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Seattle, WA Municipal Code

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Chapter 14.12 - COLLECTION OF INFORMATION FOR LAW ENFORCEMENT PURPOSES^[11]

Footnotes:

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Severability—If any provision of this chapter, or its application to any person or circumstances, is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.
(Ord. [110572](#), § 40, 1982; Ord. [108333](#), § 41, 1979.)

Subchapter I - General Provisions

14.12.010 - Statement of purpose

This [Chapter 14.12](#) shall be interpreted and implemented in a manner to permit the collection and recording of information for law enforcement purposes, so long as these police activities do not unreasonably: (a) infringe upon individual rights, liberties, and freedoms guaranteed by the Constitution of the United States or of the State—including, among others, the freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion; and the right to petition government for redress of grievances; or (b) violate an individual's right to privacy. This [Chapter 14.12](#) is not intended to protect criminal activity.

(Ord. [110572](#), § 1, 1982; Ord. [108333](#), § 1, 1979.)

14.12.020 - Policies

The following policies shall govern the collection and recording of information by departmental personnel:

- A. No person shall become the subject of the collection of information on account of a lawful exercise of a constitutional right or civil liberty; no information shall be collected upon a person who is active in politics or community affairs, unless under the same or similar



circumstances the information would be collected upon another person who did not participate actively in politics or community affairs;

- B. All information collected shall reasonably appear relevant to the performance of an authorized police function; no information shall be collected or used for political purposes;
- C. When a police officer knows of two or more techniques to collect restricted information and each would be equally practical and effective, the officer should use the technique which he reasonably believes will have the least adverse impact upon lawful political and/or religious activity;
- D. Information indexed for ready retrieval, other than correspondence files, shall be reviewed periodically and only that deemed relevant to present and future law enforcement activities or required by law shall be retained;
- E. To protect the rights of privacy of the citizenry and to preserve the confidentiality of communications, disclosure of information shall be limited to records open for public inspection, to arrest notices and information disclosed to the public for law enforcement purposes, and/or to information needed by:
 - 1. Criminal justice agencies in the performance of their official functions;
 - 2. Persons with a legitimate interest in the information and persons making inquiry with their consent;
 - 3. Persons with a right to disclosure under a statute, implementing regulation, ordinance, or court order;
 - 4. Persons conducting research for scientific or law enforcement purposes under assurance of confidentiality; and
 - 5. Agencies with regulatory responsibilities for which the information is pertinent; and
- F. Disclosure of information from records closed to public inspection shall be limited to those facts and materials reasonably deemed relevant to the purposes for the disclosure, unless the disclosure occurs pursuant to a subpoena or court order, chapter 42.56 RCW), RCW 10.97.070, or other statute mandating disclosure, or the subject of the information consents to its disclosure.

(Ord. 110640, § 1, 1982; Ord. 110572, § 2, 1982; Ord. 108333, § 2, 1979.)

14.12.030 - Definitions

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"Auditor" means the person described in Section 14.12.310.

"Collect" (and "collected," "collecting," and "collection") means to write down, or preserve in another tangible form, information as a record or file of the Department, which is retrievable by departmental personnel. "Collect" excludes making personal notes that are not retrievable by other departmental personnel.



"Department" means the Seattle Police Department.

Departmental personnel means an officer or employee of the City assigned to the Department, and any individual paid by the City pursuant to vouchers drawn by the Chief of the Department or a fiscal officer assigned to the Department and acting under the direction and control of an officer or employee in the Department.

"Infiltrator(s)" means a person acting under the direction of the Department who is a member or associate—or poses or acts as a member or associate—of a political or religious organization, an organization formed for the protection or advancement of civil rights or civil liberties, or an organization formed for community purposes, and who agrees to provide or provides information about the organization to the Department on a continuing basis without disclosing his or her relationship to the Department.

"Informant(s)" means a person other than an officer or employee of the City assigned to the Department:

1. Who provides information to departmental personnel about a person in consideration of a personal benefit; or
2. Who is engaged, directed, or controlled by the Department.

"Person" means any individual, group of individuals, unincorporated association, and/or corporation. "Person" excludes a government or agency thereof.

"Private sexual information," in Sections [14.12.060](#), [14.12.070](#), [14.12.080](#), and subsection 14.12.090.D, means any information about an individual's sexual practices or orientation. Otherwise, it excludes any such information within the scope of Sections [14.12.070](#) through [14.12.120](#) dealing with administrative records, incidental references, confidential communications, materials open to public inspection, special investigations, and exclusions, respectively. In Sections [14.12.130](#), [14.12.140](#), and [14.12.350](#), "information" uses "private sexual information" as an antecedent and has the same meaning.

"Private sexual and restricted information" or "private sexual or restricted information" means the individual definitions of "private sexual information" and "restricted information."

"Purge(d)" means to return, destroy, or deny use of information by means such as returning to the sender or removal to a secure depository with access restricted solely to specific individuals for purposes of defending a lawsuit, complying with a court order, preserving evidence possibly valuable to a defendant in a criminal case or pending commitment proceeding, and auditing compliance with this Chapter 14.12 or state laws regarding records retention or public disclosure. "Purge(d)" shall include deletion of information from affected materials and from Department indexes. Nothing in this [Chapter 14.12](#) shall prohibit indexing of materials within a secure depository.



"Reasonable suspicion" (or "reasonably suspected") means a rational inference that is based on

"Restricted information," in Sections [14.12.060](#), [14.12.070](#), and [14.12.080](#), subsection 14.12.090.D, Section [14.12.250](#), subsection 14.12.350.A.3, and Section [14.12.370](#), means any information within subsections 1 through 3 of this definition. Otherwise, it excludes any such information within the scope of Sections [14.12.070](#) through [14.12.120](#) dealing with administrative records, incidental references, confidential communications, materials open to public inspection, special investigations, and exclusions, respectively. "Restricted information" means information about:

1. An individual's political or religious associations, activities, beliefs, or opinions;
2. The political or religious activities, beliefs, or opinions and the membership, mailing, subscription, or contributor lists of a political or religious organization, an organization formed for the protection or advancement of civil rights or civil liberties, or an organization formed for community purposes; or
3. An individual's membership or participation in such an organization, in a political or religious demonstration, or in a demonstration for community purposes.

In Sections [14.12.200](#), [14.12.210](#), and [14.12.240](#) "information" uses "restricted information" as an antecedent and has the same meaning, except in the phrase "information or pooling information" in subsection 14.12.240.D.

"Working day(s)" means from 8 a.m. to 5 p.m. of each day from Monday through Friday, except days designated as legal holidays by RCW 1.16.050 or Section 4.20.190, Fridays immediately preceding any such legal holiday falling on a Saturday, and Mondays immediately following any legal holiday falling on a Sunday.

(Ord. [126559](#), § 7, 2022; Ord. [110640](#), § 2, 1982; Ord. [110572](#), § 3, 1982; Ord. [108333](#), § 3, 1979.)

Reviser's note—For ease of use, the current codification of Section [14.12.030](#) replaces various systems of "words and their derivations" referring to definitions when "emphasized," whether by bolding, underlining, or enclosing in quotation marks. Due to the nature of the prior systems, a few terms were not emphasized in some instances, and ordinances do not state a definition for those instances:

14.12.020.A - "Person" and "collection"

[14.12.030](#) - "Person" in the definitions of "auditor," "infiltrator," and "informant"

14.12.080.C (prior to C.1) - "Collected"

[14.12.100](#) - "Person"

14.12.320.C.7 - "Department"

14.12.370.A - "Private sexual information"



14.12.040 - Usages



- A. The singular number includes the plural, unless the context clearly indicates otherwise.
- B. The masculine includes the feminine with respect to a particular office or position.
- C. Unless otherwise indicated, a reference to a City Attorney, a Prosecuting Attorney, a District Attorney, or an Attorney General includes any Deputy or Assistant acting on the official's behalf.
- D. Unless otherwise indicated, reference to the Criminal Information Section includes reference to any successor entity.
- E. The subchapters identified with Roman numerals and the section captions are for convenient reference only and do not limit or modify the substance of the text of this [Chapter 14.12](#).

(Ord. [110572](#), § 4, 1982; Ord. [108333](#), § 39, 1979.)

14.12.050 - Application



This [Chapter 14.12](#) shall not affect any action taken prior to January 1, 1980.

(Ord. [108333](#); § 40, 1979.)

Subchapter II - Scope—Exemptions and Exclusions



14.12.060 - Scope



- A. Those sections of this [Chapter 14.12](#) controlling the collection, receipt, and/or transmission of information (Sections [14.12.130](#) through [14.12.240](#)) do not apply to administrative records (Section [14.12.070](#)), incidental references (Section [14.12.080](#)), confidential communications (Section [14.12.090](#)), materials open to public inspection (Section [14.12.100](#)), special investigations (Section [14.12.110](#)), and the exclusions (Section [14.12.120](#)), provided that Department indexing does not cite any private sexual or restricted information other than the information in a proper name, unless specifically authorized by this [Chapter 14.12](#).
- B. Except for the exclusion of subsection [14.12.120.A.1](#), the policies in Section [14.12.020](#) apply to the provisions of this [Chapter 14.12](#). All Department records are subject to audit unless excluded by subsections [14.12.320.A.1](#) through [14.12.320.A.6](#).

(Ord. [110640](#), § 3, 1982; Ord. [110572](#), § 5, 1982; Ord. [108333](#), § 4, 1979.)

14.12.070 - Administrative records





Administrative records pertain to Department operations and/or public relations, are comparable in character to files and records maintained by other City departments, and exclude investigatory files of the Department. Examples of administrative records include routine correspondence files; employment and personnel records; jail records on prisoners' religious preferences and customs; information for providing chaplain, escort, and ancillary community services; records of evidence, lost or stolen property, and custodial property inventoried without regard to informational content; and itinerary information used for providing security and protection for an official, dignitary, or consenting individual. Indexing may cite private sexual or restricted information only for a valid administrative purpose.

(Ord. [110640](#), § 4, 1982; Ord. [110572](#), § 6, 1982; Ord. [108333](#), § 5, 1979.)

14.12.080 - Incidental references



- A. Private sexual or restricted information may be collected when the information appears as an incidental reference in a standard report form, in response to a general questionnaire completed by an applicant or witness using his or her own words, or in a more general description or statement.
- B. Private sexual or restricted information may be collected when it forms an incidental part of the statement, verification, or rebuttal of a legal defense that has been raised by a suspect or may reasonably be anticipated; or an incidental part of the activities or associations of a homicide, unconscious, or kidnapped victim during the 72 hours immediately preceding an incident or investigation.
- C. In addition, private sexual or restricted information that comes within one of the following classifications may be collected when:
 - 1. The information relates to a suspect whose identity is unknown and may not then be indexed by a true name;
 - 2. The subject of the information supplies the information to known departmental personnel;
 - 3. The information arises in the course of and is used exclusively for [Title 11](#) enforcement and traffic safety purposes;
 - 4. The information is part of a recording maintained in connection with incoming emergency calls or a video and/or sound recording authorized by RCW 9.73.090;
 - 5. The information is collected and maintained by the Department Communications Division for use exclusively in connection with emergency calls and is isolated from general Department files;
 - 6. The information appears in records relating to child abuse or protective custody services contemplated by chapter 26.44 RCW; or in unit records of Community Service Officers used in handling domestic disputes, youth counseling, or like community services; and/or



7. The information appears as part of the text of printed informational material from a governmental law enforcement agency, the main purpose of which is instructional and the disclosure of which would be detrimental to effective law enforcement.

D. Information collected pursuant to subsection 14.12.080.C.7 may be indexed separately for purposes of chapter 42.56 RCW, provided that such information shall not be cross-referenced within other Department files.

(Ord. [110572](#), § 7, 1982; Ord. [108333](#), § 6, 1979.)

14.12.090 - Confidential communications



The following communications and materials are confidential:

- A. A professional consultation between departmental personnel and a Department psychologist, or between a person detained in the City Jail and a jail physician or other medical personnel when a confidential relationship exists between the participants;
- B. A confidential communication between departmental personnel and any legal advisor assigned to the Department or to represent the Department or departmental personnel, as well as memoranda of such communications;
- C. A confidential communication between departmental personnel and a chaplain or other religious official; or
- D. Information identifying the name of an informant that is privileged from disclosure in a court of law and information collected about an informant as part of and relevant to a background investigation to determine his or her reliability, provided the informant has consented to its collection. Such a confidential communication may not contain private sexual information or restricted information about any person other than the informant, except as an incidental reference (Section [14.12.080](#)).

(Ord. [110572](#), § 8, 1982; Ord. [108333](#), § 7, 1979.)

14.12.100 - Materials open to public inspection



- A. Materials such as the following qualify as materials open to public inspection if any person may examine them during regular Department business hours and the materials are readily available and may be obtained promptly:
 - 1. Information about anticipated political or religious events—such as parades, processions, rallies, demonstrations, or assemblies contemplated in [Chapter 11.25](#), or its successor traffic code—and such materials as may be necessary in connection with the events for the direction and control of traffic, to protect the public health and safety, and to secure public liability insurance covering the City, provided that the complainant identification information may be kept confidential when required by RCW 42.17.310(1)(e);



2. Information in a reference center or library;
 3. Printed literature from a criminal justice agency relating to law enforcement duties that may be obtained pursuant to the public disclosure rules of the Department prepared pursuant to state law; and/or
 4. Any arrest circular or "Wanted" poster received by the Department as part of a general circulation by a governmental agency to law enforcement agencies.
- B. Materials qualifying as materials open to public inspection pursuant to subsections 14.12.100.A.2 and 14.12.100.A.3 may be indexed separately for the purposes of chapter 42.56 RCW), provided that such materials shall not be cross-referenced within other Department files.

(Ord. 110640, § 5, 1982 [typographical error correction and cross-reference update]; Ord. 110572, § 9, 1982; Ord. 108333, § 8, 1979.)

Reviser's note—RCW 42.17.310 was renumbered to RCW 42.56.210 by Chapter 274, Laws of 2005. The subject matter covered by the former RCW 42.17.310(1)(e) is now covered by RCW 42.56.240(2).

14.12.110 - Special investigations

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Information may be collected in connection with the following special investigations when:

- A. The information is collected upon the request of the Attorney General of the State, a Prosecuting Attorney, a City Attorney, or the Department of Justice with respect to a person charged with a crime or ordinance violation, or with respect to a person facing civil commitment after commitment proceedings have been filed, and the information is reasonably relevant to the investigation or judicial proceedings.
- B. The information is collected about a person reasonably suspected of involvement in corruption or malfeasance in office of a governmental official or employee, and the information reasonably appears relevant thereto; and/or
- C. The information is collected about an applicant as part of and relevant to a background investigation of the applicant for employment or promotion with the City or a City license or commission; or the subject of the information has consented in writing to its collection.

(Ord. 110572, § 10, 1982; Ord. 108333, § 9, 1979.)

14.12.120 - Exclusions

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- A. This [Chapter 14.12](#) shall not restrict:
 1. Activities by departmental personnel as private citizens not related to their law enforcement functions;

2.



The collection of information about police conduct by the Department Internal Investigations Section;

3. The participation of departmental personnel in their official capacities in the City's administrative and legislative processes with respect to Department operations to the same extent and in the same manner as other City departments; or

4. Personal communications to, and personal papers of, the Chief of the Department personally maintained in his own office, provided such materials do not include investigatory information.

B. Nothing in this [Chapter 14.12](#) shall restrict or forbid departmental personnel from complying with a court order.

(Ord. [110572](#), § 11, 1982; Ord. [108333](#), § 10, 1979.)

Subchapter III - Handling Private Sexual Information

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14.12.130 - Collection and use

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Private sexual information shall not be collected unless the information involves: a reported or observed sex crime; an apparent felony where a motivation for the crime may reasonably be suspected to be sexual in origin; a violation of the law that by its nature is commonly related to sexual activity (for example, prostitution, pandering, procuring, lewd conduct, or pornography); or the information is about a subject or fugitive and may reasonably lead to his or her arrest. The private sexual information collected shall reasonably appear relevant to the investigation of unlawful activity or to making an arrest of the subject of the information.

(Ord. [110640](#), § 6, 1982; Ord. [110572](#), § 12, 1982; Ord. [108333](#), § 11, 1979.)

14.12.140 - Receipt and transmission

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A. Unless Section [14.12.130](#) applies, private sexual information received from another criminal justice or governmental agency shall be purged within the sooner of seven working days or of the placement of other material which was received with the private sexual information into an investigatory file, the commingling of the other material with other Department files and records, or the indexing of the other material in the Department's record system.

B. Private sexual information shall not be transmitted to another criminal justice or governmental agency unless:

1. The recipient agency has a need for the information which satisfies the requirements of Section [14.12.130](#), or a subpoena, court order, or statutory mandate requires the production of the information; and a log of each written transmission is maintained which contains the name of the subject of the information and the recipient agency; or



2. The information is transmitted to the King County Prosecuting Attorney or the City Attorney in connection with a pending investigation of unlawful activity or a judicial proceeding.

(Ord. [110572](#), § 13, 1982; Ord. [108333](#), § 12, 1979.)

Subchapter IV - Handling Restricted Information for Criminal Investigations :

14.12.150 - Collecting restricted information :

- A. Departmental personnel shall not collect any restricted information for any use other than for dignitary protection without an authorization by a unit commander of the rank of lieutenant or above; provided, when time is of the essence, departmental personnel may collect restricted information under the condition that it shall be purged within five working days unless an authorization for its collection is granted.
- B. An investigating officer may secure an authorization under this Section [14.12.150](#) from a lieutenant or higher-ranking officer who is in his or her chain of command or has supervision over the investigation. The authorization may adopt a written request from a Prosecuting Attorney, a City Attorney, the Attorney General of the State, or the Attorney General of the United States made in the court of and for performance of the duties of their respective offices.
- C. Such an authorization may be granted only when:
 1. There is a reasonable suspicion that the subject of the restricted information has engaged in, is engaging in, or is about to engage in unlawful activity, or that the restricted information about the subject may reasonably lead to his or her arrest, or that the restricted information is collected about a victim or witness for the purpose of discovering his or her knowledge or evaluating his or her reliability;
 2. The restricted information to be collected appears relevant to the investigation of the suspected unlawful activity described in subsection 14.12.150.C.1, or appears relevant to making an arrest of the subject of the restricted information; and
 3. The collection of the restricted information is consistent with the statement of purpose, policies, and other provisions of this [Chapter 14.12](#).
- D. No informant or infiltrator may be used to collect restricted information about a victim or witness; restricted information about a victim or witness may not be indexed under his or her name.
- E. Notice of each authorization shall be given to the Auditor.
- F. Authorizations shall be in effect for no more than 90 days.



14.12.160 - Contents of an authorization



A unit commander or higher-ranking officer of the Department shall include in the written authorization his or her opinion that the criteria in Section [14.12.150](#) are satisfied, as well as the following information:

- A. The identity of the subject about whom the restricted information will be collected, if known;
- B. The violation of law under investigation to which the restricted information is deemed relevant and, in the event that the violation of law has not yet occurred, the approximate date of the violation, if known;
- C. An explanation of the restricted information likely to be sought and its relevance to the violation of law or the arrest of the subject;
- D. A statement of the facts and circumstances creating a reasonable suspicion that the subject of the restricted information has engaged in, is engaging in, or is about to engage in unlawful activity, or that restricted information may lead to the subject's arrest; or if the restricted information concerns a victim or witness, the facts and circumstances creating a reasonable suspicion that the victim or witness has information about the particular incident under investigation, and an explanation of why collection of the restricted information is deemed necessary;
- E. If an informant or infiltrator will be used to gather restricted information, the reasons why the use of an informant or infiltrator is deemed necessary for law enforcement purposes.

(Ord. [110572](#), § 15, 1982; Ord. [108333](#), § 14, 1979.)

14.12.170 - Additional authorizations



After an authorization expires, the Chief of the Department may authorize the collection of restricted information for additional periods of up to 90 days each as often as may be necessary for the completion of an investigation of specified unlawful activity, but in no event longer than the expiration of the statute of limitations or the prosecution of a case. The additional authorization, together with the documentation preceding it, shall describe the restricted information already collected and identify the investigation to be completed or the case to be prosecuted. An additional authorization shall satisfy the criteria in Sections [14.12.150](#) and [14.12.160](#), be substantiated by the information already collected, and justify the need to collect additional restricted information.

(Ord. [110572](#), § 16, 1982; Ord. [108333](#), § 15, 1979.)

14.12.180 - Actions after authorization





The collection, maintenance, and use of restricted information pursuant to an authorization under Sections [14.12.150](#), [14.12.160](#), or [14.12.170](#) shall be limited to the scope stated in the authorization.

(Ord. [110572](#), § 17, 1982; Ord. [108333](#), § 16, 1979.)

14.12.190 - Receipt of restricted information

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Unless an authorization has been given under Sections [14.12.150](#), [14.12.160](#), [14.12.170](#), or [14.12.230](#), restricted information received from another criminal justice or governmental agency shall be purged or, if the restricted information is useful for dignitary protection, transferred to departmental personnel with such responsibilities within the sooner of seven working days or of the placement of other material which was received with the restricted information into an investigatory file, the commingling of the other material with other Department files and records, or the indexing of the other material in the Department's record system.

(Ord. [110572](#), § 18, 1982; Ord. [108333](#), § 17, 1979.)

14.12.200 - Transmission of restricted information

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- A. Restricted information shall not be transmitted to another criminal justice or governmental agency unless:
 - 1. The recipient agency has a need for the information based upon facts sufficient to obtain an authorization under Sections [14.12.150](#), [14.12.160](#), or [14.12.230](#), or a subpoena, court order, or statutory mandate requires the production of the information; a log of each written transmission shall be maintained which contains the name of the subject of the information and the recipient agency; or
 - 2. The information is transmitted to the King County Prosecuting Attorney or the City Attorney in connection with a pending investigation of unlawful activity or a judicial proceeding.
- B. Wherever practical, the first page and each page containing restricted information in a document transmitted to a recipient agency shall contain a prominent notice limiting dissemination or use to the specific purpose for which the document was transmitted, unless otherwise authorized by the Chief of the Department.
- C. Nothing in this Section [14.12.200](#) shall prevent departmental personnel from transmitting an evaluation of information or pooling information in a common investigation of a series of related incidents as long as restricted information is not disclosed.

(Ord. [110640](#), § 7, 1982 [typographical error correction]; Ord. [110572](#), § 19, 1982; Ord. [108333](#), § 18, 1979.)

Subchapter V - Handling Restricted Information for Protecting Dignitaries

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14.12.210 - Collecting and filing restricted information



- A. Departmental personnel assigned the duty of providing for the security and protection of visiting officials and dignitaries may collect restricted information for investigatory purposes under Sections [14.12.150](#) through [14.12.190](#), or for dignitary protection under Sections [14.12.220](#), [14.12.230](#), and [14.12.240](#), and may transmit restricted information in accordance with Sections [14.12.200](#) or [14.12.240](#).
- B. Unless an authorization pursuant to Sections [14.12.150](#), [14.12.160](#) or [14.12.170](#) allows its use for a criminal investigation, restricted information collected under Sections [14.12.220](#), [14.12.230](#), and [14.12.240](#) shall be subject to the following conditions:
1. The restricted information shall be maintained in a separate record system under the custody of the departmental personnel assigned to providing security and protection for visiting officials and dignitaries (called dignitary protection files herein), indexed separately, and accessible only to these departmental personnel and their supervisors;
 2. Collection of restricted information, other than unsolicited communication, may not begin before departmental personnel receive notice of an anticipated arrival date of the visiting official or dignitary for whom security and protection are to be provided, and shall cease upon notice that the anticipated visit will not occur or upon the visitor's departure from the City, whichever occurs sooner;
 3. A log shall be kept, including each access made to the dignitary protection files and the reason thereof;
 4. The restricted information shall be used only for providing necessary security and protection for visiting officials and dignitaries;
 5. The restricted information shall be purged within 60 days after the authorization for its collection expires, unless a unit commander certifies that the subject of the information poses, has posed, or has made a threat to the life or safety of a visiting official or dignitary; or the retention of the information may be necessary for pending or future civil or criminal litigation involving the City; and
 6. The dignitary protection files shall be reviewed annually under the direction of the Chief of the Department, and the restricted information deemed no longer relevant to protecting visiting officials and dignitaries shall be purged. Transfers to other uses may be made of restricted information collected under Sections [14.12.220](#) or [14.12.230](#) with an authorization under Sections [14.12.150](#), [14.12.160](#), and [14.12.170](#).

(Ord. [110640](#), § 8, 1982; Ord. [110572](#), § 20, 1982; Ord. [108333](#), § 19, 1979.)



14.12.220 - Collecting restricted information without an authorization



Departmental personnel assigned the duty of providing for the security and protection of visiting officials and dignitaries may, without an authorization:

1. Collect restricted information from records open for public inspection, newspapers and libraries, and written communications directed at the general public;
2. Collect restricted information about a demonstration or activity directly from a person who is planning the demonstration or activity in connection with a visiting official or dignitary and who is advised of the purpose of the inquiry;
3. Accept an unsolicited communication;
4. Collect restricted information from another criminal justice or governmental agency which was originally derived from public sources, from direct communication with the subject of the information, or as an unsolicited communication; and/or
5. When time is of the essence, collect restricted information on the condition that it shall be purged within 24 hours after receipt, unless an authorization is granted under Sections [14.12.150](#) or [14.12.230](#).

(Ord. [110572](#), § 21, 1982 [grammar correction and style update]; Ord. [108333](#), § 20, 1979.)

14.12.230 - Authorizations for dignitary protection



- A. The Chief of the Department may authorize the collection of restricted information when there is a reasonable suspicion that the subject of the restricted information could pose a threat to the life or safety of a visiting official or dignitary. When time is of the essence, an authorization may be requested and given orally, but the authorization shall be reduced to writing within two working days. An authorization under this Section [14.12.230](#) shall limit the use of the restricted information collected to dignitary protection purposes, unless an authorization granted under Sections [14.12.150](#), [14.12.160](#), or [14.12.170](#) allows the information to be used for a criminal investigation.
- B. An authorization for dignitary protection shall include:
 1. The identity of the subject about whom the restricted information will be collected, if known;
 2. The name of the visiting official or dignitary to be protected and his or her anticipated date of arrival;
 3. An explanation of the restricted information likely to be sought;
 4. The facts and circumstances that provide the Chief of the Department a reasonable suspicion that the subject of the restricted information could pose a threat to the life or safety of a visiting official or dignitary; and



5. If an informant or infiltrator will be used to gather restricted information, the reasons why the use of an informant or infiltrator is deemed necessary for dignitary protection.

C. Notice of each authorization shall be given to the Auditor.

D. The collection of restricted information pursuant to an authorization for dignitary protection shall be limited to the scope stated in the authorization.

(Ord. [110640](#), § 12, 1982; Ord. [110572](#), § 22, 1982; Ord. [108333](#), § 21, 1979.)

14.12.240 - Receipt and transmission of restricted information

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- A. Sections [14.12.190](#) and [14.12.200](#) controlling the receipt and transmission of restricted information from and to another criminal justice or governmental agency apply to the handling of restricted information by departmental personnel assigned the duty of providing for the security and protection of visiting officials and dignitaries, unless the information is collected and transmitted in conjunction with a task force. Restricted information collected for an operating task force may be transmitted or purged with other task force materials.
- B. Departmental personnel serving on or working with a task force of cooperating law enforcement and governmental agencies to provide security and protection while a visiting official or dignitary is present, and/or for a period of up to ten days prior to his or her scheduled visit, may:
 - 1. Collect restricted information from cooperating agencies, provided that the information shall be purged within ten days after the visiting official or dignitary departs, unless an authorization under Sections [14.12.150](#), [14.12.160](#), or [14.12.170](#) or a certification under subsection [14.12.210.B.5](#) allows its retention; and/or
 - 2. Transmit restricted information collected by departmental personnel to other cooperating agencies, provided that wherever practical, the first page and each page containing restricted information in a document transmitted shall contain a prominent notice limiting dissemination or use of the information to the specific purposes for which the document was transmitted, unless otherwise authorized by the Chief of the Department.
- C. A log of each written transmission shall be maintained which contains the name of the subject of the restricted information and the recipient agency.
- D. Nothing in this Section [14.12.240](#) shall prevent departmental personnel from transmitting an evaluation of information or pooling information in a common investigation of a series of related incidents as long as restricted information is not disclosed.

(Ord. [110572](#), § 23, 1982; Ord. [108333](#), § 22, 1979.)

Subchapter VI - Police Operations

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14.12.250 - Use of infiltrators



No infiltrator shall be used or recruited to collect restricted information on a continuing basis from within and about a political or religious organization, an organization formed for the protection or advancement of civil rights or liberties, or an organization formed for community purposes, unless:

- A. Use of the infiltrator is contemplated by an authorization to collect restricted information on the organization pursuant to Sections [14.12.150](#), [14.12.160](#), [14.12.170](#), or [14.12.230](#);
- B. The Chief of the Department approves in writing the use of the infiltrator and certifies that infiltrating the organization is necessary, and that reasonable means have been designed to:
 1. Confine collection of the restricted information to matters contemplated by the authorization; and
 2. Conduct the collection of the information in a manner consistent with the statement of purpose, policies, and provisions of this [Chapter 14.12](#); and
- C. The Chief of the Department or his designee has established a procedure for review at the end of each authorization period to determine compliance with all rules, regulations, and procedures designed to minimize the acquisition, retention, and disclosure of restricted information that does not relate to the matter under investigation and to protect against unreasonable infringement upon the rights, liberties, and freedoms described in subsection 14.12.010.A.

(Ord. [110640](#), § 10, 1982; Ord. [110572](#), § 24, 1982; Ord. [108333](#), § 23, 1979.)

14.12.260 - Use of informants



An informant paid by the City to collect restricted information shall be instructed that in carrying out an assignment he or she shall not:

- A. Participate in unlawful acts of violence;
- B. Use unlawful techniques to obtain information;
- C. Initiate a plan to commit criminal acts; or
- D. Participate in criminal activities of persons under investigation, except insofar as the supervisor over the investigation determines that such participation is necessary to obtain information needed for purposes of prosecution.

(Ord. [110640](#), § 11, 1982; Ord. [110572](#), § 25, 1982 [style update]; Ord. [108333](#), § 24, 1979.)

14.12.270 - Use of modus operandi files





Restricted information about a person under a true name may only be added to a modus operandi where there is probable cause to suspect the subject of the restricted information has committed unlawful activity. This Section [14.12.270](#) does not limit indexing restricted information about an incident by subject matter.

(Ord. [110572](#), § 26, 1982; Ord. [108333](#), § 25, 1979.)

14.12.280 - Prohibited activities



Departmental personnel in the course and scope of their duties shall not wilfully:

- A. Incite any person to commit unlawful violent activity or engage another person to do so, provided that nothing in this Section [14.12.280](#) shall be interpreted to prohibit thwarting, detecting, or securing evidence of unlawful activity conceived by another, or the use of decoys; or
- B. Communicate information known to be false or derogatory with the intention of disrupting any lawful political or religious activity, unless such communication occurs in the course of or in connection with a judicial proceeding, or serves a valid law enforcement purpose.

(Ord. [110640](#), § 12, 1982; Ord. [110572](#), § 27, 1982; Ord. [108333](#), § 26, 1979.)

Subchapter VII - Criminal Information Section



14.12.290 - Powers and functions



Whenever appropriations for the Department Criminal Information Section are included in the City's annual operating budget, the Section shall be authorized to perform the following functions, subject to the provisions of this [Chapter 14.12](#):

- A. Collect, evaluate, organize, and analyze data and specific investigative information about the existence, structure, activities, and operations of organized criminal activity that appears to involve regular coordination and organization among a number of individuals, and the participants in such activities;
- B. To collect, evaluate, and classify information about incidents of unlawful activity, confirming the degree of accuracy of the information whenever possible; to store and/or disseminate only that private sexual or restricted information that appears to have a reasonable degree of reliability and to store and disseminate other information only if it is accompanied by an assessment of reliability; and to purge information that is no longer relevant;

C.



coordinate such information into a centralized system of criminal intelligence information and to identify, detect, and explain any meaningful patterns of unlawful activities;

- D. To furnish and exchange relevant criminal intelligence information with criminal justice agencies, to maintain liaison with other criminal intelligence activities, and to initiate inquiries and conduct criminal investigations;
- E. To support other Department activities and units by delivering pertinent criminal intelligence information and to coordinate information that involves multiple investigatory divisions or units, at the direction of the Chief of the Department;
- F. Upon request and at the direction of the Chief of the Department, to assist law enforcement agencies, the City Attorney, the King County Prosecuting Attorney, and the United States District Attorney in developing evidence for purposes of criminal prosecution of organized criminal activities;
- G. To develop training programs that assist the Department's tactical units in detecting and gathering information relevant to criminal investigations being conducted by the Criminal Information Section; and
- H. To develop methods for evaluating the effectiveness of the Criminal Information Section in accomplishing its law enforcement purposes and safeguarding the constitutional rights and privacy of all individuals.

(Ord. [110572](#), § 28, 1982; Ord. [108333](#), § 27, 1979.)

14.12.300 - Responsibilities

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In performing their responsibilities, departmental personnel assigned to the Criminal Information Section shall:

- A. Maintain the integrity and security of all information contained in the Department's Criminal Information Section filing system;
- B. Follow ethical and legal police procedures in obtaining information, including, but not limited to, the provisions of this [Chapter 14.12](#); and
- C. Whenever practical, avoid direct involvement in the conduct of tactical law enforcement operations.

(Ord. [110572](#), § 29, 1982; Ord. [108333](#), § 28, 1979.)

Subchapter VIII - Auditing and Notice Requirements

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14.12.310 - Appointment and responsibilities of Auditor

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- A. The Mayor shall appoint an Auditor, subject to confirmation by the City Council, to monitor compliance with this [Chapter 14.12](#). The Auditor shall serve for a term of three years and may be reappointed by the Mayor, subject to confirmation by the City Council. The Auditor may be removed from office for cause by the Mayor by filing a statement of reasons for the removal with the City Council.
- B. The Auditor should possess the following qualities and characteristics:
1. A reputation for integrity and professionalism, as well as the ability to maintain a high standard of integrity in the office;
 2. A commitment to and knowledge of the need for and responsibilities of law enforcement, as well as the need to protect basic constitutional rights;
 3. A commitment to the statement of purpose and policies in this [Chapter 14.12](#);
 4. A history of demonstrated leadership experience and ability;
 5. The potential for gaining the respect of departmental personnel and citizens of the City;
 6. The ability to work effectively with the Mayor, the City Council, the City Attorney, the Chief of the Department, departmental personnel, public agencies, private organizations, and citizens; and
 7. The ability to work effectively under pressure.
- C. The Chief of the Department shall cause a thorough background check of nominees for Auditor identified by the Mayor and shall report the results to the Mayor.
- D. Except as limited by Section [14.12.320](#), the Auditor shall have access to all Department files and records, including nonconviction data pursuant to RCW 10.97.050(4).

(Ord. [110572](#), § 31, 1982; Ord. [109237](#), § 1, 1980; Ord. [108333](#), § 29, 1979.)

14.12.320 - Limitations on the Auditor



- A. The Auditor shall not examine the following:
1. Department personnel files;
 2. Internal Investigation Section files;
 3. Files of confidential communications as defined in Section [14.12.090](#);
 4. Personal files of the Chief of the Department that are excluded from this [Chapter 14.12](#) by subsection 14.12.120.A.4;
 5. Specific case files which the King County Prosecuting Attorney personally certifies in writing need to be withheld from the Auditor's review because the files involve investigations of corruption or malfeasance in office of a governmental official or employee, a potential conflict of interest for the Auditor, or investigations of organized criminal activity conducted as a continuing enterprise solely for the purpose of obtaining



monetary gain wholly or in part through racketeering, vice, narcotics, gambling, fencing, or similar criminal activity. As to each file, the Prosecuting Attorney's certificate shall state that he has personally reviewed the case file and found that the file complies with this chapter. The Prosecuting Attorney's certificate shall also include a summary apprising the Auditor of the scope and purpose of the investigation. With respect to the certified files, the Prosecuting Attorney shall exercise all the powers and discharge all the responsibilities normally exercised and discharged by the Auditor under the provisions of this [Chapter 14.12](#);

6. Files maintained exclusively for confidential criminal information regarding organized criminal activity received by the Department through membership in the Law Enforcement Intelligence Unit (LEIU) and files maintained exclusively for confidential criminal information regarding narcotics activity received by the Department through membership in the Western States Information Network (WSIN), which are audited under subsection 14.12.320.C.
- B. In discharging his or her responsibilities, the Auditor shall protect the confidentiality of Department files and records, and shall also be bound by the confidentiality provisions of the chapter 10.97 RCW, chapter 42.56 RCW, and the provisions of RCW 43.43.856. The Auditor shall not identify the subject of an investigation in any public report required by this [Chapter 14.12](#). The Auditor shall not remove from Department facilities any record, extract, or other information, the disclosure of which is exempt from public disclosure under chapter 42.56 RCW. Any violation of the confidentiality of Department files and records or the provisions of this [Chapter 14.12](#) shall be sufficient cause for removal of the Auditor.
- C. The Chief of the Department shall exercise all the powers and discharge all the responsibilities normally exercised and discharged by the Auditor with respect to files maintained exclusively for confidential criminal information obtained through the Department membership in the Law Enforcement Intelligence Unit (LEIU) and the Western States Information Network (WSIN), which shall be limited to and subject to the following definitions and conditions:
 1. All information designated for audit by the Chief shall meet all the provisions of this [Chapter 14.12](#) controlling the collection, receipt, and/or transmittal of information.
 2. Only information regarding organized criminal activity obtained by a designated departmental LEIU representative, or information regarding criminal narcotics activity obtained by a designated departmental WSIN representative, from designated LEIU or WSIN representatives, respectively, in other agencies, will be audited under this subsection by the Chief. All other information collected from outside agencies will be subject to audit by the appointed Auditor.
- 3.



"Organized criminal activity" is defined as conduct that relates to a continuing enterprise engaged in for the purpose of obtaining monetary gain wholly or in part through racketeering, vice, narcotics, gambling, fencing, or similar criminal activity.

4. "Criminal narcotics activity" is defined as conduct that relates to the illegal manufacture, transportation, distribution, or sale of narcotics or other controlled substances.
 5. All information designated for audit by the Chief shall be filed separate from other Department files.
 6. Access to the information designated for audit by the Chief shall be limited to police officers specifically designated by the Chief of Police.
 7. Information designated for audit by the Chief shall not be referenced or indexed in other Department files.
- D. The Chief of the Department shall submit a final report of his/her audit to the Mayor. The Chief's report shall be comparable to that of the Auditor as prescribed in subsection 14.12.330.B.2, except that the Chief's report shall include a description of each type of document audited without disclosing its contents, the number of each type of document audited, the number of documents received from LEIU or WSIN, and the number of documents received from designated LEIU or WSIN representatives. The Chief's report shall also include a current set of bylaws for LEIU and for WSIN. The Mayor shall certify the report as the final audit to the City Council, the City Attorney, and the City Clerk for filing as a public record. The Mayor, in the exercise of all of his/her duties under the City Charter, shall supervise the Chief of the Department to ensure that he/she faithfully performs the duties assigned under this [Chapter 14.12](#) and Section [14.12.320](#).
- E. Failure of the Chief of the Department to send any notice required by Section [14.12.340](#) or to report any substantial violation of this [Chapter 14.12](#) as required by subsection 14.12.330.B.2 shall effect his immediate suspension from office without pay and shall be cause for his/her removal from office. Failure of the Chief of the Department to discharge any other duties required by this subsection 14.12.320.E may be cause for his/her suspension or removal from office.

(Ord. [117242](#), § 15, 1994 [department head name change]; Ord. [110640](#), § 13, 1982; Ord. [110572](#), § 31, 1982; Ord. [108333](#), § 30, 1979.)

Reviser's note—Ordinance 110640, which last amended subsection 14.12.320.B, refers to public disclosure exemptions under RCW 42.17.310. RCW 42.17.310 was recodified as RCW 42.56.210 by Chapter 274, Laws of 2005. However, because the exemptions formerly in RCW 42.17.310 were placed throughout chapter 42.56 RCW, the codified reference refers to the overall chapter to best match the scope of ordinance language.



14.12.330 - Audit procedures and standards



- A. The Auditor shall conduct an in-place audit of Department files and records at unscheduled intervals not to exceed 180 days since the last audit. The Department shall provide temporary space for the Auditor to conduct the audit in secure areas close to the records to be reviewed by the Auditor.
- B. The audit shall be prepared and published pursuant to the following provisions:
1. In conducting an audit, the Auditor shall:
 - a. Review each authorization granted pursuant to Sections [14.12.150](#), [14.12.160](#), [14.12.170](#), or [14.12.230](#), together with investigative files associated with the authorizations;
 - b. Perform a random check of Department files and indexes;
 - c. Review files and records containing private sexual or restricted information designated for purging except information not yet collected or purged pursuant to Sections [14.12.140](#), [14.12.150](#), [14.12.190](#), or [14.12.240](#); and
 - d. Prepare and forward a written report of the audit to the Mayor, the City Council, the City Attorney, and the City Clerk for filing as a public record.
 2. The Auditor's report shall contain a general description of the files and records reviewed and a discussion of any substantial violation of this chapter discovered during the audit. A preliminary report shall be delivered by the Auditor to the Chief of the Department for review and comment. The Chief of the Department shall review and comment on the preliminary report within 20 days after receipt of the report. The Auditor shall submit the final report within 30 days after receipt of the Chief's comments.
 3. The Chief of the Department shall:
 - a. Forward to the Mayor, the City Council, the City Attorney, and the City Comptroller within ten working days of receipt of the Auditor's final report the Chief's written comments on the report; and
 - b. Cause an immediate investigation into the circumstances of any apparent violations of this [Chapter 14.12](#) reported by the Auditor.

(Ord. [117242](#), § 16, 1994 [department head name change]; Ord. [110572](#), § 32, 1982; Ord. [108333](#), § 31, 1979.)

14.12.340 - Notice of substantial violations



- A. The Auditor shall notify by certified mail any person about whom restricted information has been collected where the Auditor has a reasonable belief that the restricted information was collected in violation of this [Chapter 14.12](#) and would create civil liability under Section



14.12.350. Notice shall be sent to the person's last known address within six months after the expiration of the last authorization or within 60 days after the Department, the City Attorney, or the King County Prosecuting Attorney determines that no prosecution will be brought as a result of the unlawful activity prompting the investigation, whichever date is earlier. The Auditor's notice does not constitute an admission of fact or liability by the City.

- B. At least five working days before mailing the notice, the Auditor shall inform the Chief of the Department of his/her intent to mail the notice. If during the interim the Auditor receives information that the notice would endanger an ongoing investigation, the Auditor shall delay the mailing for such period of time as he or she is satisfied that mailing the notice would endanger the ongoing investigation.
- C. The Auditor shall identify the information giving rise to the notice of substantial violation. The Department shall retain the information until expiration of the statute of limitations for civil action by the subject of the notice.

(Ord. [110572](#), § 33, 1982; Ord. [108333](#), § 32, 1979.)

Subchapter IX - Civil Liability, Enforcement and Penalties

14.12.350 - Civil liability

- A. Subject to the limitations of this Section [14.12.350](#) and Section [14.12.360](#), a person shall have a right of action against the City based on this [Chapter 14.12](#) for injuries proximately caused by departmental personnel wilfully in the scope and course of their duties:
 - 1. Collecting private sexual information when Section [14.12.130](#) prohibits collection of such information;
 - 2. Collecting restricted information where the prohibition of Section [14.12.150](#) applies, no authorization was obtained, and under the facts and circumstances known to departmental personnel, no authorization could validly have been granted; or alternatively, the restricted information collected was both outside the scope of the authorization granted and was not relevant to an investigation of unlawful activity, the making of an arrest or a judicial proceeding;
 - 3. Using an infiltrator with the intention of collecting restricted information from within and about a political or religious organization, an organization formed for the protection or advancement of civil rights or liberties, or an organization formed for community purposes in violation of Section [14.12.250](#) where there is no reasonable suspicion that the subject of the restricted information has engaged in, is engaging in, or is about to engage in unlawful activity, or that the restricted information will lead to the subject's arrest;



...luring another person to commit unlawful violent activity or engaging another person to do so in violation of this [Chapter 14.12](#), [Section 14.12.180.A](#); and/or

5. Communicating information known to be false or derogatory with the intention of disrupting any lawful political or religious activity in violation of [subsection 14.12.280.B](#), provided no cause of action may be based upon an arrest based upon probable cause or an order to disperse an assemblage made in accordance with [Section 12A.12.020](#).

B. Absent evidence establishing a greater amount of damages, the damages payable in event of an injury proximately caused by collection of private sexual or restricted information in violation of this [Chapter 14.12](#), as contemplated by [subsections 14.12.350.A.1](#) or [14.12.350.A.2](#), shall be \$500 to each subject of the private sexual or restricted information for all such information collected, and for the use of an infiltrator in violation of [Section 14.12.250](#), as contemplated by [subsection 14.12.350.A.3](#), shall be \$1,000 aggregate for the organization and all its members as a class. The payment of damages under [subsection 14.12.350.A.3](#) to the organization, or its members as a class, is in addition to any rights of any person within the organization under [subsections 14.12.350.A.1](#) or [14.12.350.A.2](#).

C. No cause of action may be based upon the activity of departmental personnel in complying with a court order, or an action taken pursuant to and within the scope of an authorization under [Sections 14.12.150](#), [14.12.160](#), [14.12.170](#), [14.12.230](#), or [14.12.250](#).

D. The City reserves all defenses at law consistent with this [Chapter 14.12](#), including but not limited to consent, privilege, participation, and waiver, and as to departmental personnel or a City official, any defense arising in the employer/employee or principal/agent relationship.

(Ord. [110640](#), §§ 14, 15, 1982 [cross-reference update]; Ord. [110572](#), § 34, 1982 [style update]; Ord. [108333](#), § 33, 1979.)

14.12.360 - Liability of officers and employees.



No cause of action may be based upon this [Chapter 14.12](#) against the Mayor, the Chief of the Department, any departmental personnel, or any other City officer or employee, individually, for any action or omission made in good faith in the scope and course of his or her duties. In the event such a lawsuit is brought against a City officer or employee, individually, for such an action or omission, and the officer or employee cooperates fully in defense of the lawsuit, the City Attorney may represent the individual and defend the litigation. If the claim is deemed a proper one or judgment is rendered against the City officer or employee individually, the judgment shall be paid by the City in accordance with its procedures for the settlement of claims and payment of judgments.

(Ord. [110572](#), § 35, 1982 [style update]; Ord. [108333](#), § 34, 1979.)

14.12.370 - Rules and regulations.





- A. Consistent with the statement of purpose, policies, and provisions of this [Chapter 14.12](#), the Chief of the Department shall promulgate rules and regulations to implement this [Chapter 14.12](#) in accordance with the procedures of [Chapter 3.02](#) as amended, or successor legislation. The rules and regulations shall be designed to protect constitutional rights and personal privacy, so that investigations are conducted without an unreasonable degree of intrusion and that private sexual and restricted information obtained in the course of an investigation is properly authorized under this [Chapter 14.12](#).
- B. The Chief of the Department shall also promulgate rules and regulations to govern the use of informants, infiltrators, and photographic surveillance related to restricted information, consistent with the statement of purpose, policies, and provisions of this [Chapter 14.12](#), and may promulgate rules and regulations governing other investigatory techniques to the extent he deems necessary to carry out the statement of purpose, policies, and provisions of this [Chapter 14.12](#).

(Ord. [110572](#), § 36, 1982 [style update]; Ord. [108333](#), § 35, 1979.)

14.12.380 - Department reporting

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The Chief of the Department shall submit an annual report on the implementation of this [Chapter 14.12](#) to the Mayor, the City Council, and the City Clerk for filing as a public record. The annual report shall indicate the number of authorizations granted under Sections [14.12.150](#), [14.12.160](#), [14.12.170](#), or [14.12.230](#); the number of certifications issued under subsection 14.12.210.B.5; the number of files withheld from the Auditor by the King County Prosecuting Attorney under subsection 14.12.320.A.5; the number of authorizations involving the use of infiltrators and informants; a statistical analysis of the purposes for which authorizations were granted, the types of unlawful activity involved, the number of prosecutions based thereon, the number of visiting officials or dignitaries for whom security precautions were involved, and other meaningful information; a summary of any internal disciplinary action taken to enforce this chapter; and a description of other actions taken to implement this [Chapter 14.12](#). The foregoing information may be included in the Department's annual report.

(Ord. [117242](#), § 17, 1994 [department head name change]; Ord. [110640](#), § 16, 1982 [cross-reference update]; Ord. [110572](#), § 37, 1982 [style update]; Ord. [108333](#), § 36, 1979.)

14.12.390 - Administrative penalties

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Any departmental personnel in an office or other place of employment of the City who violates this [Chapter 14.12](#), or any implementing rule or regulation of the Chief of the Department shall be subject to the disciplinary proceedings and punishment authorized by the City Charter, Article XVI, including reprimand, suspension without pay, and discharge, or provided by [Chapter 4.04](#), as amended (the City's Public Safety Personnel Ordinance), or successor legislation.

(Ord. [110572](#), § 38, 1982 [style update]; Ord. [108333](#), § 37, 1979.)

 **14.12.400 - Administrative penalties for supervisors**

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An official who has authorized pursuant to Section [14.12.130](#) through [14.12.200](#) of this [Chapter 14.12](#), inclusive, the collection of restricted information shall be subject to administrative discipline, as contemplated in Section [14.12.390](#), for misconduct of a subordinate officer in collecting the information authorized if the authorizing official knows or should have known of the misconduct.

(Ord. [110572](#), § 39, 1982; Ord. [108333](#), § 38, 1979.)

< [14.11.060 - Department requirements](#)

[Chapter 14.14 - HUMAN DIGNITY](#) >