



## Legislation Details (With Text)

<b>File #:</b>	CB 120142	<b>Version:</b>	3	<b>Name:</b>	CB 120142
<b>Type:</b>	Council Bill (CB)	<b>Status:</b>	Did Not Pass		
		<b>In control:</b>	City Clerk		
<b>On agenda:</b>	9/20/2021				
<b>Final Action:</b>	<b>Ord. No.</b>				
<b>Title:</b>	AN ORDINANCE relating to the Seattle Police Department; prohibiting training, exchanges, and partnerships with certain governments; and adding a new Section 3.28.141 to the Seattle Municipal Code.				
<b>Sponsors:</b>	Kshama Sawant, Tammy J. Morales, Teresa Mosqueda				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Summary and Fiscal Note, 2. Central Staff Memo, 3. Revised Central Staff Memo (added; 9/16/21), 4. Proposed Amendment 1, 5. Amendment 1 Version 2 Sawant - Reference to ICC investigations (added; 9/21/21), 6. Amendment 2 Sawant - Training Exclusions Version 3 BTI Edits (added; 9/21/21), 7. Amendment 2B Strauss - Nation-neutral Exclusions rev (Added; 9/21/21), 8. Amendment 3 Sawant - Strengthen exclusion standards (added; 9/21/21)				

Date	Ver.	Action By	Action	Result
9/20/2021	1	City Council	not passed	Fail
9/14/2021	1	Public Safety and Human Services Committee	pass as amended	Pass
7/26/2021	1	City Council	referred	
7/21/2021	1	Council President's Office	sent for review	
7/15/2021	1	City Clerk	sent for review	

### CITY OF SEATTLE

#### ORDINANCE \_\_\_\_\_

#### COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to the Seattle Police Department; prohibiting training, exchanges, and partnerships with certain governments; and adding a new Section 3.28.141 to the Seattle Municipal Code.

WHEREAS, as the City Council has affirmed in Resolutions 31858 and 31928, Seattle is a Human Rights City

that endorses the rights set out in the Universal Declaration of Human Rights, and it is committed to protecting and promoting the human rights and dignity of Native peoples and all residents and visitors to Seattle, including civil, political, social, economic, and cultural rights; and

WHEREAS, through the passage of Resolution 31928, the City has affirmed Seattle as a welcoming city,

condemning all forms of oppression throughout the world, and stating that the Office of

Intergovernmental Relations will continue to alert the Seattle City Council about international issues impacting Seattle and inform Councilmembers when City Council action could contribute meaningfully to a positive outcome; and

WHEREAS, it is the Seattle City Council's intent to ensure protection of the human rights as set forth in the Universal Declaration of Human Rights to all persons as they relate to biased policing activities and to require the policies, training, and data that safeguards against such activities in Seattle; and

WHEREAS, after a Department of Justice (DOJ) investigation found in 2011 that the Seattle Police Department (SPD) engaged in an unconstitutional pattern of excessive force and bias, Seattle entered into a Consent Decree with the DOJ that requires the City to ensure that its policing services comply with the Constitution; and

WHEREAS, in Seattle and nationally, the increasing use of militarized units such as SWAT Teams, by the police has been demonstrated to disproportionately harm Black, Indigenous, and other People of Color; and

WHEREAS, even after nearly a decade of Seattle being subject to the Consent Decree, communities of color still experience disproportionate police use of force, as exemplified by the Seattle Police Department's 2019 Annual Use of Force Report, which found that of male individuals subjected to use of force by Seattle police in 2019, 30 percent of those individuals were Black, while Black people constitute only seven percent of Seattle's population; and

WHEREAS, in response to SPD's well-documented complaints of excessive force, including chemical weapons against thousands of protestors during the Black Lives Matter uprisings in response to the murder of George Floyd in the late Spring and Summer of 2020, the Seattle City Council took steps toward defunding SPD during the summer emergency budget vote and the 2021 city budget; and

WHEREAS, federal law, including 22 U.S.C. 2304, prohibits any United States law enforcement agency from providing security assistance to any country the government of which engages in a "consistent pattern

of gross violations of internationally recognized human rights,” including “torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty, or the security of person;” and

WHEREAS, the UN Declaration on Human Rights, together with the International Covenant on Civil and Political Rights and its two Optional Protocols (including the complaints procedure and on the death penalty) and the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol, form the International Bill of Human Rights; and

WHEREAS, United Nations bodies periodically monitor states for compliance with these international human rights covenants that are part of the International Bill of Human Rights; and

WHEREAS, the Fourth Geneva Convention addresses humanitarian protections for civilians in a war zone, in armed conflicts where war has not been declared, and in an occupation of another country's territory; and

WHEREAS, the International Court of Justice, established in 1945 as the principal judicial organ of the United Nations (UN), is responsible for settling, in accordance with international law, legal disputes submitted to it by states and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies.

WHEREAS, The City of Seattle wishes to promote an encompassing vision for public safety that moves towards the abandonment of militarization and instead embraces other markers of wellness, such as respecting and protecting civil and human rights, and providing its people with access to resources including affordable housing, health services, and public transportation; NOW, THEREFORE,

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

Section 1. A new Section 3.28.141 is added to the Seattle Municipal Code as follows:

**3.28.141 Training with certain countries prohibited**

The Seattle Police Department (SPD) shall not participate in any training programs, exchanges, or partnerships with the military forces of any country, or engage in travel to any foreign country or territory for the purpose of training with a foreign military. SPD shall not participate in any training programs, exchanges, or partnerships with the police forces, intelligence agencies or security services of any country or engage in travel to any foreign country or territory:

A. That is not party to the International Covenant on Civil & Political Rights and the International Covenant on Economic Social & Cultural Rights; or

B. That within the country or territory's boundaries, or within territories that the country occupies or effectively controls, exists a situation under non-preliminary investigation by the International Criminal Court; or an actor against which that Court has found a violation in the last ten years.

Section 2. For the purpose of this section, Section 3.28.141, SPD shall not be prohibited from providing executive protection to City elected officials on an official trip to a country that meets the exclusion criteria specified in Section 1.

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 \_\_\_\_\_, 2021, and signed by  
me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)