



# SEATTLE CITY COUNCIL

## Public Safety and Human Services Committee Agenda

Tuesday, June 22, 2021

9:30 AM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or  
Seattle Channel online.

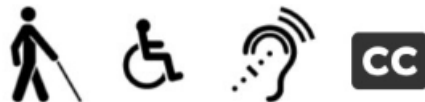
Lisa Herbold, Chair  
M. Lorena González, Vice-Chair  
Andrew J. Lewis, Member  
Tammy J. Morales, Member  
Kshama Sawant, Member  
Alex Pedersen, Alternate

Chair Info: 206-684-8801; [Lisa.Herbold@seattle.gov](mailto:Lisa.Herbold@seattle.gov)

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206-684-8888 (TTY Relay 7-1-1), email [CouncilAgenda@Seattle.gov](mailto:CouncilAgenda@Seattle.gov), or visit  
<http://seattle.gov/cityclerk/accommodations>.



**SEATTLE CITY COUNCIL**  
**Public Safety and Human Services Committee**  
**Agenda**  
**June 22, 2021 - 9:30 AM**

**Meeting Location:**

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or Seattle Channel online.

**Committee Website:**

<http://www.seattle.gov/council/committees/public-safety-and-human-services>

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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.

*In-person attendance is currently prohibited per Washington State Governor's Proclamation 20-28.15, until the COVID-19 State of Emergency is terminated or Proclamation 20-28 is rescinded by the Governor or State legislature. Meeting participation is limited to access by telephone conference line and online by the Seattle Channel.*

Register online to speak during the Public Comment period at the 9:30 a.m. Public Safety and Human Services Committee meeting at <http://www.seattle.gov/council/committees/public-comment>.

Online registration to speak at the Public Safety and Human Services Committee meeting will begin two hours before the 9:30 a.m. 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.

Submit written comments to Councilmember Lisa Herbold at [Lisa.Herbold@seattle.gov](mailto:Lisa.Herbold@seattle.gov)

Sign-up to provide Public Comment at the meeting at <http://www.seattle.gov/council/committees/public-comment>

Watch live streaming video of the meeting at <http://www.seattle.gov/council/watch-council-live>

Listen to the meeting by calling the Council Chamber Listen Line at 253-215-8782 Meeting ID: 586 416 9164

One Tap Mobile No. US: +12532158782,,5864169164#

*Please Note: Times listed are estimated*

**A. Call To Order**

**B. Approval of the Agenda**

**C. Public Comment**

(20 Minutes)

**D. Items of Business**

1. [Appt 01950](#) **Appointment of Meghann McCann as Court Administrator of the Seattle Municipal Court.**

Attachments: [Appointment Packet](#)

Supporting

Documents: [Confirmation Questions and Responses](#)

**Briefing, Discussion, and Possible Vote** (15 minutes)

**Presenters:** Presiding Judge Willie Gregory, Seattle Municipal Court;  
Asha Venkataraman, Council Central Staff

2. **Council Investments in Health and Crisis Response**

Supporting

Documents: [Presentation](#)  
[Central Staff Memo](#)

**Briefing and Discussion** (30 minutes)

**Presenters:** Helen Howell, Interim Director, Tanya Kim, and Andrea LaFazia- Geraghty, Human Services Department

3. [CB 120105](#) **AN ORDINANCE relating to the Seattle Police Department; banning the ownership, purchase, rent, storage, or use of less lethal weapons; and amending Section 3.28.146 of the Seattle Municipal Code.**

*Supporting*

Documents:

[Summary and Fiscal Note](#)

[Central Staff Memo](#)

[Presentation](#)

**Briefing and Discussion** (30 minutes)

**Presenter:** Lise Kaye, Council Central Staff

#### E. Adjournment



Legislation Text

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**File #:** Appt 01950, **Version:** 1

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Appointment of Meghann McCann as Court Administrator of the Seattle Municipal Court.

The Appointment Packet is provided as an attachment.



WILLIE GREGORY  
PRESIDING JUDGE

May 26, 2021

The Honorable Lorena González  
President, Seattle City Council  
Seattle City Hall, 2nd Floor  
Seattle, WA 98104

Dear Council President González:

In accordance with SMC 3.33.060, I am pleased to transmit to the City Council the following confirmation packet for Meghann McCann as Court Administrator, Seattle Municipal Court (SMC).

A comprehensive recruitment process was conducted by the court in partnership with Seattle Human Resources that ultimately resulted in the court selecting Ms. McCann as the court's next Court Administrator. This process included:

- Focus groups with court leadership, all staff, and our RSJI Change team
- [Announcement](#) reflecting focus group feedback and our commitment to equity and social justice with and for the communities we serve
- Six rounds of interviews with internal and external stakeholders, court leadership, focus group members, and our RSJI Change team

Ms. McCann has a breadth of experience in public service and has demonstrated her ability to make meaningful change at the highest level. She has 15 years of experience in public service and is an attorney. Most recently, she has been the Deputy Director at the Washington State Department of Licensing, where she was responsible for the agency's \$430M biennial budget and created the agency's first outreach program, Strategic Realization Office, and an Equity and Inclusion Office focused on eliminating barriers for customers. She was a member of the Governor's Workforce Strategies Taskforce reimagining the future of work in state government and Road to Recovery workgroup focused on resuming public services during the state's COVID-19 response.

Seattle Municipal Court, P.O. Box 34987, Seattle, WA 98124-4987  
Telephone: (206) 684-5600  
[seattle.gov/courts](http://seattle.gov/courts)

The Honorable Lorena González

May 26, 2021

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Ms. McCann holds a Bachelor's degree from the University of Hawaii and a law degree from Seattle University School of Law. She is a certified Diversity Executive and has designed and delivered training extensively on implicit bias and removing systemic barriers to equity and inclusion.

Ms. McCann's commitment to public service and innovative change is evident and she brings a wealth of experience and strong leadership to the Seattle Municipal Court. I am confident she will be an asset both to the court and the citizens of Seattle.

Sincerely,



[Willie Gregory \(May 27, 2021 10:52 PDT\)](#)

Willie Gregory  
Presiding Judge  
Seattle Municipal Court

cc: Honorable Mayor Jenny Durkan  
Honorable Members of the Seattle City Council  
Honorable Judges of Seattle Municipal Court



# City of Seattle Department Head Notice of Appointment

<b>Appointee Name:</b> Meghann McCann		
<b>City Department Name:</b> Seattle Municipal Court		<b>Position Title:</b> Court Administrator
<input checked="" type="checkbox"/> Appointment    OR <input type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Other: Judges of Seattle Municipal Court		<b>Term of Office:</b> 5/31/2021 <b>to</b> Term End: Not Applicable
<b>Legislated Authority:</b> Seattle Municipal Code 3.33.060 – Court Administrator		
<b>Background:</b> <p>Ms. McCann has a breadth of experience in public service and has demonstrated her ability to make meaningful change at the highest level. She has 15 years of experience in public service and is an attorney. Most recently, she has been the Deputy Director at the Washington State Department of Licensing, where she was responsible for the agency's \$430M biennial budget and created the agency's first outreach program, Strategic Realization Office, and an Equity and Inclusion Office focused on eliminating barriers for customers. She was a member of the Governor's Workforce Strategies Taskforce reimagining the future of work in state government and Road to Recovery workgroup focused on resuming public services during the state's COVID-19 response.</p> <p>Ms. McCann holds a Bachelor's degree from the University of Hawaii and a law degree from Seattle University School of Law. She is a certified Diversity Executive and has designed and delivered training extensively on implicit bias and removing systemic barriers to equity and inclusion.</p>		
<b>Date Appointed:</b> 5/7/2021	<b>Authorizing Signature (original signature):</b>  Willie Gregory (May 27, 2021 10:52 PDT)	<b>Appointing Signatory:</b> Willie Gregory Presiding Judge, Seattle Municipal Court





**CITY OF SEATTLE - STATE OF WASHINGTON  
OATH OF OFFICE**

**STATE OF WASHINGTON**

**COUNTY OF KING**

**I, Meghann McCann, swear or affirm that I possess all the qualifications prescribed in the Seattle City Charter and the Seattle Municipal Code for the position of Court Administrator of the Seattle Municipal Court; 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 *Court Administrator of the Seattle Municipal Court*.**

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**Meghann McCann**

**Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2021**

(affix seal)

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**Monica Martinez Simmons, City Clerk**

THE MUNICIPAL COURT OF SEATTLE



May 27, 2021

Honorable Willie Gregory, Presiding Judge  
Seattle Municipal Court  
600 Fifth Avenue  
Seattle, WA 98124

Dear Judge Gregory:

This letter confirms that the Washington State Patrol criminal history verification has been successfully completed for Meghann McCann, incoming Court Administrator and she is scheduled for fingerprinting on June 1, 2021. Ms. McCann's eligibility for employment with the Seattle Municipal Court has been preliminary confirmed and we will provide final confirmation after her fingerprinting has been successfully completed.

If you have any questions, please feel free to contact me at [berlinda.womack@seattle.gov](mailto:berlinda.womack@seattle.gov) or (206) 684-8885.

Sincerely,

*Berlinda Womack*

Berlinda Womack  
Human Resources Generalist

Cc: Personnel File



May 7, 2021

Meghann McCann



Dear Meghann,

I am pleased to appoint you as the **Court Administrator** effective **May 31, 2021**. Congratulations!

The following terms and conditions apply to your appointment:

**TERMS OF APPOINTMENT:** The **Court Administrator** position is classified as an **Executive 3** in the City payroll system and is exempt from the Civil Service System. As an exempt employee, you are at will and serve at the discretion of the Presiding Judge.

**SALARY:** Your salary will be **\$185,000** (**\$88.60**/hr. based on 2088 hours). You will be paid on a bi-weekly basis. Pay days occur every other Friday. Your first pay date will be **June 18**.

Your position is exempt from the provisions of the Fair Labor Standards Act (FLSA), which means that you do not receive overtime compensation. However, as a salaried employee you are not required to use accrued vacation leave or sick leave for occasional absences of four hours or less during any workday.

In addition to your base salary, the court will pay the annual fees associated with maintaining your standing with Washington State Bar Association.

Your salary will be reviewed by Presiding Judge Gregory after six months with the court.

**EMPLOYMENT BENEFITS:** The City of Seattle offers a comprehensive benefits package for you and your eligible dependents. As a new hire your coverage begins on **June 1**. An [Employee Benefits Guide](https://www.seattle.gov/human-resources/benefits/employees-and-covered-family-members) is available online at <https://www.seattle.gov/human-resources/benefits/employees-and-covered-family-members>. Please make sure to choose the option titled "2021 **Most** Employee Benefit Guide." I encourage you to review this information as soon as possible as you must make your selections within **30 days** of your appointment.

**LEAVES:** As a department head, you will receive 30 days of vacation each calendar year during which you serve. These days do not carry over into succeeding years. Additionally, you are eligible for ten (10) holidays and two (2) personal holidays per year.

City employees accrue sick leave based on the number of regular hours worked. Full time employees earn 96 hours of sick leave per year. You may carry over your unused sick leave, there is no maximum accumulation. You are eligible to use sick leave after 30 days of employment.

**GENERAL:** All terms of employment – employee compensation and benefits, etc. – are governed by the policies of the City of Seattle and the Seattle Municipal Court.

**PROFESSIONAL TIME:** During your term of employment, it is expected that you will devote all your professional time to your duties as **Court Administrator** and will not engage in outside business, consulting, or other activities for current or deferred remuneration unless expressly approved by the Presiding Judge.


**RETIREMENT:** Participation in the City’s Retirement Program is optional for exempt employees. As a participant you contribute a percentage of your salary towards your retirement. Contributions and earnings are tax deferred. The City pays a percentage of your salary towards your retirement, and you become vested (eligible for a monthly benefit at retirement age) at five years of service. If you leave City employment before retirement and withdraw your contribution, you will not be entitled to any of the City’s contributions. More information on retirement is available at <https://www.seattle.gov/retirement/active-members/scers-ii>.

**BACKGROUNDING:** Your employment is contingent upon the successful completion of the background investigation, which will be conducted by the Seattle Police Department and Washington State Patrol. You will be advised as soon as this condition has been removed.

Your appointment is subject to confirmation by the Seattle City Council.


Meghan, congratulations on your appointment as the **Court Administrator**. If you have questions about your employment with the City, please contact Crystal Yost, HR Business Partner – Talent Acquisition at [crystal.yost@seattle.gov](mailto:crystal.yost@seattle.gov).

Sincerely,


  
Willie Gregory (May 11, 2021 10:43 PDT)  
Willie Gregory  
Presiding Judge  
Seattle Municipal Court

cc: Personnel File

Acceptance of Offer:

<b><i>I accept the position of full time Court Administrator (Executive 3) with the Municipal Court of Seattle based on the information stated above.</i></b>	
 <small>Meghann McCann (May 11, 2021 10:50 PDT)</small> <b>Meghann McCann</b>	<b>05/11/2021</b> <b>Date</b>

# MEG MCCANN



April 12, 2021

Dear Judge Gregory:

I would be honored to serve as Court Administrator. I am a government executive and lawyer with a successful track record of delivering transformational change grounded in equity and social justice. My experience leading a complex regulatory agency as well as serving as a leader in the state's largest public law firm has prepared me well to lead the administrative and operational functions of the court. I am passionate about the court's mission and I share the court's commitment to expanding the public's access to justice.

The court's mission is fundamental to our democracy and community wellbeing, and directly impacts the public's trust in government. As Court Administrator, I would work diligently with you and the team to earn and inspire the public's confidence by ensuring that *all* community members have easy and equitable access to justice. This looks like:

- **Boldly advancing racial and social justice.** We are all responsible for creating and sustaining an anti-racist organization and contributing to the larger work of building justice in the community. We are bold and brave in our words and actions in support of our race and social justice mission and culture.
- **A culture rooted in trust, respect and belonging.** We embrace diversity and demonstrate an unwavering commitment to inclusion. We respectfully speak truth to power, and invite others to speak truth to our power.
- **Partnership with those we serve.** We will partner with community, stakeholders and public leaders with a curious, open mind to eliminate barriers and continuously improve access.
- **A culture of service excellence.** Team members at every level understand the importance of their work and the work of the court. We strive to improve our processes and positively impact the public's experience.
- **Safe and inclusive spaces, physically and virtually.** We create spaces that are inviting, emphasize belonging, and reflect the diverse community we serve. Employees and the public feel welcomed and valued.
- **Excellent stewardship of public resources.** We are models for efficient and effective public administration. We are accountable for delivering excellence with the public's investment.
- **Systems that are intuitive and accessible to all.** Public-facing systems and processes are designed with the end-users in mind, easy to navigate, and function smoothly for employees and community.
- **Secure and accurate technology systems.** We understand our data ecosystem and our interconnectedness with our partners. We govern system changes thoughtfully so that we can run, grow and transform our business capabilities securely, in alignment with our strategic plan and with our partners.
- **Creative and innovative pursuit of our vision.** We have a shared understanding of what success looks like and how it is measured. We trust and rely on our employees to bring their collective energy, wisdom, curiosity and skill to achieving our mission.
- **People-centered leadership.** We hold ourselves and each other accountable for creating an environment for success. Trust, transparency, communication and teamwork is how we deliver on our mission and vision.

I have the experience and expertise to support the court in delivering on its mission and to create this environment. I am prepared to confidently and competently perform the responsibilities of this position. While my resume outlines my experience and qualifications in detail, below are some examples of my background as it pertains to this role.

**Racial and Social Equity Champion.** I advance racial and social equity through transformational culture change, employee engagement and education, and innovative policy and program development. I am no stranger to leading a large, complex organization through a significant equity transformation in a highly political environment. In 2018, I was hired by the Governor to help lead the Department of Licensing (DOL) after a significant breach of the public's trust. I brought compassion, innovation and equity to the agency's work, and refocused the agency on the people we serve: our employees and every resident of the state. Our visible and tangible commitment to equity helped restore and build trust with community. In several instances, including when we made "X" available as a third driver's license gender option and as we responded to pandemic challenges, we improved and expanded our services in novel ways by focusing on equity and partnering with those we serve.

**Experienced, Results-Oriented Strategic Leader.** I keep organizations aligned, efficient, equitable and integrated. I rely on my strong communication skills, create systems that foster transparency and effective governance, and actively lead teams in translating strategy into action. I am particularly proud of the work I led in developing DOL's Strategic Realization Office, Equity and Inclusion Office, Data Management Office and the Customer Experience and Outreach programs. These accelerated our ability to embrace diversity, dismantle institutional racism and deliver desired outcomes to those we serve *with* those we serve.

**Dynamic, Inspiring and People-Centered.** I am a creative problem-solver, curious learner and engaged team member. I put people, employees and the public at the center of my decision-making and hold myself and others accountable for our success. I create collaborative environments where employees actively participate in improving our services and systems, and our workplace. My commitment to teamwork and transparency has been repeatedly recognized and celebrated through performance awards, promotions to significant leadership roles, and has been reflected in overwhelmingly positive employee feedback through anonymous employee engagement surveys.

**Effective and Efficient Operations.** I deliver best-in-class administrative and operational performance. In my current role, I am responsible for the efficient and effective delivery of DOL's programs and services, in-person and online, as well as the agency's administrative functions. Further, I was the executive sponsor of several major strategic initiatives aimed at building additional business capabilities and improving operations, including two multi-year business technology modernization efforts. I used change management principles in leading the subsequent redesign of our business processes, including changes to employee roles and processes that accompany a major system modernization. Since implementing these projects, DOL's operations are able to adapt more quickly to changes. This served us well as we quickly reimaged our programs and service delivery models in response to COVID.

**Trusted Partner.** I build and mature strategic partnerships. I lean into relationships with community, stakeholders, activists and advocates, non-profit executives and government leaders. I serve as a conduit of information in and out of the organizations I serve because my experience has taught me that effective public leadership requires the ability to influence, mediate conflicts, and to understand risk to my organization and to partner organizations. I have honed this skillset starting with my work at the Pierce County Juvenile Court, as a trusted legal advisor in the Attorney General's Office, and through my current role as I work internally and externally to deliver and continuously improve services to groups with diverse interests.

**Inspire a Culture of Excellence.** I create environments where everyone can thrive by co-creating a shared vision of success, establishing a roadmap and measures for achieving the vision, and celebrating the milestones along the way. In each of my leadership roles, I have ensured the organization provided training, appropriate resources and effective leadership so employees can bring their best thinking and creative mindsets to their work in pursuit of excellence. I am particularly proud of the work I led at DOL to integrate our strategic planning, performance management and change delivery teams. The outcome was a system where employees can see and understand the agency's priorities and complimentary strategic initiatives, and understand how they contribute to that success.

**Legal Expertise.** For most of my career, I have represented government agencies and court program officers. In those roles, I served as a liaison with court systems on formal court improvement committees. Earlier in my career, I spent three years as a criminal defense attorney and appeared before this court. I understand the profession and the practice. Further, I have insight to this court's recordkeeping function because of my responsibilities related to DOL operations. This diverse set of experiences has given me a unique foundation on which to contribute to the court's operations.

I am ready to bring my experience and know-how to the court. I welcome the opportunity to lead the court through this period of change and transition. I have the courage and tact to speak truth to power and to be held publically accountable for equitable outcomes. I welcome the opportunity to partner with you and your colleagues in service of justice and our community.

Sincerely,



Meg McCann



# MEG MCCANN

## ATTORNEY / EXECUTIVE LEADER / DEI CHAMPION

Performance driven executive leader and attorney with deep experience in working collaboratively to design and deliver high quality, equitable, accessible and inclusive public services and programs. Acknowledged as a creative problem solver who excels at building trust and strong relationships with team members, producing work environments that actively embrace continuous internal/external customer centric process improvements. Recognized for confidently leading multiple projects, providing structure, focus, and clear direction that transfers program goals and objectives into positive measurable results.

- Strategic & Tactical Business Planning / Execution
- Policy Development & Implementation
- Budget Development / Oversight
- Information Services / IT Software Solutions
- Risk Management / Mitigation / Troubleshooting
- Portfolio of Operation Services / Multiple Locations
- Diversity, Equity & Inclusion Leader
- Educator / Trainer / Facilitator / Public Speaker
- Hire / Train & Lead High Performing Teams
- Human Resources / Performance Management
- Process Improvement / Change Management
- Washington State Bar Association (WSBA 37069)

## EXPERIENCE

### WASHINGTON STATE DEPARTMENT OF LICENSING

(MAY 2018 - PRESENT)

#### **DEPUTY DIRECTOR**

- Oversee the state-wide operations of a diverse portfolio of services performed by 1500 employees in 56 locations.
- Member of the senior executive team, responsible for setting strategic vision, goals, policies, and operational plans.
- Directly supervise seven executive team members responsible for service delivery and administrative services and five managers in the Strategic Realization Office responsible for the continuous improvement of the services to the public.
- Oversee the collection of \$3.2B in annual revenue; responsible for agency's \$430M biennial budget.
- Ensure operations and policies meet complex local, state and federal mandates related to agency's business areas.
- Liaison to other state and city agencies, court systems, tribal governments, strategic partners, stakeholders, and vendors.

#### **Noted Accomplishments:**

- Responsible for COVID-19 response and subsequent redesign of DOL's operating model to be customer-centric, equitable, accessible and integrated. Expanded online services and telework. Safely resumed in-person services in 35 offices.
- Created agency's first outreach program, Strategic Realization Office, and an Equity and Inclusion Office focused on eliminating barriers for our customers and inclusively redesigning DOL systems to be easy and intuitive for all.
- Delivered two multi-year technology modernization projects, valued at over \$100M, on time, within budget and without disruption to the public. These projects overhauled DOL systems that deliver services to 7 million customers annually.
- Executive Sponsor to high-risk priority agency projects including implementing third gender option for ID cards and driver licenses (Gender X), implementing Customer Experience (CX) capabilities, and developing and implementing agency's Diversity, Equity and Inclusion plan.
- Member of the Governor's Workforce Strategies Taskforce focused on reimagining the future of work in state government.
- Member of the Governor's Road to Recovery workgroup focused on resuming public services during COVID-19 response.

### WASHINGTON STATE OFFICE OF THE ATTORNEY GENERAL (2012 - 2018)

#### **SECTION CHIEF FOR THE LABOR AND INDUSTRIES DIVISION**

(NOV. 2017- MAY 2018)

- Ensured delivery of excellent and efficient legal services to WA Department of Labor and Industries (LNI). Counseled client agency leaders on legal risk and mandates related to their respective businesses.
- Oversaw administrative operations, ensuring alignment of Section's performance with the agency's strategic plan.
- Supervised 6 managers responsible for 50 legal professionals and support staff handling approx. 10,000 cases/year.
- Served as liaison with judicial officers on administrative process issues and improvement opportunities.

#### **Noted Accomplishments:**

- Promoted to the larger LNI Division to replicate successes as Section Chief for LAL (below).
- Created cohesive section with transparency and participation in decision-making process, improving relationships between attorneys and staff. Dramatic improvement in morale reflected in Employee Engagement Survey.
- Oversaw facilities remodel to a modern work environment, including investing in technology to support increased telework. Created policies and procedures to support paperless processes.
- Appointed to AGO's Performance Management Committee tasked to overhaul AGO's Employee Evaluation Program in recognition for excellent performance evaluations and strong coaching and mentoring skills.

**SECTION CHIEF FOR THE LICENSING AND ADMINISTRATIVE LAW (LAL) DIVISION** (Nov. 2015 – Nov. 2017)

- Ensured delivery of excellent and efficient legal services to Department of Licensing, Employment Security and the Liquor and Cannabis Board. Counseled client agency leaders on risk and legal mandates related to their respective businesses.
- Oversaw day-to-day administrative operations. Supervised 2 managers, responsible for 16 employees.
- Successfully managed high-volume litigation caseload in addition to leadership responsibilities.

*Noted Accomplishments:*

- Co-Chair of Better Workplace Committee: led cross-agency team that gathered employee feedback and insights to develop and implement multiple programs that dramatically improved employee experience. Examples include the “Infants at Work” program, development of employee affinity groups, and expansion of telework opportunities.
- Oversaw major space renovation project. Delivered bright, modern, flexible workspaces. Demonstrated ability to lead cross-functional team and effectively used change management principles.
- 2017 James Schmidt Award in recognition for shifting management culture to be employee-centered, results-driven, and customer-focused.
- Three-time recipient of AGO Value Coins in recognition for contributions to employee engagement and leadership.
- Section had highest scores in Employee Engagement Survey for entire AGO. Named in agency’s strategic plan as the leader responsible for moving the needle on this topic.
- Continued champion, educator and advocate of diversity, equity and inclusion within agency. Repeatedly presented and consulted on implicit bias. Continued advocacy led to changes to agency’s hiring and performance evaluation processes.

**ASSISTANT ATTORNEY GENERAL, TACOMA DIVISION** (JUNE 2012 – NOV. 2015)

- Attorney for the Department of Social and Health Services (DSHS). Demonstrated ability to work and communicate with diverse communities, to provide strategic advice to state agency leaders and to deliver effective legal services.
- Supervised Rule 9 internship program; served as an attorney mentor and trainer.
- Member of the Pierce County Juvenile Court Improvement Project Committee representing the AGO.

*Noted Accomplishments:*

- Developed and delivered first AGO training on implicit bias. Sought out repeatedly to present on this topic. As a result, AG Ferguson wrote a letter to editor of WSBA Magazine urging its membership to learn about the impact of implicit bias.
- Implicit bias training led to transformational changes in AGO culture and operations. It was the foundation for additional diversity training and policy changes.
- 2013 Excellence Award in recognition of advocacy skills as a trial lawyer on behalf DSHS, as well as work in support of implementing the “Foster Care until 21” bill.

**PIERCE COUNTY JUVENILE COURT** (APRIL 2009 - JUNE 2012)

**ATTORNEY**

- Provided advice and counsel to court administrators. Represented Guardians ad litem, juvenile court probation officers and detention staff in administrative, civil and criminal matters.
- Served on Court Improvement Project Committee representing the court’s program areas.
- Managed operations for legal services program. Recruited, hired, and supervised team of seven professional staff.
- Led truancy court program through a major process improvement. Demonstrated ability to work with diverse populations and stakeholders, as well as developed and implemented new processes to support more efficient operations.

**PUBLIC DEFENSE COUNSEL** (AUG. 2006 - APRIL 2009)

**ATTORNEY (PART-TIME)**

- Effectively represented defendants in all levels of criminal matters from pre-trial through sentencing.
- Appeared as co-counsel to court appointed counsel in federal criminal cases.

**KING COUNTY DEPENDENCY COURT APPOINTED SPECIAL ADVOCATES** (APRIL 2006 - APRIL 2009)

**ATTORNEY (PART-TIME)**

- Represented lay child advocates in all levels of the child dependency and parental rights termination processes, including trial and through appeal.

**EDUCATION**

**SEATTLE UNIVERSITY SCHOOL OF LAW, SEATTLE, WA**

J.D. 2005, *cum laude*

**UNIVERSITY OF HAWAII AT MANOA, HONOLULU, HI**

B.A., Music, 1999



## BAR MEMBERSHIPS

**WASHINGTON STATE BAR ASSOCIATION** - October 2005 (WSBA 37069)

**WESTERN DISTRICT OF WASHINGTON** - August 2007

## SELECTED LEADERSHIP STUDIES

### **CERTIFIED DIVERSITY EXECUTIVE, NOVEMBER 2019**

Successfully completed knowledge exam, capstone project and course work. The program prepares executives to strategically position an organization to remove systemic barriers to equity and inclusion and to transform its culture.

### **LEADERSHIP TOMORROW, CLASS OF 2016**

Successfully completed a nine-month leadership development program focused on leading with a social justice and racial equity lens. The program brings leaders together from throughout the region to share insights and experiences.

### **KING COUNTY LEADERSHIP DEVELOPMENT INSTITUTE, FALL 2015**

Completed a four-day leadership development program focused on leading effective teams, coaching, conflict resolution, performance management, and creating people-first workplace cultures.

## SELECTED TEACHING EXPERIENCE & PRESENTATIONS

### **EMBEDDING DEI INTO AGENCY CULTURE AND SERVICE DELIVERY** (May 2019), *Presenter*

- Presentation to Washington State's top government leaders on how DOL sought to build and repair trust with the communities served by reimagining DOL's purpose and mission through a diversity, equity and inclusion framework.

### **ADDRESSING IMPLICIT BIAS IN OUR WORK** (Sept. 2017), *Panelist*

- Presentation at the WSBA Juvenile Law Section Annual meeting on strategies to identify implicit bias in dealings with each other, clients, and the public.

### **INTERRUPTING BIAS - HOW TO INTERRUPT BIASED BEHAVIOR AND RECOVER FROM OUR OWN MISSTEPS** (Sept. 2017) *Co-Presenter*

- WSBA presentation focused on the ways to interrupt others observed biased behavior, as well as tips and ideas for recovering when engaging in behavior informed by bias.

### **UNDERCOVER RECOGNITION** (June 2017), *Presenter*

- Presentation to the AGO Core Leadership Team on formal and informal employee engagement strategies.

### **BUILDING A BETTER WORKPLACE** (Jan. 2017), *Facilitator*

- Facilitated appreciative inquiry forums for Attorney General's Office staff to share their ideas for process improvements, increased employee engagement, and increased employee satisfaction with their division leadership.

### **CALL ME ISHMAEL** (July 2016), *Presenter*

- Created and co-presented to AGO extended leadership team on strategies to reduce hidden biases during employee recruitment activities.

### **IMPLICIT BIAS - 1.5-2.0 CLE Ethics** (multiple presentations from Sept. 2014 - May 2018), *Presenter*

- Created and presented a workshop for public attorneys and leadership teams about how hidden biases affect decision-making, communications, interpersonal interactions, and perceptions of events, people and objects.

### **EDMONDS COMMUNITY COLLEGE** (Sept. 2007 - June 2012)

*Instructor - Legal Research/Natural Leaders Certificate Programs*

- Developed and implemented curriculum for the ESL Natural Leaders Certification Program's Conflict Resolution class. Trained mediators to handle community disputes.
- Developed and implemented curriculum focusing on electronic and law library research and legal writing.

## VOLUNTEER ACTIVITIES

**KING COUNTY BAR ASSOCIATION NEIGHBORHOOD LEGAL CLINIC**  
VOLUNTEER ATTORNEY

(DEC 2020- PRESENT)

**REST (REAL ESCAPE FROM THE SEX TRADE)**  
VOLUNTEER ATTORNEY

(APRIL 2021- PRESENT)

**Meghann McCann, Court Administrator, Seattle Municipal Court**  
**Seattle City Council Confirmation Questions for Written Response**  
**June 2021**

**1. What makes you want to be in this position?**

Seattle is at a pivotal juncture in its approach to community safety. Here in Seattle, I believe we have a unique opportunity to co-create with our community a legal system that works for the people we serve. I believe in the court's mission —it is fundamental to our democracy and our community well-being. I am inspired by the court's vision to be an innovative and accessible court that works collaboratively to serve our diverse community, confronting implicit and explicit bias at all levels of the criminal legal system.

My passion lies in delivering service to the public, and this position is a great match for my skills and experience. I am an experienced lawyer, executive leader, and diversity, equity, and inclusion champion. I have extensive experience at the Washington Department of Licensing (DOL), at the Attorney General's Office (AGO), and at Pierce County Superior Court (PCSC) leading complex organizations through transformative change.

I am skilled at building systems within organizations to understand where systemic oppression exists in our services, and to reimagine delivering those services with the communities we serve. I am confident in my ability to lead the court as we work toward our goal of transforming to a courthouse where people leave us in a better place in their lives than when they arrived.

As Court Administrator, I will also have the opportunity to lead the court through the \$40 million Municipal Court Information System (MCIS) Replacement Project. At DOL, I was the executive sponsor for many major technology modernization efforts valued at over \$110 million in public investment. I understand the need to thoughtfully position the organization to successfully deliver and implement the project. These projects represent a unique opportunity to shift the court to be more efficient, effective, and equitable. This project represents an opportunity to look at every process and simplify and reimagine them in a way that benefits our clients, employees, and the public at large.

The role of Court Administrator allows me to bring my passion for equitable public service and my extensive experience in supporting and leading organizations through change to a court that is eager to be on the cutting edge of an innovative, anti-racist, community-driven approach to the legal system.

**2. What do you want to accomplish during your tenure? How will you know if you're successful?**

Success will mean we have co-designed a system that is transparent and trusted by the people we serve. Our goal at Seattle Municipal Court (SMC) is to create a truly community-centered court that supports people to get to a better place in their lives. This means that we have work to do to reform our system rooted in systemic racism.

I am excited about the opportunity to take the court's vision and bring it to life. To that end, I would need to accomplish the following in short order:

- Build on the court's work to become a community-centered court by working with community partners, stakeholders, and staff to reimagine our programs and services through an anti-racist, equity-based lens.

- Create a robust customer experience and engagement program that would center all decisions, processes, and projects around court users and the public.
- Build and sustain efficient and effective organizational systems so that the court can deliver on its transformative vision by working across the department.
- Successfully implement the MCIS 2.0 project.
- Develop a robust performance measurement program that provides transparency and accountability to all of the court's operations.
- Ensure each leader and employee has the knowledge, skills, tools, and resources to examine each aspect of our work through an anti-racist, equity-based lens.
- Continue the court's work in building and sustaining a vibrant and engaged workplace where employees can meaningfully contribute to our collective work and grow their careers.

As these items are implemented, the court will have a strong foundation to drive innovation and an effective means to deliver on its vision. From there, we will continue to strengthen our partnerships with those we serve so that we keep evolving and improving our processes and programs. We will be a court on the leading edge of change.

I will know I am successful when our judges, employees, community partners, and stakeholders demonstrate in their actions that they feel valued, included, accountable, and empowered to create barrier-free access to justice, with fair and equitable outcomes. I will know the court's operations are successful when our performance data indicates that we are efficient and effective with our resources, that the court users' experience was positive, meaningful, and supportive, and that we have earned the trust and respect of the community.

### **3. How has your previous experience prepared you for this job?**

I have centered my career around serving others. My experience as an attorney and a leader have given me a unique perspective on the Court Administrator role and this opportunity. I will draw on my rich experience and deep knowledge of the law and leadership to serve the court, the city, and the community at large.

When I graduated law school in 2005, I began serving individuals in navigating the legal system. First, I served as an AmeriCorps Vista Attorney in the MLK Jr VISTA Corps here in Seattle; the focus of which is to dismantle institutional racism. My job was to represent workers in the unemployment benefits system. After successfully completing my VISTA year, I went on to represent individuals in the criminal legal system as defense counsel, and as Court Appointed Special Advocate in child abuse and neglect cases. In these roles, I always strived to help individuals navigate and understand the state systems or court systems, which were confusing, discriminatory, and seemed designed to ensnare people in a cycle of repeated contact with the system. After seeing first-hand the frustration and harm this caused for my clients, I realized that the most effective way for me to help people navigate systems is to build a better system.

From there, I represented court administration and court programs and later state agencies. I thrived in these positions because I had the ability to effect real change. I supported these organizations in transforming their processes to best serve their constituents. I first represented probation counselors, court administrators, and guardians ad litem at Pierce County Juvenile Court (PCJC). There, I leveraged my role to advocate for moving truancy cases, which at the time led to the incarceration of children for

failing to attend school, from being handled by the prosecutor's office to being handled by the school districts through diversion programs and community truancy boards. BIPOC communities were the most likely to be caught up in this aspect of the pipeline to prison. This change kept children and their families together and focused on addressing their needs in their community. I also assisted in court improvement projects aimed at reducing disproportionate outcomes to BIPOC communities through new and existing court programs.

The Attorney General's Office took note of my work at PCJC and hired me to serve as an Assistant Attorney General. There, I advised and litigated on behalf of large state agencies. I used my role as an advisor to support changes in our clients' systems in order to deliver more equitable results. I served as a public speaker, educator, and change agent around understanding the impact of explicit and implicit bias within our clients' organizations and court systems.

I am most proud of the work I accomplished within the AGO and the legal community. I developed and delivered the first AGO training on implicit bias and was sought out repeatedly to present on this topic across the state for other organizations. As a result, AG Ferguson wrote a letter to the editor of the Washington State Bar Association Magazine urging its membership to learn about the impact of implicit bias. This implicit bias training led to transformational changes in AGO culture and operations and was the foundation for additional diversity training, policy changes, and the development of employee resource groups.

My ability to lead through a race and social justice lens, as well as lead people through significant change, was what led me to the role of Deputy Director at DOL in 2018. I joined the agency in the aftermath of a heartbreaking scandal that seriously harmed members of our community and tore families apart. The public was outraged and deeply hurt by DOL's actions.

When I arrived at DOL, the agency had a "public safety" ethos that was ultimately rooted in distrust of poor, BIPOC communities. We needed to transform our culture and our service model to one that prioritized helping all Washington residents live, work, drive, and thrive. DOL is a complex regulatory agency with a broad book of business; it required the ability to work across an organization with 1,500 employees and to partner with community to redefine our purpose and to earn the trust of those we served.

During my time with DOL, I continued to keep individual customers in the forefront of my mind. Because I had the experience of representing individuals in similar administrative systems, I had the empathy and compassion to imagine the consequences of my decisions on individual people. This motivated me as we built systems to support our work, our employees, and ultimately our customers.

In each of these experiences, I demonstrated my ability to lead teams and organizations in delivering accessible, effective, efficient, and equitable services. I am well prepared to lead the court through this crucial period of change. I aim to bring my expertise building systems of accountability to underserved populations to our court's work and build on our culture of service excellence to create a transparent, accountable, welcoming environment for both staff and members of the public.

**4. Are there any opportunities for improvement that you've seen thus far in your observations of how SMC functions?**

One of the greatest challenges we are facing at SMC, and at organizations across the criminal legal system, is a lack of trust with the communities we serve. We have an opportunity to work alongside communities most impacted by the legal system to create transformational change. As we work to undo systemic racism, we can do better to both help people and make the system easier to navigate. To design a system that works for the people we serve, our court must invest in and develop overarching community engagement and customer experience strategies. Our services need to be developed and delivered with an understanding of what our clients need and the barriers they face. The court has implemented several community engagement strategies already, including conducting focus groups and a court user survey last year, and our ongoing restorative healing circles convened with community members. Building on these efforts and weaving mechanisms for open dialog with the people we serve into our daily operations will be key to our success in creating an anti-racist court.

One critical aspect of building trust will be creating performance measures, public data dashboards, and other systems of accountability to the public regarding the court's efforts to achieve its vision. While the court already measures and publishes many metrics, its ability to easily analyze trends or examine outcomes for underserved populations has been limited by outdated technology. SMC can improve transparency by improving the data we collect and measuring and reporting outcomes. For example, the court has recently developed and published new performance metrics for its [Probation Services](#), and I look forward to building on that success across other service areas. Taking a coordinated approach to support the MCIS Replacement Project will help us improve our ability to analyze our impact through data.

**5. How do you approach organizational management? How would you describe your leadership style?**

I am a systems thinker, and I manage organizations by looking at the organization as a whole. I create environments where everyone can thrive by co-creating a shared vision of success, establishing a roadmap and measures for achieving the vision, building the systems necessary to support our work, and celebrating the milestones along the way. I will ensure we are one court, with one mission, heading towards our vision of being an equitable and accessible court of the community.

As a leader, I am a creative problem-solver, curious learner, and engaged team member. I put people, employees, the public, and stakeholders at the center of my decision-making and hold myself and others accountable for our success. I create collaborative environments where employees actively participate in improving our services and systems, and our workplace. I inspire and rely on my teammates at all levels of the organization to lend their talents and expertise in service of our mission. My commitment to teamwork and transparency has been repeatedly recognized and celebrated through performance awards, promotions to significant leadership roles, and has been reflected in overwhelmingly positive employee feedback through anonymous employee engagement surveys.

**6. How do you approach making anti-racist progress in an institutionally racist criminal legal system and government? Can you talk about your experiences in trying to dismantle institutional racism and how you have succeeded?**

I approach making anti-racist progress by focusing on three areas: delivering services and programs to the public, internal operations, and the workplace culture. Across these three areas, I seek to

understand the history and assumptions behind policies, procedures, and processes to identify where white supremacy culture is at work. Further, I seek to understand how people experience these three areas and to know where people are excluded, harmed, underserved, or overserved.

**Services to the Public:** I have had great success in making anti-racist progress in providing services to the public by partnering closely with those we serve. The criminal legal system as it is today was designed to control and subjugate BIPOC communities. This was the same design of our state's regulatory agencies. The legacy of this was evident at DOL: when we examined the history and reasoning behind different policies or procedures, it was clear that the decisions were rooted in massive distrust of the people we served, specifically poor people and people of color. By making the racist reasoning behind the system visible, we were able to make progress going from a system based in distrust to a system based in partnering with those who were most harmed.

An example of this was when DOL re-examined what customer's must provide as part of their application for an ID or driver's license. An ID or driver's license is fundamental to a person's ability to live in our society. A state-issued identification is needed to bank, obtain employment, access health care, register for school, access credit, etc. By not being able to meet the application requirements, our customers are essentially excluded from these essential activities of life. When we looked at the requirements through an equity lens and with the communities we serve, we quickly learned that a primary barrier to getting an ID or driver's license was our client's ability to prove they lived in Washington. This can be accomplished in many ways, by a lease or utility bill for example. We learned customers who were homeless or unstably housed—disproportionately from BIPOC communities—struggled to meet this requirement. When we looked further into the history and assumptions behind this requirement, we concluded that this requirement must be removed. There is no statutory mandate requiring proof of residency and this requirement was designed to exclude. The agency quickly removed the residency requirement, which was a fundamental change in how we issue IDs and driver's licenses and removed a huge barrier for some of our most underserved customers.

What I learned from this example is that in order to dismantle racism in our service delivery, it is vital to understand how customers or clients move through our services. Where are they getting stuck? How and why are they being turned away? Are they given a message that they are not welcome, or not seen or heard? At DOL, I developed customer experience capabilities in order to understand sticking points for those who faced the highest barriers and put those lessons into action.

**Internal Operations:** Under my leadership, DOL developed a governance structure for agency decisions, projects, and investments that focused decision-making on understanding how our decisions helped or harmed our customers, as well as who was being over-served and under-served. I created the agency's first outreach program, the Strategic Realization Office, and an Equity and Inclusion Office. These programs worked across our DOL system and focused on eliminating barriers for our customers and inclusively redesigning DOL systems to be easy and intuitive for all. Building these equitable decision-making tools in the institution and complimentary systems to implement equitable change quickly helped us make real, measurable anti-racist progress.

**In the workplace:** My prior experiences have taught me that to make anti-racist progress in the workplace, I need to be a visible, vocal sponsor of anti-racist behavior and thinking. I model a learning mindset, vulnerability, and humility. I will continue to learn in support of my own growth and will coach

and guide our leaders to be bold and resolute in our pursuit of building an anti-racist culture and zealously guard against falling back on racist norms. Similarly, I will ask for and accept coaching and mentorship to make sure I am always pushing for real progress.

Creating and sustaining anti-racist progress in the workplace takes the collective efforts of each and every member of the team. In my prior experiences, I ensured leaders and employees were trained on anti-racist competencies, given clear expectations, provided opportunities for growth, and ultimately held responsible for creating an anti-racist culture.

To support our progress, I ensured that personnel policies and practices support anti-racist progress, engaged staff in learning about their employee experience, and invited employees in to co-create solutions. The court has an active RSJI Change Team, and I am excited to support them as they serve as change agents, while also making it clear that it is every employee's responsibility to behave in an anti-racist manner.

Making anti-racism progress at SMC will be a welcomed challenge. I am eager to build on the work that the court has done and has in progress. I am confident that my experience will help propel our progress forward for the benefit of our employees, court users, stakeholders, and the public.

**7. You mentioned in your letter that you value speaking truth to power and hearing others speak truth to your power. Can you talk about how you've been able to do that in the past? How will you do that here?**

Speaking truth to power is one of my core values. It is why I sought a career in the law. As an attorney and executive leader, I amplified the voices of those who have been marginalized, excluded, or over-included in our legal system. I boldly challenged leaders who chose to maintain the status quo or worse, who were poised to make a choice that harmed or excluded others.

As I mentioned above, I first came to DOL after news broke that the agency had been sharing information with Immigration and Customs Enforcement (ICE). I came in at this very difficult time with the purpose of turning the agency around.

As a top executive leader for DOL, I heard directly from people who had been harmed by the agency's actions. It was hard to hear and see the harmful impact these actions had on our community. In some cases, the consequences to those we served was devastating. I am grateful for the opportunity to have served in that role and to hear directly from community speaking truth to my power, as it was an important part of the healing process between the agency and the community. I learned a lot about myself in that experience. I have more capacity for empathy than I knew was possible. I stepped into the blind spots created by my own privilege. I had the ability and courage to say the hard things that needed to be said. I accepted responsibility on behalf of the agency for the harm that occurred. I was and am committed to hearing and creating forums to hear how I am, or am not, using my power as an agency leader to push hard enough or fast enough for change.

I had to learn to be humble and vulnerable in those conversations. And what I learned was that I, with the privilege I hold, was not there to save-the-day and be the fixer; I was not in a position to know how to repair the harm caused. Rather, I was there to hear the voices and concerns of the community and

implement the solutions identified and created with community. The end result was partnership, respect, and trust.

In creating change within DOL and with our partners, my ability to stand strong and boldly advocate for change was tested. The work of reckoning with the racist roots of many of our policies and practices required difficult conversations between community leaders, law enforcement, and political leaders. Some of my toughest conversations were with DOL leaders, from front line supervisors through executives. Not all leaders were prepared to embrace change, and I had to take risks in speaking truth to power to ensure that DOL's culture shifted to a collaborative, welcoming, inclusive organization.

I was responsible for overseeing the work of 1350 people in 56 locations. Each and every employee was impacted by the changes that came about as a result of our efforts to become a trusted community partner. The system and culture in place at DOL was longstanding and strong, and built on an identity created around public safety and distrust of those we serve. The idea of partnering with our customers was a new concept and recognizing how our own behaviors and attitudes caused harm was very difficult. But this ultimately opened the door for the agency to critically examine its practices and change them for the better. I will continue to lean into difficult conversations with a high-level of tact, diplomacy, discretion, and honesty. I will invite and encourage others to be open and honest with me.

**8. What does accountability look like to you – to whom are you accountable?**

As a public servant, I am first accountable to the people of Seattle, and particularly to the disproportionately BIPOC and low-income communities who come through our doors. I am accountable to our Presiding Judge to execute his vision of a court that treats people well and leaves them better than when they came to us. I am accountable to the court's 250 employees, and all of the broader community that relies on Seattle Municipal Court.

For me, accountability looks like being transparent and responsible to these stakeholders for ensuring that SMC can show tangible results in boldly advancing racial and social justice, creating a culture of service excellence, and building systems that are intuitive and accessible to all. Being accountable also means creating transparency into our operations and programs, as well as getting clear feedback from community how they will be measuring our success.

**9. How do you use your power to uplift others?**

I uplift others by putting the people I serve, court users, Seattleites, employees, and stakeholders at the center of all my decision-making. My goal is to create and sustain environments where people feel they belong, and are included, encouraged, safe, and valued.

In the workplace, it is my primary responsibility to create an environment where everyone can thrive. I use my power to lift up others by modeling respect, empathy, kindness, and trusting people to bring their creative and strategic thinking to our work. I bring employees into the process of creating a shared, compelling vision for the organization and create an open and collaborative environment where everyone knows how they can contribute to our success in achieving that vision.

In serving the public, I use my power to lift others by creating easy, intuitive, accessible, and equitable access to service, and co-design effective and meaningful processes and programs with and for those we serve. I believe in the inherent value and worth of all people and hold myself responsible for creating



workplaces and public spaces that are affirming, supportive, and empowering. When people, employees, the public and stakeholders, feel empowered to co-design services and processes that work for everyone, the results are remarkable and far exceed what any one person can imagine.

My experience leading DOL's operations during the pandemic is an excellent example of lifting others. DOL was able to shift its operating model in a matter of weeks from a longstanding in-person service delivery model to primarily serving customers online, by phone, or mail. We shifted quickly and worked hard to leave no customer behind. We worked across our system to get great results - we worked with community, stakeholders, the Governor's office, the legislature, and in every part of the agency to make significant changes so that we can continue to keep our transportation system moving and our customers served. I am most proud of the way we leveraged this time to make significant progress towards realizing our vision of eliminating our customer's barriers to getting what they need.

We were successful because we were creative and stretched ourselves to think bigger and deeper. We relied on the systems we created to drive innovation and change. We relied on the collective wisdom and talent of employees to help us find a way forward. We relied on our partnerships with community to design equitable solutions. During an extraordinary and unprecedented time, our culture was strong and lifted us all.

During my first weeks at the court, I shared a quote that has inspired me and pushed me to use my power and privilege to uplift others. Sonya Renee Taylor is a poet, author, and activist. She wrote:

We will not go back to normal. Normal never was. Our pre-corona existence was not normal other than we normalized greed, inequity, exhaustion, depletion, extraction, disconnection, confusion, rage, hoarding, hate and lack. We should not long to return, my friends. We are being given the opportunity to stitch a new garment. One that fits all of humanity and nature.

If we lift others up and invite each other in, we can co-create and imagine a court and courthouse that serves everyone. I am excited to build on the great work the court has undertaken to be the court of the community. I am eager to stitch a new garment here together with court staff, the people of Seattle, and our stakeholders at City Council and elsewhere.



Legislation Text

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**File #:** Inf 1830, **Version:** 1

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Council Investments in Health and Crisis Response

# Council Investments in Health and Crisis Response

Public Safety and Human Services Committee

June 22, 2021



# Overview

- Council Budget Add and Program Summary
  - Health One
  - Mental Health Crisis Response
    - Mental Health Professionals
    - Mobile Crisis Team
- Question and Answer

# Health One

# Health One

**\$223K**

*for Health One expansion*

**Summary.** Health One is a multi-disciplinary team comprised of Seattle Fire Department firefighters and Human Services Department (HSD) Aging and Disability Services (ADS) case managers. The team responds to 911 calls with the goals of reducing the impact of non-emergent calls and connecting individuals in need with appropriate care and services.

**Status Update.** A second Health One team started in second quarter and a third team is expected to begin in fourth quarter

**Impact.** In the last 8 months Health One units have responded to nearly 540 alarms and enrolled over 800 clients for follow-up, outreach, service connections, and referrals.

# Health One (Continued)

## Case Study (impact):

Health One responded to a supportive housing residence for an elderly man who fell. The client was a terminal cancer patient who was out of pain medication and had few services in place. The Mobile Integrated Health (MIH) team worked to refill and pick up his prescriptions and coordinate with his doctor to have him placed on hospice care, with the outcome of fewer 911 calls and an improvement in his quality of life.

# Mental Health Crisis Response

- Mental Health Professionals
- Mobile Crisis Team



# Mental Health Professionals

**\$450K**

*for contracted mental health professionals*

**Summary.** The Seattle Police Department's (SPD) Crisis Response Team (CRT) pairs specially trained police officers and mental health professionals (MHP) in a co-responder model. The model takes a holistic approach to law enforcement encounters with persons experiencing behavioral health issues, diverting individuals from the traditional criminal justice system and redirecting them to the most appropriate resources.

**Status Update.** In 2021, management of the MHP contract was transferred from SPD to HSD and the Downtown Emergency Services Center (DESC) holds the contract.

**Impact.** The program was expanded shortly before the COVID-19 pandemic. The goal is to reduce the number of times that police officers respond to crisis calls and help disproportionate utilizers of the 911 system connect with resources outside the criminal justice system.

**\$1M**

*to increase funding for  
mobile crisis teams*

# Mobile Crisis Team

**Summary.** The Mobile Crisis Team (MCT) is a 39-member team of Mental Health Professionals and Substance Use Disorder Professionals. The MCT accepts referrals from first responders (police and fire), the [King County Crisis Connections Line](#) and Designated Crisis Responders (DCRs) for any individual who is experiencing a behavioral health crisis including mental health and/or substance use crisis.

**Status Update.** City funds are supporting a pilot, the Behavioral Health Response Team (BHRT), which is made up of a Mental Health Profession (MHP) Supervisor and two Peer Navigators providing additional follow-up case management in Seattle.

**Impact.** The MCT is a county-wide resource. In 2020, referrals from Seattle agencies made up 40% (1,670 referrals) of the total referrals to the MCT (4,167 referrals).

# Mental Health Crisis Response (Continued)

## Case Study (impact):

SPD Crisis Response Team responded to a client who recently became homeless and was a missing endangered person. The SPD officer and Mental Health Professional were able to locate the client and connect them to the Crisis Solutions Center where he is getting support and connecting with his new guardian to get a long-term hotel stay and additional supports.

# Question and Answer

June 21, 2021

## MEMORANDUM

**To:** Public Safety and Human Services Committee Name  
**From:** Amy Gore, Analyst  
**Subject:** Community Safety Investments

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On Tuesday, June 22, 2021, the Human Services Department (HSD) will brief the Public Safety and Human Services (PSHS) Committee on that status of Council's budget actions related to programs that support the City's health and crisis response. This memo provides background information on these investments.

### Background

In 2020 and 2021 the Council expanded funding for public safety programs, including approving new or expanded investments, and transferring certain programs from the Seattle Police Department (SPD) to other departments. The majority of these programs were consolidated into the new Safe and Thriving Communities Division at HSD ([Ordinance 126237](#)) or the new Community Safety and Communications Center ([Ordinance 126233](#)).

The PSHS Committee has received briefings, and in some cases taken additional action, on these items throughout 2021, including:

- Crisis Response Continuum Roundtable ([06/08/2021](#))
- Community Safety and Communications Center Transfer ([05/11/2021](#))
- Interdepartmental Team on Policing and Community Safety Briefing ([04/27/2021](#))
- Safe and Thriving Communities Division and Victim Advocate Transfer Briefing ([04/27/2021](#))
- Community Safety Capacity Building Request for Proposals (RFP) Proviso Lift ([03/09/2021](#))
- Seattle Community Safety Initiative ([01/26/2021](#))
- Community Safety Capacity Building Process ([01/26/2021](#))

## Health and Safety Investments

The briefing on June 22<sup>nd</sup> will focus on three safety and health investments that are housed in the Aging and Disability Services (ADS) and Homeless Strategy and Investment (HSI) divisions at HSD: (1) Health One; (2) the Crisis Response Team; and (3) the Mobile Crisis Team.

- 1. Health One** – Health One is housed at the Seattle Fire Department and deploys a team of two firefighters and one case manager to respond to low-acuity situations, including non-emergency medical issues and behavioral health crises. The 2021 Adopted Budget included \$575,000 for a second Health One team to be added in the first quarter which would enable the program to cover core weekday operating hours and to grow geographic coverage. In addition, the Council added over \$475,000 to establish a third Health One team ([SFD-001-B-002](#)) to be operational by the fourth quarter of 2021. This included: (1) \$254,000 to SFD for staffing costs and a third Health One Vehicle and (2) \$222,975 to HSD for case managers that are dispatched with the Health One team and for administrative support. In total, the 2021 Adopted Budget includes funding for three Health One teams to be fully operational by the end of the year.
- 2. Crisis Response Team (CRT)** – The Crisis Response Unit of the Seattle Police Department (SPD) deploys teams of one officer and one Mental Health Professional (MHP) on calls responding to individuals experiencing both chronic and acute behavioral health issues. The 2021 Adopted Budget transferred the funding for the MHPs from SPD to HSD. ([SPD-015-C-001](#)) The MHPs are contracted through the Downtown Emergency Service Center (DESC).
- 3. Mobile Crisis Team (MCT)** – The Mobile Crisis Team is operated county-wide by DESC. The team deploys MHPs and Substance Use Disorder Professionals to respond to individuals who are experiencing behavioral health crises. The team accepts referrals from SPD, SFD, and Crisis Connections. The 2021 Adopted Budget included \$1.0 million for the program which was intended to fill a funding gap of \$750,000 and to expand their services. ([HOM-007-A-003](#))

## Next Steps

There is no action needed by the Committee on this item.

cc: Dan Eder, Interim Director  
Aly Pennucci, Policy and Budget Manager



Legislation Text

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**File #:** CB 120105, **Version:** 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

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

AN ORDINANCE relating to the Seattle Police Department; banning the ownership, purchase, rent, storage, or use of less lethal weapons; and amending Section 3.28.146 of the Seattle Municipal Code.

WHEREAS, in 2020, tens of thousands of community members joined mass demonstrations in Seattle in support of black lives and against police violence; and

WHEREAS, the Seattle Police Department (SPD) responded to these protests against police violence with devices designed to cause severe discomfort and/or pain, including tear gas, pepper spray and explosive devices such as blast balls and stun grenades; and

WHEREAS, Seattle's Office of Professional Accountability reported on June 3, 2020 that it had received 15,000 complaints of police misconduct related to SPD's response to these protests; and

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

WHEREAS, on June 15, 2020, the City Council adopted Ordinance 126102 banning the ownership, purchase, rent, storage, or use of crowd control weapons, defined as 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 is designed to cause pain or discomfort; and

WHEREAS, on July 24, 2020, the Honorable Judge James L. Robart of the U.S. District Court for the Western District of Washington imposed a temporary restraining order against enactment of Ordinance 126102,

expressing concern that “by removing all forms of less lethal crowd control weapons from virtually all police encounters, the Directive and the CCW Ordinance will not increase public safety,” and asked the Office of Police Accountability, the Community Police Commission, and the Office of the Inspector General to review its possible impact on court-mandated police reforms. Judge Robart also expressed concern in the temporary restraining order that the CCW Ordinance did not “provide time for police training in alternative mechanisms to de-escalate and resolve dangerous situations if the crowd control implements with which the officers have been trained are abruptly removed”; and

WHEREAS, on August 10, 2021, the Honorable Judge Richard Jones of the U.S. District Court for the Western District of Washington issued a preliminary injunction extending a ban on SPD’s use of less lethal chemical and projectile weapons against peaceful protesters; and

WHEREAS, on September 11, 2020, as requested in Ordinance 126102 and consistent with the advisory roles established in the Accountability Ordinance (Ordinance 125315), subsection 3.29.030.B, the Office of Police Accountability, the Community Police Commission, and the Office of the Inspector General reported their findings with respect to the impact of banning less lethal weapons to the Council’s Public Safety and Human Services Committee. The findings showed consensus among the three reports to allow specific non-crowd control uses of pepper spray, 40-millimeter launchers and noise flash diversionary devices, and to ban patrol officers’ use of tear gas; and

WHEREAS, on October 1, 2020, the Honorable Judge James L. Robart converted the Court’s temporary restraining order regarding Ordinance 126102 into a preliminary injunction in order to facilitate review under the process set forth in paragraphs 177 to 181 of the Consent Decree (“Policy Review Process”); and

WHEREAS, on December 7, 2020, the Honorable Judge Richard Jones found the Seattle Police Department in contempt of court for the indiscriminate use of blast balls and noted that “Of the less lethal weapons, the



Court is most concerned about SPD’s use of blast balls”; and

WHEREAS, the City Council recognizes the role of the Chief of Police to prescribe rules and regulations for the government and control of the police department; and

WHEREAS, at the time of passing this ordinance, pursuant to a federal consent decree, the United States Department of Justice, the Honorable James L. Robart of the U.S. District Court for the Western District of Washington, and the court-appointed Seattle Police Monitor exercise oversight of SPD’s policies related to the use of force; and

WHEREAS, on February 26, 2021, the U.S. District Court for the Western District of Washington issued an order in *United States v. City of Seattle*, Civil Case Number 12-1282, approving SPD’s revised use of force and crowd management policies, which included authorization of the deployment of officers trained in the use of use of 40-millimeter launchers in crowd management events, upon approval of the Chief of Police, and authorization of the use of a pepperball launcher “only when such force is objectively reasonable, necessary, and proportional to protect against a specific imminent threat of harm to officers or identifiable others or to respond to specific acts of violence or destruction of property”; and

WHEREAS, on May 18, 2021, Governor Inslee signed ESHB 1054, establishing requirements for tactics and equipment used by peace officers, which include 1) restricting law enforcement agencies from using tear gas unless necessary to alleviate a present risk of serious harm posed by a: (a) riot; (b) barricaded subject; or (c) hostage situation; 2) requiring that, prior to using tear gas the law enforcement officer or employee must exhaust alternatives to the use of tear gas, obtain authorization to use tear gas from a supervising officer, announce to the subject or subjects the intent to use tear gas, and allow sufficient time and space for compliance with the officer's or employee's directives; and 3) directing that, in the case of a riot outside of a correctional, jail, or detention facility, the law enforcement officer or employee may use tear gas only after receiving authorization from the highest elected official of the

jurisdiction in which the tear gas is to be used; NOW, THEREFORE,

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

Section 1. Section 3.28.146 of the Seattle Municipal Code, enacted by Ordinance 126102, is amended as follows:

**3.28.146 Prohibition of the use of ~~((crowd control))~~ less lethal weapons**

A. Unless exempted or excepted, no City department shall own, purchase, rent, store or use ~~((crowd control))~~ less lethal weapons.

B. Law enforcement agencies operating under mutual aid agreements are prohibited from using ~~((crowd control))~~ less lethal weapons in a manner inconsistent with this Section 3.28.146 while rendering aid to the Seattle Police Department. Seattle Police Department mutual aid agreements for crowd control must prohibit other law enforcement agencies from using ~~((crowd control))~~ less lethal weapons ~~((for the purpose of crowd dispersal))~~ in a manner inconsistent with this Section 3.28.146.

C. As used in this Section 3.28.146~~((;))~~ :

“For the purpose of crowd control” means with the intent to move or disperse a crowd.

“~~((crowd control))~~ Less lethal weapons” means kinetic impact ~~((projectiles))~~ launchers used to deploy chemical irritants; ~~((;))~~ chemical irritants, including but not limited to pepper spray and tear gas; ~~((;))~~ acoustic weapons~~((;))~~ ; directed energy weapons~~((;))~~ ; water cannons~~((;))~~ ; disorientation devices, including but not limited to blast balls and noise flash diversionary devices; ultrasonic cannons~~((;))~~ ; or any other device that is primarily designed to be used on multiple individuals for crowd control and is designed to cause pain or discomfort.

“Violent public disturbance” means any gathering where 12 or more persons who are present together use or threaten to use unlawful violence towards another person or group of people and the conduct of them (taken together) is such as would cause a person of reasonable firmness present at the scene to fear for his

personal safety.

~~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.))~~

Noise flash diversionary devices are not banned as less lethal weapons for purposes of subsection 3.28.146.A if used by Special Weapons and Tactics (SWAT) officers outside the setting of a demonstration or rally in circumstances in which the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.

E. Forty-millimeter launchers used to deploy chemical irritants are not banned as less lethal weapons for purposes of subsection 3.28.146.A if:

1. Used by SWAT officers outside the setting of a demonstration or rally in circumstances in which the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders; or

2. Used by SWAT officers in a demonstration or rally for purposes other than crowd control in circumstances in which the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.

F. Oleoresin capsicum (OC) spray is not banned as a less lethal weapon for purposes of subsection 3.28.146.A if:

1. It is being used outside the setting of a demonstration or rally and the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders; or

2. It is being used at a demonstration or rally, but not for the purpose of crowd control, and the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders; or

3. It is being used at a demonstration or rally for the purpose of crowd control, during a violent

public disturbance, and the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.

G. Tear gas is not banned as a less lethal weapon for purposes of subsection 3.28.146.A if:

1. It is being used by SWAT officers outside the setting of a demonstration or rally, the use is reasonably necessary to prevent threat of imminent loss of life or serious bodily injury, and the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders; or

2. It is being used in a violent public disturbance, under direction of or by officers who have received training for its use within the previous 12 months, with a detailed tactical plan developed prior to deployment, the use is reasonably necessary to prevent threat of imminent loss of life or serious bodily injury, and the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.

~~((E))~~H. A person shall have a right of action against the City for physical or emotional injuries proximately caused by the use of ((crowd control)) less lethal weapons ((for crowd dispersal)) that occur in a gathering that is not a violent public disturbance after this ordinance takes effect. A person who, in the judgment of a reasonable person, commits a criminal offense at or immediately prior to the use of less lethal force may not recover under this Section 3.28.146.

~~((F))~~I. Absent evidence establishing a greater amount of damages, the damages payable to an individual for injuries proximately caused in violation of this Section 3.28.146 shall be \$10,000, added to attorney fees and court fees. This does not preclude any other legal recovery or process available to a person under federal and state law.

Section 2. In accordance with United States of America v. City of Seattle, 12 Civ. 1282 (JLR), during the pendency of the consent decree Council requests that notice of this action be submitted by the City Attorney to the Department of Justice and the Monitor.

Section 3. Council will engage with the Labor Relations Director and staff as they work with the City's

labor partners in the implementation of this ordinance.

Section 4. Within 60 days after this ordinance takes effect, the Seattle Police Department shall draft revisions to the Seattle Police Manual to bring it into compliance with this ordinance and publish the proposed revisions on its website.

Section 5. Section 1 of this ordinance shall take effect and be in force 30 days after the Court in United States v. City of Seattle, Western District of Washington Civil Case Number 12-cv-1282, has approved the revised policies required by Section 4 of this ordinance.

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Monica Martinez Simmons, City Clerk

(Seal)

**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
Legislative	Lise Kaye 206-256-6264	

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

**1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to the Seattle Police Department; banning the ownership, purchase, rent, storage, or use of less lethal weapons; and amending Section 3.28.146 of the Seattle Municipal Code.

**Summary and background of the Legislation:** This legislation would restrict City use of several less lethal weapons, including tear gas, pepper spray, and noise flash diversionary devices, and it would prohibit the use of blast balls, acoustic weapons, directed energy weapons, water cannons and ultrasonic cannons. It also provides up to 90 days for the Seattle Police Department to revise its policies with respect to the use of less lethal weapons and train officers on implementation of the new policies. If passed, the bill would supersede the total ban on less lethal weapons imposed by Ordinance 126102, which was passed by Council on June 15, 2020 and is currently subject to a preliminary injunction by the US District Court.

**2. CAPITAL IMPROVEMENT PROGRAM**

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

**3. SUMMARY OF FINANCIAL IMPLICATIONS**

**Does this legislation amend the Adopted Budget?** \_\_\_ Yes  No

**Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?**  
No

**Is there financial cost or other impacts of *not* implementing the legislation?**  
Without this legislation, the City’s use of less lethal weapons will not be subject to the proposed restrictions on several less lethal weapons, including tear gas and pepper spray, or to the prohibition on the use of blast balls, acoustic weapons, directed energy weapons, water cannons and ultrasonic cannons.

**4. OTHER IMPLICATIONS**

**a. Does this legislation affect any departments besides the originating department?**  
No

**b. Is a public hearing required for this legislation?**

No

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

No

**d. Does this legislation affect a piece of property?**

No

**e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

A more limited framework for the City's use of less lethal weapons, as proposed in this legislation, should benefit vulnerable and historically disadvantaged communities who have been disproportionately impacted by police use of force.

**f. Climate Change Implications**

**1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**

No

**2. 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.**

No

**g. 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).**

N/A



June 21, 2021

## MEMORANDUM

**To:** Members of the Public Safety and Human Services Committee  
**From:** Lise Kaye, Analyst  
**Subject:** Proposed Council Bill on Less Lethal Weapons

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On June 22, 2021, the Public Safety and Human Services Committee (Committee) will discuss [Council Bill \(CB\) 120105](#), which would restrict the use of some less lethal weapons.<sup>1</sup> This memorandum provides brief background information and describes key elements of the proposed Council Bill. Attachment 1 to this memo provides a table summarizing how CB 120105 would regulate the City's use of Less Lethal Weapons.

The Committee voted on February 9, 2021 to send a draft bill to the Court-appointed Monitor (Monitor) and the Department of Justice (DOJ) for review. CB 120105 responds to comments received during that review.<sup>2</sup> CB 120105 would replace the total ban on less lethal weapons imposed by [Ordinance 126102](#), which was passed by Council on June 15, 2020 and is currently subject to a preliminary injunction by the United States District Court.<sup>3</sup> Should Council pass CB 120105, the Monitor and DOJ will review any resultant Seattle Police Department (SPD) policy changes, consistent with Consent Decree requirements.<sup>4</sup>

### Background

On September 11, 2020, the Committee heard recommendations from the three accountability agencies<sup>5</sup> with respect to the SPD's policies on crowd management and use of less lethal weapons. On December 17, 2020, the Committee reviewed a "base bill" structured around the four recommendations agreed to by all three of the accountability agencies.<sup>6</sup> At its January 12, 2021 meeting, the Committee discussed potential additional policies, and the Committee approved a series of amendments to a draft bill at its January 25, 2021 and February 9, 2021 meetings.

Also on February 9, 2021, the Committee approved a motion to submit the draft bill as amended to the Monitor and DOJ. Feedback on the draft bill included concern that some of the

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<sup>1</sup> The CB 120105 is part of the Introduction and Referral Calendar that will be voted on at the June 21, 2021 Council meeting.

<sup>2</sup> SPD has been under federal oversight since 2012 after a Department of Justice investigation found that SPD had a pattern of using excessive force and also had policies and practices that could result in bias against minorities.

<sup>3</sup> Background on the Court's findings with respect to Ordinance 126102 may be found in the [January 25, 2021 staff memo](#) to this Committee.

<sup>4</sup> The Consent Decree requires the Monitor and the Department of Justice to review SPD's revised policies relating to the use of force. The Monitor and DOJ reviewed the draft bill, and a revised bill would be provided to them for information only.

<sup>5</sup> Community Police Commission, Office of Inspector General, and Office of Police Accountability

<sup>6</sup> The four recommendations were: to allow specific, non-crowd control uses for Pepper Spray, 40-millimeter Launchers and Noise Flash Diversionary Devices, and to ban Patrol use of Tear Gas. However, the base bill was written to ban all uses of tear gas, with the understanding that the PSHS Committee intended to have further deliberation on whether to provide any exceptions.

bill's restrictions could prevent SPD from responding in a targeted fashion to small groups of individuals committing unlawful acts during a demonstration and from using tear gas in a hostage situation or to gain access to a barricaded individual. Additional feedback noted that SPD would need sufficient time to revise its policies to align with the bill and to train its personnel to the new policies and that the bill could be constructed more clearly.

### **Council Bill 120105**

The following section summarizes key provisions in CB 120105. These descriptions also note areas where CB 120105 would revise the draft bill sent to the Monitor and DOJ:

- Owning, Purchasing, Renting, Storing, Using (Section 1A) and Mutual Aid Agreements (Section 1B) – Prohibit City departments from owning, purchasing, renting, storing or using less lethal weapons, unless exempted or excepted in this bill; and prohibit other law enforcement agencies operating under mutual aid agreements from using less lethal weapons in a manner inconsistent with the provisions of [SMC 3.28.146](#). Those agreements must include that prohibition. Note: this section adds the clause that other law enforcement agencies must not use the less lethal weapons “in a manner inconsistent with SMC 3.28.146.”
- Definitions (Section 1C) – Defines “for the purpose of crowd control,” “less lethal weapons” and “violent public disturbance.” Note: Definition of the “purpose of crowd control” added clarity to subsequent restrictions on the deployment of some less lethal weapons.
- Noise Flash Diversionary Devices (Section 1D) – Prohibits use of Noise Flash Diversionary Devices (NFDDs) for any purpose at a demonstration or rally. Allows use of NFDDs in settings outside of a demonstration or rally but only in circumstances in which the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders. Note: this section clarifies language from the draft bill that could have been interpreted to allow use of NFDDs in a demonstration or rally for purposes other than crowd control.
- 40-Millimeter Launchers (Section 1E) – Allows use of 40-millimeter launchers used to deploy chemical irritants (including pepper spray) to Special Weapons and Tactics (SWAT) officers either (a) outside the setting of a demonstration or rally or (b) in a demonstration or rally for purposes other than crowd control. In either circumstance, the risk of serious bodily injury from violent actions must outweigh the risk of harm to bystanders. Note: this Section adds a risk consideration that was not included in the draft bill.
- Pepper Spray (Section 1F) – Allows the following uses of pepper spray only when the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders: 1. outside a demonstration or rally; 2. during a demonstration or rally for purposes other than crowd control; and 3. for crowd control during a violent public disturbance at a demonstration or rally. Note: this Section adds authority to use pepper spray to target individuals or small groups during a demonstration or rally and clarifies that it may be used outside a demonstration or rally, both uses of which require consideration of risk.

- Tear Gas (Section 1G)– Allows the following uses of tear gas by SWAT officers at or outside a demonstration or rally only if all four conditions are met: (1) during a violent public disturbance, (2) at direction of and by recently trained officers, (3) with a detailed tactical plan, and (4) use is reasonably necessary to prevent threat of imminent loss of life or serious injury and the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders. Note: this Section adds authority to use tear gas outside a demonstration or rally and conditions any use of tear gas both upon reasonable necessity to prevent threat of imminent loss of life or serious injury and upon the risk of serious bodily injury form violent action outweighing the risk of harm to bystanders.
- Private Right of Action (Section 1H) – Provides a right of action against the City for injuries caused by the use of less lethal weapons in a gathering that is not a violent public disturbance. It excludes from this right a person who, in the judgment of a reasonable person, commits a criminal offense at or immediately prior to the use of less lethal force. This section is identical to language in the draft bill.
- Notice (Sections 2 and 3) – Direct that notice of this action to be submitted to the DOJ and the Monitor and commit Council to engaging with the Labor Relations Director and staff in implementation of the bill. These Sections are unchanged from the draft bill.
- SPD Policy Revisions (Section 4) – Requires SPD to draft revisions to the Seattle Police Manual to bring it into compliance with the bill within 60 days after the bill takes effect and to publish the revisions on its website. This Section is new.
- Effective Date (Section 5) – Provides for the ordinance to take effect 30 days after the Court has approved the revised policies required by Section 4 of the bill. This revised Section links the effective date to the Court’s approval of the revised SPD policies instead of its review of the bill, consistent with requirements of the Consent Decree.

Attachment 1 to this memo provides a table summarizing how CB 120105 would regulate the City’s use of Less Lethal Weapons.

**Attachments:**

1. CB 120105 Regulation of Less Lethal Weapons

cc: Dan Eder, Central Staff Interim Director  
Aly Pennucci, Policy and Budget Manager

**Attachment 1: CB 120105 Regulation of Less Lethal Weapons**

Less Lethal Weapon	Used outside a demonstration or rally	Used at demonstration or rally for purposes other than crowd control, such as to target specific individuals or small groups	Used for crowd control at a demonstration or rally (i.e., to move or disperse an entire crowd)
<b>Blast balls and other disorientation devices, acoustic weapons, directed energy weapons, water cannons, ultrasonic canons (Section 1A)</b>	Banned	Banned	Banned
<b>Noise flash diversionary devices (Section 1D)</b>	Use must be by SWAT ONLY and the risk of serious bodily injury from violent actions must outweigh risk of harm to bystanders	Banned	Banned
<b>Launcher w/ chemical irritant, e.g., “pepperball” (Section 1E)</b>	Use must be by SWAT ONLY and the risk of serious bodily injury from violent actions must outweigh risk of harm to bystanders	Use must be by SWAT ONLY and the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.	Banned
<b>OC (pepper) spray (Section 1F)</b>	Risk of serious bodily injury from violent actions must outweigh risk of harm to bystanders	Risk of serious bodily injury from violent actions must outweigh risk of harm to bystanders	Risk of serious bodily injury from violent actions must outweigh risk of harm to bystanders, and there must be a violent public disturbance
<b>Tear gas (Section 1G)</b>	Use must be by SWAT ONLY and only if two conditions are met: (1) the use must be reasonably necessary to prevent threat of imminent loss of life or serious bodily injury, and (2) the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.	Can be used at a demonstration or rally only if five conditions are met: (1) during a violent public disturbance, (2) at direction of and by recently trained officers, (3) with a detailed tactical plan, (4) use is reasonably necessary to prevent threat of imminent loss of life or serious bodily injury, and (5) the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.	Can be used at a demonstration or rally only if five conditions are met: (1) during a violent public disturbance, (2) at direction of and by recently trained officers, (3) with a detailed tactical plan, (4) use is reasonably necessary to prevent threat of imminent loss of life or serious bodily injury, and (5) the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.



SEATTLE CITY COUNCIL  
**CENTRAL STAFF**

# Less Lethal Weapons Discussion

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LISE KAYE COUNCIL CENTRAL STAFF

PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE | JUNE 22, 2021

# Council Bill (CB) 120105 – Less Lethal Weapons

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- Bans some less lethal weapons (LLWs), restricts others
- Responds to Department of Justice (DOJ)/Monitor comments
- Conditions any use of LLW on whether risk of serious bodily injury from violent actions outweighs risk of harm to bystanders
- Defines “for the purpose of crowd control” as with the intent to move or disperse a crowd

# Banned Less Lethal Weapons

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- Acoustic weapons
- Directed energy weapons
- Disorientation devices, including blast balls
- Ultrasonic cannons
- Water cannons

*\* No change from draft bill*

# Restricted Less Lethal Weapons (LLWs)

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- Noise flash diversionary devices
- 40-MM launchers used to deploy chemical irritants
- Pepper spray
- Tear gas



# Restricted LLWs – Noise Flash Diversionary Devices

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1. Banned from use in demonstrations or rallies\*
2. Allowed outside demonstrations or rallies but only when
  - Used by SWAT officers, and
  - Risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.

\* *Clarifies ambiguous language in draft bill*

# Restricted LLWs – 40mm Launchers (chemical irritants)

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Allowed outside a demonstration or rally or in a demonstration or rally for purposes other than crowd control but only when\*

- Used by SWAT officers, and
- Risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders\*

*\* Adds risk consideration not included in draft bill and clarifies ambiguous language in draft bill*

# Restricted LLWs – Pepper Spray

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Allowed in the following situations but only when risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders:

- Outside a demonstration or rally; or
- During a demonstration or rally but for purposes other than crowd control;\* or
- For crowd control during a violent public disturbance at a demonstration or rally.

\* *Adds authority not included in draft bill*

## Restricted LLWs – Tear Gas (1 of 2)

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Allowed outside a demonstration or rally by SWAT officers\* only if two conditions are met:

1. Use is reasonably necessary to prevent threat of imminent loss of life or serious injury; and
2. Risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders\*

*\* Adds authority to use outside a demonstration/rally and adds additional risk consideration*

## Restricted LLWs – Tear Gas (2 of 2)

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Allowed at a demonstration/rally only if five conditions are met:

1. During a violent public disturbance
2. At direction of and by recently trained officers
3. With a detailed tactical plan
4. Use is reasonably necessary to prevent threat of imminent loss of life or serious injury
5. Risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders\*

*\* Adds additional risk consideration*

# Other Provisions – Mutual Aid

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Imposes conditions on mutual aid partners for use of less lethal weapons:

- Prohibits law enforcement agencies operating under MAAs with SPD from using less lethal weapons in a manner inconsistent with the provisions of SMC 3.28.146;\* and
- Requires SPD's MAAs for crowd control to prohibit other law enforcement agencies from using less lethal weapons in a manner inconsistent with the provisions of SMC 3.28.146\*

\* *Adds qualifier against using in a manner inconsistent with Seattle Municipal Code*

# Other Provisions – Right of Action

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Provides a right of action:

- Against the City for injuries caused by the use of less lethal weapons in a gathering that is not a violent public disturbance
- Excludes a person who, in the judgment of a reasonable person, commits a criminal offense at or immediately prior to the use of less lethal force.

\* *No change from draft bill*

# Other Provisions – Notice and Implementation

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- Directs that notice of this action be submitted to the Department of Justice and the Monitor
- Commits Council to engaging with Labor Relations Director and staff in implementation of the bill

*\* No change from draft bill*



# Other Provisions – Seattle Police Manual Revisions\*

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Directs SPD to:

- Draft revisions to the Seattle Police Manual to bring it into compliance with the bill within 60 days after the bill takes effect; and
- Publish the revisions on its website

\* *New Section, not in draft bill.*

## Other Provisions – Effective Date

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- Section 1 of the Ordinance (LLW restrictions) takes effect 30 days after the Court has approved the revised policies required by Section 4 of the bill.\*

\* *Links effective date to Court approval of SPD's revised policies, consistent with Consent Decree.*