



Legislation Details (With Text)

File #: Res 31962 **Version:** 1 **Name:**
Type: Resolution (Res) **Status:** Adopted
In control: City Clerk

On agenda: 8/10/2020

Final Action: **Ord. No.**

Title: A RESOLUTION relating to policing and public safety; establishing the Council’s intent to create a civilian-led Department of Community Safety & Violence Prevention; identifying actions in 2020 to remove certain functions from the Seattle Police Department and provide funding for a community-led process to inform the structure and function of the new department; requesting modifications to policing practices; requesting reporting to the Council; providing guidance on layoff decisions; and establishing a work program and timeline for creating a new department.

Sponsors: Andrew Lewis, Lisa Herbold, Debora Juarez

Indexes:

Attachments: 1. Att 1 - Decriminalize Seattle’s and King County Equity Now’s 2020 Blueprint for Police Divestment / Community Reinvestment, 2. Summary and Fiscal Note, 3. Signed Resolution 31962, 4. Affidavit of Publication

Date	Ver.	Action By	Action	Result
8/10/2020	1	City Clerk	attested by City Clerk	
8/10/2020	1	City Council	adopted	Pass
8/10/2020	1	City Council	referred	
8/10/2020	1	Council President’s Office	sent for review	
8/10/2020	1	City Clerk	sent for review	

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION relating to policing and public safety; establishing the Council’s intent to create a civilian-led Department of Community Safety & Violence Prevention; identifying actions in 2020 to remove certain functions from the Seattle Police Department and provide funding for a community-led process to inform the structure and function of the new department; requesting modifications to policing practices; requesting reporting to the Council; providing guidance on layoff decisions; and establishing a work program and timeline for creating a new department.

WHEREAS, the Council recognizes that the nation’s and Seattle’s history of racism and the current impact of institutional racism and structural racism cause over-policing and underinvestment in communities of color and especially in Black communities; and

WHEREAS, this resolution is in the spirit of the life and legacy of civil rights leader John Lewis and his

commitment to "good trouble" in the United States Congress for 33 years; and

WHEREAS, the Council is committed to confronting structural and institutional racism as a fundamental step towards addressing the racist institution of policing; and

WHEREAS, in May 2020, Minneapolis police officers murdered George Floyd, setting off nationwide protests against police brutality and for justice for Black victims of police violence; and

WHEREAS, these protests forced many nationwide and in Seattle to confront the racism that has been plaguing the Black community for centuries and spread to other communities of color, the harmful impacts of white supremacy culture, and the Seattle Police Department's (SPD) role in perpetuating racism and violence; and

WHEREAS, during the course of the protests, thousands of complaints were lodged against SPD for their arrests, threats of arrest, and use of force against City and County residents, including the indiscriminate use of tear gas, blast balls, and rubber bullets; and

WHEREAS, SPD has allegedly used these tactics against legal observers, medical personnel, and journalists; and

WHEREAS, in response to both recent events and through the efforts of decades of organizing, anti-racist organizations coalesced around the following demands made to the City by *Decriminalize Seattle* and *King County Equity Now*: 1. Replace current 911 operations with civilian-controlled system; 2. Scale up community-led solutions; 3. Fund a community-led process to create a roadmap to life without policing; and 4. Invest in housing for all; and

WHEREAS, the co-leads of the City's Race and Social Justice Initiative (RSJI) sent a letter on June 8, 2020 to the Mayor requesting that she "Commit to a community participatory budget process. The anti-racist organizations named above must oversee and co-design a community-centered process to determine how the funds are reinvested"; and

WHEREAS, members of the communities most impacted by policing support the demands to the City to push

back against the harm the police cause to the Black community and correct years of failure to invest in Black communities; and

WHEREAS, since the 1980s there has been a disturbing trend to defund investments in affordable housing, education, behavioral & mental health, and drug/alcohol addiction diversion programs resulting in police officers responding to many of these systemic failures; and

WHEREAS, the lack of funding in these systems also disproportionately affect communities of color, compounding the harms of overpolicing; and

WHEREAS, though SPD has been under consent decree since 2012 and has been making reforms to the department, SPD officers continue to kill Black city residents more often than they kill white residents; and

WHEREAS, the Council acknowledges the harm that policing and other institutional racism has caused to Black communities; and

WHEREAS, RSJI principles to which the Council has committed include centering communities most impacted by the City's policies; and

WHEREAS, by taking the lead of anti-racist organizations by meeting their demands, the Council is implementing its commitment to racial justice work; and

WHEREAS, the Council is committed to implementing public safety for all residents, and not just for white people; and

WHEREAS, by working to fulfill the anti-racist community's demands, the Council has the potential to address the systemic root causes of violence; and

WHEREAS, the Council endeavors to support an inclusionary community engagement process to build productive relationships with community members and ensure public safety in Seattle; and

WHEREAS, the Council recognizes that reforms to SPD are not in and of themselves sufficient to build a new system of public safety. This resolution begins a process acknowledging the need for a culture of

constant improvement in public safety, civilianization of certain public safety functions, and the centering of BIPOC leadership in public safety priorities. The Council further recognizes that realizing these goals will not be accomplished in one budget cycle, but will require ongoing vigilance, commitment, and shared work with community to realize social, political, and economic justice for BIPOC communities; and

WHEREAS, although the Council is unable to immediately effect all the changes demanded by the community, this resolution lays out a commitment to achieve the community's goal through a clear timeline and work plan; NOW, THEREFORE,

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

Section 1. Intent to Form a Civilian-led Department of Community Safety & Violence Prevention. The Council intends by the fourth quarter of 2021 to create a new civilian-led department that will take a holistic approach to public safety. Creation of such a department will be informed by the process and principles outlined in Decriminalize Seattle's and King County Equity Now's *2020 Blueprint for Police Divestment / Community Reinvestment* attached to this resolution as Attachment 1. The Council (1) affirmatively acknowledges that the Consent Decree remains in full force and effect; (2) has every intention to comply with the Consent Decree obligations as Council rebalances the City's 2020 Budget; (3) will endeavor to rebalance the 2020 Budget consistent with the Consent Decree requirements; and (4) will continue to work with the Court and other appropriate stakeholders to achieve Consent Decree compliance.

Section 2. Actions in 2020. By the end of November 2020, the Council intends to consider legislation that would:

A. Remove 9-1-1 communication functions and related communications funding from the Seattle Police Department (SPD) and establish those operations in a civilian-led department;

B. Remove the Office of Emergency Management from SPD and establish those functions in a different City department;

C. Remove Harbor Patrol functions from SPD and establish those functions in the Seattle Fire Department;

D. Remove parking enforcement functions from SPD and establish those functions in the Seattle Department of Transportation;

E. Provide sufficient appropriations in a Finance General Reserve and staffing support for a community-led research and participatory budgeting effort to inform the structure and function of a new Department of Community Safety & Violence Prevention; and

F. Fund new appropriations through phased reductions to SPD's budget.

Section 3. Interim modifications to current practices. While the structural changes contemplated in Section 2 of this resolution are developed for Council consideration, the Council requests that the Chief of Police undertake the following:

A. 9-1-1 response. Prioritize 9-1-1 responses as follows:

1. Calls involving reports of firearms;
2. Calls where a slow response could reasonably result in loss of life or serious injury;
3. Calls involving sexual violence; and
4. Calls involving reports of abuse or neglect of vulnerable populations, such as children, elders, and people with disabilities.

B. Biased policing. Work with the Council, Mayor's Office, and community to determine the enforcement practices that should be deprioritized based upon a disproportionate impact on Black, Indigenous, and people of color (BIPOC) communities, including disproportionate impacts resulting from the partnership between SPD and the Department of Corrections (DOC) for persons in DOC supervision. By September 30, 2020, report to the City Council on at least three practices SPD will deprioritize or discontinue based on this analysis.

Section 4. For any personnel cuts in 2020 or 2021, the Council requests that the Chief of Police:

A. Pursue out-of-order layoff authority from the Public Safety Civil Service Commission;

B. Prioritize laying off officers with sustained complaints;

C. Stay in compliance with the consent decree, including maintaining sufficient qualified, first line field supervisors;

D. Make no layoff decisions that conflict with City Charter obligations including the need to maintain adequate patrol staffing in every district;

E. Explore providing additional incentives for early retirement, including healthcare incentives, or other strategies to reduce the size of the patrol force; and

F. Establish a police misconduct registry for all SPD officers that parallels the proposed National Misconduct Registry that would be created by H.R. 7120, the *George Floyd Justice in Policing Act of 2020*, and compiles information that is accessible to the public.

1. Data in the registry should include but not be limited to:

a. Misconduct complaints (pending, sustained, and exonerated);

b. Discipline records;

c. Termination records;

d. Records of certification;

e. Records of lawsuits against officers and settlements; and

f. Instances where a law enforcement officer resigns or retires while under active

investigation related to use of force.

2. Data collected in the registry should be disaggregated by whether complaints involved a use of force or racial profiling.

3. Information in the registry should be accessible to other law enforcement agencies to certify the hiring eligibility for law enforcement officers changing departments.

Section 5. The City Council requests that SPD issue a report to Council by October 15, 2020 on how

patrols would function after layoffs proposed in this resolution. The report should describe how the proposed layoffs would affect general redeployment and response times by precinct. The report should describe how harbor patrol functions would change under a transfer of authority from SPD to the Seattle Fire Department.

Section 6. Work program and timeline. The Council adopts the following conceptual work program and timeline for creating a new Department of Community Safety and Violence Prevention.

Actions	Time Frame
Council and Mayor consider: <ul style="list-style-type: none"> ▪ Reducing SPD’s budget ▪ Funding a community-led research process Removing specified functions from SPD <ul style="list-style-type: none"> ▪ Work with SPD and community to identify police practices with a disproportionate impact on BIPOC communities 	August 2020 - November 2020
Community-led organizations: <ul style="list-style-type: none"> ▪ Conduct research ▪ Conduct a participatory budgeting process Recommend a structure and functions for a Department of Community Safety & Violence Prevention <ul style="list-style-type: none"> ▪ Present recommendations to the Council and Mayor 	August 2020 - July 2021
Council, Mayor and City Attorney <ul style="list-style-type: none"> ▪ Develop draft legislation for public review ▪ Identify any necessary City Charter amendments ▪ Develop ballot language for Charter amendments, if necessary, and submit it to King County Elections for a November vote 	April 2021 - July 2021
Council and Mayor: <ul style="list-style-type: none"> ▪ Introduce, consider, and act on proposed legislation creating a new Department of Community Safety & Violence Prevention and making associated budget changes 	September 2021 - November 2021

Section 7. The City Council will not support any budget amendments to increase the SPD’s budget to offset overtime expenditures above the funds budgeted in 2020 or 2021.

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)

Attachments:

Attachment 1 - Decriminalize Seattle's and King County Equity Now's *2020 Blueprint for Police Divestment / Community Reinvestment*