

**From:** Elisabeth Smith  
**To:** [O'Brien, Mike](mailto:O'Brien, Mike)  
**Subject:** Fwd: Request for Introduction and Referral of Ordinance Relating to Health, Safety and Unsheltered Residents  
**Date:** Monday, September 05, 2016 9:51:34 PM

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Dear Mike,

Below you'll find the email we sent to Sally on Saturday (consigned by SKCCH, CLS, and the ACLU). As of now she has not replied nor do we expect her to reach out tomorrow as we requested.

Thanks,  
Elisabeth

Elisabeth S. Smith  
Legislative Director  
American Civil Liberties Union of Washington  
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901 Fifth Avenue, Suite 630<x-apple-data-detectors://5/1>  
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Sent from my iPhone

Begin forwarded message:

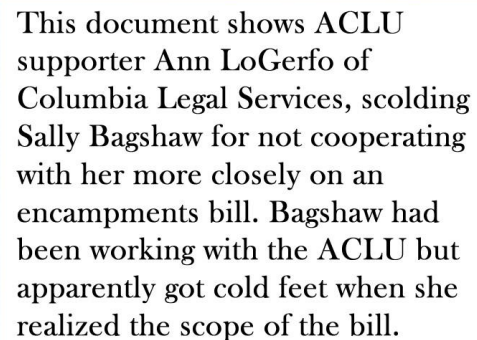
From: Ann LoGerfo <[Ann.LoGerfo@columbialegal.org](mailto:Ann.LoGerfo@columbialegal.org)<<mailto:Ann.LoGerfo@columbialegal.org>>>  
Date: September 3, 2016 at 4:42:59 PM PDT  
To: "Bagshaw, Sally" <[Sally.Bagshaw@seattle.gov](mailto:Sally.Bagshaw@seattle.gov)<<mailto:Sally.Bagshaw@seattle.gov>>>  
Cc: "alison@homelessinfo.org" <<mailto:alison@homelessinfo.org>>"  
<[alison@homelessinfo.org](mailto:alison@homelessinfo.org)<<mailto:alison@homelessinfo.org>>>, Tim Harris  
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Subject: Request for Introduction and Referral of Ordinance Relating to Health, Safety and Unsheltered Residents

Dear Councilmember Bagshaw,

We write to ask that you honor your agreement as to the introduction and referral of the "Ordinance to Protect Health and Safety and Reduce the Harms Experienced by Unsheltered Residents." We note that this item is still not on the Introduction and Referral Calendar, and ask that you vote with your colleagues this Tuesday, September 6th, to add this ordinance for referral to committee. In addition, please call one of us before Tuesday morning's council meeting to confirm that you will follow through on the referral of this legislation to your committee - or another appropriate committee - for prompt hearing and council action.

You have frequently expressed your desire to take the lead in developing a new approach to the issues of encampments and better treatment of people who are without safety or shelter, but your actions and inactions over the last several months leave us dismayed and frustrated.

Months ago, you told us you wanted to pass an ordinance. As detailed below, we engaged with you in good faith and drafted a well-reasoned proposal with input from many knowledgeable community partners. We met with you to



This document shows ACLU supporter Ann LoGerfo of Columbia Legal Services, scolding Sally Bagshaw for not cooperating with her more closely on an encampments bill. Bagshaw had been working with the ACLU but apparently got cold feet when she realized the scope of the bill.

share the proposal, and to seek your feedback and leadership. More than once you have publicly stated that you would sponsor this legislation, but did not follow through. You have also stymied attempts for others to sponsor, insisting that the ordinance run through your committee, but not putting it on the referral calendar.

Budget negotiations are looming and time is short. You still say that you will sponsor an ordinance and that you have been working on an amended version of our proposal. If this is indeed the case, it seems you would support the introduction and referral of the legislation this Tuesday. We now ask, will you?

So that you can understand our concerns about continuing to let time slip by while waiting for action, the following is an abbreviated history of our attempts to work with you on an ordinance:

\* Starting in January, we have engaged with you on productive ways to address issues related to encampments, violations of civil rights and ways to support neighborhoods, while protecting public and individual health and safety.

\* In March, the ACLU and CLS first discussed this legislation with you, and you appeared very receptive. Indeed, you said you had already started drafting an ordinance. However, when we requested a copy, your office was not able to share a draft. Given that the homelessness crisis continued unabated and time was of the essence, we drafted a proposal for you to consider. We ensured that our approach was well-informed by engaging with a number of organizations throughout the drafting process.

\* We provided the proposed ordinance for you to review in early May. At our meeting on May 4, 2016, you said you were interested in sponsoring it and requested that we not share the draft with any other councilmember until you were able to review and comment by the end of the following week. We waited for your response.

\* Despite repeated requests, we were unable to obtain any comments from you, even when we directly asked whether or not you would serve as the lead sponsor. We also had no answer as to whether we could share the ordinance with other councilmembers. In other words, we had no path to move forward.

\* When we met with you to discuss the ordinance at the end of May, your focus was solely on a resolution relating to the Mayor's announcement on the removal of people from the East Duwamish Greenbelt, the area commonly referred to as the Jungle. You asked us to drop everything and draft a resolution for you to introduce. We did just that, turning around a document within a day. We asked that you introduce the ordinance as well – a comprehensive approach for the whole city, not just the East Duwamish Greenbelt. The resolution introduced was not the one we had drafted, and you did not move on the ordinance. In fact, you never communicated directly with us after we sent you the draft resolution.

\* We understood your lack of response to indicate that you were not planning to move forward with the city-wide legislation. In June and July, we worked with other councilmembers who were interested in sponsoring or supporting this legislation. We continued to revise the draft to be responsive to comments from your colleagues and others in the community.

\* When Councilmember Mike O'Brien agreed to serve as lead sponsor in early August, you again expressed your desire to be involved. After meeting with all of us, you agreed to Councilmember O'Brien sponsoring legislation, provided it was referred to your committee. We had concerns about this, given your previous reluctance and given the number of substantive issues scheduled for your committee to address before the budget process. Nevertheless, we agreed in good faith to proceed with this plan. We revised the ordinance title and made other changes you had requested.

Now we understand that you are again seeking to delay, and that rather than work with us to address any substantive issues with our ordinance, you are working separately on an amended version.

We have called for action by the mayor and the council. It is time to introduce our legislation and begin the legislative process without more harmful delay. We need this framework in place so that the budget conversations are focused on how best to use limited public resources to ensure safety, health, security, shelter and housing. The serious gaps and difficulties in the city's current policies, protocols and coordination efforts affect people in neighborhoods, people who are homeless, public employees and others. Seattle residents without shelter are facing

another hazardously cold, wet winter without places to live, and with the constant risk of losing what little they have.

We request that you follow through with your commitment and vote on Tuesday to add our legislation to the Introduction and Referral Calendar, referring it either to your committee or to another appropriate committee. Please let us know how you plan to proceed.

Sincerely,

Alison Eisinger, Executive Director

Seattle King County Coalition on Homelessness

Ann LoGerfo, Directing Attorney

Yurij Rudensky, Attorney

Columbia Legal Services

Elisabeth Smith, Legislative Director

American Civil Liberties Union of Washington