Office and Washington State Department of Health collect data on drownings by county. In King County, the number of deaths by drowning has increased in recent years (Exhibit 20). Washington State Parks gathers accident data and reports it to the U.S. Coast Guard, which consolidates all boating incident data to the Boating Accident Records Database. In 2022, there were 11 boating accidents on Seattle waterways recorded to this database, with 15 vessels involved, 5 injuries, and 2 deaths (Exhibit 21).

**Exhibit 20. King County Deaths by Drowning, 2015-2023**



Sources: King County Medical Examiner’s Office, 2024; BERK, 2024.

<sup>26</sup> “Mutual Offer of Settlement by the Seattle Firefighters Union, Local 27 and the Seattle Police Guild to the City of Seattle”, signed on February 15, 2000.

## Exhibit 21. U.S. Coast Guard Boating Accident Statistics by Body of Water, 2022

Body of Water	Accidents	Vessels	Injuries	Deaths
Lake Washington	5	7	4	1
Lake Union	3	4	1	0
Puget Sound	3	4	0	1

Sources: [U.S. Coast Guard, 2024](#); BERK, 2024.

### Dive Rescue

Harbor Patrol is the lead agency for dive rescue. SPD and SFD have an established protocol regarding subsurface dive rescue response, which states that Harbor Patrol has primary responsibility, but a dual notification will be made to both Harbor Patrol and SFD when there is a request for emergency water rescue.<sup>27</sup> The first unit of rescue divers to arrive on scene begins underwater rescue operations. If rescue divers from both Harbor Patrol and SFD are present, dive units work in unified command with Harbor Patrol assuming incident command and a land-based SPD supervisor dispatched.

King County Sheriff, Mercer Island Marine Patrol, Port of Seattle, and U.S. Coast Guard also have dive rescue capabilities. Several agencies, including Harbor Patrol, also provide dive security services to private individuals and companies ahead of major events and for visiting dignitaries.

### Patrols

Active patrols of the waterways help to ensure marine security and the safety of water users, enforce safety regulations, deter crime, and respond to incidents as they occur. With current staffing for one boat, Harbor Patrol focuses patrols on the Lake Union and Lake Washington Ship Canal areas. Lake Washington is also a primary response area, but it is not patrolled for extended periods of time. King County Sheriff and Mercer Island Marine Patrol both have boats on patrol in Lake Washington. The SFD Fireboat Unit, Port of Seattle Marine Patrol Unit, and U.S. Coast Guard patrol on Elliott Bay.

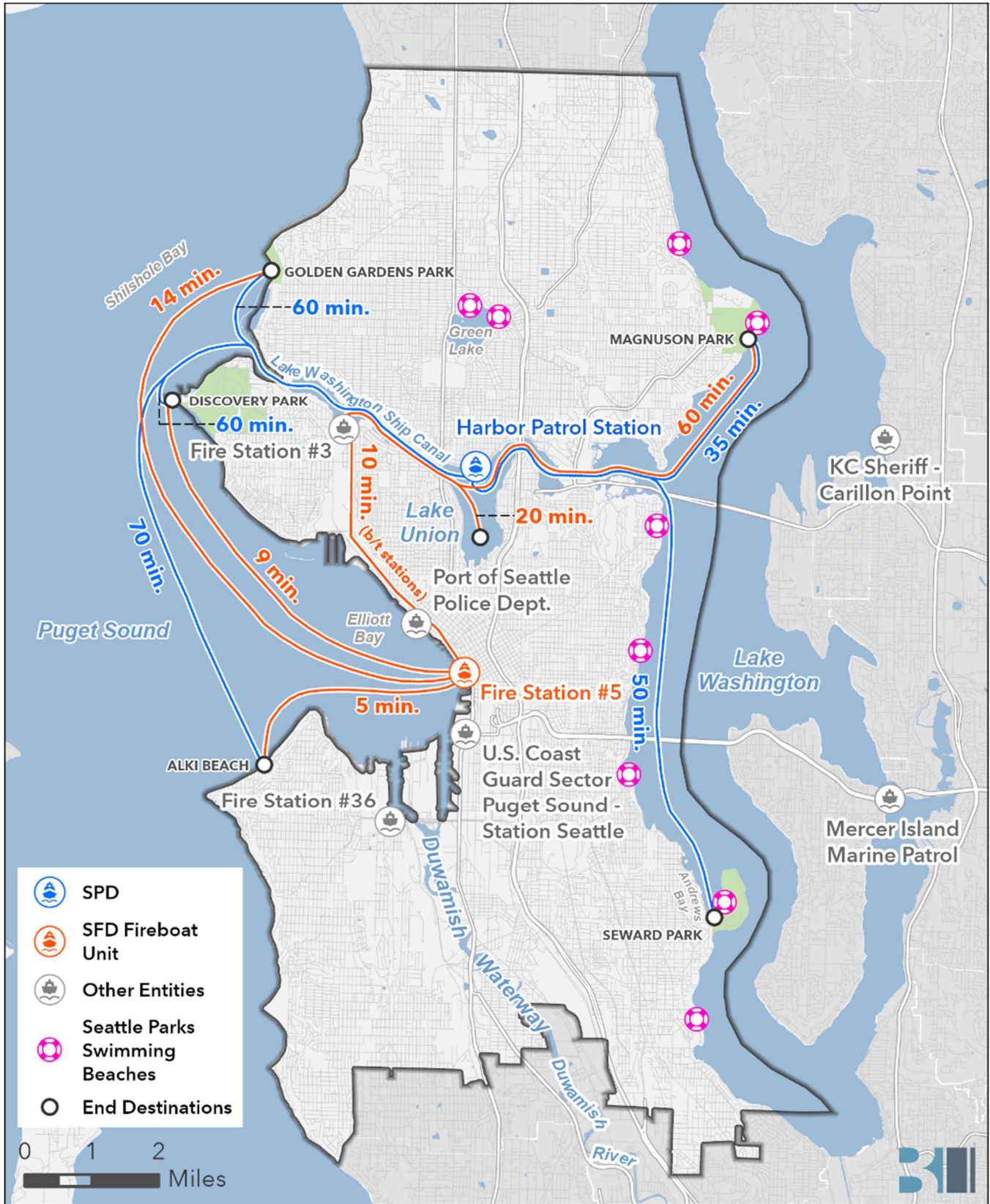
Prior to 2019, Harbor Patrol had the resources to patrol both Lake Union and Lake Washington. Given staffing shortages and the distance from Lake Union to parts of Lake Washington such as Andrews Bay, Harbor Patrol often relies on support from the King County Sheriff and Mercer Island Marine Patrol due to their proximity, but neither agency provides 24/7 staffing.

Exhibit 22 shows estimated response times for Harbor Patrol and the SFD Fireboat Unit from Fire Station 5. It can take Harbor Patrol approximately one hour to reach Elliott Bay and parts of Lake Washington at regular response speeds, but half that time for emergency response where boats can exceed the seven knots speed limit without causing undue harm. The Fireboat Unit has faster responses to saltwater incidents on the Puget Sound but lengthier response times to freshwater incidents on Lake Union or Lake Washington. These responses require the Fireboat Unit to travel first by vehicle to Fire Station 3 (a transit of approximately ten minutes), and then by boat to the incident.

<sup>27</sup> "Subsurface Dive Rescue Response, Seattle Police Department & Seattle Fire Department Protocol", signed by the SPD and SFD chiefs.



**Exhibit 22. Harbor Patrol and SFD Fireboat Unit Estimated Response Times**



Source: BERK, 2024.

## Education and Community Engagement

During patrols, Harbor Patrol officers enforce lifejacket use, boat speeds, and boating licenses for recreational waterway users. Harbor Patrol also engages with commercial waterway stakeholders during quarterly meetings and Lake Union residents who often call the Harbor Patrol phone line directly about concerns. Harbor Patrol maintains a good relationship with the residential community it serves. Many residents of floating homes, houseboats, and liveboards contact Harbor Patrol directly for assistance, advocate to the City for increased resources, and provide financial donations to the Seattle Police Foundation.

Washington State Parks manages the Recreational Boating Safety Program and provides grant funding to local agencies to provide education. Harbor Patrol has received grant awards from Washington State Parks for education in the past but declined the awards in recent years. State Parks grant dollars are tied to deliverables, such as the number of classes or number of contacts. As Harbor Patrol currently has insufficient staffing to achieve the desired deliverables, they are unable to use these grant funds.

The King County Sheriff and U.S. Coast Guard Auxiliary also provide education to recreation users during patrols and vessel inspections.

## Vessel Inspections

[Chapter 352-60](#) of the Washington Administrative Code (WAC) outlines recreational vessel requirements. This includes having life jackets, fire extinguishers, and navigation lights on board among other legally required items. Harbor Patrol, King County Sheriff, and Mercer Island Marine Patrol perform boat safety inspections and are authorized to issue tickets. The U.S. Coast Guard Auxiliary also conducts safety inspections, with all members required to conduct at least five inspections per year. The U.S. Coast Guard conducts over 2,000 commercial vessel inspections and examinations annually in the Puget Sound region.<sup>28</sup>

The Department of Ecology performs vessel inspections on large commercial shipping vessels (see [Appendix C: Other Organizations with Waterways Responsibilities](#) for more details).

### Washington State Vessel Inspection Form

Source: BERK, 2024.

<sup>28</sup> U.S. Coast Guard, "[United States Coast Guard Sector Puget Sound Fact Sheet](#)," 2021.



## Navigational Hazards

As referenced in Law Enforcement and Regulation, Harbor Patrol, U.S. Coast Guard, and Army Corps of Engineers exercise jurisdiction over the waterways within Seattle according to SMC [16.08.010](#). All three parties are also involved in the removal of navigational hazards. SMC [16.12.010](#) states that the Chief of Police has the authority “to remove, impound or sell any vessel, water sport craft or obstruction anchored or moored in violation of this title deemed a public nuisance or a hazard to navigation or operated or afloat under conditions deemed unsafe for water transportation.” Harbor Patrol responds to calls about navigational hazards, such as logs or floating home barrels that have come loose. These are stored in the Harbor Patrol Storage Pen until retrieval or pick-up by agencies tasked to dispose of larger objects, including derelict vessels.

### Derelict Vessels


Boats that sink or are abandoned need to be removed and disposed of, as they pollute the water and create a navigational hazard or impede use of dock space. Removal and disposal of vessels can cost tens of thousands of dollars. As shown in Exhibit 23, there are several steps to dispose of an abandoned or derelict boat, no matter whether the boat is one’s own property. This may lead some to abandon or sell vessels, rather than comply with all the steps. Some interviewees speculated that the number of abandoned boats may be increasing, as owners can sell boats online for very little money to users who do not understand the moorage regulations or licensing requirements. This saves them the hassle of dismantling the boat and removing the hazardous materials before taking it to a landfill or recycling facility.

### Harbor Patrol Storage Pen




Source: BERK, 2023.

### Exhibit 23. DNR Derelict Boat Disposal Materials



## How to Dispose of an Abandoned or Derelict Boat

**Questions?**  
Visit Our Website:  
[dnr.wa.gov/derelict-vessels](http://dnr.wa.gov/derelict-vessels)



**IF THE BOAT IS NOT YOURS**  
You can do one of the following:

- **Call your local law enforcement, file a report, and ask them to ticket the owner for illegal dumping and/or trespassing.** See if the officer can track down the owner by searching the registration number (WN #). Law enforcement can then ask them to remove the boat from your property.
- **If you do not find the last registered owner,** some counties will issue a “Junk Vehicle Affidavit” which will permit you to dispose of the boat without a title.
- **You can also take the boat to the dump yourself,** but you will need to follow the Lost and Found Property Laws under RCW 63.21 to gain legal custody. Call your local landfill for their requirements before taking the boat.
- **If you do not have a trailer to haul the boat,** contact a local tow or vessel transport company.
- **If the boat is in good enough condition,** and after you have gained legal possession of it by following RCW 63.21.010 you may then keep or sell it.

SEE WAC 308-93-275 AND RCW 46.55.230 FOR DETAILED INFORMATION.


**IF YOU OWN THE BOAT**

- **If you have the title to the vessel,** you can take it directly to a landfill, or rent a dumpster and dismantle the boat yourself after draining and disposing of any hazardous materials properly. Engines and trailers can be recycled at a metal recycler.
- **If you lost the title,** contact a Department of Licensing (DOL) agent and ask for an “Affidavit in Lieu of Title” to be used for the purpose of disposing the vessel.
- **Vessels on the water that are too big for a trailer,** contact your local boatyard to haul out and dispose of for you. Or you can have a boat transportation company take it to the landfill.

**PRIVATE MOORAGE FACILITIES**


**If you are a private moorage facility, follow RCW 88.26 to gain custody.** As a private moorage facility, you are required by law RCW 88.26.030 to obtain insurance coverage. You may also seek a contract with local government for the removal of vessels, see RCW 79.100.130.

**Vessel Turn-In Program (VTIP)**  
If you are unable to dispose of your boat and do not have the financial means to do so, you may qualify for the VTIP. Go to DNR’s website, review the Eligibility Criteria form, and fill out the application.

 [dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/vessel-turn-program](http://dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/vessel-turn-program)

SEE RCW 79.100.160 FOR DETAILED INFORMATION

**DERELICT VESSEL REMOVAL PROGRAM AND VESSEL TURN-IN PROGRAM**  
**360-902-BOAT (2628)**



Source: DNR, 2023.

When boat owners do not properly dispose of their vessels, law enforcement officers such as Harbor Patrol can issue tickets and enforce penalties, such as those listed in Exhibit 24.

**Exhibit 24. Examples of Penalties for Derelict Vessel Offenses**

RCW	Description of Offense	Severity	Fine (\$)
79.100.110.1	Aquatic Land - Abandon Vessel: A person who causes a vessel to become abandoned or derelict upon aquatic lands.	Misdemeanor	\$500
79.100.110.2	Aquatic Land - Sink Vessel / Block Waterways: A person who intentionally, through action or inaction and without the appropriate state, local, or federal authorization, causes a vessel to sink, break up, or block a navigational channel upon aquatic lands.	Misdemeanor	\$500

Sources: DNR, 2024; BERK, 2024.

*DNR Derelict Vessel Removal Program*

The Washington State Department of Natural Resources’ (DNR) Derelict Vessel Removal Program was created in 2002 to help address the problem of abandoned vessels ([RCW 79.100](#)). In the event that a boat owner does not properly dispose of their vessel, a public agency can dispose of derelict vessels and then apply for reimbursement from the Derelict Vessel Removal Program. Funding for this program comes from the watercraft excise tax, as well as the recreational vessel registration fee and the commercial vessel fee.

While the DNR houses the program and disburses the funds, many other agencies are also involved in vessel removal and destruction including Harbor Patrol, King County Sheriff, Port of Seattle, U.S. Coast Guard, U.S. Army Corps of Engineers, and Seattle Parks and Recreation. For example, [SMC 16.08.050](#) notes the Waterway Operations and Maintenance Account for reimbursement of expenses involved in removing obstructive vessels from waterways. Despite the funding, there is a backlog of derelict vessels still to be removed. Since 2002, approximately 117 vessels have been removed from Seattle and as of February 2024, there were 21 more still to be removed (Exhibit 25).

**Exhibit 25. DNR Derelict Vessel Inventory, February 2024**

Priority Level	Vessels statewide	Vessels in Seattle	Vessels in Seattle removed since 2002
1 - Emergencies	3	1	19
2 - Non-emergency existing threats	71	3	19
3 - Vessels impacting habitat	20	0	4
4 - Minor navigation or economic impact	10	2	6
5 - Other abandoned or derelict vessels	191	15	64
Unknown	0	0	5
<b>Total</b>	<b>296</b>	<b>21</b>	<b>117</b>

Sources: DNR, 2024; BERK, 2024.

## DNR Vessel Turn-In Program

In addition to the DNR's Derelict Vessel Removal Program and the penalties that can be enforced by law enforcement agencies, the DNR tries to mitigate the number of new derelict vessels through its Vessel Turn-In Program. This is a free program for those who qualify and has the potential for significant cost savings by getting boats off the waterways before they sink or run aground.

The DNR also outlines steps for Cities to become "authorized public entities" (APE) in accordance with [RCW 79.100](#). This provides Cities and their law enforcement agencies with the authority to more proactively remove abandoned and derelict vessels that pose a significant environmental or navigational hazard while still utilizing funds from the DNR's Derelict Vessel Removal Account. Harbor Patrol has already worked with the DNR to be designated as an authorized public entity.

## Hazardous Materials Response

In the City of Seattle, SFD is the designated primary agency for oil and hazardous materials (HAZMAT) incidents, with support from SPD, U.S. Coast Guard, and other city, county, and state agencies for emergency management. SFD manages HAZMAT incidents with the following priorities (in order): life safety, incident stabilization, property conservation, and environmental protection.<sup>29</sup>

## Permitting

SMC [16.12.010](#) grants the Chief of Police the authority to permit the following activities on the waterways within the limits of the City: movement of unseaworthy craft and anchoring or moorage of vessels or water sport craft or obstructions in anchorage areas; skin diving or scuba diving; and marine events, races, and regattas. KCC [12.46.050](#) also grants moorage and anchorage permitting authority to King County Sheriff. Seattle Parks and Recreation manages launch permits at motorized boat ramps in the city (see **SPR Permitting Activity**).

The U.S. Army Corps of Engineers has authorities granted by federal legislation to protect the nation's aquatic resources. The Army Corps evaluates applications for permits for proposed activities, such as dredging, construction of docks and bulkhead, and placing navigation aids under the authorities of Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, and Section 103 of the Marine Protection, Research and Sanctuaries Act.<sup>30</sup>

---

<sup>29</sup> City of Seattle Office of Emergency Management, 2021. *City of Seattle Comprehensive Emergency Management Plan, ESF #10 - Oil and Hazardous Materials*. Available at: <https://www.seattle.gov/documents/Departments/Emergency/PlansOEM/2021%20EMAP%20Updated%20Plans/2021%20Update.AnnexIV.ESF10.signed.pdf>.

<sup>30</sup> See <https://www.nws.usace.army.mil/Missions/Civil-Works/Regulatory/Permit-Guidebook/Corps-Permit/>.

# Findings and Recommendations

In interviews for this study, the main safety concerns that emerged were around life safety, theft, fire, and interaction of multiple use types on the same bodies of water (Exhibit 26). These safety concerns are summarized below by waterway area. Due to higher summertime participation in recreational waterway activities and the unpredictable nature of accidents, fires, and theft, some safety concerns are more visible than others depending on the time of year.

**Exhibit 26. Summary of Main Safety Concerns by Waterway Area**

Waterway Area	Main Safety Concerns
Lake Washington	Multiple recreational activities Vessel safety compliance Recreational boating behavior (speeding, boating under the influence, noise) Drownings and other accidents
Lake Union	Multiple recreational activities Vessel safety compliance Seaplane landings and take-offs Theft from floating homes and docks Houseboat and marina fires Drownings and other accidents
Lake WA Ship Canal	Recreational users sharing the same waterway with commercial users Theft from docks and property Marina and property fires Drownings and other accidents
Puget Sound	Recreational users sharing the same waterway with commercial users Theft from docks and property Drownings and other accidents
Duwamish Waterways	Recreational users sharing the same waterway with commercial users Drownings and other accidents
Other lakes and parks	Multiple recreational activities Drownings and other accidents

Source: BERK, 2024.

The remainder of this section synthesizes our findings on the City’s existing marine public safety operations and recommendations to improve the current state. While many of our findings involve waterways users and agencies beyond the City, which reflects the shared responsibilities and collaborative relationships, we focused our recommendations on actions that the City could lead, which could include partnering, and where it has control over additional necessary resources. Exhibit 27 summarizes these recommendations by response type, rather than waterway area, as we view the recommendations as potentially benefiting all waterway areas.

## Exhibit 27. Summary of Recommendations by Response Type

Response Type	Recommendations
Patrols	<ul style="list-style-type: none"> <li>Consider coverage by SPR Park Rangers to support noise ordinance enforcement.</li> <li>Support SFD's efforts to add a fire station in South Lake Union.</li> <li>Use available call or incident data to understand the demand for Harbor Patrol services.</li> </ul>
Education and community engagement	<ul style="list-style-type: none"> <li>Improve recreational boater education with signage and situational training modules.</li> <li>Partner with other organizations to conduct safety checks for recreational users.</li> <li>Be transparent about the level of service Harbor Patrol can deliver.</li> <li>Maintain an online data dashboard for Harbor Patrol activity.</li> </ul>
Navigational hazards	<ul style="list-style-type: none"> <li>Raise awareness about the DNR's Vessel Turn-In Program.</li> <li>Lobby for stronger enforcement tools and additional state funding for derelict vessels.</li> </ul>
Emergent needs	<ul style="list-style-type: none"> <li>Review MOUs to determine whether and how they should be updated.</li> <li>Create a venue for regular conversations to strengthen agency relationships.</li> </ul>

Source: BERK, 2024.

*Finding: Seattle waterways accommodate a variety of uses.*

### **There are more residents, visitors, and types of recreational activities around the waterways.**

Many interviewees noted increased recreational activity on the waterways, particularly from human-powered or non-motorized vessels including stand-up paddleboards. While the data on motorized boat registrations, sales, and launch permits show lower numbers in recent years, data on non-motorized vessels is harder to come by. However, growth in population, tourism, and new businesses offering rentals and other recreational services suggests an increased variety of activities available and opportunities for waterway use.

**More safety education is needed for recreational users.** Interviewees identified a need for increased education for recreational users on the waterways. There are many regulations governing use of the waterways, such as speed limits, rights-of-way, anchoring locations, and requirements for carrying safety equipment that new or infrequent users may not be aware of. Specific to Lake Union, users must be aware of seaplane activity and the damage that excessive boat wake can cause to floating home sewer lines and pontoons. Currently, Harbor Patrol, King County Sheriff, and Mercer Island Marine Patrol spend much of their time patrolling the waterways, providing a visible presence, enforcing boater regulations, and making community contacts.

*Recommendation: Augment education for recreational users.*

**Improve recreational boater education with signage and situational training modules.**

Informational signage at boat ramps and other access points can raise awareness of speed limits and other regulations specific to an area. Situational training modules can demonstrate how to navigate crowded waterways, such as the Port of Seattle area or the Lake Washington Ship Canal, where there are commercial vessels. All materials should be available in multiple languages to lower cultural barriers.

**Partner with other organizations to conduct safety checks for recreational users.** In practice, education means informing users of boating regulations and checking that users have the required equipment. While some of this education will be done through patrols by Harbor Patrol and other enforcement agencies, the City should explore the regular use of SPR Park Rangers, the U.S. Coast Guard Auxiliary, or other organizations to take a larger role as safety education does not need to be implemented by law enforcement.

*Finding: Current resources for emergency response and patrols are limited.*

**Asset locations and staffing levels limit SPD and SFD response times.** Harbor Patrol currently focuses patrols on Lake Union and the SFD Fireboat Unit is more focused on Elliott Bay due to station locations and the requirements to “lock” between Puget Sound and Lake Union. Though police and fire calls for service have returned to pre-pandemic levels, Harbor Patrol staffing has decreased and SFD staffing has remained constant.

While not an emergency, Harbor Patrol cannot respond to all noise complaints in areas such as Andrews Bay further south on Lake Washington, where nearby residents have highlighted a desire for increased patrols to enforce excessive noise generated from recreational users.<sup>31</sup> Currently, Mercer Island Marine Patrol is often enlisted to support enforcement in this area as its boats are docked on Lake Washington.

SFD noted that current response times to emergency calls in freshwater areas are a safety issue and identified its greatest need as increasing waterside staffing with an additional fireboat crew. One crew would remain at Station 5 on Elliott Bay, and a second crew would be at a new SFD-specific station ideally located at the south end of Lake Union. A fireboat on Lake Union would speed up response time to fire incidents on that waterway, the Ship Canal, Portage Bay, and Lake Washington.

**Property crime was identified as a problem that may benefit from more patrols.** There is a perception among owners whose property abuts the waterways that property crime is a problem.<sup>32</sup> This can entail people prowling properties or boats; stealing personal property, equipment, or scrap metal; siphoning gasoline from parked vehicles; abandoning derelict boats on private docks; or

<sup>31</sup> Complaints were heard through interviews with Harbor Patrol, King County Sheriff, and Mercer Island.

<sup>32</sup> Interviewees representing commercial, industrial, and residential users all described an uptick of theft from buildings, vessels, and docks. Many felt that increased Harbor Patrol presence could deter such thefts.



starting fires.<sup>33</sup> These are perceived problems, not necessarily supported by crime reports, but are actionable nonetheless. Visible police presence may contribute to improvement in these measures by deterring crime and decreasing response times to calls. Harbor Patrol identified its greatest need as additional staff to increase patrol presence, as did many of the individuals consulted for this study through interviews.

*Recommendation: Rethink staffing for noise complaints and add fire resources.*

**Consider coverage by SPR Park Rangers to support noise ordinance enforcement.** The City could consider adding patrols and coverage by SPR Park Rangers to support enforcement of the City's noise ordinance in areas such as Andrews Bay. Park Rangers have the authority to cite individuals and may also achieve compliance by reminding users of City regulations.

See recommendation, *Augment education for recreational users*, for additional thoughts on how Park Rangers could provide support.

**Support Seattle Fire Department's efforts to add a fire station in South Lake Union.** SFD would need an additional 56 FTEs, plus assets and equipment, to staff a new station on South Lake Union. Fourteen positions would be needed, with four shifts: four for a ladder truck, four for a fire engine, two for an aid car, and four for a fireboat. The station would include boat moorage for SFD on the south end of the lake. The Harbor Patrol station would remain in its current location.

See recommendation, *Use data to inform decisions*, for more on Harbor Patrol staffing.

*Finding: Current Harbor Patrol data does not provide a complete picture of need.*

**It is difficult to establish a metric for recommended marine police unit staffing.** For regular police patrol officers, there are standard approaches to identifying the appropriate level of staffing, such as based on population, number of hours of coverage needed, or workload. For a marine unit, there is no common approach or metric used, such as number of patrol officers per mile of coastline. In 2021, the City of San Francisco Police Department conducted a staffing analysis where different methodologies were used depending on the unit. A non-scaling methodology was used for the marine unit and other units "staffed electively to facilitate city and department priorities."<sup>34</sup> Other methodologies utilized in the analysis were workload-based, ratio-based (e.g., number of officers per boat), and fixed post (positions staffed a specific level for a specific number of hours).<sup>35</sup> SPD currently has a research project underway to establish a comprehensive police efficiency method ("Measuring the Efficiency of a Large Local Police Agency 2024-146").

---

<sup>33</sup> The National Incident-Based Reporting System (NIBRS) is used by law enforcement agencies to classify offenses as crimes against people, crimes against property, or crimes against society. NIBRS codes for the behaviors described are all crimes against property.

<sup>34</sup> City & County of San Francisco Police Department, 2022. *Staffing Analysis of the San Francisco Police Department*, page 6. Available at: <https://www.sanfranciscopolice.org/sites/default/files/2022-03/SFPD2021StaffingAnalysisReport20220307.pdf>

<sup>35</sup> Ibid., pages 4-6.

**Past data collection practices make it challenging to assess workload trends and determine locations where resources may be most needed.** Harbor Patrol has maintained paper logs of all activity since the 1970s. In October 2023, the unit transitioned response logging to the SPD Computer Aided Dispatch (CAD) system. The CAD system also reports patrol activity based on location data collected from the Mobile Data Terminal used to interface with the system.<sup>36</sup> CAD response and patrol activity may or may not overlap with what is recorded in the paper logs. While the paper logs are no longer a comprehensive source, they track non-call for service (overhead) activities that are not otherwise recorded.

*Recommendation: Use data to inform decisions about Harbor Patrol staffing and communication with the public about level of service.*

**Be transparent about the level of service Harbor Patrol can deliver.** As adding officers will be a challenge given hiring and budget constraints, the City should be transparent with the community of waterways users about current and future staffing levels, and what this implies for the level of service Harbor Patrol can provide. In addition, Harbor Patrol should strive to clarify how the level of service would change based on different levels of staffing support. Many interviewees would like to see patrols on Elliott Bay, Lake Union, and Lake Washington. A minimum of four officers would be needed to add another Harbor Patrol boat on patrol. Harbor Patrol and the City can continue to hold open discussions about emergent needs and ideas for how partners can provide support.

**Maintain an online data dashboard for Harbor Patrol activity.** To enhance transparency and public awareness, SPD could enrich the available public information on Harbor Patrol activity.

**Use available call or incident data to understand the demand for Harbor Patrol services.**

Data can help show the impact of the recent reduction in staffing or support requests for additional staffing. It can also help determine how best to deploy existing resources or where to ask partners for support. SPD is developing a new map drawn to identify more specific Harbor Patrol “beat” areas, such as Elliott Bay, Lake Union, Duwamish, Alki, and Fauntleroy. These beats will allow better tracking of patrol activity and activity in areas such as floating home communities and commercial fishing zones.

*Finding: Derelict vessel response is a resource-intensive activity.*

**There are insufficient resources to fully address the problem of derelict boats.** Many interviewees described challenges with removing and disposing of derelict boats. It can be difficult to find the owner of derelict boats and penalties are not substantial enough to force owners to comply with the law, which leaves other property owners and agencies to front the removal costs. Even with the DNR Derelict Vessel Program and Vessel Turn-In Program, there is a backlog of derelict vessels.

---

<sup>36</sup> SPD publishes call for service data, including Harbor Patrol responses, to the City of Seattle [open data portal](#). CAD data is also visualized on the SPD Information and Data [pages](#).



*Recommendation: Support additional tools to ensure proper disposal of derelict vessels by owners reducing the need for public agencies to step in.*

**Raise awareness about the DNR’s Vessel Turn-In Program.** By informing more people of the DNR Vessel Turn-In Program, Seattle can prevent boats from becoming derelict, which in turn become more expensive to remove. Two ways of increasing awareness about this program are:

1. Include Vessel Turn-In Program information in the Boater Education Card programming.
2. Provide Vessel Turn-In Program information when boaters renew their boat registrations.

**Lobby for stronger enforcement tools and additional state funding for derelict vessels.** One option to bolster enforcement is to impose a larger penalty for leaving a derelict vessel. Another option is to amend the boat registration process so that the City, State, or other organizations can more easily find the owner and force compliance with vessel disposal. This would likely require time from staff in the City of Seattle Office of Intergovernmental Relations. Additional funding could help address the backlog of derelict vessels.

*Finding: SPD and SFD work effectively together on emergency response.*

**There is generally good coordination and cooperation between SPD and SFD during emergency response, but more formal procedures are needed.** Staff from both departments noted that there is a need to clarify roles and responsibilities when both agencies are involved in incident response and that there is some tension over roles. There are existing settlement agreements and memorandums of understanding (MOUs) that are over 20 years old and may not represent current departmental missions and capabilities.

*Recommendation: Establish regular convenings between SPD and SFD to discuss incident response and strengthen agency working relationships.*

**Review MOUs to determine whether and how they should be updated.** Both departments have expressed some dissatisfaction with the agreements as written while also noting there may be complications to reopening them related to union contracts. Each agency could review and propose short-term and longer-term amendments for discussion at the venue described below. This review process should include agreement on a cadence for regular review going forward.

**Create a venue for regular conversations to strengthen agency relationships.** This venue could be an opportunity to review policies and practices regularly, discuss how to address emergent needs, and determine if there are opportunities for joint training.

# Appendix A: List of Interviewees

## *Government Organizations*

### **Seattle Police Department**

- Lieutenant Marc Garth Green, Harbor Patrol
- Officer Aaron Frausto, Harbor Patrol
- Officer Kyle Galbraith, Harbor Patrol
- Loren Atherley, Director of Performance Analytics & Research
- Mirs VonAschen-Cook, Research Program Manager

### **Seattle Fire Department**

- Chief Harold D. Scoggins
- Assistant Chief Bryan Hastings, Operations
- Helen Fitzpatrick, Executive Director of Administration
- Captain Dietrich Hauge, Rescue Boat & Watercraft
- Captain Luke Schultz, Fireboat Unit
- Lieutenant Robert Kerns, Fireboat Unit

### **King County Sheriff's Office**

- Sergeant Richard Barton, Marine Rescue Dive Unit
- Deputy Ernest Brent, Marine Rescue Dive Unit
- Deputy Nathan Greiert, Marine Rescue Dive Unit

### **City of Mercer Island Police Department**

- Sergeant Chad Schumacher, Marine Patrol

### **Port of Seattle (also provided Recreational and Residential perspectives)**

- Kenneth Lyles, Director of Maritime Operations
- Krystelle Acob, Senior Administrative Assistant
- Kelli Goodwin, Senior Manager of Maritime Operations at Terminal 91
- Russ Read, Senior Manager of Maritime Security
- Rut Perez-Studer, Senior Manager of Fishing & Commercial Vessels at Fisherman's Terminal
- Karlina Smith, Senior Manager of Recreational Boating at Shilshole Bay Marina, Harbor Island Marina, and Bell Harbor Marina
- Shelby Allman, Harbor Operations Supervisor of Recreational Boating at Shilshole Bay Marina, Harbor Island Marina, and Bell Harbor Marina

- Andy Gregory, Senior Program Manager of Maritime Industry Engagement
- Sabrina Bolieu, Regional Government Relations Manager of External Relations

### **U.S. Coast Guard**

- Lieutenant Commander John Robertson
- Nicole Metzke, Port Security Specialist

### **U.S. Coast Guard Auxiliary**

- Mike Allert, Volunteer

### **Washington State Parks**

- Rob Sendak, Boating & Winter Recreation Programs Manager

## *Businesses and Industry*

### **American Waterway Operators**

- Peter Schrappen, Vice President of Pacific Coast Region

### **Ballard Oil**

- Warren Aakerkvik, former Owner and President

### **Ivar's**

- Bob Donegan, President

### **Kenmore Air**

- David Gudgel, CEO
- John Gowey, Director of Operations

### **North Seattle Industrial Association**

- Eugene Wasserman, President

### **Transportation Institute**

- Sarah Scherer, Vice President, Pacific Coast Operations

## *Residential*

### **Seattle Floating Homes Association**

- Peter Erickson, President

## Recreational

### **Recreational Boating Association of Washington**

- Andrea Pierantozzi, Vice President of Government Affairs

## *Organizations in Other States*

### **Port of Long Beach**

- Drew Schneider, Assistant Director of Security

### **Santa Monica Police Department Harbor Unit**

- Dan Buchanan, Pier & Harbor Services Supervisor
- Christopher Camp, Lead Harbor Services Officer
- Lieutenant Gerardo Leyva

### **Virginia Marine Police**

- Chief Matthew Rogers
- Deputy Chief Herbert Bell

# Appendix B: Features of Other Cities

BERK researched marine safety operations in cities with similar waterway areas and safety needs. While we reached out to over a dozen cities, we primarily relied on desk research. We did not speak to another city that, like Seattle, had ocean, rivers, and lakes within its boundaries. We interviewed representatives from Long Beach, CA, Mercer Island, Santa Monica, CA, and Virginia.

## Unsworn officers

**Chelan County, Washington:** During the summer, volunteers assist the Chelan County Sheriff's Office Marine Patrol Unit with education and enforcement for recreational waterway users.<sup>37</sup>

**Mercer Island, Washington:** The City of Mercer Island Police Department Marine Patrol previously filled a marine technician position with firefighting and EMT training. This position is no longer in use due to safety concerns, as unsworn officers cannot use force when lawful, make arrests, or perform other functions that may be necessary for self-defense.

**Los Angeles, California:** Los Angeles County Fire Department lifeguards assist with enforcing recreational waterways safety through patrols and citations. In 2023, the division employed 177 permanent lifeguards and 602 recurrent lifeguards who operated from 24 stations and 159 lifeguard towers along the Los Angeles coast. The lifeguarding division also has 58 beach patrol vehicles, eight rescue boats, and two paramedic boats.<sup>38</sup>

**Santa Monica, California:** The Santa Monica Police Department Harbor Unit is a 24-hour civilian first-responder unit located at the Santa Monica Pier. In the 2022-2023 fiscal year, the Harbor Unit was staffed with 10.9 FTE.<sup>39</sup> Harbor officers are trained EMTs, rescue boat captains, marine firefighters, and lifeguards. As unsworn officers, harbor officers observe and report recreational and commercial activity with support from LA County Lifeguards for ocean lifeguarding services and LA County Sheriff's Office for waterway enforcement. Hiring challenges include aligning pay and pension with job requirements, as there are varied responsibilities for harbor officers and other agencies in the area attract a similar pool of candidates.

**Virginia Marine Resources Commission:** The Virginia Marine Resources Commission hires part-time and temporary employees to handle non-enforcement matters such as paperwork. The Marine Patrol division enforces commercial and recreational fishing regulations and does not use auxiliary officers because of liability concerns.

## Statewide central office

**Oregon:** Established in 1959, the Oregon State Marine Board manages multiple waterways use processes including recreational user education, floating home titles, boat rental business registrations, and environmental stewardship programs. The agency is currently working with

---

<sup>37</sup> See "Marine Patrol" at <https://www.co.chelan.wa.us/sheriff/pages/marine-patrol>.

<sup>38</sup> See page 2 at [https://fire.lacounty.gov/wp-content/uploads/2024/02/2023-Statistical-Summary\\_022024.pdf](https://fire.lacounty.gov/wp-content/uploads/2024/02/2023-Statistical-Summary_022024.pdf).

<sup>39</sup> See page 42 at <https://finance.smgov.net/Media/Default/annual-reports/FYE2023/FYE2023-Operating-Budget.pdf>.

retailers and manufacturers to sell paddle sport equipment alongside life jackets, leashes, and whistles as part of an education and outreach initiative for non-motorized boat users.<sup>40</sup>

## Dedicated seaplane terminal

**Vancouver, British Columbia:** The Vancouver Harbor Flight Center is a privately developed seaplane terminal that opened in 2011. The terminal serves regularly scheduled airlines and charter airlines who fly from Vancouver to Seattle, Vancouver Island, and other areas in British Columbia.

---

<sup>40</sup> See page 2 at <https://www.oregon.gov/osmb/info/Documents/Strategic%20Plan/2023AgencyStrategicPlan.pdf>.

# Appendix C: Other Organizations with Waterways Responsibilities

## **Washington State Department of Ecology (DoE)**

The DoE seeks to improve and protect water quality; manage and conserve water resources; and effectively manage coastal and inland shorelines to assure the State has sufficient supplies of clean water for communities and the natural environment. In the Seattle waterways, the DoE has several programs including shorelines and environmental assistance, solid waste management, spills (preparedness, response, and restoration), water quality, and water resources.

The DoE also has a prominent role in vessel inspections of commercial shipping vessels greater than 300 gross tons. The DoE's primary interest in these inspections is to reduce the risk of spills to state waters amongst vessels that pose a substantial risk of harm to the environment or the public.

## **Washington State Department of Fish and Wildlife (WDFW)**

The WDFW's primary concern is the management and enforcement of fish and wildlife safety and conservation throughout Seattle waterways. It periodically patrols Seattle's waterway areas during fishing and shellfish seasons to enforce permits and protect capture limits.

## **Washington State Department of Natural Resources (DNR)**

In addition to the Derelict Vessel Removal Program and Vessel Turn-In Program described earlier in this report, the DNR is directed by statute to manage state-owned aquatic lands with the following goals: encourage direct public use and access; foster water-dependent uses; ensure environmental protection; opportunities for utilization of renewable resources; and generate income from the use of aquatic lands. In the Seattle area waterways, this takes the forms of permitting the harvest of shellfish and geoduck; leasing and licensing state-owned aquatic lands; reinvesting department revenues towards restoring the aquatic ecosystem; and removing derelict maritime equipment.

## **U.S. Army Corps of Engineers (USACE) - Seattle District**

The USACE Seattle District provides engineering expertise and manages water resources for local waterways activities. Their work includes operating local dams and locks (such as the Ballard Locks), preventing and responding to flooding, and assisting with the removal of derelict vessels through Seattle waterway areas.

## **Tribal Marine Police**

Tribal Marine Police are present throughout the Seattle waterway areas including the Suquamish Police Department Marine Division, which patrols in and around the Port Madison Indian reservation and accustomed fishing, harvesting, and hunting places. Tribal Marine Police patrol Seattle waterways during fishing and shellfish seasons to ensure compliance with all ordinances and regulations related to fishing, harvesting, and hunting (and enforcement when needed).



# SEATTLE WATERWAYS SAFETY STUDY

Public Safety Committee | June 25, 2024

Allegra Calder and Ariel Hsieh, BERK Consulting





# AGENDA

**Introductions**

**Study Motivation and  
Approach**

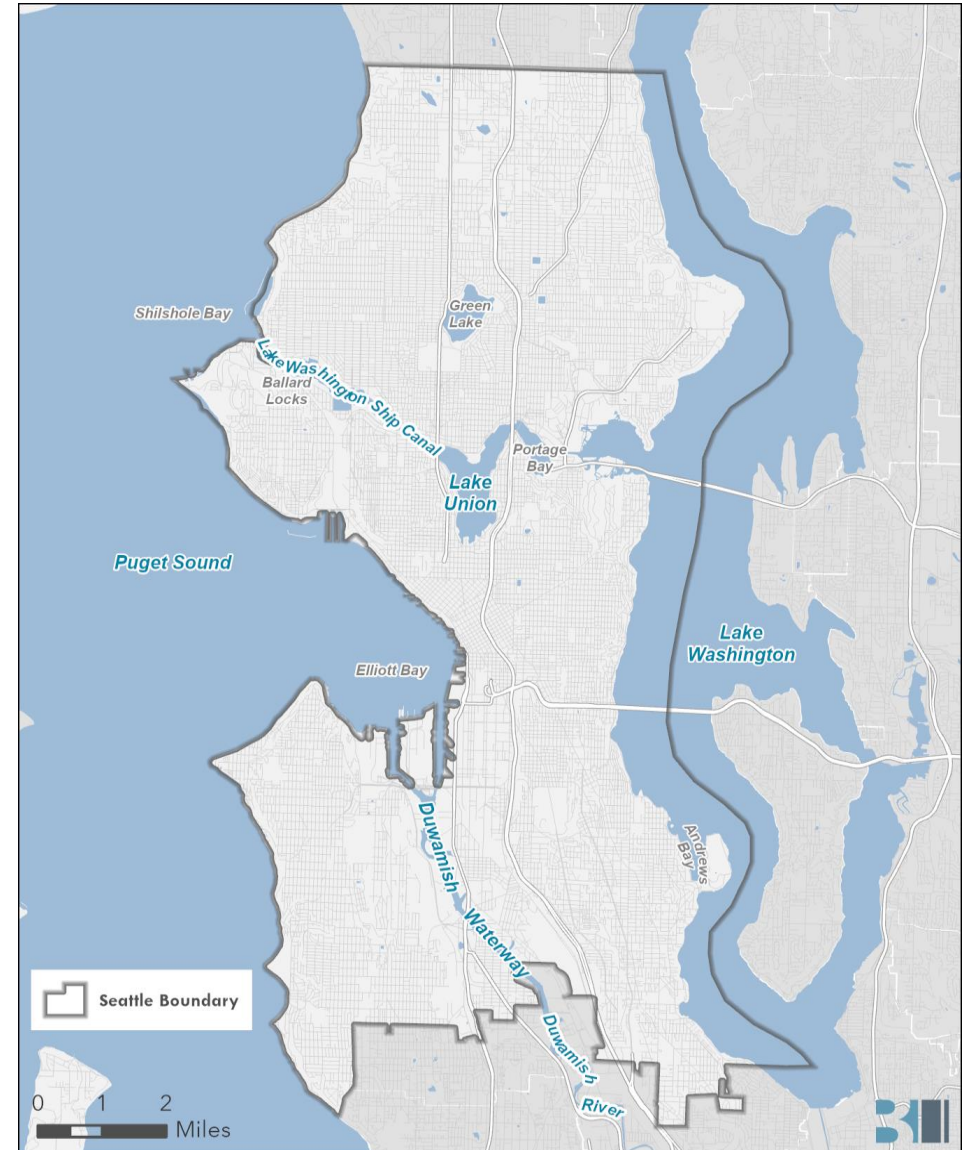
**Findings and  
Recommendations**

**Questions**



# STUDY MOTIVATION

- **Seattle waterways are shared by different user groups.** To ensure safety on the waterways, there is need for safety patrols, emergency response assets, and coordination of commercial, recreational, transportation, and residential activities.
- **Waterways safety supports Seattle as a maritime city.** The area has a significant maritime economy with Port of Seattle facilities, a grain terminal, international cargo terminals, public marinas, and cruise terminals.





# STUDY APPROACH

- **Workgroup** guidance from representatives in the Seattle Police Department (SPD), Seattle Fire Department (SFD), City of Seattle Finance & Administrative Services, Seattle Mayor's Office, and Seattle City Councilmember Dan Strauss's office.
- **Interviews** with local government, maritime industry, the residential community, and recreational organizations to learn about waterways safety needs.
- **Data analysis** on the volume of waterway activities and safety responses using data from various sources including SPD, SFD, and Seattle Parks and Recreation.
- **Peer city research** on marine safety operations in cities with similar waterway areas and safety needs.

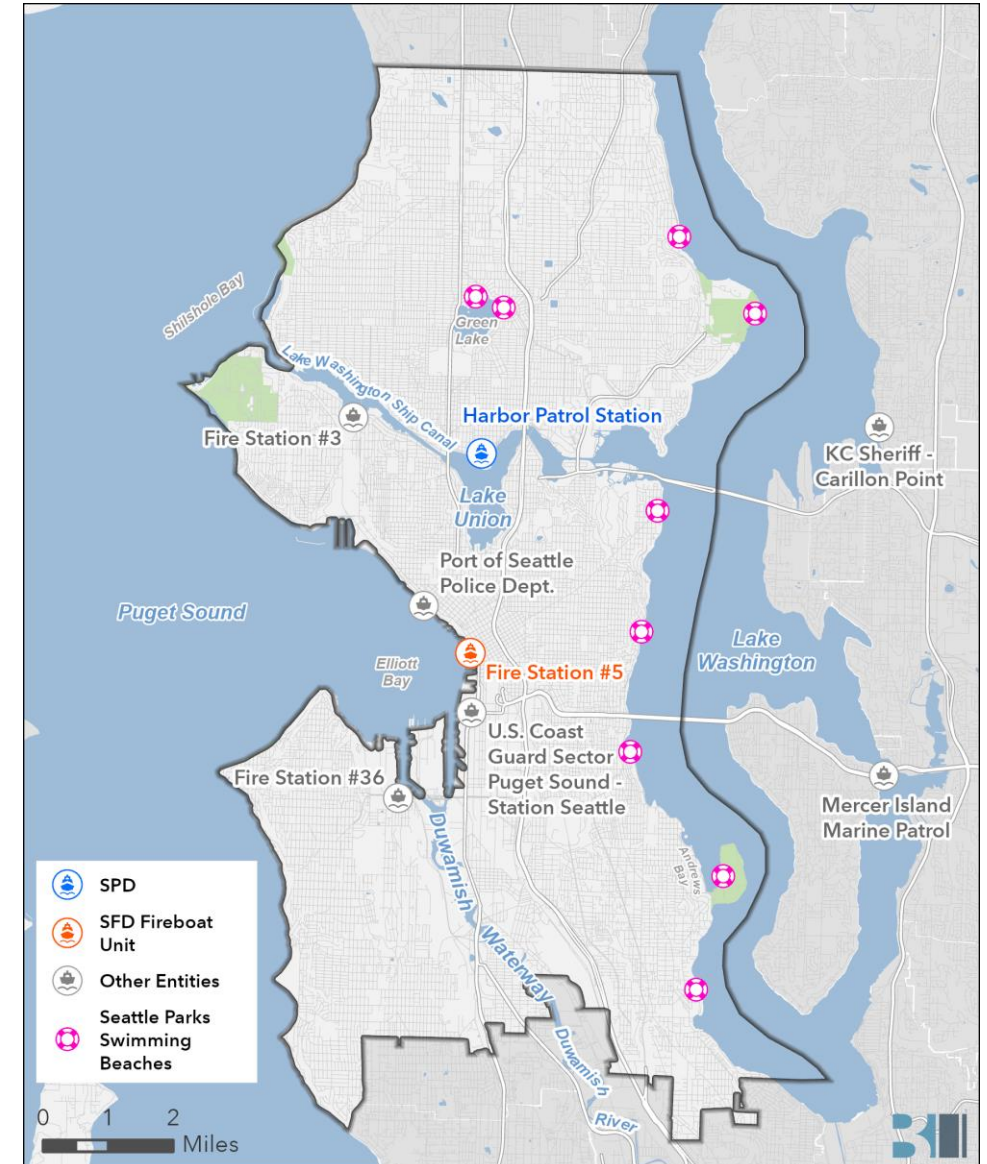


## Public agencies in the City with waterways responsibilities:

- Seattle Police Department Harbor Patrol
- Seattle Fire Department Marine Response Units
- Seattle Parks and Recreation

## Public agencies outside the City with waterways responsibilities:

- King County Sheriff's Office Marine Rescue & Dive Unit
- Mercer Island Police Department Marine Patrol
- Port of Seattle
- Tribal Marine Police
- U.S. Army Corps of Engineers
- U.S. Coast Guard
- U.S. Coast Guard Auxiliary
- Washington State Parks
- Washington State Department of Ecology
- Washington State Department of Fish & Wildlife
- Washington State Department of Natural Resources



# FINDINGS





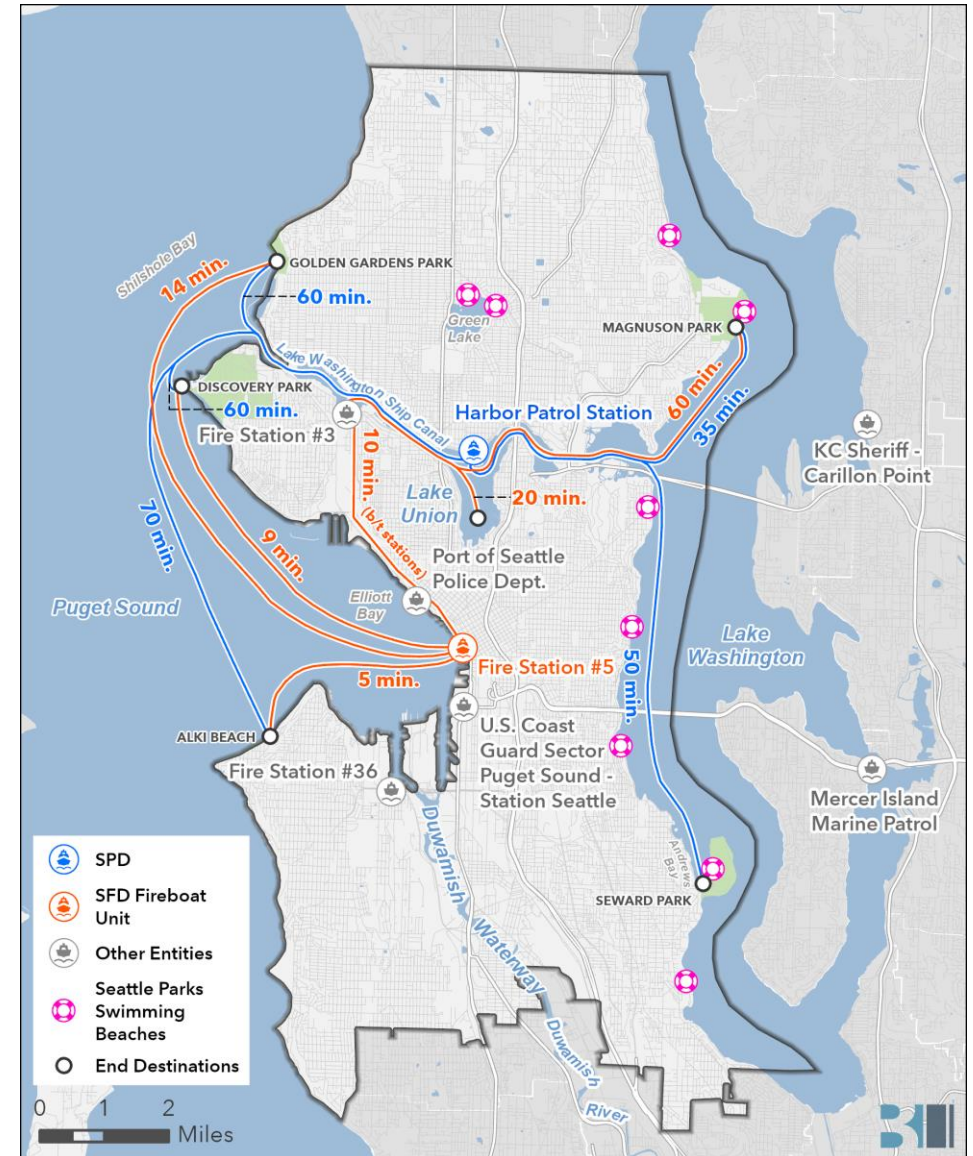
# SEATTLE WATERWAYS ACCOMMODATE A VARIETY OF USES

- **There are more residents, visitors, and types of recreational activities around the waterways.** Growth in population, tourism, and new businesses offering rentals and other recreational services, particularly from human-powered or non-motorized vessels.
- **More safety education is needed for recreational users.** New or infrequent users may not be aware of regulations for waterways use, such as speed limits, rights-of-way, anchoring locations, and requirements for carrying safety equipment.



# CURRENT RESOURCES FOR EMERGENCY RESPONSE AND PATROLS ARE LIMITED

- **Asset locations and staffing levels limit SPD and SFD response times.** Calls for service have returned to pre-pandemic levels, but Harbor Patrol staffing has decreased and SFD staffing has remained constant.
- **Property crime was identified as a problem that may benefit from more patrols.** Interviewees representing commercial, industrial, and residential users all described an uptick of theft from buildings, vessels, and docks.





## OTHER FINDINGS

- **Current Harbor Patrol data does not provide a complete picture of need.** It is also difficult to establish a metric for recommended marine police unit staffing.
- **Derelict vessel response is a resource-intensive activity.** Can be difficult to find the derelict boat owner and penalties are not enough to encourage compliance, which leaves property owners and public agencies to step in.
- **SPD and SFD work effectively together on emergency response.** There is generally good cooperation between SPD and SFD during emergency response, but more formal procedures are needed.



# RECOMMENDATIONS





# AUGMENT EDUCATION FOR RECREATIONAL USERS

- Improve recreational boater education with signage and situational training modules.** Provide materials in multiple languages to lower cultural barriers.
- Partner with other organizations to conduct safety checks for recreational users.** Explore regular patrols by Seattle Park Rangers and the U.S. Coast Guard Auxiliary.
- Consider coverage by Park Rangers to support noise ordinance enforcement.** Park Rangers have the authority to cite individuals and may also achieve compliance by reminding users of City regulations.

Washington State  
VESSEL INSPECTION

State/County/City Agency

Date \_\_\_\_\_ Time \_\_\_\_\_ Reason for Inspection or Contact  
 Assist  Courtesy Inspection  Vio.  Other:

Body of Water \_\_\_\_\_ Location  
 On Water  Ramp  Other:

**Operator**  
 Last Name \_\_\_\_\_ First Name \_\_\_\_\_ M.I. \_\_\_\_\_ Date of Birth \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

**Owner**  
 Last Name \_\_\_\_\_ First Name \_\_\_\_\_ M.I. \_\_\_\_\_ Date of Birth \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

**Vessel**  
 Registration & Decal Cont. #, or Documentation # \_\_\_\_\_ Hull I.D. # \_\_\_\_\_  
 Name \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_ Length \_\_\_\_\_  
 HP \_\_\_\_\_ Color \_\_\_\_\_ Weight Capacity \_\_\_\_\_  OB  IO  Man  # persons  
 IN  Sail  Jet on board

YES	NO	N/A	REQUIRED	YES	NO	N/A	REQUIRED
			REG. NUMBERS Proper Display				LIGHTS Proper Display (Night Only)
			CURRENT DECAL Proper Display				DISTRESS SIGNALS Adequate
			CERT. OF NUMBERS on Board				FLAME ARRESTOR Adequate
			MANDATORY EDUCATION CARD				SOUND DEVICE Horn/Whistle/Bell
			MOTOR VESSEL CHECKLIST (Rentals)				VENTILATION / BLOWER Engine
			PFD USCG Approved & Correct Size				SKI FLAG Proper Display, Size
			PFD Adequate # & Condition				CARBON MON. DECAL (Gas only; no PWC)
			PFD Type IV (16' & Over)				PWC Lanyard Used
			PFD Worn by Child 12 & Under; < 19'				PWC Operator 14 & Older
			FIRE EXTING Approved/Charged				AQUATIC INV. SPECIES
			MUFFLER Adequate Condition				

Additional Comments:  
 SURVEY QUESTION: If boat is on water, are all persons on board wearing a lifejacket?  Yes  No

No Violation  Warning  Citation #

Officer Signature \_\_\_\_\_ RCW/WAC \_\_\_\_\_

Inspection form provided by Washington State Parks and Recreation Commission  
 VESSEL INSPECTION P&R A-274 (02/2009) DISTRIBUTION: WHITE-Originating Agency; CANARY-State Parks; PINK-Boater

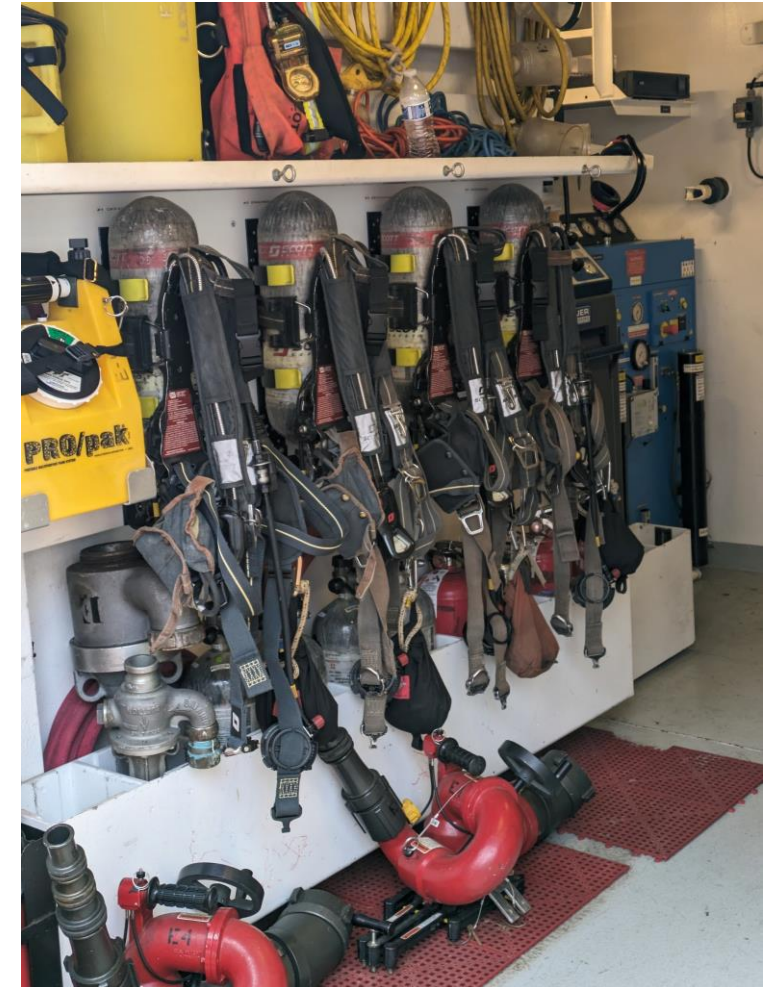
# USE DATA TO INFORM DECISIONS ABOUT HARBOR PATROL STAFFING

- **Be transparent about the level of service Harbor Patrol can deliver.** Given hiring and budget constraints, Harbor Patrol and the City can continue to hold open discussions about emergent needs and ideas for how partners can provide support.
- **Maintain an online data dashboard for Harbor Patrol activity.** SPD could enrich the available public information on Harbor Patrol activity to enhance transparency and public awareness.
- **Use available call or incident data to understand the demand for Harbor Patrol services.** SPD is developing a new map draw to identify more specific Harbor Patrol “beat” areas to allow better tracking of patrol activity.



## ADDITIONAL RESOURCES

- **Support SFD's efforts to add a fire station in South Lake Union.** The station would be at the south end of the lake and respond to land and water emergencies.
- **Support tools to ensure proper disposal of derelict vessels by owners, which may reduce the need for public agencies to step in.** Raise awareness about the DNR Vessel Turn-In Program and lobby for stronger enforcement tools and additional state funding for derelict vessels.
- **Establish regular convenings between SPD and SFD to discuss incident response and strengthen agency working relationships.** Review existing memorandums of understanding to determine whether and how they should be updated, as well as a cadence for regular review going forward.





# QUESTIONS





Legislation Text

File #: CB 120799, Version: 1

CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to street racing; adding the crime of racing; adding the traffic infraction of vehicle participation in unlawful racing; adding a new Section 11.58.440 to the Seattle Municipal Code; and amending Sections 11.20.230, 11.31.020, 11.31.121, 11.56.120, and 12A.09.020 of the Seattle Municipal Code.

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 11.20.230 of the Seattle Municipal Code, last amended by Ordinance 126517, is amended as follows:

**11.20.230 Ignition interlock device authorized**

\* \* \*

B. Subject to the exception and waiver provisions of subsection 11.56.025.L, the court shall order a person convicted under subsection 11.56.020.A or 11.56.020.B to apply for an ignition interlock driver's license from the Washington Department of Licensing under RCW 46.20.385 and to have a functioning ignition interlock device installed on all motor vehicles operated by the person. The court shall order any person participating in a deferred prosecution program under RCW 10.05.020 for a violation of Section 11.56.020, or for a violation of subsection 11.58.005.A.1 where the person would be required under subsection 11.58.005.A.4 to install an ignition interlock device on all vehicles operated by the person in the event of a conviction, or for a violation of Section 11.56.120 where the person would be required under subsection (~~11.56.120.D~~) 11.56.120.B to install an ignition interlock device on all vehicles operated by the person in the event of a conviction to have a functioning ignition interlock device installed on all motor vehicles operated by the



person.

Section 2. Section 11.31.020 of the Seattle Municipal Code, last amended by Ordinance 124950, is amended as follows:

**11.31.020 Notice of traffic infraction - Issuance**

A. A peace officer has the authority to issue a notice of traffic infraction:

- 1. when the infraction is committed in the officer’s presence;
- 2. if an officer investigating at the scene of a motor vehicle accident has reasonable cause to

believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction; ((Ø))

3. when a violation of Section 11.50.140, 11.50.150, 11.52.040, or 11.52.100 is detected through the use of an automated traffic safety camera as authorized pursuant to RCW 46.63.170 and Section 11.50.570((-) ; or

- 4. if an officer is investigating a violation of Section 11.58.440.

\* \* \*

Section 3. Section 11.31.121 of the Seattle Municipal Code, last amended by Ordinance 126892, is amended as follows:

**11.31.121 Monetary penalties - Parking infractions**

The base monetary penalty for violation of each of the numbered provisions of the Seattle Municipal Code listed in the following table is as shown, unless and until the penalty shown below for a particular parking infraction is modified by Local Rule of the Seattle Municipal Court adopted pursuant to the Infraction Rules for Courts of Limited Jurisdiction (“IRLJ”) or successor rules to the IRLJ:

Municipal Code reference	Parking infraction and other violations short description	Base penalty amount
* * *		
11.53.230	HIGH OCUPANCY VEHICLE LANE VIOLATION CAMERA VIOLATION	\$75

11.58.440	VEHICLE PARTICIPATION IN UNLAWFUL RACING	\$500
* * *		

Section 4. Section 11.56.120 of the Seattle Municipal Code, last amended by Ordinance 126517, is amended as follows:

**11.56.120 Reckless driving**

A. Any person who drives any vehicle in the City in wilful or wanton disregard for the safety of persons or property is guilty of reckless driving.

~~((B. No person or persons may race any motor vehicle or motor vehicles upon any street, alley or way open to the public of the City.~~

~~C. Any person or persons who wilfully compare or contest relative speeds by operation of one or more motor vehicles is guilty of reckless driving, whether or not such speed is in excess of the maximum speed prescribed by law; provided however, that any comparison or contest of the accuracy with which motor vehicles may be operated in terms of relative speeds not in excess of the posted maximum speed does not constitute reckless driving.))~~

~~((D))~~B. A person convicted of reckless driving who has one or more prior offenses as defined in RCW 46.61.5055 within seven years shall be required, under RCW 46.20.720, to install an ignition interlock device on all vehicles operated by the person if the conviction is the result of a charge that was originally filed as a violation of subsection 11.56.020.A or 11.56.020.B.

Section 5. A new Section 11.58.440 is added to the Seattle Municipal Code as follows:

**11.58.440 Vehicle participation in unlawful racing**

A. Any registered owner of a vehicle used in connection with an unlawful race event has committed the infraction of vehicle participation in unlawful racing.

B. As used in this Section 11.58.440, “unlawful race event” means an event on a street, alley, way open

to the public, or off-street facility wherein persons willfully: (1) compare or contest relative speeds by operation of one or more motor vehicles, or (2) demonstrate, exhibit, or compare speed, maneuverability, or the power of one or more motor vehicles, in a straight or curved direction, in a circular direction, around corners, or in circles in an activity commonly referred to as “drifting,” or by breaking traction.

C. Violations of this Section 11.58.440 may be detected by the Seattle Police Department using video evidence. “Seattle Police Department video evidence” means cameras installed in or on police vehicles, body worn video, or any other video evidence obtained by the Seattle Police Department. “Seattle Police Department video evidence” excludes automated traffic safety cameras of Section 11.50.570.

D. The registered owner of a vehicle is responsible for a violation of this Section 11.58.440, unless the registered owner overcomes the presumption in subsection 11.58.440.H, or in the case of a rental car business, satisfies the conditions under subsection 11.58.440.G. If appropriate under the circumstances, a renter is responsible for the violation.

E. A notice of infraction must be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address under subsection 11.58.440.G.1. The law enforcement officer issuing the notice of infraction shall include a certificate or facsimile of the notice, based upon inspection of Seattle Police Department video evidence, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this Section 11.58.440. Seattle Police Department video evidence supporting the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on Seattle Police Department video evidence may respond to the notice by mail.

F. Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this Section 11.58.440 are for the exclusive use of law enforcement in the discharge of duties under this Section 11.58.440.

G. If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction is issued under this Section 11.58.440, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the issuing agency by return mail:

1. A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred;
2. A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or
3. Payment of the applicable penalty in lieu of identifying the vehicle operator.

Timely mailing of a statement under this subsection 11.58.440.G to the issuing law enforcement agency relieves a rental car business of any liability under this Section 11.58.440 for the notice of infraction.

H. If the registered owner of the vehicle is not a rental car business, the recipient of a notice of infraction is not liable for the infraction if the recipient demonstrates, by a preponderance of the evidence, that the recipient was not the registered owner of the vehicle, or that the vehicle was stolen, at the time of the offense.

I. Violation of this Section 11.58.440 is a traffic infraction, which shall be assessed a penalty of \$500, excluding any costs, fees, or assessments. The \$500 penalty may not be waived or remitted. The infraction, if detected through the use of Seattle Police Department video evidence, is not part of the registered owner's driving record and shall be processed in the same manner as parking infractions.

Section 6. Section 12A.09.020 of the Seattle Municipal Code, last amended by Ordinance 126896, is amended as follows:

**12A.09.020 Adoption of RCW sections**

The following RCW sections as amended are adopted by reference:

\* \* \*

43.43.754's crime of refusal to provide DNA

46.04.1641 - Drifting

46.04.367 - Off-street facility

46.61.530 - Racing of vehicles on highways - Reckless driving - Exception

46.61.748 - Racing - Impoundment

\* \* \*

Section 7. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and signed by  
me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_

President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_

Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

Scheereen Dedman, City Clerk

(Seal)



**SUMMARY and FISCAL NOTE**

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
City Attorney’s Office	Scott Lindsay	

**1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to street racing; adding the crime of racing; adding the traffic infraction of vehicle participation in unlawful racing; adding a new Section 11.58.440 to the Seattle Municipal Code; and amending Sections 11.20.230, 11.31.020, 11.31.121, 11.56.120, and 12A.09.020 of the Seattle Municipal Code.

**Summary and Background of the Legislation:** This legislation is written to effectuate City-relevant criminal provisions of Chapter 283, Laws of 2023, regarding illegal racing. The act took effect January 1, 2024 and amended RCW 46.61.530.

This legislation also creates the infraction of vehicle participation in unlawful racing.

**2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?**  Yes  No

If yes, please fill out the table below and attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page. If no, please delete the table.

<b>Project Name:</b>	<b>Master Project I.D.:</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date:</b>	<b>Total Project Cost Through 2029:</b>

**3. SUMMARY OF FINANCIAL IMPLICATIONS**

**Does this legislation have financial impacts to the City?**  Yes  No

If there are no projected changes to expenditures, revenues, or positions, please delete the table below.

<b>Expenditure Change (\$);</b>	<b>2024</b>	<b>2025 est.</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>
<b>General Fund</b>					
<b>Expenditure Change (\$);</b>	<b>2024</b>	<b>2025 est.</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>
<b>Other Funds</b>					

<b>Revenue Change (\$);</b>	<b>2024</b>	<b>2025 est.</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>
<b>General Fund</b>					
<b>Revenue Change (\$);</b>	<b>2024</b>	<b>2025 est.</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>
<b>Other Funds</b>					

Number of Positions	2024	2025 est.	2026 est.	2027 est.	2028 est.
Total FTE Change	2024	2025 est.	2026 est.	2027 est.	2028 est.

#### 4. OTHER IMPLICATIONS

- a. **Please describe how this legislation may affect any departments besides the originating department.** It affects the Seattle Police Department and Seattle Municipal Court by creating a new infraction and enforcement mechanism.
- b. **Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.** No.
- c. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**
  - i. **How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.** No particular implication is known.
  - ii. **Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**
  - iii. **What is the Language Access Plan for any communications to the public?** None at this time.
- d. **Climate Change Implications**
  - i. **Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.** N/A
  - ii. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.** N/A
- e. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?**

## 5. CHECKLIST

Please click the appropriate box if any of these questions apply to this legislation.

- Is a public hearing required?**
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?**
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**  
If yes, please review requirements in Resolution 31203 for applicability and complete and attach “Additional risk analysis and fiscal analysis for non-utility partner projects” form.

## 6. ATTACHMENTS

**Summary Attachments:** None



**SEATTLE CITY  
ATTORNEY'S OFFICE  
ANN DAVISON**

# **Street Racing Legislation**



# QUEEN ANNE STREET TAKEOVER



**RCW 46.04.1641** – Drifting

**RCW 46.04.367** – Parking Lots

**RCW 46.61.530** – Racing of vehicles on highways  
– Reckless driving – Exception

**RCW 46.61.748** – Racing – Impoundment





- A. \$500 penalty for vehicle participation in unlawful racing
- B. The registered owner of the vehicle has responsibility if their vehicle is used in connection with an unlawful race
- C. May use video evidence
- D. Exceptions for stolen vehicles and rental car companies



**Questions?**

