

According to Arlington WA Pride, last year's inaugural pride event was not charged an insurance or security fee, and uniformed police officers attended to provide some security.

This year the event was initially charged a \$3,500 fee, which was later rescinded. Last year was the first year and a new event for Arlington. The Pride Board was informed after the 2022 event that if it grows, we will need to charge for security. The initial 2023 event application indicated attendance estimated at 300 people. The application was processed by city staff and determined there was a need for off duty police officers for security and liability insurance, as required by our insurance.

We met with members of the Pride Board on April 24, 2023, who asked about a waiver of the fees. We informed them we did not have a fee waiver process at this time but would look into it. They also told us they would be pushing out the date of the event due to lack of volunteers and time to plan. Pride withdrew their application and resubmitted an application with the new date.

After reviewing the second event application with legal counsel and the City's insurance provider, it was determined the event was considered a first amendment event under the terms of the ordinance, and the insurance and security requirements were removed, and the permit was issued.

Why did you approach this year's event differently from last year's? Did you have a specific complaint from the community that prompted you to approach it differently?

See above.

In a letter sent to the city of Arlington, Arlington WA Pride requested the city enact RCW 9.41.300(2), which would allow the city to restrict open carry of firearms within 250 feet of the permitted event.

The city denied that request, stating that the event did not meet the requirements as a "permitted demonstration."

Why have you interpreted the law in this way?

This determination was based on legal counsel review.

In the responding letter, City Administrator Paul Ellis calls the event “entertainment,” stating that “it is clearly entertainment which certain segments of the community do not support.”

When does an event created in support of LGBTQ rights shift from a form of speech or demonstration, to a form of entertainment?

The most recent event application stated: “We will be hosting an LGBTQ+ education and outreach event plus Pride celebration for members and allies of the LGBTQ+ community. The event will involve speakers and performances on the Legion Memorial Park stage.” The use of the term “entertainment” quoted from the letter was describing only a portion of the proposed Arlington Pride event, which did not describe a demonstration.

Does the presence of protestors at city council meetings, and last year’s pride event, change how the event should be classified (i.e., entertainment versus demonstration)?

No.

Have you received any threats regarding the upcoming event?

The police have not received any credible threats at this time.

This event is currently permitted. Are there any reasons that permit might be revoked?

The City's special events ordinance contains the following provisions that would authorize revoking the permit:

"Any permit issued under this chapter may be summarily revoked by the city at any time when, by reason of disaster, public calamity, riot or other emergency or exigent circumstances, the city determines the safety of the

public or property requires such immediate revocation. The city may also summarily revoke any permit issued pursuant to this chapter if the [City] finds that the permit has been issued based upon false information or when the permittee exceeds the scope of the permit or fails to comply with any condition of the permit. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or certified mail at the address specified by the permittee in the application."

Arlington Municipal Code §5.44.110. We know of no reason at this time why the permit would be revoked.

Has the city of Arlington, or specific officials, met with protesters about their concerns? If so, what are their concerns, and will the city be addressing them?

The city has heard from both supporters and non-supporters of the event and we are promoting a safe environment for the attendees of the Pride event and the host, the Arlington Farmers Market.

In 2021, the city of Arlington issued a proclamation celebrating Pride Month in the city. Has the city issued a similar proclamation in recent years? Why or why not?

This year's proclamation was signed June 6 and posted on the city's website and in the City's e-newsletter.

The 2021 proclamation by Mayor Tolbert ends with the statement that Arlington commits "to engaging in action that increases the safety, security, and freedom of each of the LGBTQ+ citizens."

How well does Mayor Tolbert believe Arlington's handling of the 2023 Pride event adheres to that statement?

We are committed as a City to be inclusive to all our residents. We are supporting Arlington's second Pride event by providing city services. I commend the staff that worked with our legal and insurance authorities to help clarify a path to issue the event permit.

