

THE EVERETT DRONE OVERSIGHT AND ACCOUNTABILITY ACT

Popular name: Accountable Drones, Safer Everett

Initiative Petition to the City Council of Everett, Washington

Full Ballot Initiative | City of Everett, Washington

Petitioner: Dr. Janice R. Greene, registered voter of the City of Everett

To circulators and signers

This is a complete petition packet. It contains the petition form, the full text of the proposed ordinance with its sources, and signature sheets. Do not separate the pages. Under RCW 35.21.005 the full ordinance text must stay with the signature sheets, so circulate this packet as one bound document.

Sign only if you are a registered voter who lives in Everett. Use the residence address where you are registered to vote. Sign this measure only once. Signatures must be handwritten in ink. Typed names, electronic signatures, and email replies do not count.

Where to return completed sheets

Drop off, in care of UNIDOS Snohomish County:

LETI, 9930 Evergreen Way, Building Y, Everett WA 98204

Or drop off:

c/o Janice R. Greene, PhD, 3616 Colby Ave #251, Everett WA 98201

Additional local drop-off points are available. Email admin@onevoice-snoco.org or ask your circulator for the nearest one.

Return the original signed paper sheets. A scan or photo may help the campaign track returns, but only the originals count for filing.

Petition

INITIATIVE TO THE CITY COUNCIL OF EVERETT, WASHINGTON

The undersigned registered voters of the City of Everett petition the City Council to adopt the proposed ordinance set forth in this petition, the Everett Drone Oversight and Accountability Act, and if the Council does not adopt the ordinance without alteration, to submit the measure to the voters of the City of Everett as provided by Everett City Charter Section 11.2 and applicable Washington law.

Warning

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor. Each signature shall be executed in ink or indelible pencil and shall be followed by the name and address of the signer and the date of signing.

Petitioner's proposed ballot title

The following is the petitioner's proposed ballot title. Under RCW 29A.36.071, the official ballot title for a city measure is prepared by the City Attorney and consists of three elements: a statement of the subject (not to exceed ten words), a concise description (not to exceed seventy-five words), and a question. The elements below are offered for the City Attorney's consideration.

Statement of subject: Everett law enforcement drone use and oversight.

Concise description: This measure would limit Everett Police drone use to emergencies, search and rescue, accident documentation, and warrant-authorized investigations; prohibit drone surveillance of protests, immigration enforcement, and protected activities; set data retention and reporting requirements; and create a seven-member Community Drone Oversight Board with authority to review deployments, investigate complaints, and audit compliance.

Question: Shall the City of Everett adopt an ordinance limiting law enforcement drone uses, prohibiting specified surveillance practices, requiring public reporting and data safeguards, and establishing a Community Drone Oversight Board?

The proposed statement of subject is seven words and the proposed concise description is fifty-two words, within the ten-word and seventy-five-word limits of RCW 29A.36.071. The official ballot title is subject to preparation and revision by the City Attorney.

Ordinance summary

An ordinance of the City of Everett, Washington, adding a new chapter to the Everett Municipal Code (chapter number to be assigned by the City Clerk before filing; contact City Clerk, 2930 Wetmore Ave., Suite 1-C, Everett, WA 98201, (425) 257-8700) to establish authorization requirements, use restrictions, data handling standards, public reporting obligations, and community oversight for all law enforcement drone operations within city limits.

Petitioner's fiscal estimate

Subject to City Finance Department review:

This ordinance creates new costs estimated at \$25,000 to \$45,000 annually, consisting of Community Oversight Board operations (\$15,000 to \$25,000), public reporting and documentation (\$5,000 to \$10,000), and data management and audit systems (\$5,000 to \$10,000). These costs are offset in part by three factors. First, the five-day default data retention limit in Section 7(b) reduces the ongoing storage volume the data management category above must support, compared to a longer retention schedule. Second, Section 15 requires a public hearing before any drone acquisition beyond the City's current inventory, which limits future unplanned budget commitments rather than reducing a present cost. Third, public reporting and independent oversight reduce the City's exposure to the type of records-access litigation other jurisdictions have faced over undisclosed drone footage; Chula Vista, California was ordered in October 2025 to pay over \$500,000 in legal fees following a four-year public records dispute over police drone video, a cost this ordinance's reporting requirements are designed to avoid. This estimate is prepared by the petitioner and has not been reviewed by the City of Everett Finance Department. Consistent with Everett's petition process, the City Finance Director will prepare an independent fiscal impact statement for the ballot.

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Signature Sheet | Initiative Petition to the City Council of Everett

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Petition ID: _____ Circulator: _____ Page 1 of 4

No.	Signature	Printed name	Residence address	City	Zip	Date signed
1				Everett		
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16				Everett		
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Petition ID: _____ Circulator: _____ Page 4 of 4

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41				Everett		
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FULL TEXT OF THE PROPOSED ORDINANCE

Section 1. Title

This initiative shall be known and may be cited as the Everett Drone Oversight and Accountability Act.

Section 2. Findings and Purpose

The People of Everett find and declare:

(a) Drones operated by law enforcement are capable of continuous aerial surveillance across wide geographic areas, capturing high-resolution video, thermal imaging, and precise location data. These capabilities exceed traditional ground-based surveillance and, without meaningful restrictions, can be used to monitor residents' movements, associations, and activities without individualized suspicion or judicial authorization.

(b) Washington's Constitution, Article I, Section 7, provides stronger protection against warrantless government intrusion than the federal Fourth Amendment. In *State v. Jackson*, the Washington Supreme Court held that using a GPS device to track a person's movements is a search that requires a warrant under Article I, Section 7, which provides broader protection than the federal Fourth Amendment and is not confined to a "protected places" analysis [1]. The United States Supreme Court reached a parallel conclusion in *Carpenter v. United States*, holding that long-term surveillance of movement data requires a warrant [2]. Drone surveillance capable of continuous tracking of individuals falls within the scope of both holdings.

(c) The Everett Police Department currently operates drone equipment, including a Drone as First Responder program approved by City Council on April 9, 2025 [3]. No city ordinance governs when drones may be deployed outside the administrative policy governing that program, what data may be collected and retained, how long data may be kept, or what full public reporting the department must provide to the public or City Council. Administrative policies may be changed without public input.

(d) Law enforcement drone programs nationwide have expanded beyond emergency uses to include routine patrol, monitoring of demonstrations, and prolonged tracking of individuals without warrants, as documented across more than 1,400 U.S. law enforcement agencies [4].

(e) In 2020, the U.S. Department of Homeland Security deployed surveillance aircraft, including drones, over at least 15 U.S. cities during protests following the death of George Floyd, including Predator B flights over Minneapolis, accumulating at least 270 hours of aerial surveillance without local authorization [5]. This pattern continued in 2025 when DHS deployed Predator drones over protests in Los Angeles [6].

(f) Federal agencies have obtained access to local law enforcement surveillance data in multiple Washington jurisdictions without local authorization. In documented cases involving automated license plate reader networks statewide, federal access occurred through vendor-controlled infrastructure that the operating cities did not control and could not disable [7]. The Flock Safety Drone as a First Responder agreement approved by the Everett City Council on April 9, 2025 transmits drone data to and stores it on Flock Safety's cloud infrastructure outside city control, presenting the same structural risk: once transmitted to vendor-controlled systems, the city has no practical ability to limit downstream federal access.

(g) In February 2026, a Snohomish County Superior Court ruling that Flock Safety camera footage is subject to public disclosure led the City to temporarily suspend its automated license plate reader network; the city's drones, operating under the same vendor agreement, continued flying throughout the suspension. The Washington Legislature's subsequent enactment of Senate Bill 6002 created a statutory framework specifically for automated

license plate reader data, but that framework does not extend to drone deployment authorization, drone data retention, or drone program oversight, leaving the gap this ordinance addresses [8].

(h) Warrant requirements and use restrictions do not impair legitimate law enforcement uses. Emergency response, search and rescue, accident documentation, and warrant-supported criminal investigations remain fully available under this ordinance.

(i) With 20.8% of Everett residents being foreign-born [9], drone surveillance used for or accessible to federal immigration enforcement creates documented harm to community trust and public safety cooperation.

(j) Everett's adopted 2026 budget closed a \$7.9 million general government funding gap, and the City projects an additional shortfall of approximately \$14 million for 2027 [10]. Drone program operations without oversight consume public resources without accountability to residents.

Purpose: This initiative protects the civil liberties and safety of all Everett residents by establishing clear warrant requirements and use restrictions for law enforcement drones, requiring transparency through public reporting, creating a community oversight board with independent authority, and prohibiting use for immigration enforcement or protest monitoring. All provisions of this initiative are directed to a single purpose: governing police use of drone technology to protect residents' constitutional rights and maintain public trust.

Section 3. Definitions

As used in this ordinance:

(a) "Drone" or "UAS" means any unmanned aircraft system operated by the Everett Police Department or any city law enforcement contractor, including quadcopters, fixed-wing aircraft, rotary aircraft, or any other remotely piloted aerial device equipped with any recording, sensing, or data-collection capability.

(b) "Drone data" means all video, photography, thermal imagery, audio, metadata, GPS coordinates, flight paths, and any other information captured, transmitted, or derived from a drone deployment.

(c) "Deployment" means any activation of a drone beyond a secure indoor facility, including operations for testing, training, demonstration, or any operational purpose.

(d) "Emergency deployment" means a deployment responding to an active 911 call involving a confirmed imminent threat to life, an active search and rescue operation, or an ongoing fire emergency where drone use is specifically requested by the Everett Fire Department Incident Commander.

(e) "Warrant-authorized deployment" means a deployment conducted pursuant to a warrant issued by a court of competent jurisdiction specifically authorizing drone surveillance of a named individual or identified location, limited in scope and duration to the terms of that warrant.

(f) "City" means the City of Everett, Washington, and all its departments, officers, agents, and contractors acting on its behalf.

(g) "Federal agency" means any agency, bureau, office, or instrumentality of the United States government, including but not limited to ICE, CBP, the Department of Homeland Security, the FBI, and any fusion center receiving or transmitting federal data.

(h) "Community Oversight Board" or "Board" means the body established under Section 8 of this ordinance.

Section 4. Permitted Uses

Law enforcement drones may be deployed only for the following purposes:

- (a) Emergency deployment responding to an active 911 call involving a confirmed imminent threat to life, subject to the after-the-fact documentation requirements of Section 5(b);
- (b) Search and rescue operations, authorized by the ranking law enforcement supervisor or designated Incident Commander on scene and documented consistent with Section 5(b);
- (c) Active fire emergency response at the documented request of the Everett Fire Department Incident Commander;
- (d) Accident scene documentation where a supervisor of the rank of Lieutenant or above has authorized deployment in writing and the scene has been closed to through traffic or otherwise lawfully controlled under law enforcement authority;
- (e) A specific criminal investigation for which a warrant has been issued by a court of competent jurisdiction authorizing drone use, limited in scope and duration to the terms of that warrant; or
- (f) Operator training, equipment testing, and official demonstrations conducted in a public forum to city-authorized bodies, elected officials, or nonprofit community organizations operating within Everett, conducted by certified personnel, subject to the data handling requirements of Section 7(b) and the pre-deployment documentation requirements of Section 5(a). Such flights shall not be conducted over occupied structures or within 100 feet of any member of the public not participating in the exercise, and shall be logged with the date, duration, location, and purpose.
- (g) **Sensor and Viewing Limitations.** For all deployments under this section, all drone sensors capable of collecting drone data, including but not limited to visual cameras and thermal imaging, shall remain in a non-recording state, oriented toward the horizon or flight path rather than downward, during transit to and from the location authorized under this section. This limitation applies to live viewing by the operator or any other person as well as to recording; an operator shall not actively view a downward-oriented live feed from any sensor during transit. Recording and downward-oriented viewing shall begin only upon arrival at that location and shall cease immediately upon completion of the authorized purpose or the drone's departure from the location, whichever occurs first. This subsection does not apply to a warrant-authorized deployment under Section 4(e) to the extent the warrant specifically authorizes continuous recording or viewing during transit.

Section 5. Authorization and Warrant Requirements

- (a) **Pre-Deployment Authorization.** All deployments except those under Sections 4(a) and 4(b) require written authorization from a supervisor of the rank of Lieutenant or above, stating the deployment category, purpose, anticipated duration, and geographic area before the drone leaves the facility.
- (b) **Emergency and Search and Rescue Deployment Documentation.** When a drone is deployed under Section 4(a) or Section 4(b) without prior written authorization, the deploying officer shall submit a written incident report within 24 hours of landing documenting the nature of the emergency, the geographic area surveilled, the duration of flight, and the data collected. That report shall be reviewed by a supervisor within 48 hours and forwarded to the Community Oversight Board within 5 business days. Until the Board is established, reports required by this subsection shall be filed with the City Clerk and made publicly available.
- (c) **Warrant Requirement for Surveillance.** No drone shall be deployed to surveil a specific named individual, monitor a specific address or structure for the purpose of gathering evidence about its occupants, or conduct any persistent aerial surveillance of a particular person's movements, without first obtaining a warrant from a court of competent jurisdiction. The warrant shall identify the person or location to be surveilled, the authorized duration, the geographic scope, and the permissible data uses. Duration alone does not determine whether a warrant is

required; the operative standard is whether the deployment is directed at a specific person or location for investigative purposes.

(d) Exigent Circumstances. Where exigent circumstances prevent prior warrant application, the deploying supervisor shall apply for a warrant or judicial approval within 6 hours of the time the drone first departs the facility for the exigent deployment. If the exigency extends beyond 6 hours and the warrant application is pending, the deployment may continue pending a judicial ruling, provided the application has been submitted and documented. If the warrant application is denied, all data collected during the exigent deployment shall be immediately and permanently destroyed and shall not be retained or shared. If a court of competent jurisdiction is not reasonably available within six hours due to closure or documented judicial unavailability, the supervising officer shall document all attempts to obtain judicial review and shall submit the warrant application as soon as reasonably possible; all other requirements of this subsection, including destruction of data upon denial, remain in full force.

Section 6. Prohibited Uses

No drone shall be deployed for:

- (a)** Routine patrol, general area surveillance, or any operation not described in Section 4;
- (b)** Monitoring, documenting, or recording any lawful protest, demonstration, political gathering, or other First Amendment-protected activity, regardless of whether a permit has been issued for that activity. This prohibition does not apply to an emergency deployment under Section 4(a) where there is a confirmed imminent threat to life at the location, provided the drone is used solely to respond to that specific threat and not to document or monitor the assembly;
- (c)** Monitoring of religious gatherings, places of worship, or facilities providing social services;
- (d)** Surveillance of healthcare facilities, including reproductive health providers;
- (e)** Tracking or monitoring of any individual based on race, national origin, immigration status, religion, political views, or other protected characteristics;
- (f)** Any civil immigration enforcement purpose, including identifying, locating, tracking, or providing information about individuals for use by ICE, CBP, or any federal immigration enforcement agency; or
- (g)** Facial recognition analysis, biometric identification, or predictive behavior analysis of any kind, whether conducted in real-time or by post-processing of drone data, by any means including third-party software or federal agency systems.

Nothing in subsections (a) through (g) prohibits compliance with a valid court order issued by a court of competent jurisdiction specifically authorizing an otherwise prohibited use. Any such compliance shall be limited to the minimum necessary to satisfy the order, and the City Attorney shall be notified immediately upon receipt of any such order.

Section 7. Data Handling and Retention

(a) Storage and Security. All drone data shall be stored in city-controlled or city-contracted systems with contractually required encryption, access logging, audit trails, and role-based access controls. Where the City contracts with a vendor for data storage or processing, the contract shall expressly prohibit the vendor from accessing, sharing, or retaining drone data for any purpose beyond storage and retrieval on the City's behalf. Only authorized Everett Police personnel with documented operational need may access drone data.

(b) Retention Limits. Drone data shall be retained only as long as necessary for the documented purpose of the deployment. Absent a documented determination under this subsection that the data constitutes evidence of a crime or is relevant to an active investigation, all data shall be automatically and permanently destroyed no later than 5 calendar days after the date of deployment. A supervisor of the rank of Lieutenant or above must document, in writing, any determination extending retention beyond 5 days, including the specific investigative basis for that determination. Where such a determination is made, the following maximum retention periods apply: data related to an active criminal investigation, retained consistent with case records requirements not to exceed the duration of the investigation plus 90 days after final disposition; training, testing, and demonstration data, 5 days. All data shall be permanently destroyed upon expiration of the applicable retention period. Nothing in this subsection requires destruction of drone data subject to a court-issued preservation order, an active litigation hold, or an outstanding Brady or Giglio disclosure obligation. The City Attorney shall advise on any such obligations before any scheduled destruction is completed.

(c) No Transfer to Federal Agencies. Drone data shall not be shared with, transferred to, or made accessible to any federal agency for any civil immigration enforcement purpose, regardless of when the data was collected. Nothing in this subsection prohibits compliance with a valid court order issued by a court of competent jurisdiction. Upon receipt of any such order, the City Attorney shall promptly notify the City Council, seek to narrow or quash the order to the extent permitted by law, and limit any disclosure to the minimum required to satisfy the order.

(d) No Third-Party Data Sharing. Drone data shall not be sold, licensed, or transferred to any private commercial entity, data broker, analytics firm, or surveillance vendor for any purpose. This section does not prohibit sharing drone data with criminal justice agencies, including the Snohomish County Prosecuting Attorney or other law enforcement agencies, pursuant to a court order, lawful subpoena, or written inter-agency agreement that incorporates this ordinance's federal data sharing restrictions. The City shall work to amend existing inter-agency agreements to comply with this requirement within 180 days of the effective date. Until such amendments are executed, data sharing may continue under existing agreements solely for active criminal proceedings, provided the City Attorney documents the basis for each transfer.

(e) Destruction Certification. The City Attorney shall file an annual written certification with the City Clerk confirming, based on information reasonably available to the City at the time of certification, that data destruction obligations have been met and that no drone data is known to exist in city systems beyond applicable retention limits.

Section 8. Community Oversight Board

(a) Establishment. The City Council shall establish a Community Drone Oversight Board within 180 days of the effective date of this ordinance. Failure to establish the Board within 180 days shall constitute a violation of this ordinance enforceable by any resident under Section 11(e). The City Attorney's enforcement authority under Section 11(a) applies to violations by city departments, officers, employees, contractors, and agents other than the Council's own failure to act under this subsection.

(b) Composition. The Board shall consist of seven members appointed by the City Council from community nominations. Membership shall include at least one civil liberties or privacy attorney; at least two community residents with no current or recent law enforcement affiliation; at least one member with demonstrated experience working with or on behalf of immigrant communities; and at least one technology professional with privacy expertise. Active law enforcement officers and city employees shall not serve as voting members.

(c) Authority. The Board shall: review all quarterly and annual deployment reports required by Section 9; investigate written complaints from residents alleging violations of this ordinance; conduct an annual audit of deployment records and data retention compliance; review all authorization logs quarterly; and report findings and recommendations directly to City Council at least annually in a public session. In conducting investigations and audits, the Board shall have the right to request and receive all deployment authorization records, incident reports, data retention logs, and audit trails required by this ordinance. The Police Department shall respond to written Board records requests within 15 business days. Records related to open criminal investigations shall be provided to the Board under confidential cover consistent with Section 9(a) and shall not be withheld solely on the basis that an investigation is active. Nothing in this subsection requires disclosure in violation of a court-issued protective order or an applicable exemption under the Public Records Act [11].

(d) Complaint Process. Any Everett resident may file a written complaint with the Board alleging a violation of this ordinance. The Board shall investigate and provide a written response within 45 days. The Board may refer findings of probable violations to the City Attorney for enforcement action. The Board's findings and recommendations are advisory; disciplinary decisions remain with the Police Department and enforcement authority remains with the City Attorney and the courts.

(e) Independence. Board members serve three-year terms. The City Council shall not remove a board member without cause, and shall state the basis for any removal in a written resolution adopted at a public meeting. The City Council should appropriate funds in the annual budget to allow the Board to retain independent legal counsel when the Board determines such counsel is necessary to fulfill its oversight functions. Nothing in this subsection creates an enforceable obligation to appropriate a specific amount.

Section 9. Public Reporting

(a) Quarterly Reports. Within 30 days after the end of each calendar quarter, the Everett Police Department shall publish a report documenting: the total number of deployments by category; the date, duration, geographic area, and stated purpose of each deployment; the outcome of each deployment; any policy violations and corrective actions taken; and all federal agency requests for drone data and the city's response. Deployment details for operations that are part of an active, open criminal investigation may be withheld from the public report until the investigation is closed, charges are filed, or two years have elapsed from the date of the deployment, whichever occurs first. Withheld deployments shall be logged and reported to the Community Oversight Board under confidential cover within the same 30-day window.

(b) Annual Report. By March 31 of each year, the Police Department shall publish an annual report including: total deployments and hours of operation by category; total program costs including acquisition, maintenance, and operations; all federal funding received for drone operations; any data security incidents; any litigation or complaints related to drone use; and the Board's findings and recommendations from the prior year.

(c) Public Access. All quarterly and annual reports shall be posted on the city website within the applicable deadline and maintained as permanent public records.

(d) Drone Inventory. Within 30 days of the effective date of this ordinance, and annually thereafter, the Police Department shall publish a complete inventory of all drones in city possession, including model, capabilities, acquisition cost, funding source, and operational status, subject to applicable exemptions under the Public Records Act [12].

Section 10. Operator Training and Accountability

(a) Certification Requirements. All drone operators shall hold current FAA Part 107 certification, a valid FAA Certificate of Waiver or Authorization covering the specific operations authorized under this ordinance, or any other applicable federal certification required for the category of operation; complete annual city training on this ordinance's requirements; complete privacy and constitutional law training certified by the City Attorney's office; and certify annually in writing that they have read and will comply with this ordinance.

(b) Accountability. Any operator who deploys a drone for a prohibited purpose, conducts a deployment without required authorization, retains or shares data in violation of this ordinance, or provides false information in a required report shall be subject to suspension from drone operations pending investigation, disciplinary action up to and including termination, and referral to the City Attorney for potential civil liability or criminal charges under applicable state law.

Section 11. Enforcement and Oversight

(a) Enforcement Authority. The City Attorney shall serve as the primary enforcement officer responsible for compliance with this ordinance.

(b) Resident Complaints. Any Everett resident may file a written complaint with the City Attorney alleging a violation of this ordinance. The City Attorney shall investigate and provide a written response within 30 days of receipt.

(c) Penalties. First violation: written notice of violation and a 30-day correction period. Subsequent violations: a civil fine of \$1,000 per day per violation, where a violation means each distinct unauthorized deployment or each distinct instance of a data handling breach, not each drone in the city fleet. Violations by city officers or employees in their official capacity: referral to the appropriate city disciplinary authority and, where conduct may constitute a violation of state law, referral to the Snohomish County Prosecutor for review under applicable provisions.

(d) Fund Allocation. All civil fines collected under this section shall be deposited into the General Fund.

(e) Private Right of Action. Any Everett resident who can demonstrate a particularized harm arising from a specific violation of this ordinance may bring a civil action in Snohomish County Superior Court to enforce its provisions. A prevailing plaintiff shall be entitled to reasonable attorney's fees and costs.

Section 12. Anti-Circumvention

No city department, contractor, or agent shall circumvent this ordinance by:

(a) Contracting with a third party to operate drones on the city's behalf in ways that would violate this ordinance if performed directly by the Police Department;

(b) Accepting grant-funded, donated, or no-cost drones without City Council approval following a public hearing on privacy and civil liberties impacts. The City shall seek to provide notice and schedule a public hearing as promptly as the grant timeline permits;

(c) Accessing drone data held by another jurisdiction on behalf of a federal agency or in furtherance of civil immigration enforcement; or

(d) Equipping any drone with surveillance capabilities beyond those in the existing inventory, including cell-site simulation, biometric capture, or acoustic surveillance systems designed to capture audio from subjects of police operations, without a separate public hearing and City Council authorization specifically approving those additional capabilities.

Section 13. Relationship to State and Federal Law

This ordinance regulates city employee conduct and city data management practices. It does not purport to regulate airspace or flight operations governed by Federal Aviation Administration authority. Where this ordinance provides greater protection of civil liberties and privacy than state law, this ordinance shall govern within city limits pursuant to the City's legislative authority [13]. This ordinance is intended to be consistent with Washington's Keep Washington Working Act [14], as those sections may be renumbered or amended, and shall be interpreted to provide the maximum protection permitted by law. This ordinance supersedes any prior administrative policy, the Product Addendum authorizing the Mayor to execute the Flock Safety Drone as a First Responder and Drone Dock agreement, and any other agreement for the procurement, operation, or maintenance of law enforcement drone equipment entered into before the effective date of this ordinance, approved by City Council on April 9, 2025, to the extent those prior authorizations are inconsistent with this ordinance. Existing authorized drone programs shall continue to operate from the effective date forward under the requirements established by this ordinance.

Section 14. Severability

If any provision of this ordinance is found by a court of competent jurisdiction to be invalid or unenforceable for any reason, that finding shall not affect the validity or enforceability of the remaining provisions, which shall remain in full force and effect.

Section 15. Acquisition Transparency for Additional Systems

(a) Advance Notice. Before acquiring any additional drone beyond those in the City's inventory as of the effective date of this ordinance, the Everett Police Department shall provide at least 60 days public notice, publish the proposed acquisition's cost and funding source including any federal grant terms, publish the proposed operational policy for the acquisition, hold a public hearing to receive community input, and provide the City Council with a written summary of the community feedback received.

(b) Existing Inventory Unaffected. This section does not apply to drones in the City's inventory as of the effective date of this ordinance, which remain subject to the requirements of this ordinance from the effective date forward as provided in Section 13.

(c) Annual Inventory. Within 30 days of the effective date, and annually thereafter, the Police Department shall publish the inventory required under Section 9(d) alongside a statement of any acquisitions completed under this section during the preceding year.

Section 16. Coordination with Snohomish County

(a) The Everett Police Department shall coordinate with the Snohomish County Sheriff's Office to request that county-operated drones not conduct surveillance within Everett city limits except in direct support of an Everett Police request for mutual aid consistent with this ordinance's use restrictions and warrant requirements.

(b) Nothing in this section grants the City authority to regulate Snohomish County Sheriff's Office operations. This section states the City's request and policy preference. Enforcement of this ordinance under Section 11 applies only to Everett city departments, officers, employees, contractors, and agents as defined in this ordinance.

Section 17. Effective Date

This ordinance shall take effect 30 days after certification by the City of Everett following voter approval at an election held pursuant to Everett City Charter Section 11.2.

Sources

- [1] State v. Jackson, 150 Wn.2d 251, 76 P.3d 217 (2003); see also State v. Hinton, 179 Wn.2d 862, 319 P.3d 9 (2014).
- [2] Carpenter v. United States, 585 U.S. 296 (2018).
- [3] Everett Police Department public records, 2025; City of Everett Council Agenda Item, Drone as a First Responder Program approval, April 9, 2025.
- [4] Electronic Frontier Foundation, Atlas of Surveillance, Street-Level Surveillance project, 2025. <https://atlasofsurveillance.org/>
- [5] U.S. Customs and Border Protection statement, May 29, 2020; New York Times, June 19, 2020; Electronic Privacy Information Center, CBP Drone Surveillance Records, FOIA release. <https://epic.org/documents/cbp-drone-records/>
- [6] TIME, The Trump Administration Deployed Predator Drones Over the LA Protests, June 11, 2025; Letter from Senators Padilla, Schiff, and Markey to DHS, July 30, 2025.
- [7] University of Washington Center for Human Rights, Leaving the Door Wide Open, October 2025.
- [8] Everett paused its Flock Safety automated license plate reader network in February 2026 after a Snohomish County Superior Court ruling that the footage constitutes a public record; the city's drones continued to operate under the same Flock Safety Drone as a First Responder agreement throughout the suspension. In March 2026, the Washington Legislature passed Senate Bill 6002, creating the state's first statutory framework for automated license plate reader data, and Everett resumed Flock camera operations shortly thereafter. This ordinance addresses drone use specifically; SB 6002's ALPR-specific framework does not by its terms govern drone deployments, retention, or oversight.
- [9] U.S. Census Bureau, QuickFacts: Everett city, Washington, American Community Survey 2018-2022 5-Year Estimates (20.8% foreign-born).
- [10] City of Everett 2026 Budget Address, October 22, 2025; City budget projections as reported by the Everett Herald, 2025-2026.
- [11] RCW 42.56 (Public Records Act).
- [12] RCW 42.56 (Public Records Act).
- [13] RCW 35.22.010; RCW 35.22.020.
- [14] RCW 10.93.160; RCW 43.17.425 (Keep Washington Working Act).

Circulator statement

The person who circulates this petition may complete the following. This statement supports the integrity of the signature collection and does not replace any requirement of law.

I am the circulator of this signature sheet or sheets. To the best of my knowledge, each signature was made in my presence by the person whose name it purports to be, and each signer had an opportunity to read the full text of the measure that accompanies this petition.

Circulator signature: _____ Date: _____

Printed name: _____

Address: _____