



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19892

Proposed No. 2025-0016.1

Sponsors Barón, Quinn and Zahilay

1 AN ORDINANCE related to the repeal of RCW 10.70.140;
2 and amending Ordinance 17706, Section 2, as amended,
3 and K.C.C. 2.15.020.

4 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 SECTION 1. Findings:

6 A. Before May 2019, RCW 10.70.140 required local jail officials to
7 collect and report nationality information to federal immigration authorities.
8 Ordinance 18665, enacted in March 2018, made it the policy of King County to
9 obtain the minimum information then required under RCW 10.70.140 and to
10 provide it to immigration officials only after the person had been convicted and
11 sentenced.

12 B. The Washington state Legislature repealed RCW 10.70.140, effective
13 May 21, 2019, by Section 10, Chapter 440, Laws of Washington 2019.

14 C. To align the county's code with current state law and to provide clarity
15 that there is no county obligation to collect and report to federal immigration
16 officials on the nationality of persons committed to county detention facilities, it
17 is in the public interest to eliminate K.C.C. 2.15.020.C. from the county's code.

18 SECTION 2. Ordinance 17706, Section 2, as amended, and K.C.C. 2.15.020 are
19 hereby amended to read as follows:

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20 A. An agent of King County or county employee shall not expend any time,
21 moneys, or other resources on facilitating the civil enforcement of federal immigration
22 law or participating in civil immigration enforcement operations, except where state or
23 federal law, regulation, or court order or rule shall so require. However, a county agency,
24 employee, or agent (~~not~~) is not prohibited from sending to, or receiving from, federal
25 immigration authorities, the citizenship or immigration status of a person. Also, nothing
26 in this section prohibits any county agency from sending to, receiving from, requesting
27 from, or exchanging with any federal, state, or local government agency information
28 regarding the immigration status of a person or from maintaining such information.

29 B. King County and its agents and departments and county employees shall not:

30 1. Enter into any contract, agreement, or arrangement, whether written or oral,
31 that would grant federal civil immigration enforcement authority or powers to King
32 County or its agents or law enforcement officers, including but not limited to agreements
33 created under 8 U.S.C. Sec. 1357(g) or Intergovernmental Service Agreements;

34 2. Honor immigration detainer requests or administrative warrants issued by
35 ICE, CBP, or USCIS, or hold any person upon the basis of an ICE, CBP, or USCIS
36 detainer request or administrative warrant unless such request or warrant is accompanied
37 by a criminal warrant issued by a United States District Court judge or magistrate. The
38 sheriff's office or the department of adult and juvenile detention personnel shall not carry
39 out a civil arrest, detain a person after the release date set by a court, or refuse to accept a
40 bond based on an administrative warrant separately or in combination with an ICE
41 detainer request;

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42 3. For purposes of execution of federal civil immigration enforcement, permit
43 ICE, CBP, or USCIS officers, agents, or representatives access to nonpublic areas of
44 King County's facilities, property, equipment or nonpublic databases, or nonpublic
45 portions of otherwise public databases, or people in King County's custody, absent a
46 judicial criminal warrant specifying the information or persons sought unless otherwise
47 required by state or federal law. Any warrantless attempts or requests for access to those
48 facilities, property, equipment, or nonpublic databases shall be immediately sent to the
49 department or agency director or their designee responsible for the operation of the
50 facility, property, database, or equipment. Permission to access any such a facility,
51 property, equipment, or nonpublic database without a judicial criminal warrant may only
52 be provided with the express, written approval of the appropriate person. Any detention
53 facilities, including secure detention facilities, prisons, and halfway houses, that King
54 County contracts with or leases land to for the purposes of criminal or civil detention
55 must include the requirement in this subsection B.3. in any contract with King County;
56 and

57 4. Provide personal information to federal immigration authorities for purpose
58 of civil immigration enforcement, except as required by state or federal law, about any
59 person, including place of birth or household members, the services received by the
60 person or the person's next court date or release date, absent a warrant signed by a judge
61 or a law requiring disclosure.

62 C. ~~((It is the policy of King County to obtain the minimum information required~~
63 ~~under RCW 10.70.140 and to provide it to immigration officials after the person has been~~
64 ~~convicted and sentenced. In complying with RCW 10.70.140, the department of adult~~

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65 ~~and juvenile detention personnel shall only inquire as to the nationality of persons who~~
66 ~~have been committed to secure detention after an adjudication of guilt and imposition of~~
67 ~~sentence. The preceding sentence only applies to the department of adult and juvenile~~
68 ~~detention's direct inquiries of persons committed to secure detention, and not to~~
69 ~~interactions with other governmental entities. Only persons who self identify as being~~
70 ~~nationals of a country other than the United States shall be subject to the notification~~
71 ~~requirements of RCW 10.70.140.~~

72 D-))1. If permission to access a King County detention facility without a judicial
73 criminal warrant is granted to ICE, CBP, or USCIS in accordance with subsection B.3. of
74 this section for the purpose of conducting an interview ((which)) that does not relate to
75 civil immigration enforcement between either ICE or CBP, or both, and a person who is
76 in the custody of the department of adult and juvenile detention, the department of adult
77 and juvenile detention shall provide the person with an oral explanation and a written
78 consent form that explains the purpose of the interview, that the interview is voluntary,
79 and that the person may decline to be interviewed or may choose to be interviewed only
80 with the person's attorney present. The form shall state explicitly that the person will not
81 be punished or suffer retaliation for declining to be interviewed. The form shall be
82 available in English, Spanish, and any other language identified by the county's language
83 assistance plan as established in K.C.C. 2.15.030.B. and explained orally to a person who
84 is unable to read the form. Either ICE or CBP officials, or both, shall only be permitted
85 to interview persons who have consented in writing to be interviewed, absent a judicial
86 criminal warrant.

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87 2. Upon receiving any ICE hold, notification, or transfer request, department of
88 adult and juvenile detention personnel shall provide a copy of the request to the person
89 and inform the person whether the department intends to comply with the request.

90 3. Consistent with Article 36 of the Vienna Convention on Consular Relations,
91 any person in custody or detention shall be informed through the person's attorney of the
92 right to communicate with the consular post of a country of which the person is a
93 national, if other than the United States, and informed that the person's consular officers
94 have the right to visit, converse, or correspond with the person, if the person wishes the
95 communication. If a person chooses to disclose that the person is a foreign national and
96 requests consular notification, the custodian shall contact the appropriate consulate. The
97 informed consent requirements of the Vienna Convention on Consular Relations shall
98 apply to all such inquiries. The same requirements shall apply to inquiries into
99 nationality status for the purpose of complying with mandatory consular notification
100 under any bilateral consular convention. In all cases, identification as a foreign national
101 shall be voluntary and based on informed consent by the person.

102 4. King County shall consider all records relating to ICE, CBP, or USCIS access
103 to facilities and information, including all communications with ICE, CBP, or USCIS to
104 be public records for purposes of chapter 42.56 RCW, the state Public Records Act, and

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- 105 King County shall handle all such requests in accordance with the usual procedures for
106 receipt of public records requests.

Ordinance 19892 was introduced on 1/14/2025 and passed by the Metropolitan King County Council on 2/4/2025, by the following vote:

Yes: 9 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Perry, Quinn, von Reichbauer and Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Signed by:




1AEA3C5077F8485...

Girmay Zahilay, Chair

ATTEST:

DocuSigned by:



8DE1BB375AD3422...

Melani Hay, Clerk of the Council

APPROVED this _____ day of 2/6/2025, _____.

Signed by:



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Dow Constantine, County Executive

Attachments: None

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Girmay Zahilay

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Clerk of the Council

King County Council

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King County Executive

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Status

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Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Ames Kessler
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Executive Legislative Coordinator & Public Records
Officer
King County
Security Level: Email, Account Authentication
(None)
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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