

FILED
CITY OF SEATTLE

MAYORAL PROCLAMATION

WHEREAS, the Seattle Police Department has reported to me that on May 1, 2012, there exists a direct and credible threat of imminent civil unrest causing property damage and a risk of grievous bodily harm to peaceful participants in public events today, and to Seattle Police officers; and

WHEREAS, May 1st is a date that is celebrated worldwide as a day of protest by labor groups and persons who feel disaffected and powerless in society; and

WHEREAS, the City, in support of peoples' right to lawful assembly guaranteed by the Constitution of the United States of America and the Constitution of the State of Washington, the City has issued parade and demonstration permits to groups who wish to lawfully assemble to voice their opinions, and plans to escort parades and otherwise assist in the safe and lawful right of speech and assembly; and

WHEREAS, the City recognizes that parades and demonstrations which will travel upon public streets and sidewalks during the day and in particular at the evening rush-hour, will disrupt and impair pedestrians, motorists and transit, and the City recognizes that some disruption is part of the right of free speech and lawful assembly which the City will safeguard; and

WHEREAS, Seattle Police Department officers have learned and have informed me that groups and individuals who are self-identified anarchists plan to infiltrate and mingle with groups of non-violent protestors while carrying weapons with the intention of assaulting and inflicting bodily injury upon protestors as a tactic to draw police into the crowd where they too may be assaulted; and

WHEREAS, the weapons the anarchists will bring may include tire irons, metal signs with finely sharpened edges that can be wielded like knives or thrown at people, unusually heavy-duty pieces of lumber such as bats or 2x4 inch boards that may be disguised with protest signs and can be used for infliction of serious bodily harm, and a metal wheeled cart with sharp protrusions intended to be used to ram into persons and police horses; and

WHEREAS, the Seattle Police Department has informed me that persons carrying some of the weapons described in the foregoing paragraph have been observed interspersed among the demonstrators and have been observed smashing car windows with weapons such as tire irons, and have broken windows at financial institutions and news media have reported seeing smashed windows at financial and retail establishments and have reported smashed windows and smoke at a downtown federal courthouse;

WHEREAS, the presence of large numbers in a limited space combined with the clear and present threat from armed anarchists, presents an unacceptably high risk of serious injury to innocent people including lawful protesters and police, as well as significant property damage;

NOW, THEREFORE,

Mayoral Proclamation

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I, Michael Patrick McGinn AS MAYOR OF THE CITY OF SEATTLE DO PROCLAIM THAT:

SECTION 1: CIVIL EMERGENCY POWERS

A. A civil emergency exists requiring and authorizing me to exercise the emergency powers vested in me as Mayor by RCW Chapter 38.52, the Charter of the City of Seattle, Article V, Section 2, and Seattle Municipal Code Chapter 10.02 as described in this proclamation;

B. Effective upon my signing this proclamation, I will be exercising that authority through the issuance of Executive Orders and through the use and direction of City personnel, services and equipment and additional acts necessary to the management of this emergency; and

C. Pursuant to Seattle Municipal Code section 12A.26.040, it is unlawful for anyone to fail to obey an Emergency Order issued or proclaimed by me when he or she knowingly violates any order issued under authority of sections 10.02.010 or 10.02.020 of the Seattle Municipal Code.

SECTION 2: DETERMINATION OF EMERGENCY

Based on my review of the present circumstances recited above I have determined that the foregoing described circumstances constitute a civil emergency with a high degree of risk of injury to persons, including deaths, as well as damage to property which has occurred or is likely to occur in the near future to such an extent as to require me to exercise the authority assumed in Section 1 and to take the extraordinary measures in Section 3 in order to prevent death or injury of persons and to protect the public peace, safety and welfare, and alleviate damage, loss, hardship or suffering.

SECTION 3: CIRCULATION

A copy of this Proclamation and any civil emergency order issued hereunder shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Proclamation and any civil emergency orders issued hereunder shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Proclamation to the public, as many other available means as may be practical to use shall be used, including but not limited to posting on public facilities, computer websites, and public address systems.

SECTION 4: PRESENTATION, RATIFICATION, TERMINATION

This Proclamation shall, within 48 hours of issuance or as soon as practical, be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification, or rejection, and if rejected, shall be void. If the Council modifies or rejects this proclamation said modification or rejection shall be prospective only as provided by law and shall not affect any actions taken prior to the modification or rejection. In no case shall the City Council have any authority, during an emergency proclaimed by me pursuant to the Charter of the City of Seattle, Article V, Section 2, to impair or void my direction of the Police Department during such emergency.

This Proclamation shall be terminated by the issuance of another proclamation when I determine that extraordinary measures are no longer required for the protection of the public peace, safety and welfare, or by the passage of a termination resolution by not less than two-thirds (2/3) of all the members of the City Council. Before termination of this civil emergency I or the City Council shall consult with the Chief of Police, the Fire Chief, the Director of Public Health, and the Director of Emergency Management to determine if there are any fiscal, public safety response or disaster recovery imperatives that require the continuation of emergency measures.

I intend to consult with the City Council wherever practical and present all orders and proclamations at the earliest practicable time to the City Council for review and appropriate legislation.

DATED at Seattle, Washington, this 1st day of May, 2012, at 2:37
o'clock (~~a.m.~~/p.m.).



MICHAEL PATRICK MCGINN
MAYOR OF THE CITY OF SEATTLE