

**Amendment #2**

to

**CB #119805 – LEG Crowd Control Weapons (CCWs) prohibition ORD**

**Sponsor:** CM Sawant

Amends recitals, Identifies exceptions to CCWs, Makes various technical adjustments

Underline indicates new language  
~~Strikethrough~~ indicates deleted language

**1. Amend recitals as follows:**

WHEREAS, ~~testimony from~~ protestors and other protest witnesses have provided statements and video evidence backing up claims that SPD officers used crowd control weaponry to escalate along with video evidence has shown the SPD instigating and escalating violent confrontations with these protests; and

**2. Amend recitals as follows:**

WHEREAS, nationwide, studies and reports into the impacts of policing at protests have found determined that escalating force by police at protests leads to increasing violence; and

**3. Amend Section 1 as follows:**

Section 1. A new Section 3.28.146 of the Seattle Municipal Code is added to Subchapter I of Chapter 3.28 as follows:

**3.28.146 Prohibition of the use of crowd control weapons**

A. Unless exempted or excepted, no City department shall own, purchase, rent, store, or use crowd control weapons.

Greg Doss

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**Version: D1a**

B. Law enforcement agencies operating under mutual aid agreements are prohibited from using crowd control weapons while rendering aid to the Seattle Police Department or acting in an official capacity within Seattle.

C. As used in this Section 3.28.146, “crowd control weapons” means kinetic impact projectiles, chemical irritants, acoustic weapons, directed energy weapons, water cannons, disorientation devices, ultrasonic cannons, or any other device that is designed to be used on multiple individuals for crowd control and ~~has the potential~~ is designed to cause pain or discomfort.

D. Oleoresin capsicum (OC) spray is not a crowd control weapon for purposes of owning, purchasing, renting, or storing under subsection 3.28.146.A. Use of OC spray is prohibited under subsection 3.28.146.A if:

1. It is used in a demonstration, rally, or other First Amendment-protected event;

or

2. ~~When used to subdue an individual in the process of committing a criminal act or presenting an imminent danger to others, it lands on anyone other than that individual. It is~~ used for crowd dispersal purposes.

**Effect:** The memo makes the following substantive changes to CB 119805:

1. Amends WHERAS statement on SPD escalation of crowd violence.
2. Makes the following changes to Section 1:
  - a. Exempts from the prohibition of CCWs OC spray when it is used: 1) at a demonstration, rally or First Amendment event; or 2) for crowd dispersal purposes.
  - b. Makes technical and legal changes.