

Clerk File No. 309742

The City of Seattle – Legislative Department

Clerk File sponsored by: _____

CLERK FILE: 309742
Initiative Measure No. 100,
Establishing policies and process for
deciding whether to build a
municipal jail.

Related Legislation File: _____

Date Introduced and Referred:	To: (committee):
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action:	Disposition:

1/22/2009
Date Filed with City Clerk

[Signature]
By

Committee Action:

Date	Recommendation	Vote

This file is complete and ready for presentation to Full Council. _____

Full Council Action:

Date	Decision	Vote



January 27, 2009

CERTIFIED MAIL AND E-MAIL

Mr. Tim Harris
Committee for Efficiency and Fairness in Public Safety
2129 2nd Avenue
Seattle, WA 98121

RE: PROPOSED INITIATIVE NO. 100

Dear Mr. Harris:

I have reviewed your initiative petition proposing an ordinance concerning policy and process for deciding whether to build a municipal jail.

The petition form presented via email this date is approved. A copy of the approved petition form is attached.

The initiative process is defined in Article IV Section 1 of the City Charter, Seattle Municipal Code Section 2.08, and Washington State Code (RCW) 29.27.050. If you would like copies of these reference materials, please let me know.

The signed petitions for Initiative No. 100 must be filed with the City Clerk within 180 days from the date of this letter. The 180th day is July 26, 2009. Because the 180th day is a Sunday, if you wish to file your signatures on that date I can arrange to be available at the City Clerk's Office between 2:00 and 4:00 p.m. to accept your filing. Otherwise, your signatures must be filed no later than 5:00 p.m. on Friday, July 24, 2009. If at least 17,968 signatures on petitions for Initiative No. 100 have been filed on or before July 26, they will then be transmitted to King County Elections Department for signature verification. A total of at least 17,968 valid Seattle resident registered voter signatures will be required to validate the initiative before transmittal to the City Council.

Please do not hesitate to contact me if you have questions. You can reach me at (206) 684-8361.

Very truly yours,


Judith E. Pippin, City Clerk

attachment

cc: Mayor Gregory J. Nickels
City Councilmembers
Chief Gil Kerlikowski, SPD
Diane Sugimura, Director DPD
Wayne Barnett, Executive Director, Ethics and Elections Commission

Approved
as to form
1/27/89
[Signature]

Seattle Initiative 100:

A citizen's initiative to promote efficiency and fairness in public safety

Initiative petition for submission to the City of
Seattle.
A complete text of the initiative is on reverse
of page

Return signed petitions to:
Committee for Efficiency and Fairness in Public Safety
2129 2nd Ave.
Seattle, WA 98121
(206) 441-3247 x 206

To the City of Seattle.

We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the enactment of an ordinance of the measure known as Seattle Initiative 100 entitled: "The City of Seattle Initiative Measure 100 concerns requiring studies and a public vote before building a jail. If enacted, the measure would require the City to publicly negotiate with King County to explore alternatives to building a city jail, including extending the current City-County jail contract; analyze ways to decrease incarceration rates while increasing public safety; analyze whether investments in social services will lower crime and arrest rates; and develop a strategy to address racial disparity in arrest and incarceration rates. The measure would also require a public vote to decide whether to build a city jail. Should this measure be enacted into law?" a true, full and correct copy of which is included herein, and we petition the Council to enact said measure as an ordinance; and, if not enacted within forty-five (45) days from the time of receipt thereof by the City Council, then to be submitted to the qualified electors of the City of Seattle for approval or rejection at the next regular election or at a special election in accordance with Article IV, Section 1 of the City Charter; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of The City of Seattle, State of Washington.

ONLY SEATTLE RESIDENTS MAY SIGN. MUST BE A REGISTERED VOTER.

	Signature	Printed Name	Street Address	Zip Code	Date
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____
7.	_____	_____	_____	_____	_____
8.	_____	_____	_____	_____	_____
9.	_____	_____	_____	_____	_____
10.	_____	_____	_____	_____	_____

Ordinance 94289 provides as follows:
Section 1. It is unlawful for any person:
WARNING
 1. To sign or decline to sign any petition for a City initiative, referendum, or Charter amendment, in exchange for any consideration or gratuity or promise thereof; or
 2. to give or offer any gratuity to anyone to induce him or her to sign or not to sign a petition for a City initiative, referendum, or Charter amendment, or
 3. To interfere with or attempt to interfere with the right of any voter to sign a petition for a City initiative, referendum, or Charter amendment by threat, intimidation or any other corrupt means of practice; or
 4. To sign a petition for a City initiative, referendum, or Charter amendment with any other than his or her true name, or to knowingly sign more than one (1) petition for the same initiative, referendum, or Charter amendment measure, or to sign any petition knowing that he or she is not a registered voter of The City of Seattle.
 The provisions of this ordinance shall be printed as a warning on every petition for a City initiative, referendum, or Charter amendment.
Section 2. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment

*Approved
as to form
12/10/09
[Signature]*

An Ordinance concerning the construction of a City jail.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section One: Title and Subject.

- A. This measure shall be titled the "Efficiency and Fairness in Public Safety Act."
- B. For Constitutional purposes, the subject of this Initiative is "public safety."

Section Two: Preamble and Statement of Facts:

- A. Seattle's decision whether to build a municipal jail for the first time represents an expensive commitment during a time of diminishing public resources. This choice for Seattle's future has long-term consequences, and deserves a thorough and public decision-making process. Through this Initiative, voters exercise their right to be involved in this public safety decision by mandating that the decision consider cost effective alternatives and racial justice. Voters are also to have a final vote on this critical issue.
- B. Citizens of Seattle hereby find that in deciding whether to build a new jail, important factors to consider include: public safety, alternatives that may be more cost effective, and issues of racial justice and fairness. Citizens further find that voters should have a final say on whether to build a new municipal jail.

Section Three: Policies and Process for Deciding Whether to Build a Municipal Jail.

- A. Prior to deciding whether to build a new municipal jail, the City of Seattle shall take the actions and/or conduct the evaluations described in this section and publicly report on the same. These actions and evaluations and their outcomes shall be fully considered in the City's decision whether to build a new municipal jail, in addition to other considerations that may be deemed appropriate.
 - 1. The City shall negotiate openly, publicly and in good faith with King County to explore alternatives to a municipal jail, including extending the existing City-County contract for jail services. Currently the City contracts with King County for provision of jail services, under a contract that expires in 2012. The City is considering a municipal jail to replace such jail capacity, despite the possibility that such contract may be renewable under State Law, RCW 39.34.180. Continued cooperation with King County may provide the most cost-effective and progressive public safety option. King County offers nationally recognized model programs for decreasing incarceration rates and recidivism, and already has the infrastructure in place to handle a regional justice system.
 - 2. The City shall conduct a rigorous, public analysis of how incarceration rates could be decreased in the short and long term while increasing public safety and positive outcomes. The City shall analyze how a proactive investment in social service programs, including shelter, supportive housing, early childhood education, drug and alcohol treatment and mental health care, will lower crime and arrest rates in the future. Avenues that should be explored include alternatives to incarceration such as treatment and day monitoring, changes in sentencing guidelines at the misdemeanor level, and a commitment to law enforcement diversion programs that provide better outcomes for less public money in drug cases.
 - 3. The City shall develop and make publicly accessible a strategy to address racial disparity issues in arrest and incarceration rates. Disproportionate incarceration rates among certain communities of color deepen inequality and poverty and are a form of structural racism. A new jail may perpetuate and deepen these inequalities.
- B. The City shall place the matter of the new municipal jail before the electorate in a public vote. Voters shall have the final decision on whether to build a new municipal jail. Prior to making a final commitment to build a municipal jail, the matter shall be placed before the voters for approval or rejection. Prior to the vote, the City shall inform voters of the outcomes of the actions and evaluations set forth in Subsection A of this Section. This paragraph does not require voters to be consulted on any siting decision relating to such proposed facility.

Section Four: Definitions.

- A. "Municipal jail" means a municipal jail facility that is or may be built and/or operated by the City independently or jointly through an interlocal agreement with other cities, but does not include facilities built and/or operated by King County.
- B. A "decision whether to build" a municipal jail means a decision by the City on whether to commit moneys towards the construction and/or operation of a municipal jail, either independently or jointly through an interlocal agreement with other cities. Neither that term nor any part of this Initiative addresses decisions and/or commitments of moneys relating to potential sites, environmental review, and/or any component of the site selection process. Such term also excludes any decisions and/or commitments of moneys relating to facilities operated by the County.

Section Five: Construction.

- A. This initiative is to be liberally construed to ensure that the City's major public safety decisions are based upon principles of cost-efficiency and fairness and subject to democratic oversight.
- B. Nothing in this Initiative shall be construed or interpreted to influence or constrain the City Council's decision on where to site a municipal jail. If the City and its voters decide that a new municipal jail should be built, the City Council shall have the authority delegated to it under State Law to determine the location of such a facility.

Section Six: Severability.

The provisions of this ordinance are declared to be separate and severable. The Citizens of Seattle declare that they support each of the provisions of this Initiative independently, and their support for this Initiative would not be diminished if one or more of its provisions were to be held invalid. Specifically, Citizens would support this initiative even if it did not apply to jails developed through interlocal agreements. Thus, if any one or more of the provisions of this Initiative is declared to be contrary to law, then such provision or provisions shall be null and void and severed from the rest of this ordinance, and all other provisions of this Initiative shall remain valid and enforceable.

MEMORANDUM

TO: Judith Pippin, City Clerk
FROM: Carlton W. M. Seu, Assistant City Attorney
SUBJECT: Ballot Title for Initiative 100 (Clerk File 309742)
DATE: January 27, 2009

FILED
CITY OF SEATTLE
2009 JAN 27 PM 3:27
CITY CLERK

Via e-mail and hand-delivered

In response to your transmittal of January 23, 2009 regarding proposed Initiative Measure 100, this office has established the following ballot title:

The City of Seattle Initiative Measure 100 concerns requiring studies and a public vote before building a jail.

If enacted, the measure would require the City to publicly: negotiate with King County to explore alternatives to building a city jail, including extending the current City-County jail contract; analyze ways to decrease incarceration rates while increasing public safety; analyze whether investments in social services will lower crime and arrest rates; and develop a strategy to address racial disparity in arrest and incarceration rates. The measure would also require a public vote to decide whether to build a city jail.

Should this measure be enacted into law?

Yes.....

No.....

If you have any questions, please contact me at 733-9390.



**Legislative Department
Office of City Clerk
Memorandum**

COPY RECEIVED

2009 JAN 23 PM 12:16

SEATTLE CITY ATTORNEY

Date: January 23, 2009

To: The Honorable Thomas Carr
City Attorney

From: Judith E. Pippin, City Clerk

I am forwarding with this memo Clerk File No. 309742, which contains Initiative Measure No. 100, a proposed ordinance to establish policy and process about whether build a municipal jail.

The proposed initiative was filed with the Office of the City Clerk on Thursday, January 22, 2009 at 4:37 p.m. and is submitted pursuant to Article IV, Section 1B of the City Charter, and Seattle Municipal Code 2.08. The coordinating organization for the initiative is the Committee for Efficiency and Fairness in Public Safety. The contact person is Tim Harris, 2129 2nd Avenue, Seattle 98121.

The title of the Clerk File (CF) is:

"Initiative Measure No. 100, establishing policies and process for deciding whether to build a municipal jail."

The file is transmitted to you for preparation of a ballot title.

attachment (CF 309742)

cc: Mayor Gregory J. Nickels
City Councilmembers
Executive Director Seattle Ethics and Elections Commission
Tim Harris

Committee for Efficiency and Fairness in Public Safety FILED
CITY OF SEATTLE

2009 JAN 22 PM 4: 37

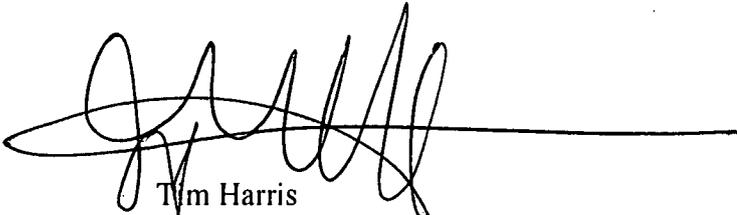
CITY CLERK

To Whom It May Concern:

The Efficiency and Fairness in Public Safety Act addresses Seattle's decision whether to build a municipal jail. This decision represents an expensive commitment during a time of economic instability. Through this Initiative, voters exercise their right to be involved in this public safety decision by mandating that the decision consider cost effective alternatives and racial justice.

The Efficiency and Fairness in Public Safety Act states that factors of public safety, alternatives that may be more cost effective, and issues of racial justice must be analyzed before deciding to build a new municipal jail. Citizens further find that voters should have a final say on whether to build a new municipal jail.

Questions concerning the Efficiency and Fairness in Public Safety Act can be directed to:

A handwritten signature in black ink, appearing to read 'Tim Harris', is written over a horizontal line. The signature is stylized and cursive.

Tim Harris
2129 2nd Ave., Seattle, WA 98121
206.441.3247 X206
Organizer@realchangenews.org

1/22/2009

FILED
CITY OF SEATTLE
2009 JAN 22 PM 4:37

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section One: Title and Subject.

- A. This measure shall be titled the "Efficiency and Fairness in Public Safety Act." CITY CLERK
- B. For Constitutional purposes, the subject of this Initiative is "public safety."

Section Two: Preamble and Statement of Facts:

A. Seattle's decision whether to build a municipal jail for the first time represents an expensive commitment during a time of diminishing public resources. This choice for Seattle's future has long-term consequences, and deserves a thorough and public decision-making process. Through this Initiative, voters exercise their right to be involved in this public safety decision by mandating that the decision consider cost effective alternatives and racial justice. Voters are also to have a final vote on this critical issue.

B. Citizens of Seattle hereby find that in deciding whether to build a new jail, important factors to consider include: public safety, alternatives that may be more cost effective, and issues of racial justice and fairness. Citizens further find that voters should have a final say on whether to build a new municipal jail.

Section Three: Policies and Process for Deciding Whether to Build a Municipal Jail.

A. Prior to deciding whether to build a new municipal jail, the City of Seattle shall take the actions and/or conduct the evaluations described in this section and publicly report on the same. These actions and evaluations and their outcomes shall be fully considered in the City's decision whether to build a new municipal jail, in addition to other considerations that may be deemed appropriate.

1. **The City shall negotiate openly, publicly and in good faith with King County to explore alternatives to a municipal jail, including extending the existing City-County contract for jail services.** Currently the City contracts with King County for provision of jail services, under a contract that expires in 2012. The City is considering a municipal jail to replace such jail capacity, despite the possibility that such contract may be renewable under State Law, RCW 39.34.180. Continued cooperation with King County may provide the most cost-effective and progressive public safety option. King County offers nationally recognized model programs for decreasing incarceration rates and recidivism, and already has the infrastructure in place to handle a regional justice system.

2. **The City shall conduct a rigorous, public analysis of how incarceration rates could be decreased in the short and long term while increasing public safety and positive outcomes.** The City shall analyze how a proactive investment in social service programs, including shelter, supportive housing, early childhood education, drug and alcohol treatment and mental health care, will lower crime and arrest rates in the future. Avenues that should be explored include alternatives to incarceration such as treatment and day monitoring, changes in sentencing guidelines at the misdemeanor level, and a commitment to law enforcement diversion programs that provide better outcomes for less public money in drug cases.

3. **The City shall develop and make publicly accessible a strategy to address racial disparity issues in arrest and incarceration rates.** Disproportionate incarceration rates among certain communities of color deepen inequality and poverty and are a form of structural racism. A new jail may perpetuate and deepen these inequalities.

B. **The City shall place the matter of the new municipal jail before the electorate in a public vote.** Voters shall have the final decision on whether to build a new municipal jail. Prior to making a final commitment to build a municipal jail, the matter shall be placed before the voters for approval or rejection. Prior to the vote, the City shall inform voters of the outcomes of the actions and evaluations set forth in Subsection A of this Section. This paragraph does not require voters to be consulted on any siting decision relating to such proposed facility.

Section Four: Definitions.

A. “Municipal jail” means a municipal jail facility that is or may be built and/or operated by the City independently or jointly through an interlocal agreement with other cities, but does not include facilities built and/or operated by King County.

B. A “decision whether to build” a municipal jail means a decision by the City on whether to commit moneys towards the construction and/or operation of a municipal jail, either independently or jointly through an interlocal agreement with other cities. Neither that term nor any part of this Initiative addresses decisions and/or commitments of moneys relating to potential sites, environmental review, and/or any component of the site selection process. Such term also excludes any decisions and/or commitments of moneys relating to facilities operated by the County.

Section Five: Construction.

A. This initiative is to be liberally construed to ensure that the City’s major public safety decisions are based upon principles of cost-efficiency and fairness and subject to democratic oversight.

B. Nothing in this Initiative shall be construed or interpreted to influence or constrain the City Council’s decision on where to site a municipal jail. If the City and its voters decide that a new municipal jail should be built, the City Council shall have the authority delegated to it under State Law to determine the location of such a facility.

Section Six: Severability.

The provisions of this ordinance are declared to be separate and severable. The Citizens of Seattle declare that they support each of the provisions of this Initiative independently, and their support for this Initiative would not be diminished if one or more of its provisions were to be held invalid. Specifically, Citizens would support this initiative even if it did not apply to jails developed through interlocal agreements. Thus, if any one or more of the provisions of this Initiative is declared to be contrary to law, then such provision or provisions shall be null and void and severed from the rest of this ordinance, and all other provisions of this Initiative shall remain valid and enforceable.

FILED
CITY OF SEATTLE

Initiative number pending:

JUL 22 11 4: 37
CITY CLERK

A citizen's initiative to promote efficiency and fairness in public safety

Initiative petition for submission to the City of Seattle.

A complete text of the initiative is on reverse of page

Return signed petitions to:

Committee for Efficiency and Fairness in Public Safety
2129 2nd Ave.
Seattle, WA 98121
(206) 441-3247 x 206

To the City of Seattle.

We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the enactment of an ordinance of the measure known as (initiative number pending) entitled: "Efficiency and Fairness in Public Safety Act that concerns the City's decision making process surrounding the construction of a new municipal jail in Seattle. This initiative will mandate that the City openly, publicly and in good faith negotiate with King County to explore alternatives to a municipal jail, including extending the existing City-County contract for jail services. This measure would require that the City conduct a rigorous, public analysis of how incarceration rates could be decreased in the short and long term while increasing public safety and positive outcomes. The City must also then develop and make publicly accessible a strategy to address racial disparity issues in arrest and incarceration rates. In addition, the City would have to place the matter of the new municipal jail before the electorate in a public vote. Should this measure be enacted into law?" a true, full and correct copy of which is included herein, and we petition the Council to enact said measure as an ordinance; and, if not enacted within forty-five (45) days from the time of receipt thereof by the City Council, then to be submitted to the qualified electors of the City of Seattle for approval or rejection at the next regular election or at a special election in accordance with Article IV, Section 1 of the City Charter; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of The City of Seattle, State of Washington, in the precinct (if known) written after my name, and my residence address is correctly stated.

ONLY SEATTLE RESIDENTS MAY SIGN. MUST BE A REGISTERED VOTER.

Signature	Printed Name	Street Address	Zip Code	Date
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____

WARNING

Ordinance 942891 provides as follows:
Section 1. It is unlawful for any person:
 1. To sign or decline to sign any petition for a City initiative, referendum, or Charter amendment, in exchange for any consideration or gratuity or promise thereof; or
 2. To give or offer any gratuity to anyone to induce him or her to sign or not to sign a petition for a City initiative, referendum, or Charter amendment, or
 3. To interfere with or attempt to interfere with the right of any voter to sign a petition for a City initiative, referendum, or Charter amendment by threat, intimidation or any other corrupt means of practice; or
 4. To sign a petition for a City initiative, referendum, or Charter amendment with any other than his or her true name, or to knowingly sign more than one (1) petition for the same initiative, referendum, or Charter amendment measure, or to sign any petition knowing that he or she is not a registered voter of The City of Seattle.

The provisions of this ordinance shall be printed as a warning on every petition for a City initiative, referendum, or Charter amendment.
Section 2. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section One: Title and Subject.

- A. This measure shall be titled the "Efficiency and Fairness in Public Safety Act."
- B. For Constitutional purposes, the subject of this Initiative is "public safety."

Section Two: Preamble and Statement of Facts:

- A. Seattle's decision whether to build a municipal jail for the first time represents an expensive commitment during a time of diminishing public resources. This choice for Seattle's future has long-term consequences, and deserves a thorough and public decision-making process. Through this Initiative, voters exercise their right to be involved in this public safety decision by mandating that the decision consider cost effective alternatives and racial justice. Voters are also to have a final vote on this critical issue.
- B. Citizens of Seattle hereby find that in deciding whether to build a new jail, important factors to consider include: public safety, alternatives that may be more cost effective, and issues of racial justice and fairness. Citizens further find that voters should have a final say on whether to build a new municipal jail.

Section Three: Policies and Process for Deciding Whether to Build a Municipal Jail.

- A. Prior to deciding whether to build a new municipal jail, the City of Seattle shall take the actions and/or conduct the evaluations described in this section and publicly report on the same. These actions and evaluations and their outcomes shall be fully considered in the City's decision whether to build a new municipal jail, in addition to other considerations that may be deemed appropriate.
 - 1. The City shall negotiate openly, publicly and in good faith with King County to explore alternatives to a municipal jail, including extending the existing City-County contract for jail services. Currently the City contracts with King County for provision of jail services, under a contract that expires in 2012. The City is considering a municipal jail to replace such jail capacity, despite the possibility that such contract may be renewable under State Law, RCW 39.34.180. Continued cooperation with King County may provide the most cost-effective and progressive public safety option. King County offers nationally recognized model programs for decreasing incarceration rates and recidivism, and already has the infrastructure in place to handle a regional justice system.
 - 2. The City shall conduct a rigorous, public analysis of how incarceration rates could be decreased in the short and long term while increasing public safety and positive outcomes. The City shall analyze how a proactive investment in social service programs, including shelter, supportive housing, early childhood education, drug and alcohol treatment and mental health care, will lower crime and arrest rates in the future. Avenues that should be explored include alternatives to incarceration such as treatment and day monitoring, changes in sentencing guidelines at the misdemeanor level, and a commitment to law enforcement diversion programs that provide better outcomes for less public money in drug cases.
 - 3. The City shall develop and make publicly accessible a strategy to address racial disparity issues in arrest and incarceration rates. Disproportionate incarceration rates among certain communities of color deepen inequality and poverty and are a form of structural racism. A new jail may perpetuate and deepen these inequalities.
- B. The City shall place the matter of the new municipal jail before the electorate in a public vote. Voters shall have the final decision on whether to build a new municipal jail. Prior to making a final commitment to build a municipal jail, the matter shall be placed before the voters for approval or rejection. Prior to the vote, the City shall inform voters of the outcomes of the actions and evaluations set forth in Subsection A of this Section. This paragraph does not require voters to be consulted on any siting decision relating to such proposed facility.

Section Four: Definitions.

- A. "Municipal jail" means a municipal jail facility that is or may be built and/or operated by the City independently or jointly through an interlocal agreement with other cities, but does not include facilities built and/or operated by King County.
- B. A "decision whether to build" a municipal jail means a decision by the City on whether to commit moneys towards the construction and/or operation of a municipal jail, either independently or jointly through an interlocal agreement with other cities. Neither that term nor any part of this Initiative addresses decisions and/or commitments of moneys relating to potential sites, environmental review, and/or any component of the site selection process. Such term also excludes any decisions and/or commitments of moneys relating to facilities operated by the County.

Section Five: Construction.

- A. This initiative is to be liberally construed to ensure that the City's major public safety decisions are based upon principles of cost-efficiency and fairness and subject to democratic oversight.
- B. Nothing in this Initiative shall be construed or interpreted to influence or constrain the City Council's decision on where to site a municipal jail. If the City and its voters decide that a new municipal jail should be built, the City Council shall have the authority delegated to it under State Law to determine the location of such a facility.

Section Six: Severability.

The provisions of this ordinance are declared to be separate and severable. The Citizens of Seattle declare that they support each of the provisions of this Initiative independently, and their support for this Initiative would not be diminished if one or more of its provisions were to be held invalid. Specifically, Citizens would support this initiative even if it did not apply to jails developed through interlocal agreements. Thus, if any one or more of the provisions of this Initiative is declared to be contrary to law, then such provision or provisions shall be null and void and severed from the rest of this ordinance, and all other provisions of this Initiative shall remain valid and enforceable.

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- B. Citizens of Seattle hereby find that in deciding whether to build a new jail, important factors to consider include: public safety, alternatives that may be more cost effective, and issues of racial justice and fairness. Citizens further find that voters should have a final say on whether to build a new municipal jail.

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- A. Prior to deciding whether to build a new municipal jail, the City of Seattle shall take the actions and/or conduct the evaluations described in this section and publicly report on the same. These actions and evaluations and their outcomes shall be fully considered in the City's decision whether to build a new municipal jail, in addition to other considerations that may be deemed appropriate.
 - 1. The City shall negotiate openly, publicly and in good faith with King County to explore alternatives to a municipal jail, including extending the existing City-County contract for jail services. Currently the City contracts with King County for provision of jail services, under a contract that expires in 2012. The City is considering a municipal jail to replace such jail capacity, despite the possibility that such contract may be renewable under State Law, RCW 39.34.180. Continued cooperation with King County may provide the most cost-effective and progressive public safety option. King County offers nationally recognized model programs for decreasing incarceration rates and recidivism, and already has the infrastructure in place to handle a regional justice system.
 - 2. The City shall conduct a rigorous, public analysis of how incarceration rates could be decreased in the short and long term while increasing public safety and positive outcomes. The City shall analyze how a proactive investment in social service programs, including shelter, supportive housing, early childhood education, drug and alcohol treatment and mental health care, will lower crime and arrest rates in the future. Avenues that should be explored include alternatives to incarceration such as treatment and day monitoring, changes in sentencing guidelines at the misdemeanor level, and a commitment to law enforcement diversion programs that provide better outcomes for less public money in drug cases.
 - 3. The City shall develop and make publicly accessible a strategy to address racial disparity issues in arrest and incarceration rates. Disproportionate incarceration rates among certain communities of color deepen inequality and poverty and are a form of structural racism. A new jail may perpetuate and deepen these inequalities.
- B. The City shall place the matter of the new municipal jail before the electorate in a public vote. Voters shall have the final decision on whether to build a new municipal jail. Prior to making a final commitment to build a municipal jail, the matter shall be placed before the voters for approval or rejection. Prior to the vote, the City shall inform voters of the outcomes of the actions and evaluations set forth in Subsection A of this Section. This paragraph does not require voters to be consulted on any siting decision relating to such proposed facility.

Section Four: Definitions.

- A. "Municipal jail" means a municipal jail facility that is or may be built and/or operated by the City independently or jointly through an interlocal agreement with other cities, but does not include facilities built and/or operated by King County.
- B. A "decision whether to build" a municipal jail means a decision by the City on whether to commit moneys towards the construction and/or operation of a municipal jail, either independently or jointly through an interlocal agreement with other cities. Neither that term nor any part of this Initiative addresses decisions and/or commitments of moneys relating to potential sites, environmental review, and/or any component of the site selection process. Such term also excludes any decisions and/or commitments of moneys relating to facilities operated by the County.

Section Five: Construction.

- A. This initiative is to be liberally construed to ensure that the City's major public safety decisions are based upon principles of cost-efficiency and fairness and subject to democratic oversight.
- B. Nothing in this Initiative shall be construed or interpreted to influence or constrain the City Council's decision on where to site a municipal jail. If the City and its voters decide that a new municipal jail should be built, the City Council shall have the authority delegated to it under State Law to determine the location of such a facility.

Section Six: Severability.

The provisions of this ordinance are declared to be separate and severable. The Citizens of Seattle declare that they support each of the provisions of this Initiative independently, and their support for this Initiative would not be diminished if one or more of its provisions were to be held invalid. Specifically, Citizens would support this initiative even if it did not apply to jails developed through interlocal agreements. Thus, if any one or more of the provisions of this Initiative is declared to be contrary to law, then such provision or provisions shall be null and void and severed from the rest of this ordinance, and all other provisions of this Initiative shall remain valid and enforceable.