



Legislation Text

File #: Res 31948, Version: 1

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION condemning the use of military force in jurisdictions such as The City of Seattle that have not requested and do not intend to request federal interventions.

WHEREAS, The City of Seattle (“City”) recognizes that Black Lives Matter; and

WHEREAS, the City stands in solidarity with and supports the rights of residents to peacefully protest the abuse of police power; and

WHEREAS, on June 1, 2020, the New York Times posted a video of the President of the United States “strongly recommend[ing] to every Governor to deploy the National Guard in sufficient numbers that we dominate the streets. Mayors and Governors must establish an overwhelming law enforcement presence until the violence has been quelled. If a city or state refuses to take the actions that are necessary to defend the life and property of their residents, then I will deploy the United States military and quickly solve the problem for them;” and

WHEREAS, the Insurrection Act of 1807 (10 U.S.C. §§ 251-255) empowers the President of the United States to deploy U.S. Military and federalized National Guard troops within the United States in some circumstances to suppress civil disorder, insurrection, and rebellion; and

WHEREAS, the Insurrection Act of 1807 would require a local jurisdiction to formally permit and invite federal authorities to come in and assist a law enforcement mission; and

WHEREAS, the City has taken effective actions to address and reduce instances of property damage and violence; and

WHEREAS, the Mayor proclaimed a Civil Emergency on May 30, 2020 establishing certain emergency powers

to respond to the massive protests in areas throughout the City; and

WHEREAS, the Mayor issued an Emergency Order on May 30, 2020 creating evening curfews on May 30, 2020 and May 31, 2020; and

WHEREAS, the Mayor issued an Emergency Order on May 30, 2020 establishing a ban on use and possession in public places of certain weapons and materials that could be used as weapons; and

WHEREAS, the Mayor issued an Emergency Order on June 1, 2020 creating an evening curfew on June 1, 2020; and

WHEREAS, the Mayor issued an Emergency Order on June 2, 2020 creating evening curfews from June 2, 2020 through June 6, 2020 (inclusive); and

WHEREAS, the Mayor issued an Emergency Order on June 3, 2020 ending the evening curfews from June 3, 2020 through June 6, 2020 (inclusive); and

WHEREAS, Mayor Jenny Durkan issued a statement on June 1, 2020 that “[The City of Seattle] welcomed the National Guard over the weekend who have helped in unarmed duties with support and logistics as we deal with the effects of time of civil unrest and the bad actions of a few. But let me be clear: no U.S. Military troops are needed nor will they act as police in Seattle. This is an opportunity for community to righteously express anger at the systemic inequities that continue to pollute our society. I support our residents right to assemble and I am glad they are doing so. I am hopeful that through this time of grief and anger, we will be able to channel this energy into sustained, systemic reform across our country;” and

WHEREAS, Seattle City Attorney Pete Holmes issued a statement on June 1, 2020 that “POTUS has lost his mind. He just threatened to deploy active military forces in American cities in plain, criminal violation of the Posse Comitatus Act.... Even if this wasn’t blatantly illegal, does Trump actually want the Nation to burn? Our City will fight any steps to use the military against the American public;” and

WHEREAS, the most recent and relevant invocations of the Insurrection Act to respond to civil unrest, by

President Lyndon B. Johnson in the late 1960s and by President George H.W. Bush in 1992, were in response to requests for federal assistance by state Governors; and

WHEREAS, Governor Jay Inslee issued a statement on June 1, 2020 that "This president has repeatedly proven he is incapable of governing. He has shown nothing but false bravado throughout the chaos that has accompanied his time in office. His admiration of authoritarians around the world should not allow him to violate 200 years of American tradition of local law enforcement. We have activated the National Guard in our state and made them available to any community who requests it. Our country is defined by our collective character and democratic ideals, not by reactionary calls for division and not by threatening Americans with their own military;" NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THAT:

Section 1. The City of Seattle condemns the President's statement threatening to use military force to address property damage or violence in any jurisdiction, such as The City of Seattle, that has not specifically requested such intervention.

Section 2. The City of Seattle opposes any intervention by or use of United States military forces or federalized National Guard to address property damage or other forms of violence unless such intervention is specifically requested by the Mayor of The City of Seattle together with a majority vote of the City Council.

Section 3. The City Council does not intend to request or support any intervention by United States military forces or federalized National Guard.

Adopted by the City Council the _____ day of _____, 2020, and signed by me in open session in authentication of its adoption this _____ day of _____, 2020.

President _____ of the City Council

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)