



Legislation Details (With Text)

File #: CB 119136 **Version:** 1 **Name:** CB 119136
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On agenda: 11/20/2017
Final Action: 11/28/2017 **Ord. No.** Ord 125472

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

Sponsors: Lisa Herbold

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Signed Ord_125472, 3. Affidavit of Publication

Date	Ver.	Action By	Action	Result
11/28/2017	1	City Clerk	attested by City Clerk	
11/28/2017	1	Mayor	returned	
11/22/2017	1	Mayor	Signed	
11/22/2017	1	City Clerk	submitted for Mayor's signature	
11/20/2017	1	City Council	passed	Pass
11/15/2017	1	Select Budget Committee	pass	Pass
11/13/2017	1	City Council	referred	
11/8/2017	1	Council President's Office	sent for review	
11/8/2017	1	City Clerk	sent for review	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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

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

WHEREAS, although SPD has substantially and effectively withdrawn from the federal 1033 program, the City desires to make SPD's withdrawal a permanent and lasting policy as well as practice; NOW,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

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

3.28.140 Federal 1033 program prohibited

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

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

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

Passed by the City Council the ____ day of _____, 2017,

and signed by me in open session in authentication of its passage this ____ day of

_____, 2017.

President _____ of the City Council

Approved by me this ____ day of _____, 2017.

Tim Burgess, Mayor

Filed by me this ____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)