SEATTLE CITY COUNCIL
CENTRAL STAFF

March 6, 2026

M E M O R A N D U M

To: Public Safety Committee
From: Greg Doss, Analyst
Subject: TMP-12288 – Protecting Surveillance Data

On March 10, 2026, the Public Safety Committee will discuss TMP-12288, which would specify conditions for a mandatory 60-day pause in data collection for Seattle Police Department (SPD) Closed-Circuit Television (CCTV) and Automated License Plate Recognition (ALPR) systems.

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

Background

Some Seattle City Councilmembers have expressed concern about the potential for SPD's ALPR or CCTV data to be used by federal officers or out-of-state law enforcement to attempt to locate and prosecute individuals for civil immigration enforcement or interference in reproductive health matters.[1,2] SPD has indicated that it has not disclosed its ALPR or CCTV for either of these purposes to-date. More discussion of SPD policy on its data systems and the potential for compelled disclosure can be found below.

Background on SPD CCTV and ALPR Systems:

The City Council passed Ordinance 127044 in June 2024, which approved SPD's expansion of ALPR technology from its current limited use to a fleet-wide deployment on all SPD patrol vehicles. The ordinance contained a number of restrictions on how the ALPR data could be used and placed requirements on data disclosure to the public and other governments.

The City Council passed Ordinance 127110 in October 2024, authorizing CCTV systems to be erected in pilot deployment areas on Aurora Avenue North, Belltown, the International District, and the Downtown Commercial Core. In September of the following year, the City Council passed Ordinance 127297, which expanded the City's CCTV pilot to the Capital Hill Nightlife area, the Stadium District, and the Garfield High School neighborhood.

Ordinance 127297 requires a 60-day pause of CCTV data collection if the City or its vendor receives a warrant, subpoena, or court order for Seattle CCTV data in a federal civil immigration enforcement matter, or if Seattle CCTV data is released pursuant to law for use in a federal civil

[1] A Texas Cop Searched License Plate Cameras Nationwide for a Woman Who Got an Abortion, 404 media, May 2025
[2] Leaving the Door Wide Open: Flock Surveillance Systems Expose Washington Data to Immigration Enforcement, University of Washington, Oct 2025

immigration enforcement matter. The 60-Day pause requirement does not extend to the City's use of ALPR data, as governed by Ord 127044.

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 after removal or entry at an improper time or place, are federal crimes, but the majority of immigration law violations are considered civil offenses rather than criminal.[3]

Federal law prohibits state and local governments from enacting laws or policies that prohibit or in any way restrict state or local officials from sharing "information regarding the citizenship or immigration status" of individuals with the US Citizen and Immigration Services.[4] Obstructing or interfering with federal officers performing their duties can lead to criminal penalties, including felony charges.[5]

State and City Immigration Law

In recent years, the Washington State Legislature and the City of Seattle have enacted legislation and adopted Directives to (1) restrict the collection of information about a person's immigration status or place of birth, with limited exceptions; and (2) prohibit the disclosure of non-publicly available personal information about any person to federal immigration authorities in a non-criminal matter. More information on local and state restrictions can be found in the Central Staff memo on Ordinance 127398, which prohibits City disclosure of certain information for the purposes of civil immigration enforcement.

TMP-12288 – Protecting Surveillance Data

TMP-12288 would specify conditions for a mandatory 60-day pause in data collection for Seattle Police Department (SPD) Closed-Circuit Television (CCTV) and Automated License Plate Recognition (ALPR) systems. Specific provisions would:

1. Extend to the SPD's patrol vehicle ALPR system the same 60-day pause provision that applies to SPD's CCTV network, implemented when the system's data has been requested under a warrant, court order, or pursuant to law;
2. Require that the 60-day pause will also apply when CCTV or ALPR footage is used in a reproductive health care matter;
3. Require a 60-day pause of CCTV or patrol vehicle ALPR data collection if the Mayor and Police Chief have determined that CCTV or ALPR data is being used, or potentially will be used, for civil immigration or reproductive health care enforcement purposes, including

[3] 8 U.S. Code § 1325 - Improper entry by alien | U.S. Code | US Law | LII / Legal Information Institute
[4] See: 8 USC 1373
[5] See: 18 USC 111

uses that may occur concurrently with an increased presence of civil immigration enforcement personnel in Seattle; and

4. Authorize the Mayor to issue an executive order that temporarily resumes CCTV and ALPR data collection when necessary to gather and transmit to prosecutors evidence of potentially unlawful acts that occur during civil immigration or reproductive health care enforcement operations.

Potential for disclosure of surveillance data

The Department currently fields approximately 500 patrol vehicles and all are equipped with ALPR software. The software runs through the vehicle's in-car video system and is always "on," scanning license plates as the patrol vehicle travels through the City. More detail on the operation of the ALPR software can be found in the Central Staff memo on Ordinance 127398. SPD's parking enforcement fleet also uses ALPR to enforce right-of-way violations. The bill applies only to the department's "patrol vehicle fleet," not to the cameras and software used by Parking Enforcement Officers.

Even with state and local data sharing restrictions, SPD may be forced to disclose its CCTV or ALPR data if: (1) required by a warrant, subpoena, or court order; or (2) the data is requested under the state's Public Records Act (PRA).

In November 2025, The Skagit County Superior Court ruled that ALPR data is covered under the state's Public Disclosure Laws, even if the data is held by a vender that is located out-of-state. In response to this ruling, some cities have discontinued ALPR data collection, and the state legislature is currently considering ESSB 6002, which would exempt ALPR data from public disclosure, create retention schedules and set other restrictions on collection of data through ALPR systems.

Ordinance 127044 prohibits SPD from publicly disclosing ALPR data in a manner that links a license plate to a time, date, or location, unless required to do so by court order or applicable law. It is unclear how the Skagit County Court ruling would affect SPD's ability to withhold personally identifying information that is requested under the PRA.

SPD does not have a policy that specifically prohibits sharing of ALPR, CCTV or other Real Time Crime Center (RTCC) data when requested by another law enforcement agency for a criminal matter. Data may be shared with outside entities in connection with criminal investigations and prosecutions. These entities include:

- Seattle City Attorney's Office
- King County Prosecuting Attorney's Office
- King County Department of Public Defense
- Private Defense Attorneys
- Seattle Municipal Court
- King County Superior Court
- Similar entities where prosecution is in Federal or other State jurisdictions

When sharing with outside law enforcement agencies, SPD must abide by the policies in the ALPR Surveillance Impact Report that is attached to Ordinance 127044 (See applicable policies in Appendix 1). The Department has also adopted additional safeguards for handling disclosure requests from other law enforcement agencies:

- The draft RTCC unit manual requires an SPD case number and also specifies that a request for information for investigative purposes cannot be used for immigration, customs, or any type of health care related incidents.
- When disclosing any ALPR data, Investigative Support staff must abode with SPD ALPR policy 16.170.

Fiscal Impacts

SPD staff have confirmed with Axon that it can implement a system-wide temporary pause on the ALPR functionality for all patrol vehicles without interrupting or affecting the functionality of the In-Car Video system or other systems. SPD staff have indicated that Axon could make the change within one day of a request and without additional cost to SPD. The Department would need to continue paying Axon for the ALPR service until a change could be made to applicable service agreements.

Next Steps

TMP-12288 will have a first hearing on the March 10, 2026, meeting of the Public Safety Committee and may be scheduled for a possible committee vote on March 24, 2026.

Attachments:

1. Attachment 1: Surveillance Impact Report ALPR Data Sharing Policy - Ordinance 127044

CC. Ben Noble, Central Staff Director

Attachment 1: Surveillance Impact Report ALPR Data Sharing Policy

No person, outside of SPD, has direct access to the ALPR system or the data while it resides in the system. Data obtained from the system may be shared outside SPD as required by law. Data may be shared with outside entities in connection with criminal investigations and prosecutions:

- Seattle City Attorney's Office
- King County Prosecuting Attorney's Office
- King County Department of Public Defense
- Private Defense Attorneys
- Seattle Municipal Court
- King County Superior Court
- Similar entities where prosecution is in Federal or other State jurisdictions

Data may be made available to requesters pursuant to the Washington Public Records Act, Chapter 42.56 RCW ("PRA"). SPD will apply applicable exemptions to the data before disclosing to a requester. Individuals have the right to inspect criminal history record information maintained by the department (RCW 10.97.030, SPD Policy 12.050). Individuals can access their own information by submitting a public disclosure request.

Per SPD Policy 12.080, the Crime Records Unit is responsible for receiving, recording, and responding to requests "for General Offense Reports from other City departments and from other law enforcement agencies, as well as from insurance companies."

Discrete pieces of data collected by the ALPR may be shared with other law enforcement agencies in wanted bulletins, and in connection with law enforcement investigations jointly conducted with those agencies, or in response to requests from law enforcement agencies investigating criminal activity as governed by SPD Policy 12.050 and 12.110. All requests for data from Federal Immigration and Customs Enforcement (ICE) authorities are referred to the Mayor's Office Legal Counsel in accordance with the Mayoral Directive, dated February 6, 2018.

SPD shares data with authorized researchers pursuant to properly executed research and confidentiality agreements as provided by SPD Policy 12.055. This sharing may include discrete pieces of data related to specific investigative files collected by the ALPR system.