Overview

(September 10, 2015, Palo Alto, CA) — Steptoe & Johnson LLP has been tapped to defend the city of Seattle and Mayor Ed Murray in a lawsuit challenging a city ordinance imposing a $25 per firearm tax on retailers to mitigate the costs of gun violence. The lawsuit was filed by the National Rifle Association, among other groups, and several individuals.

In responding to the complaint filed in Watson v. City of Seattle, the city declared that the tax is “a proper and lawful exercise” of the city’s authority as granted by the Washington Constitution and Legislature and “the ordinance does not limit any person’s right to purchase, sell, acquire, transfer, discharge, or transport firearms or ammunition.”

The Seattle City Council unanimously approved the ordinance and the mayor signed it into law during a Seattle summer marred by random gunfire. In January 2016, the city will levy a $25 tax on businesses for each firearm sold at retail within city limits to provide a sustained local revenue source for research and prevention programs. In addition, the city will impose a two-cent tax for every round of .22 caliber ammunition sold and a five-cent tax for every other round of ammunition sold. A companion ordinance mandates that lost or stolen firearms be reported to the Seattle Police Department.

The ordinance is similar to a $25 gun tax on retailers in Cook County, Illinois that is putting revenues in escrow while a lawsuit plays out in trial court.

On September 9, the Steptoe team representing the city of Seattle joined City Attorney Pete Holmes and other city attorneys in entering their appearances in the case in King County Superior Court. Steptoe will be working on the matter pro bono.

“This is a strong legal team to defend the city’s gun violence tax, a common sense step designed to reduce gun violence in Seattle,” said City Council President Tim Burgess, who authored the ordinance.

The Steptoe team is led by William F. Abrams, managing partner of the firm’s Palo Alto office, and a consulting professor at Stanford University. Mr. Abrams has handled a number of high-profile pro bono matters through the US and California Supreme Courts, particularly involving the death penalty, education, foster care and children’s welfare. In 2010, he received a California Lawyer magazine “Lawyer of the Year” award for his representation of foster group homes to receive funding from the state of California.

Mr. Abrams commented: “Seattle has the right to mitigate the costs of gun violence, which exceeded $12 million at Harborview alone last year, by taxing those who engage in the sale of firearms and ammunition in the city. This tax addresses a public health crisis that imposes a huge financial burden on the city – it does not regulate the sale or use of firearms.”

Along with Mr. Abrams, the Palo Alto-based Steptoe team includes partner Laurie Edelstein, of counsel Sarah Jackel, and associate David Kwasniewski.
About Steptoe

Steptoe & Johnson LLP is an international law firm widely recognized for vigorous advocacy in complex litigation and arbitration, successful representation of clients before governmental agencies, and creative and practical advice in guiding business transactions. The firm has more than 500 lawyers and other professionals in offices in Beijing, Brussels, Century City, Chicago, London, Los Angeles, New York, Palo Alto, Phoenix and Washington. For more information, visit www.steptoe.com.

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