SEATTLE CITY COUNCIL
CENTRAL STAFF

February 24, 2026

M E M O R A N D U M

To: Public Safety Committee
From: Greg Doss, Analyst
Subject: Council Bill 121164 – Civil Immigration Staging

On February 24, 2026, the Public Safety Committee will discuss Council Bill (CB) 121164 concerning civil immigration staging. This legislation would "prohibit the use of City owned and controlled properties for civil enforcement operations, including actions to assemble, mobilize, or deploy personnel, vehicles, or equipment for civil immigration enforcement operations, or for surveillance or logistical coordination for those operations."

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.

NOTE: Amendment 1 will be offered at the Public Safety Committee on February 24, 2026, to make a technical correction that aligns the sponsor's intent with the bill language. The amendment would restrict the prohibition of civil immigration enforcement to staging activities only.

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 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 US Citizen and Immigration Services.[1] Additionally, federal law prohibits both physical and administrative interference with civil immigration enforcement. Obstructing or interfering with federal officers performing their duties can lead to criminal penalties, including felony charges.[2]

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

[1] See: 8 USC 1373
[2] See: 18 USC 111

authorities in a noncriminal matter.[3] More information on local and state restrictions can be found in the staff report on CB 121158, which would prohibit City disclosure of certain information for the purposes of civil immigration enforcement.

Some state and local governments have begun to take actions that would prohibit federal officials from staging civil immigration enforcement operations on certain properties. Cities such as Chicago, Minneapolis, St. Paul, Los Angeles and Spokane have adopted or are developing policies that would restrict U.S. Immigrations and Customs Enforcement (ICE) access to city owned properties and/or prohibit surveillance without a warrant. Many of these actions prohibit civil enforcement activity on state or city "owned and controlled properties."

On January 29, 2026, Mayor Katie Wilson issued a Directive that prohibits the use of property that is both City-owned and City-controlled, for civil immigration enforcement activities, and directs the Department of Finance and Administrative (FAS) to create clear signage that can be posted on applicable City property. A similar Executive Order was issued by King County Executive Girmay Zahilay on February 12, 2026.

Like other cities and states, Seattle's Executive Order does not apply to the public right-of-way used for pedestrian and vehicular traffic, nor does it apply to instances where federal officials are operating under a judicial warrant or court order or are involved in criminal enforcement activities.

CB 121164

Prohibiting Civil Immigration Staging on City Property

This bill would create a new section of SMC to "prohibit the use of City owned and controlled properties for civil enforcement operations, including actions to assemble, mobilize, or deploy personnel, vehicles, or equipment for civil immigration enforcement operations, or for surveillance or logistical coordination for those operations." The ordinance would not apply to the public right-of-way used for pedestrian or vehicle traffic.

The bill would authorize the Seattle City Attorney's Office (CAO) to seek legal or equitable relief in a court of competent jurisdiction, including injunctive relief, to enjoin any acts or practices that violate the terms of the legislation.

An uncodified section specifies that, for the purposes of public education only, the City should create clear signage that can be posted on City owned and controlled properties. With the assistance of the CAO, FAS would convene departments that own or manage property to identify and sign properties, with a prioritization on properties near essential services like healthcare, childcare, food distribution, education or other basic support services, and for which immigration staging might deter individuals or families from using such services.

By May 1, 2026, FAS and the CAO would submit to the Mayor's Office and the Council a list of properties identified using the criteria in the bill.

[3] Keep Washington Working Act (KWW), E2SSB 5497 (2019)
Mayor's Office Directives 2025-07 and 2025-08

Types of Properties Covered Under CB 121164

As discussed above, the bill would prohibit civil immigration enforcement on "City owned and controlled properties," which can be reasonably interpreted as including real property in which the City has both an ownership interest and also "control" of the property. Because the term "control" is undefined in the bill, Section 2 of the bill would create a process where the CAO works with FAS to determine how to apply the law, and more specifically, where to place signage that would make the public aware that civil immigration enforcement is prohibited.

The prohibition of civil immigration enforcement may apply to properties where the City is a lessor of space, provided that the City has not ceded control of the space via contract. As noted above, the CAO would make a case-by-case determination on which properties are owned and sufficiently controlled to allow for signage.

The bill would not apply to properties where the City is leasing space from a third party. It may also not apply to properties that are operated in partnership with local or state government entities, unless the City has ownership interest in such properties.

Expanding Beyond the City Owned and Controlled Standard

Should the Council wish to expand the types of properties covered by CB 121164, the CAO, FAS and other departments would need to expand their analysis of properties that could receive signage. The total inventory of FAS-owned and controlled properties includes 218 property management areas, 149 parking lots, garages and vacant lots, and 116 buildings and yards.[4] Executive staff have indicated that there are a significant number of properties owned by other departments, including those owned by SDOT, SCL, SPR and Seattle Center. Central Staff has not yet received an inventory of these properties.

As noted above, CB 121164 would not apply to properties that are owned by third parties and leased to the City. FAS manages approximately 47 such properties. The legislation may also not apply to properties where the City is a landlord, but does not fully "control" the use of the property. FAS manages approximately 45 of these properties. In some cases, the City leases its properties to organizations that provide essential municipal and community services like healthcare, housing or skill development programs. A property-by-property analysis would be necessary to determine which of these properties might be useable for civil immigration staging.

[4] FAS indicates that inclusion of Fort Lawton, owned by the U.S. Army Reserve Command, would bring the total of buildings and yards to 131.

Enforcement

As noted above, a new SMC section 14.125.030 authorizes the CAO to seek legal or equitable relief in a court of competent jurisdiction, including injunctive relief, to enjoin any acts or practices that violate the terms of the legislation. City Attorney Evans may decide to seek relief in court based on a request made by the Mayor's Office or a City department, or may seek relief of her own accord. The determination to seek relief will likely be based on the facts surrounding the potential violation and made on a case-by-case basis.

Councilmembers received on January 23, 2026, a CAO memo on potential legal risks associated with legislation that would prohibit staging on City-owned and controlled property. Central staff is available to discuss the information in this memo at your request.

Implementation and Fiscal Impact

CB 121164 would require FAS to coordinate installation of signage on City owned and controlled properties. The "City owned and controlled" standard is consistent with the Mayor's January 29, 2026, Directive, which specifically targets City parking lots, parks, plazas, vacant lots, storage facilities, garages, and the Seattle Center.
Mayor's staff have indicated that FAS has worked with city departments to identify approximately 656 locations for signage:

- Seattle Center will post 20 signs around their properties;
- FAS will post 25 signs at City Hall Plaza, Seattle Municipal Tower, and other properties;
- Seattle Office of Housing will post 10 signs at various properties;
- Seattle City Light will post 60 signs at substations, the Sculpture Garden, and other properties;
- Seattle Department of Transportation (SDOT) will post 19 signs at various properties;
- Seattle Parks and Recreation (SPR) will post 470 signs at Parks, Community Centers, swimming pools, boat ramps, and other properties; and
- Seattle Public Utilities will post 52 signs at various properties.

The SDOT Sign Shop is currently manufacturing the metal signage, and an FAS vendor is printing plastic signs, which together are expected to cost approximately $45,000 and will be funded within departments' current appropriations. The Executive has indicated that individual departments will begin installing the signs this week. The costs for labor to install the signs have not been estimated at this time, and are also expected to be absorbed by departments under existing appropriations.

Next Steps

CB 121164 will have a first hearing on February 24, 2026, meeting of the Public Safety Committee and may be scheduled for a possible committee vote on March 10, 2026.

Attachments

1. Amendment 1 to CB 121164 Civil Immigration Enforcement Staging

cc: Ben Noble, Director
Lish Whitson, Deputy Director

Amendment 1 to CB 121164 Civil Immigration Enforcement Staging

Sponsor: Councilmember Kettle

Technical Amendment – Restrict Civil Immigration Enforcement Prohibition to Staging Activities Only

Effect: This amendment would correct a technical error by restricting the City's prohibition on civil immigration enforcement to staging activities only, including actions to assemble, mobilize, or deploy personnel, vehicles, or equipment for civil immigration enforcement operations, or for surveillance or logistical coordination for those operations. The change aligns the bill language with the sponsor's original intent.

Amend Section 1 to CB 121164 as follows:

Section 1. A new Chapter 14.125 is added to the Seattle Municipal Code as follows:

Chapter 14.125 IMMIGRATION ENFORCEMENT STAGING

14.125.010 Prohibiting use of City property for immigration enforcement staging

Real property that is City owned and controlled, but which does not include the public right-of-way used for pedestrian and vehicular traffic, shall not be used for civil immigration enforcement staging, including actions to assemble, mobilize, or deploy personnel, vehicles, or equipment for civil immigration enforcement operations, or for surveillance or logistical coordination for those operations.

14.125.020 Scope

A. Nothing in this Chapter 14.125 shall be construed as restricting or interfering with the execution of lawful judicial warrants or the enforcement of criminal law, nor as limiting the rights of any person under state or federal law.

B. This Chapter 14.125 does not prohibit the lawful use of real property that is City owned and controlled for purposes other than civil immigration enforcement staging, nor does it

restrict any person or entity from carrying out lawful functions unrelated to that purpose on such property.

14.125.030 Injunctive relief

The Seattle City Attorney's Office may seek legal or equitable relief in a court of competent jurisdiction, including injunctive relief, to enjoin any acts or practices that violate this Chapter 14.125.