

## SUMMARY and FISCAL NOTE

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

### 1. BILL SUMMARY

**Legislation Title:** AN ORDINANCE relating to inquiries into immigration status; changing the requirements for circumstances where Seattle Police Department personnel may inquire into a person's citizenship or immigration status to align the Seattle Municipal Code with state law; and amending Section 4.18.015 of the Seattle Municipal Code.

**Summary and Background of the Legislation:** Seattle Municipal Code (SMC) Section 4.18.015 generally prohibits City employees from making inquiries into the immigration status of any person. SMC 4.18.015.B includes an exception allowing Seattle Police Department (SPD) officers to inquire into a person's immigration status under certain specified circumstances. Current SPD policy ([SPD Pol. 6.020 - Interactions with Foreign Nationals](#)) completely forbids SPD personnel from making any inquiry about immigration or citizenship status. Current Washington State law, the Keep Washington Working Act codified, in relevant part, at Revised Code of Washington (RCW) 10.93.160(4)(a), specifies the circumstances under which local law enforcement agencies, including SPD, are allowed to inquire into immigration or citizenship status. RCW 10.93.160(4)(a) reads:

*State and local law enforcement agencies may not [...] [i]nquire into or collect information about an individual's immigration or citizenship status or place of birth unless there is a connection between such information and an investigation into a violation of state or local criminal law[.]*

SMC 4.18.015.B predates the enactment of RCW 10.93.160(4)(a) and is inconsistent with this existing state law on the same topic of permissible local law enforcement immigration status inquiries. SMC 4.18.015.B articulates a different set of criteria for allowable immigration status inquiries than those allowed by state law. This bill would amend SMC 4.18.015.B by striking the current text of that subsection and substituting new statutory language that substantively mirrors RCW 10.93.160(4)(a), the relevant provision of the Keep Washington Working Act.

### 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.**

The current discontinuity between City code and state law on this topic has the potential to create confusion for members of the public. This legislation would clarify the circumstances under which the Seattle Police Department may make inquiries into citizenship or immigration status by aligning City code with state law.

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

This legislation would impact the Seattle Police Department by changing the allowable circumstances under City code where department personnel are allowed to make inquiries into a person's immigration or citizenship status. Current department policy already appears to be compliant with the proposed changes under this legislation, so no immediate impacts are expected.

### 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.**

State law on this topic was changed in 2019 and the Seattle Police Department's current policy on this subject already appears to be in compliance with relevant state law, so no immediate impacts are anticipated on these or other communities if this legislation is passed.

- 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?**

N/A.

**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.