



SEATTLE CITY COUNCIL

Legislative Summary

CB 119136

Record No.: CB 119136

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125472

In Control: City Clerk

File Created: 11/07/2017

Final Action: 11/28/2017

Title: AN ORDINANCE relating to decreasing militarization of police activities; adding a new Section 3.28.140 to the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Emilia.Sanchez@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	11/08/2017	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	11/08/2017	sent for review	Select Budget Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Select Budget Committee						
	Notes:						
1	Full Council	11/13/2017	referred	Select Budget Committee			
	Action Text: The Council Bill (CB) was referred. to the Select Budget Committee						
	Notes:						
1	Select Budget Committee	11/14/2017					
1	Select Budget Committee	11/15/2017	pass				Pass
	Action Text: The Committee recommends that Full Council pass the Council Bill (CB).						

In Favor: 8 Member Bagshaw, Member Harrell, Member Harris-Talley, Chair Herbold, Vice Chair Johnson, Member Juarez, Vice Chair O'Brien, Member Sawant

Opposed: 0

Absent(NV): 1 Member González

1 Full Council 11/20/2017 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

Notes:

In Favor: 9 Councilmember Bagshaw, Councilmember González, Council President Harrell, Councilmember Harris-Talley, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant

Opposed: 0

1 City Clerk 11/22/2017 submitted for Mayor
Mayor's signature

1 Mayor 11/22/2017 Signed

1 Mayor 11/28/2017 returned City Clerk

1 City Clerk 11/28/2017 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE

ORDINANCE 125472

COUNCIL BILL 119136

AN ORDINANCE relating to decreasing militarization of police activities; adding a new Section 3.28.140 to the Seattle Municipal Code.

WHEREAS, the U.S. Department of Defense 1033 Program (1033 program) is a federal program authorized by Congress under Section 1033 of the National Defense Authorization Act (codified at 10 U.S.C. §2576(a)) that permits the Secretary of Defense to transfer, without charge, excess U.S. Department of Defense personal property (supplies and equipment) to state and local law enforcement agencies (LEAs); and

WHEREAS, equipment transferred to state and local law enforcement under the 1033 Program included vehicles (land, air, and sea), weapons, computer equipment, fingerprint equipment, night vision equipment, radios and televisions, first aid equipment, tents and sleeping bags, photographic equipment, and more; and

WHEREAS, the 1033 Program was curtailed by President Obama in May 2015 following recommendations from a task force on perceived militarization of the police following 2014 events in Ferguson, Missouri, but revived by President Trump under Executive Order in August 2017; and

WHEREAS, starting in 2015 the City, through the Seattle Police Department (SPD), began the process of closing out its account for the 1033 program with the program manager in Olympia and returned all accountable equipment to Joint Base Lewis-McChord (JBLM). SPD completed the closure process later that year and has not had any involvement in reutilization of military surplus equipment since; and

1 WHEREAS, SPD returned all items obtained through the 1033 program to date except for 68
2 pairs of coveralls, 40 pairs of gloves, and one metal utility cabinet; and

3 WHEREAS, although SPD has substantially and effectively withdrawn from the federal 1033
4 program, the City desires to make SPD's withdrawal a permanent and lasting policy as
5 well as practice; NOW, THEREFORE,

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

7 Section 1. A new Section 3.28.140 of the Seattle Municipal Code is added to Subchapter
8 I of Chapter 3.28 as follows:

9 **3.28.140 Federal 1033 program prohibited**

10 The Seattle Police Department shall not participate in the United States Department of Defense
11 1033 program authorized by Congress under Section 1033 of the National Defense Authorization
12 Act (codified at 10 U.S.C. §2576(a)) or its successor, or any other federal program that transfers
13 excess military equipment to civilian law enforcement agencies at reduced or no cost.

14 Section 2. The Seattle Police Department shall immediately take any and all steps
15 necessary to officially withdraw its participation in the United States Department of Defense
16 1033 program, including but not limited to notifying the Law Enforcement Support Office of the
17 federal Defense Logistics Agency and fulfilling any final disposition audit requirements.

18

1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 20th day of NOVEMBER, 2017,
5 and signed by me in open session in authentication of its passage this 20th day of
6 NOVEMBER, 2017.

7 
8 _____

9 President _____ of the City Council

10
11 Approved by me this 22nd day of November, 2017.

12 
13 _____

14 Tim Burgess, Mayor

15
16 Filed by me this 28th day of NOVEMBER, 2017.

17 
18 _____

19 Monica Martinez Simmons, City Clerk

20
21 (Seal)