

Addressing Street Disorder to Preserve Jobs and Improve Our Quality of Life

Frequently Asked Questions

Why is this initiative needed?

Public safety and the economic health of Seattle are two of the Council's primary concerns. Councilmembers have heard from a wide range of residents and workers that current levels of street disorder negatively affect their quality of life and the health of their neighborhood business districts. Seattle Police Department (SPD) statistics show that major crimes increased 22% from 2008 to 2009 in South Lake Union (SLU) and the downtown core. See chart below.¹

Sector/Beat	2008 Major Crimes Total	2009 Major Crimes Total	2008-2009 % Increase
David Sector	2,709	3,369	24%
Mary Sector	2,756	3,447	25%
King 1Beat	1,076	1,163	8%
SLU/Downtown Total	6,541	7,979	22%

This increase is a cause for serious concern. The City needs a continuum of response to confront the perceptions and realities about a lack of public safety in Downtown and our neighborhood business districts.

If major crimes have increased, why does this initiative include a focus on aggressive solicitation?

The proposed new aggressive solicitation ordinance is only one element of a broader package of responses. This initiative also calls for a return to police foot beat patrols, continued hiring of new police officers to fully implement the Neighborhood Policing Plan and action to improve the City's outreach and housing efforts for our homeless neighbors.

Why aren't foot beat patrols being used already by the Police Department?

SPD does use limited foot patrols but has not used them more extensively because of staffing capacity constraints. Now that staffing levels are steadily increasing, it is appropriate to shift more resources to confront this growing problem of street disorder.

¹ Seattle Police Department crime statistics. Major crimes include homicide, aggravated assault, rape and robbery, as well as the property crimes burglary, larceny-theft and motor vehicle theft.

What is the Neighborhood Policing Plan? How many more officers does the City plan to hire?

In 2004, SPD published a five-year strategic plan, *SPD 2010*, that had as a central focus the creation of a police department more strongly connected to the diverse communities it serves and targeted at reducing crime and safety-related problems. Achievement of these overarching goals requires the proper resourcing of the SPD patrol force.

The March 2007 *Neighborhood Policing Staffing Plan, 2008-2012*, (NPP) grew out of SPD's Strategic Plan. The NPP represents the most significant operational change to SPD during the last 30 years. Designed to shorten and equalize emergency response times throughout the city while providing officers more time to work proactively on crime problems with members of the community, the NPP calls for expanding SPD patrol capability by hiring 105 additional officers during the period 2008 - 2012. As of the end of 2009, SPD is right on pace to meet this target. For more information, please visit <http://www.seattle.gov/police/programs/NPP/default.htm>.

How does this initiative propose to improve outreach and engagement services to the homeless?

During the budget process in the fall of 2009, the City Council passed a Statement of Legislative Intent asking the Human Services Department to review current outreach services and make recommendations to the Council by April 1, 2010 as to how these services can be improved. The Council will be ready to act on these recommendations when they are finalized.

Is aggressive solicitation a problem in Seattle?

Yes. A 2009 survey of residents in the greater downtown area found that 66% were concerned about aggressive solicitation.² A separate survey from last year found that 23% of all Seattle residents avoid downtown because of fear of crime or personal safety.³ The City Council has heard frequently from hotel workers, restaurant employees, business owners and downtown residents and other citizens that they experience harassment on the streets on a daily basis.

Does this proposal ban panhandling? Isn't that a violation of the Constitutional right to free speech?

No. This ordinance would only prohibit solicitation that is accompanied by intimidation. Prohibited behavior includes using profane or abusive language or threatening gestures, following and continuing to ask after being told no and soliciting while someone is using an ATM machine or parking pay station. This ordinance does not restrict people who stand on street corners with signs to solicit donations or those who sell products such as newspapers. The

² Metropolitan Improvement District 2009 Downtown Residents Survey.

³ City of Seattle 2009 Community Assessment of Policing and Public Safety.

purpose is not to restrict speech, only to protect people from being intimidated. State law already prohibits such intimidation in door-to-door solicitation for charities.⁴

Why write a new law? Couldn't the problem be solved by just enforcing the current law better?

The City Attorney's office has charged individuals under the current law (Seattle Municipal Code 12A.12.015), on average about ten times per year over the last ten years. Nonetheless, the problem persists and SPD has indicated they need a better tool. One of the difficulties with the current law is that police and prosecutors must prove intent to intimidate. The new law describes specific and easily-identified behaviors that will be prohibited. With this approach, it will be clear to everyone what is and is not appropriate behavior when asking for money.

Some suggest that this effort will only 'criminalize the homeless' instead of providing more services that help get people off of the streets. Is this correct?

It is important to note that this law will apply uniformly to everyone who solicits donations in public places regardless of their housing status. Not all homeless individuals aggressively solicit and not all individuals who aggressively solicit are homeless. This law makes a violation of the new restrictions on aggressive solicitation a civil infraction, not a criminal charge. For those who cannot afford or choose not to pay the fine, the law allows for these individuals to go to Seattle's Community Court, which prescribes mandatory treatment and community service in place of jail time. Finally, the City currently spends over \$32 million annually to fund a variety of homeless services (and this figure does not include millions of dollars of capital project funding for homeless housing). More can and will be done, but at the same time it is appropriate to set a minimum standard of behavior for everyone who shares Seattle's streets.

⁴ RCW 19.09.100.