

FIRST MODIFICATION TO

THE INTERLOCAL COOPERATIVE AGREEMENT TO PROVIDE LAW ENFORCEMENT MUTUAL AID BETWEEN THE WASHINGTON STATE PATROL, KING COUNTY SHERIFF'S OFFICE, UNIVERSITY OF WASHINGTON, AND THE CITIES OF BELLEVUE, CLYDE HILL, DUVALL, KIRKLAND, ISSAQUAH, LAKE FOREST PARK, MEDINA, MERCER ISLAND, REDMOND, AND SNOQUALMIE/NORTH BEND FOR THE CREATION OF THE INDEPENDENT FORCE INVESTIGATION TEAM – KING COUNTY (IFIT-KC)

I. RECITALS.

WHEREAS The following agencies entered into an INTERLOCAL AGREEMENT ("Agreement") to provide law enforcement mutual aid and mobilization between the Parties for incidents described more fully in the Agreement:

- King County Sheriff's Office;
- Bellevue PD;
- Duvall PD;
- Kirkland PD;
- Clyde Hill PD;
- Issaquah PD;
- Lake Forest Park PD;
- Medina PD;
- Mercer Island PD;
- Redmond PD; and
- Snoqualmie/North Bend PD
- University of Washington Police Department; AND

WHEREAS, the authority of the cooperating agencies entering into the Agreement is that authority provided by Washington law including, and subject to, the general powers of the Parties, the Washington Interlocal Cooperation Act as codified in Chapter 39.34 RCW, and the Washington Mutual Peace Officers Powers Act as codified in Chapter 10.93 RCW; and

WHEREAS, the Washington State Patrol (WSP) also seeks to join in the Agreement, but requires a modification of the Agreement consistent with RCW 10.93.160 and Washington Executive Order 17-01; and

WHEREAS, paragraph 8 of the Agreement provides for modification, so long as the modification is approved, in writing, by all parties to the Agreement;

NOW THEREFORE, in consideration of the terms and provisions herein, it is agreed between the Parties that the following shall become a term of the Agreement:

II. MODIFICATION OF THE AGREEMENT

The following shall be added to the General Provisions of the Agreement:

9. USE OF INFORMATION FOR CIVIL IMMIGRATION ENFORCEMENT IS PROHIBITED. Under Washington law, and local ordinance, state and local law enforcement agencies and their personnel are generally prohibited from enforcing or assisting federal agencies engaged in civil immigration proceedings pursuant to RCW 10.93.160. Primary jurisdiction for enforcement is with the United States federal immigration authority. See RCW 10.93.160. The purpose of this modification to the Agreement is to make clear that the parties interpret the Agreement as consistent with the Washington law, including RCW 10.93.160, in that no Party or its personnel shall engage in any acts proscribed by Washington law.

Consistent with RCW 10.93.160 and Washington Executive Order 17-01, applicable to the Washington State Patrol (WSP), the Parties agree not to use or share any information obtained from the WSP, its systems, or its personnel, with any third parties to support or engage in civil immigration enforcement activities.

No other terms of the Agreement, excepted as stated herein are modified.

Consistent with the Agreement, this modification may be signed in counterparts and, if so signed, shall be deemed one integrated agreement.

The WSP, by signing below, affirms that it has reviewed and agrees to comply with all terms of the Agreement, including this First Modification relating to RCW 10.93.160 and Washington Executive Order 17-01.

IN WITNESS WHEREOF, the Parties hereto have executed this First Modification as of the latest day and year written below.

CITY OF BELLEVUE

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF DUVALL

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF KIRKLAND

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF MEDINA

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF REDMOND

Name:

Title:

Date:

Attest:

CITY OF CLYDE HILL

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF MERCER ISLAND

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF SNOQUALMIE

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney

WASHINGTON STATE PATROL

Name:

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City Clerk

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City Attorney

UNIVERSITY OF WASHINGTON

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City Attorney

KING COUNTY SHERIFF'S OFFICE

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF ISSAQUAH

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF LAKE FOREST PARK

Name:

Title:

Date:

Attest:

City Clerk

Approved as to Form:

City Attorney