



SEATTLE CITY COUNCIL

Public Safety Committee

Agenda

Tuesday, February 10, 2026

9:30 AM

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

Robert Kettle, Chair
Rob Saka, Vice-Chair
Debora Juarez, Member
Eddie Lin, Member
Maritza Rivera, Member

Chair Info: 206-684-8807; Robert.Kettle@seattle.gov

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SEATTLE CITY COUNCIL
Public Safety Committee
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February 10, 2026 - 9:30 AM

Meeting Location:

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

Committee Website:

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

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

Members of the public may register for remote or in-person Public Comment to address the Council. Please register in advance in order to be recognized by the Chair. Details on how to register for Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at the meeting at <https://www.seattle.gov/council/committees/public-comment>. Online registration to speak will begin one hour before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting.

In-Person Public Comment - Register to speak on the public comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting.

Please submit written comments no later than four business hours prior to the start of the meeting to ensure that they are distributed to Councilmembers prior to the meeting. Comments may be submitted at Council@seattle.gov or at Seattle City Hall, Attn: Council Public Comment, 600 4th Ave., Floor 2, Seattle, WA 98104. Business hours are considered 8 a.m. - 5 p.m. Comments received after that time will be distributed after the meeting to Councilmembers and included as part of the public record.

Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Public Comment

Members of the public may address items on the agenda and matters within the purview of the committee. Please register in advance to be recognized by the Chair.

D. Items of Business

1. Evaluation of Ordinance 126896 on Public Drug Use and Possession

Supporting Documents: [Presentation](#)
[Ordinance 126896](#)

Briefing and Discussion (30 minutes)

Presenters: Lisa Judge, Inspector General, and Emily Morley, Office of Inspector General

2. [CB 121158](#) **AN ORDINANCE** relating to information sharing for enforcement of civil immigration laws; prohibiting City provision of nonpublicly available personal information for use in civil immigration enforcement; clarifying the City’s position on immigration enforcement being a federal matter; making technical corrections; adding a new Section 4.18.016 to the Seattle Municipal Code; amending Section 4.18.015 of the Seattle Municipal Code; and repealing Section 4.18.010 of the Seattle Municipal Code.

*Supporting
Documents:*

[Summary and Fiscal Note](#)

[Central Staff Memo](#)

Briefing, Discussion, and Possible Vote (30 minutes)

Presenter: Tamaso Johnson, Council Central Staff

E. Adjournment



Legislation Text

File #: Inf 2830, **Version:** 1

Evaluation of Ordinance 126896 on Public Drug Use and Possession



**Seattle Office of
Inspector General**

Evaluation of SMC 3.28.141

**regarding knowing possession
and/or public consumption of controlled substances**



Seattle Office of
Inspector General

Background

Background

SMC 3.28.141

- Ordinance 126896 Passed Fall 2023
- RCW 69.50.4013 adoptions
- Threat of Harm Assessments



“Threat of Harm”

SMC 3.28.141

- “arrest in the case of knowing possession or use in a public place of a controlled substance should occur only when there is a threat to the peace and wellbeing of the community or a threat of harm to others.”
- “Diversion, treatment, and other alternatives to booking are the preferred approach when enforcing the crimes adopted under this Section” (SMC 3.28.141 F).



“Threat of Public Harm”

SPD Policy 15.150 – Narcotics

Might include but is not limited to:

- Threats of violence / escalating demeanor
- Co-occurring crimes
- Location of public use
- Type of narcotic(s) used
- Presence of community members/businesses nearby
- Physical condition of the subject
- Public harm is presumed if use or possession occurs near a school, park, bus stop, rail station, or other transportation structure

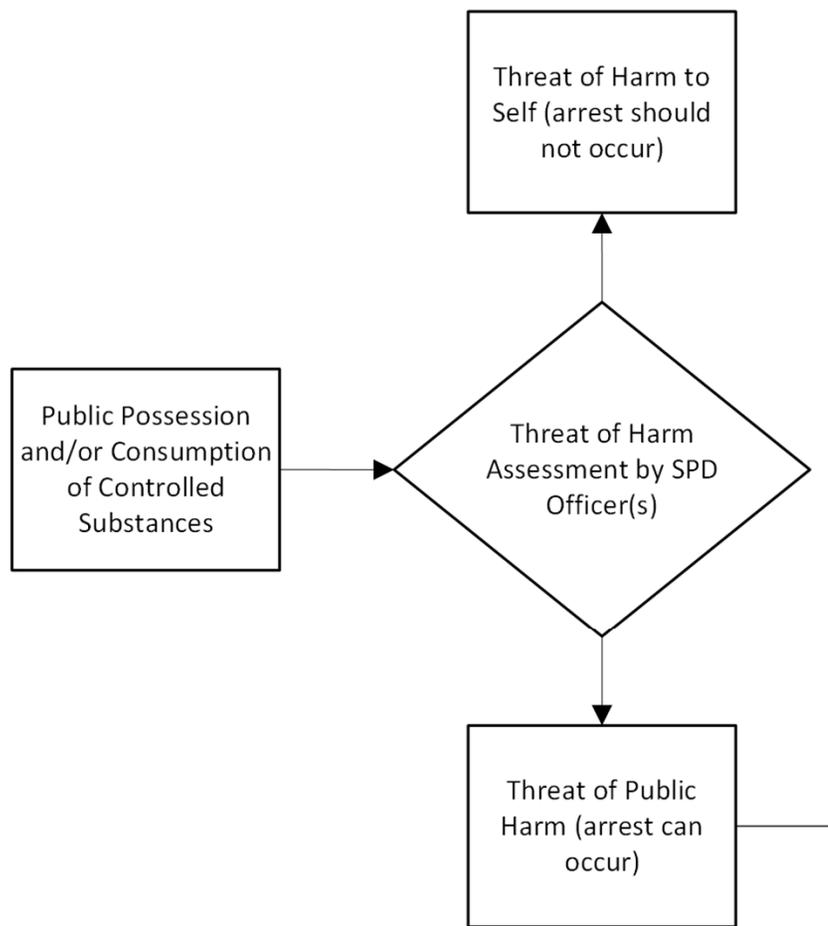


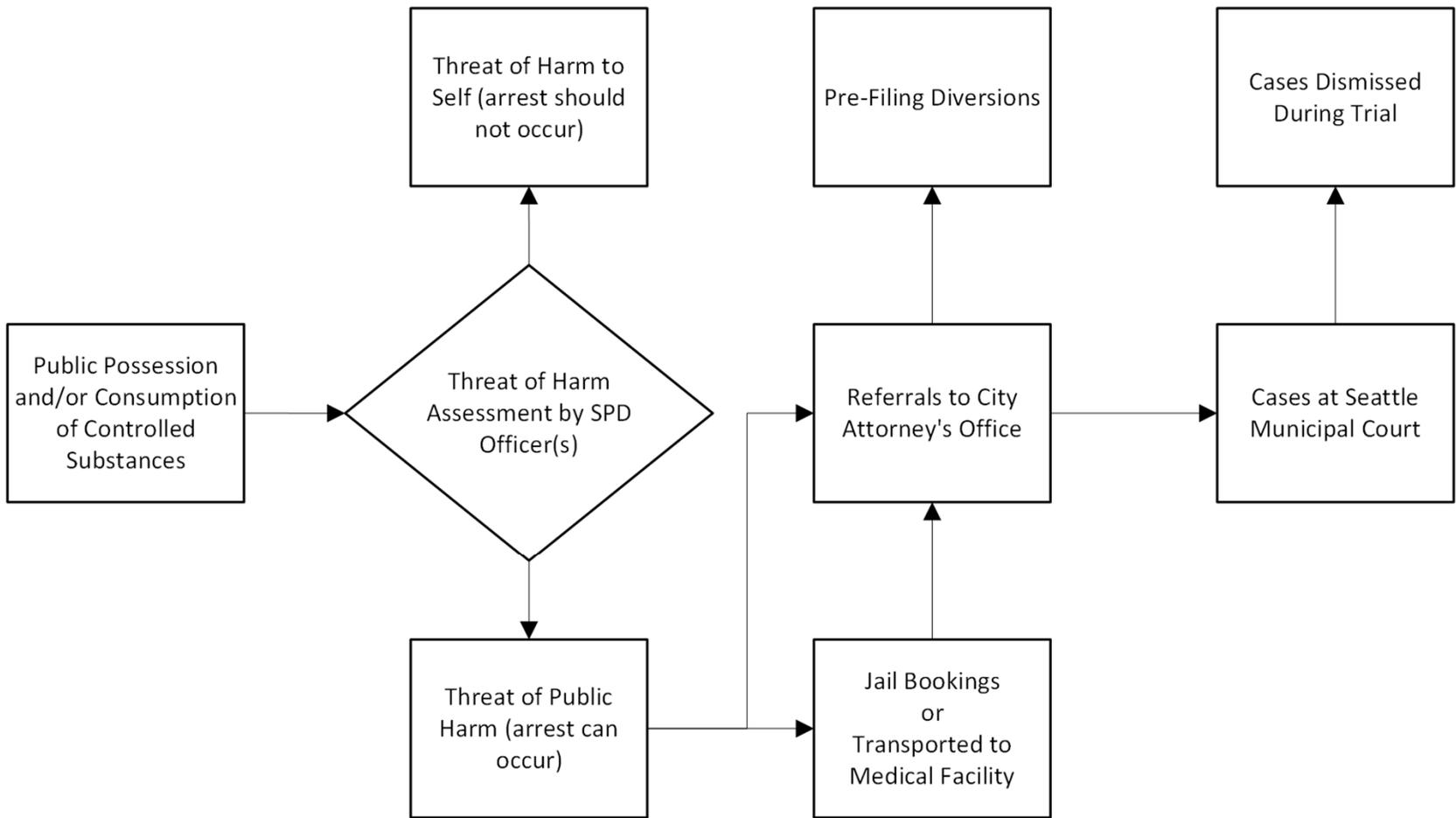
“Threat of Harm to Self”

SPD Policy 15.150 – Narcotics

- “When a sworn employee determines there is probable cause that public possession or public use of a controlled substance has occurred [...] but the subject does not pose a threat of harm to others/public harm, the sworn employee will make a reasonable attempt to contact and coordinate efforts for community care resources.”









Seattle Office of
Inspector General

Findings

OIG Reporting

SMC 3.28.141 L

The ordinance identifies 11 key areas for OIG to examine:

- General Trends (3)
- SPD-Public Interactions (3)
- Prosecution (4)
- Interviews (1)



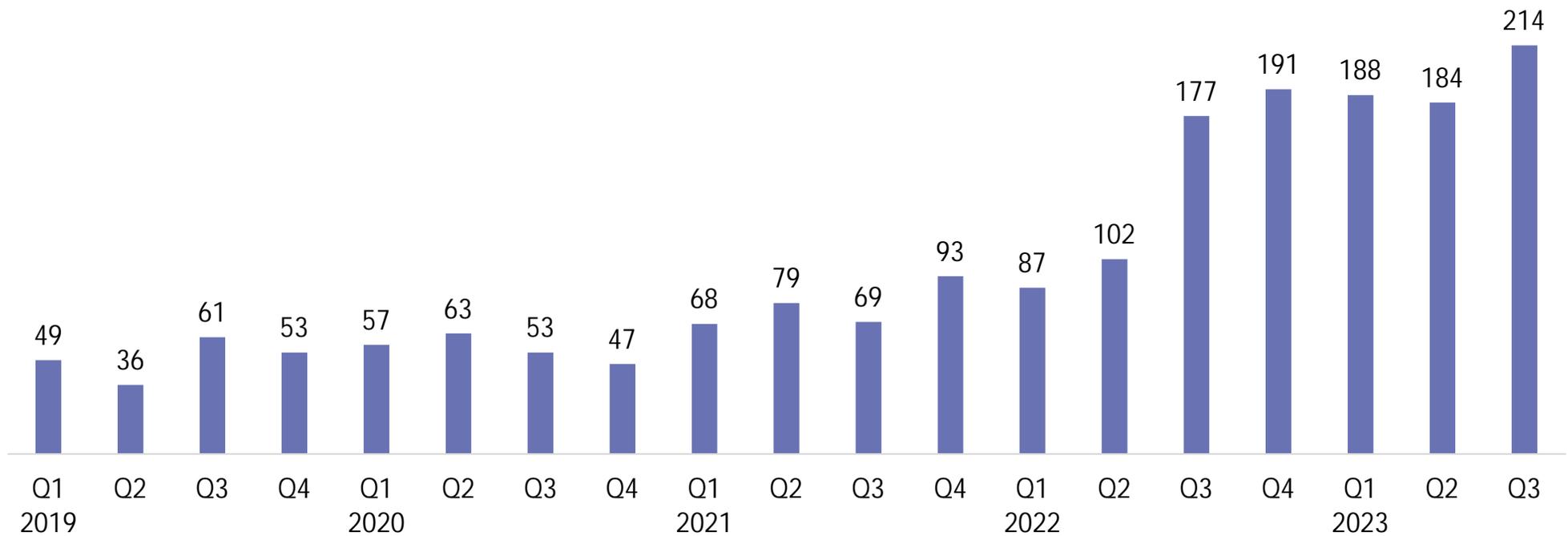
General Trends

SMC 3.28.141 L:

1. The number of drug overdoses in Seattle on a quarterly basis



Quarterly Drug Overdoses, Seattle 2019-2023



General Trends

SMC 3.28.141 L:

1. The number of drug overdoses in Seattle on a quarterly basis
2. The number of shootings in which drugs were present or an individual was under the influence of drugs within Seattle on a quarterly basis



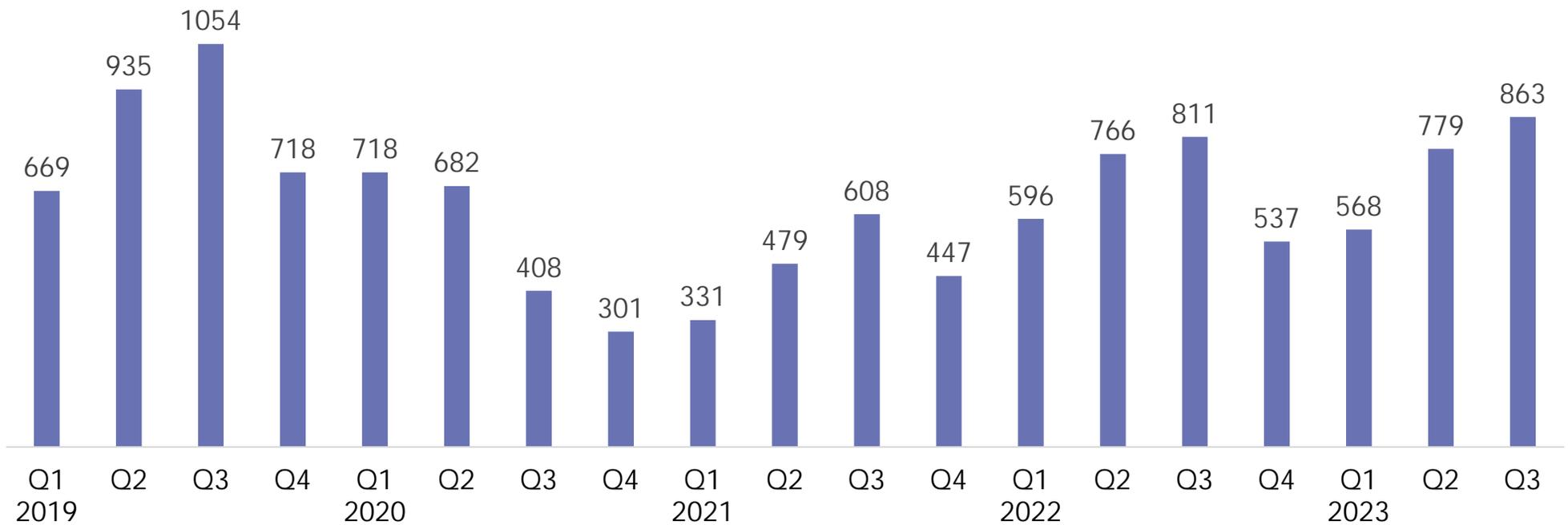
General Trends

SMC 3.28.141 L:

1. The number of drug overdoses in Seattle on a quarterly basis
2. The number of shootings in which drugs were present or an individual was under the influence of drugs within Seattle on a quarterly basis
3. The number of 911 calls about use of controlled substances in a public place on a quarterly basis



Quarterly 911 Calls Related to Controlled Substances, Seattle 2019 - 2023



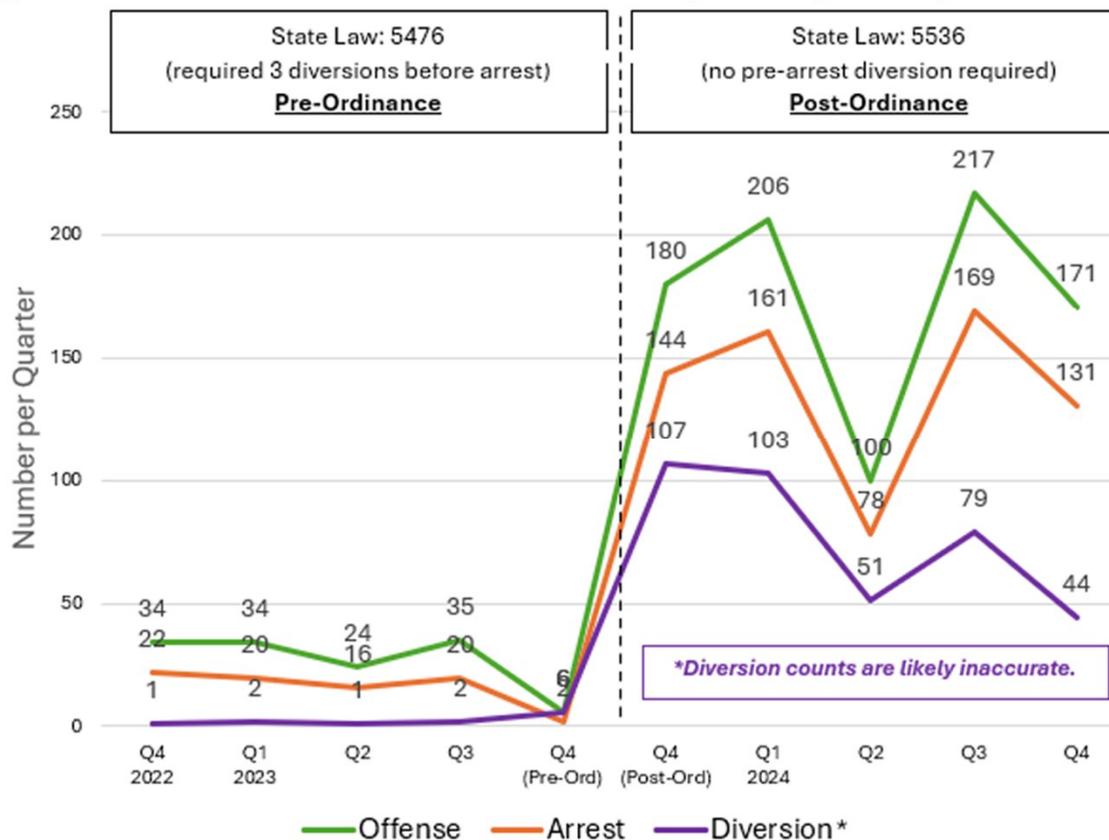
SPD-Public Interactions

SMC 3.28.141 L:

4. The number of documented contacts between police officers, including community service officers, and individuals encountered during enforcement
5. The number of attempts by police officers, including community service officers, to contact and coordinate efforts for diversion, outreach, and other alternatives to arrest
6. The number of arrests for crimes related to knowing possession and/or public consumption of controlled substances



Figure 1. Pre- and Post-Ordinance Offenses and Arrests by Person Q4 2022 – Q4 2024



Notes. Offenses and arrests were counted multiple times if more than one person was indicated in the report. Diversion data are likely inaccurate. Do not share Figure 1 without this disclaimer.

Effectiveness

SMC 3.28.141 L:

Was the Ordinance effective (as intended) in increasing the number and rate of pre-booking diversions?

- For many reasons, a true evaluation of effectiveness was not possible to conduct, most notably due the unreliability of the outcome to be measured: records of diversions



Prosecution

SMC 3.28.141 L:

7. The number of individuals transported for booking at jail [...] the number of individuals transported to a medical facility, and the number of individuals released without booking into jail or being transported to a medical facility



Prosecution

SMC 3.28.141 L:

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8. The number of possession and public use cases referred to the City Attorney's Office for prosecution



Prosecution

SMC 3.28.141 L:

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8. The number of possession and public use cases referred to the City Attorney's Office for prosecution
9. The number of referred cases dismissed before or during trial, including prefiling diversion cases

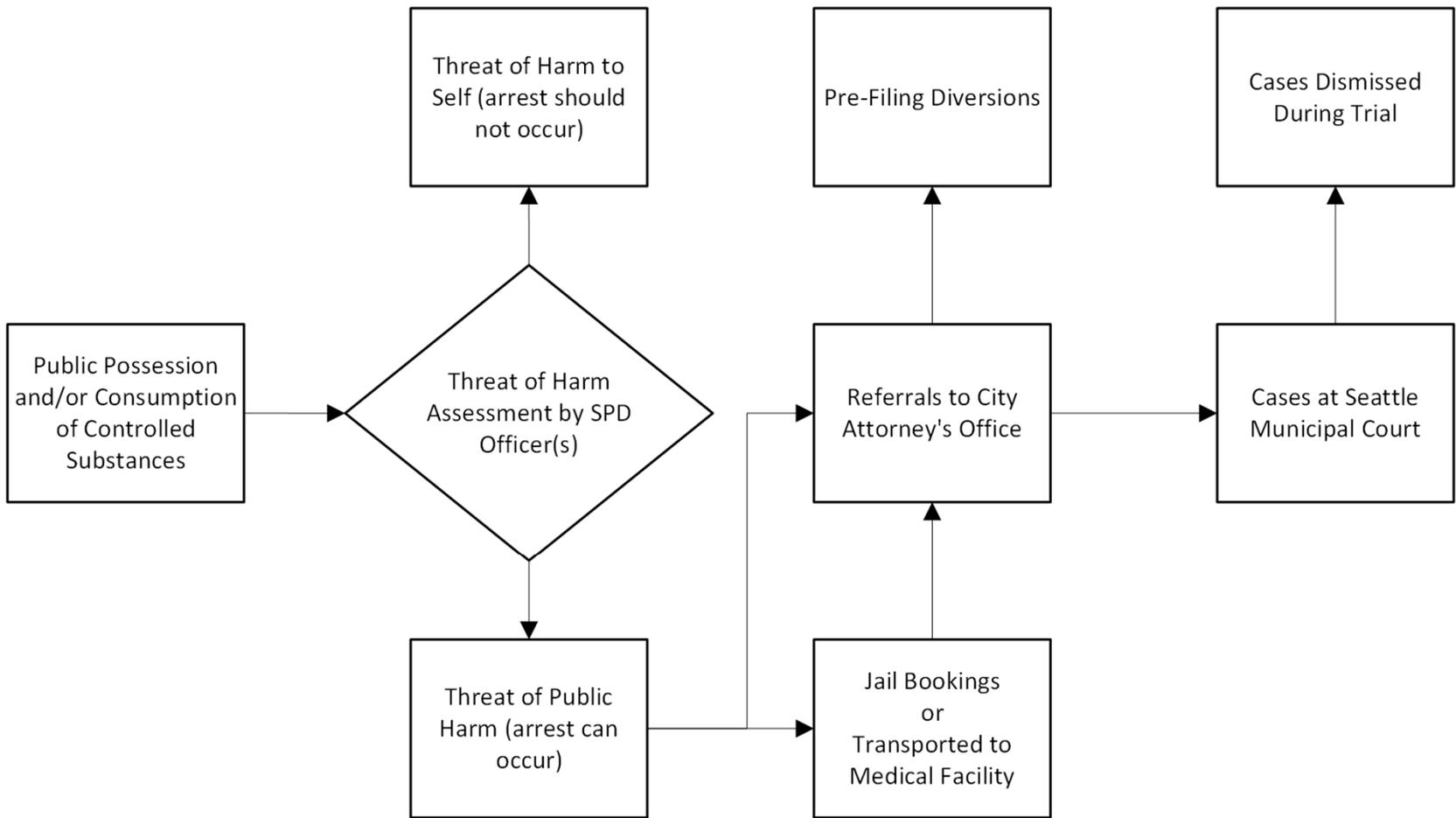


Prosecution

SMC 3.28.141 L:

7. The number of individuals transported for booking at jail [...] the number of individuals transported to a medical facility, and the number of individuals released without booking into jail or being transported to a medical facility
8. The number of possession and public use cases referred to the City Attorney's Office for prosecution
9. The number of referred cases dismissed before or during trial, including pre-filing diversion cases
10. The reasons for dismissal of referred cases





Interviews

SMC 3.28.141 L:

11. “The results of any interviews of SPD personnel with experience in the field implementing this Section 3.28.141 and their suggestions, if any, for improving the law or related policies, including the feasibility of implementing subsection 3.28.141.G [Threat of harm to others] and 3.28.141.H [Threat of harm to self]”



▶ Summary

Review of SMC 3.28.141

- Substantive data access delays and missing data structures hindered many areas of analysis
- It is not possible to causally prove to what extent if at all the ordinance increased the rate and number of diversions
- OIG aims to examine as many areas of analysis in the next annual review as possible

Thank You



Seattle Office of
Inspector General



Legislation Text

File #: CB 121158, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to information sharing for enforcement of civil immigration laws; prohibiting City provision of nonpublicly available personal information for use in civil immigration enforcement; clarifying the City’s position on immigration enforcement being a federal matter; making technical corrections; adding a new Section 4.18.016 to the Seattle Municipal Code; amending Section 4.18.015 of the Seattle Municipal Code; and repealing Section 4.18.010 of the Seattle Municipal Code.

WHEREAS, The City of Seattle (“City”), per Ordinance 121063, does not inquire into the immigration status of any person; and

WHEREAS, the City recognizes that enforcement of civil immigration law is a federal matter that should not involve the participation of City employees or resources, unless required by law; and

WHEREAS, in 2019 the Washington State Legislature passed the Keep Washington Working Act (E2SSB 5497, codified in chapters 10.93, 43.10, 43.17, and 43.330 of the Revised Code of Washington) which restricts data collection and information sharing regarding civil immigration enforcement, including as relates to state agencies and state and local law enforcement agencies; and

WHEREAS, the City now reaffirms the limited role that City officers and employees should play with respect to matters relating to immigration status; and

WHEREAS, the Seattle Municipal Code imposes no specific obligation for cooperation with civil immigration enforcement; and

WHEREAS, City officers and employees are directed to safeguard the information privacy of those who live and work in Seattle from use in civil immigration enforcement, to the extent permitted by law; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 4.18.010 of the Seattle Municipal Code, enacted by Ordinance 113192, is repealed:

~~**(4.18.010 Cooperation with enforcement of federal immigration laws.**~~

~~City officers and employees are directed to cooperate with, and not hinder, enforcement of federal immigration laws.)~~

Section 2. Section 4.18.015 of the Seattle Municipal Code, enacted by Ordinance 121063, is amended as follows:

4.18.015 Inquiries into immigration status((:))

A. ~~((Notwithstanding Seattle Municipal Code Section 4.18.010, unless otherwise required by law or by court order, no))~~ No Seattle City officer or employee shall, unless otherwise required by law or by court order, inquire into the immigration status of any person, or engage in activities designed to ascertain the immigration status of any person.

B. Seattle Police officers are exempt from the limitations imposed by subsection 4.18.015.A~~((, above,))~~ with respect to a person whom the officer has reasonable suspicion to believe: (1) has previously been deported from the United States; (2) is again present in the United States; and (3) is committing or has committed a felony criminal-law violation.

Section 3. A new Section 4.18.016 is added to the Seattle Municipal Code as follows:

4.18.016 Prohibited information sharing

No City officer or employee shall provide any nonpublicly available personal information about any person to any non-City employee or non-City officer for use in the enforcement of civil immigration laws, unless:

A. That person has provided permission with informed consent to a City officer or employee; or

B. Such disclosure is required by law or court order.

“Nonpublicly available personal information” is defined as including one or more of the following, when the information is linked with or is reasonably linkable, including via analytic technology, to the person’s first

name or first initial and last name: Location, home address, work address, place of birth, telephone number, social security number, driver's license number or Washington identification card number, electronic mail address, social media handle or other identifying social media information, and any other means of contacting the person, or other personally identifiable information.

Section 4. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2026, and signed by me in open session in authentication of its passage this _____ day of _____, 2026.

President _____ of the City Council

Approved / returned unsigned / vetoed this ___ day of _____, 2026.

Katie B. Wilson, Mayor

Filed by me this _____ day of _____, 2026.

Scheereen Dedman, City Clerk

(Seal)

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
Legislative	Tamaso Johnson	N/A

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to information sharing for enforcement of civil immigration laws; prohibiting City provision of nonpublicly available personal information for use in civil immigration enforcement; clarifying the City’s position on immigration enforcement being a federal matter; making technical corrections; adding a new Section 4.18.016 to the Seattle Municipal Code; amending Section 4.18.015 of the Seattle Municipal Code; and repealing Section 4.18.010 of the Seattle Municipal Code.

Summary and Background of the Legislation: This legislation clarifies the public policy of the City of Seattle regarding the role of City officers and employees in civil immigration enforcement. This bill: 1) repeals a Seattle Municipal Code (SMC) section from 1986 that directs officers and employees to “cooperate with [...] enforcement of federal immigration laws;” 2) removes reference to that repealed section; and, 3) prohibits City officers or employees from sharing any nonpublicly available personal information of any person for use in civil immigration enforcement, unless that individual has consented to the sharing or disclosure is legally required.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

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

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

No.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

N/A

Please describe any financial costs or other impacts of *not* implementing the legislation.

This legislation is designed to align the Seattle Municipal Code with other statements of City policy by clarifying the role of City employees in civil immigration enforcement activities. Failure to implement this legislation could lead to further confusion about the role and responsibilities of City.

Please describe how this legislation may affect any City departments other than the originating department.

This legislation would affect all City departments by imposing restrictions on the disclosure of nonpublicly available personal information by any City officer or City employee.

4. OTHER IMPLICATIONS

a. Is a public hearing required for this legislation?

No.

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

No.

c. Does this legislation affect a piece of property?

No.

d. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.

This legislation is designed to protect the nonpublicly available personal information of anyone interacting with City officers or employees from use in civil immigration enforcement. Vulnerable and/or historically disadvantaged communities are more likely to be at risk of harm if the information protections in this bill are not implemented.

ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.

N/A.

- iii. What is the Language Access Plan for any communications to the public?**
TBD.

e. Climate Change Implications

- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

N/A

- ii. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

N/A

- f. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A

- g. Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

No.

5. ATTACHMENTS

Summary Attachments: None.

February 5, 2026

MEMORANDUM

To: Public Safety Committee
From: Tamaso Johnson, Analyst
Subject: Council Bill 121158 -- Immigration Information Sharing Ordinance

On February 10, 2026, the Public Safety Committee will discuss [Council Bill \(CB\) 121158](#) addressing information sharing related to civil immigration enforcement. This legislation that would amend the Seattle Municipal Code (SMC) to prohibit City officers or employees from sharing non-publicly available personal information for use in civil immigration enforcement, repeal a section of SMC requiring cooperation with enforcement of federal immigration laws, and make technical changes.

This memo provides background on existing law and policies related to immigration enforcement, summarizes proposed changes under this bill, and discusses next steps for this legislation.

Background

Federal immigration law

As a general matter, the administration and enforcement of US immigration law is exclusively a function of the federal government. Federal immigration law is, with few exceptions, a system of civil laws. Certain violations of immigration law, such as illegal entry into the United States and illegal entry after removal are federal crimes, but the majority of immigration law violations are considered civil offenses rather than criminal.

Federal law prohibits state and local governments from enacting laws or policies that restrict state or local officials from sharing “information regarding the citizenship or immigration status” of individuals with the Department of Homeland Security.¹

Washington State law on immigration enforcement

In recent years, the Washington State Legislature has enacted two significant pieces of legislation making changes to state law related to immigration enforcement: the Keep Washington Working Act (KWW), E2SSB 5497 (2019); and, the Courts Open to All Act (COTA), SHB 2567 (2020).

¹ See: 8 USC 1373

As applied to Washington cities, KWW prohibits local law enforcement from: (1) collecting information about a person’s immigration status or place of birth, with limited exceptions; and, (2) providing non-publicly available personal information about any person to federal immigration authorities in a noncriminal matter.² COTA, in relevant part, creates similar prohibitions to KWW on information collection and disclosure but for judges, other court personnel, and prosecutors.³

While provisions of KWW restrict information sharing related to immigration enforcement by other state agencies, there are currently no state law restrictions that apply broadly to local government agencies or departments beyond those described above.

City of Seattle law and policies on immigration enforcement

Current City law addressing immigration enforcement dates back to 1986 when Ordinance 113192 was enacted to carry out a local initiative passed by Seattle voters. This ordinance created [SMC Chapter 4.18](#). SMC 4.18.10 directs City officers and employees to “cooperate with, and not hinder” federal immigration enforcement. This code section was subsequently revised in 2003 by Ordinance 121063, which established the requirement that City officers and employees not inquire or attempt to determine the immigration status of any person. This 2003 ordinance codified a requirement for all City officers or employees that was similar to an SPD directive issued the year prior directing police officers not to request documents to determine a person’s immigration status.⁴

In addition to the 1986 and 2003 ordinances, the City has passed a number of Council resolutions and issued various executive orders and Mayoral directives on the subject of immigration enforcement since 2004.⁵ Notably, a 2018 Mayoral directive (revised and affirmed in 2025) directed City departments to refer all requests from the federal government for “data or information [...] about City employees, residents, or workers” to the Mayor’s Office legal team to determine whether such information is legally required to be disclosed.⁶ Currently, SMC contains no codified policy regarding information sharing of this kind.

² See: RCW 10.93.160

³ See: RCW 2.28.310

⁴ See: SPD Directive D02-40, June 6, 2002, available at:

<https://ida.mtholyoke.edu/server/api/core/bitstreams/2a5bf12d-25d9-4849-8919-ee27c137b203/content>

⁵ The Office of Immigrant and Refugee Affairs maintains a list of these policies, available at:

<https://www.seattle.gov/iandraffairs/issues-and-policies/welcoming-city#policiesathelpmakeSeattlewelcomingcity>

⁶ See: Mayoral Directive, February 6, 2018; and Mayoral Directive, January 10, 2025; available at:

<https://www.documentcloud.org/documents/25980314-20250110-seattle-mayoral-directive-re-immigration-protocols/>

CB 121158

New Prohibition on City Information Sharing

This bill would create a new section, SMC 4.18.016, to prohibit City disclosure of certain information for the purposes of civil immigration enforcement. Under the bill, all City of Seattle officers⁷ and employees would be barred from providing any nonpublicly available personal information to anyone outside of Seattle government for use in the enforcement of civil immigration laws. “Nonpublicly available personal information,” a term used in the Revised Code of Washington (RCW) but not currently defined in SMC, would be defined by the bill as:

[O]ne or more of the following, when the information is linked with or is reasonably linkable, including via analytic technology, to the person’s first name or first initial and last name: Location, home address, work address, place of birth, telephone number, social security number, driver’s license number or Washington identification card number, electronic mail address, social media handle or other identifying social media information, and any other means of contacting the person, or other personally identifiable information.

This definition largely mirrors the RCW definition of the same term created by COTA,⁸ which applies in state law to prohibitions on law enforcement and judicial officers’ disclosure for immigration enforcement purposes.

The bill would also create exceptions to the information sharing prohibition if: 1) a person has given informed consent for the disclosure of their information; or, 2) the disclosure is required by law or court order. The ‘informed consent’ exception is intended to account for situations where a person may desire that their information is shared with the federal government, e.g. for the purposes of employment verification or other contexts where it may be necessary for renewal or adjustment of immigration status.

SMC 4.18.016 would be enforced by the City Attorney’s Office, pursuant to existing enforcement authority granted under SMC Chapter 4.18.

⁷ In this context, “officer” refers to elected or appointed members of a City of Seattle agency or department, whether paid or unpaid. See, e.g.: SMC 4.16.030

⁸ The only substantive difference between the current RCW definition of this term, used in RCW sections 10.93.160 and RCW 2.28.310, and defined in RCW 2.28.300, and the one proposed in this bill is the addition of the catchall clause “or other personally identifiable information” in this bill.

Repeal of Existing Code Section

The bill would also repeal current SMC 4.18.010 in its entirety, removing the directive to “cooperate with, and not hinder” federal immigration enforcement. Removal of this language from SMC would not alter the obligations of City officers or employees to comply with federal law relating to immigration enforcement. A reference to this section in SMC 4.18.015 would also be removed.

Next steps

CB 121158 will have a first hear and possible vote at the February 10, 2026 meeting of the Public Safety Committee.

cc: Ben Noble, Director