

June 8, 2020

The Honorable Jenny A. Durkan  
Mayor  
City of Seattle  
600 4<sup>th</sup> Avenue  
Seattle, WA 98104

Chief Carmen Best  
Chief of Police  
Seattle Police Department  
610 5<sup>th</sup> Avenue  
Seattle, WA 98104

Dear Mayor Durkan and Chief Best:

We write as elected officials of color who represent various parts of the City of Seattle and are deeply committed to honoring the lives of the many Black brothers, sisters and siblings who have been killed by police violence and are currently experiencing the triple threats of a global pandemic, pervasive anti-Blackness and police violence. We believe this is the moment to enact meaningful and transformative change in the very nature of policing at the federal, state and local levels. We also believe that law enforcement's response to people exercising their First Amendment right to freedom of speech and demonstration must shift right now. Specifically, we call on you to:

1. Immediately end law enforcement's violent response to ongoing demonstrations, by ending the use of the National Guard; stopping the use of all forms of chemical substances for crowd control; ending the use of rubber bullets and flash-bangs; and demilitarizing police on the streets who interact with protestors.
2. Completely rethink policing to create a model for public safety that truly upholds the safety of *all* communities and re-direct law enforcement spending and investing into essential services.
3. Immediately institute serious accountability and transparency measures into police contracts.

We have watched in horror as the National Guard has been called into our city and law enforcement has responded aggressively to people protesting police violence inflicted upon Black people in Seattle and across the country. The methods used by law enforcement, such as deploying tear gas and pepper spray, are not only dangerous as these tactics could increase the spread of COVID-19<sup>1</sup>, but they are also counter-productive. We are extremely disturbed that immediately after your declaring a 30-day halt to the use of tear gas by police, just last night we saw the use of tear gas by Seattle Police Department (SPD) officers. We are also appalled by video footage taken on May 31 showing an SPD officer using the same knee-on-neck tactic that killed George Floyd on a protestor, and reports that this same officer was seen kneeling on the

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<sup>1</sup> Heidi Groover, *Public health officials worry tear gas, pepper spray could contribute to coronavirus spread as Seattle protests continue*, SEATTLE TIMES (Jun. 5, 2020) <https://www.seattletimes.com/seattle-news/health/public-health-officials-worry-tear-gas-pepper-spray-could-contribute-to-coronavirus-spread-as-seattle-protests-continue>.

necks of multiple people.<sup>2</sup> In under a week, people have filed over 15,000 complaints against the SPD.<sup>3</sup> It is not enough to commit to a “proportional” response to protestors. It is not “proportional” for the police to respond with rubber bullets or chemical agents when they are in full riot gear, many with rifles, while people in the streets have no protective equipment. The onus should always be on law enforcement to de-escalate, stand down and above all, protect the lives of the people they are sworn to protect and serve, including those that are protesting.

We see this moment as an opportunity to begin the modeling of a new and transformational relationship between law enforcement and community. The immediate fallback to the very same behavior that protestors are protesting—“domination” with militarized police, large numbers of troops and dangerous crowd dispersing techniques—is not only wrong, it is likely to escalate the protests when what we need is a complete de-escalation and standing down of the police. Instead, we call on the City to immediately send back the National Guard, reduce the police presence and allow protestors who have been largely peaceful to continue their protests, and immediately stop the use of military crowd dispersing tactics including rubber bullets, pepper spray and flash-bangs.

Simultaneously, we believe it is critical to immediately commit to building a transformative new model of policing. We are a community that has led the country on everything from a \$15 minimum wage to gun safety—now we must do the same in designing a model of public safety that protects everyone in our community, and does not have Black parents instructing their children at an early age to always avoid the police or worrying if they will come home if they have an interaction with the police. We believe it is time to do the same with a transformative new model of policing.

It is a horrifying reality that law enforcement in the South began as slave patrol and then moved to enforce Jim Crow laws.<sup>4</sup> That culture of violence is deeply embedded in the very notion of law enforcement as it has been created. Today, across America, police disproportionately use force against Black people and Black people are more likely to be arrested and sentenced.<sup>5</sup>

That is why our re-imagining of community safety must begin with shifting police funding to community-based alternatives and investing in essential services like healthcare, mental health, domestic violence, homelessness and housing, and other basic needs. No amount

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<sup>2</sup> Chris Riotta, *Seattle police officer caught kneeling on the necks of multiple George Floyd protesters*, THE INDEPENDENT (May 31, 2020) <https://www.independent.co.uk/news/world/americas/seattle-police-video-kneeling-neck-george-floyd-video-protests-violent-riots-a9541226.html>.

<sup>3</sup> Liz Brazile & Ashley Hiruko, *Why 'defund the police' has become the rallying cry at Seattle protests*, KUOW (Jun. 5, 2020) <https://www.kuow.org/stories/why-defund-the-police-has-become-the-rallying-cry-at-seattle-protests>.

<sup>4</sup> See, e.g., Chelsea Hansen, *Slave Patrols: An Early Form of American Policing*, National Law Enforcement Museum (Jul. 10, 2019) <https://lawenforcementmuseum.org/2019/07/10/slave-patrols-an-early-form-of-american-policing>; Gary Potter, *The History of Policing in the United States*, ECU School of Justice Studies, <https://plsonline.eku.edu/sites/plsonline.eku.edu/files/the-history-of-policing-in-us.pdf>.

<sup>5</sup> The Sentencing Project, *Report to the United Nations on Racial Disparities in the U.S. Criminal Justice System* (2018) <https://www.sentencingproject.org/publications/un-report-on-racial-disparities>.

of spending or changes to law enforcement can ever substitute for investment in these essential services; we need a public health response to public health problems. Budgets are moral documents. It is past time that we make significant investments in people and the systems they need to thrive.

We also ask that you immediately institute accountability and transparency measures, including through contract negotiations with the Seattle Police Officers Guild. We were heartened to see the call from the Martin Luther King County Labor Council to ensure that “contracts do not evade legitimate accountability.”<sup>6</sup> We agree. This is past due.

This week, the House Judiciary Committee in Congress will have a hearing on a sweeping police accountability bill that the New York Times has described as “the most aggressive intervention into policing by Congress in recent memory.”<sup>7</sup> It would make it easier for the federal government to successfully prosecute police misconduct cases, ban chokeholds, end racial and religious profiling and eliminate qualified immunity for law enforcement. It would also prevent the movement of dangerous officers from department to department, specify that lynching is a federal hate crime, and end no-knock warrants and the transfer of military weapons to local police departments. Finally, it would provide a new stream of federal funding to community-based organizations to reimagine how public safety could work in a truly equitable and just way to drive real policing reform from directly within communities. This is critical work being done at the Federal level. We must have similar transformative policies implemented at the state and local levels, and we must finally deliver on reforms that local advocates have championed for years, including changes to police contracts and implementing civilian oversight.

Thank you for your attention to these important matters.

Sincerely,



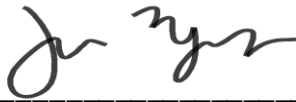
PRAMILA JAYAPAL  
Member of Congress



M. LORENA GONZÁLEZ  
Seattle City Council President

<sup>6</sup> MLKLabor, *Resolution Affirming Our Commitment to an Anti-Racist Union Movement* (Jun. 4, 2020) <http://mlklabor.org/resolutions/resolution-affirming-our-commitment-to-an-anti-racist-union-movement>.

<sup>7</sup> Nicholas Fandos, *Democrats to Propose Broad Bill to Target Police Misconduct and Racial Bias*, N.Y. TIMES (Jun. 6, 2020) <https://www.nytimes.com/2020/06/06/us/politics/democrats-police-misconduct-racial-bias.html>.



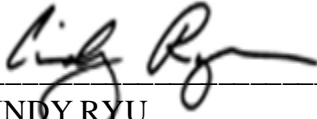
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JOE NGUYEN  
State Senator



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REBECCA SALDAÑA  
State Senator



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CINDY RYU  
State Representative



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GIRMAY ZAHILAY  
King County Councilmember



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TERESA MOSQUEDA  
Seattle City Councilmember



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TAMMY J. MORALES  
Seattle City Councilmember



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KSHAMA SAWANT  
Seattle City Councilmember



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BOB HASEGAWA  
State Senator