



## Seattle Municipal Code

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### Title 14 - HUMAN RIGHTS

#### Chapter 14.12 - COLLECTION OF INFORMATION FOR LAW ENFORCEMENT PURPOSES

##### SubChapter IV - Handling Restricted Information for Criminal Investigations

###### SMC 14.12.150 Collecting restricted information.

- A. **Departmental personnel** shall not collect any **restricted information** for any use other than for dignitary protection without an authorization by a unit commander of the rank of lieutenant or above; provided, when time is of the essence, **departmental personnel** may **collect restricted information** under the condition that it shall be **purged** within five (5) **working days** unless an authorization for its **collection** is granted.
- B. An investigating officer may secure an authorization under this section from a lieutenant or higher-ranking officer who is in his or her chain of command or has supervision over the investigation. The authorization may adopt a written request from a Prosecuting Attorney, a City Attorney, the Attorney General of the State, or the Attorney General of the United States made in the court of and for performance of the duties of their respective offices.
- C. Such an authorization may be granted only when:
  1. There is a **reasonable suspicion** that the subject of the **restricted information** has engaged in, is engaging in, or is about to engage in unlawful activity, or that the **restricted information** about the subject may reasonably lead to his or her arrest, or that the restricted information is collected about a victim or witness for the purpose of discovering his or her knowledge or evaluating his or her reliability;
  2. The **restricted information** to be collected appears relevant to the investigation of the suspected unlawful activity described in subsection C1 of this section, or appears relevant to making an arrest of the subject of the **restricted information**; and
  3. The **collection** of the **restricted information** is consistent with the statement of purpose, policies, and other provisions of this chapter.
- D. No **informant** or **infiltrator** may be used to **collect restricted information** about a victim or witness; **restricted information** about a victim or witness may not be indexed under his or her name.
- E. Notice of each authorization shall be given to the **Auditor**.
- F. Authorizations shall be in effect for no more than ninety (90) days.

###### ***Legislative history/notes:***

(Ord. 110572 § 14, 1982; Ord. 108333 § 13, 1979.)

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***New legislation may amend this section!***

***The above represents the most recent SMC update, which includes ordinances***

*codified through Ordinance 124063 with effective dates prior to December 10<sup>th</sup>, 2012.*

Recently approved legislation may not yet be reflected in Seattle Municipal Code. See the legislative history at the bottom of each section to determine if new legislation has been incorporated.

[Search for recently approved legislation referencing this section.](#) (Searches for legislation approved within the past six months, which may not yet be incorporated into the SMC. See the legislative history for each section to confirm whether an ordinance is reflected.)

[Search for proposed legislation that refers to this section.](#) (Searches for Council Bills introduced since 01/2012 and not yet passed.)

*Note: The above searches are provided to assist in research, but they are not guaranteed to capture all relevant legislation. Search directly on the [Council Bills and Ordinances Index](#) for the most comprehensive results.*

For research assistance, contact the Seattle City Clerk's Office at (206) 684-8344, or by e-mail, [clerk@seattle.gov](mailto:clerk@seattle.gov).

For interpretation or explanation of a particular SMC section, please contact the relevant City department.

