



MEMORANDUM

October 22, 2021

From: Lisa Judge, Inspector General for Public Safety; Adrian Diaz, Interim Chief of Police

To: Jenny Durkan, Mayor; Lorena González, Council President; Lisa Herbold, Public Safety Chair

Re: Joint OIG/SPD Update on Traffic Stops

On May 18, 2021, Inspector General Judge submitted a letter to Chief of Police Diaz acknowledging on-going dialogue and requesting to work together to identify ways to deprioritize or eliminate traffic stops for non-dangerous minor or civil traffic violations. This would include identifying those violations that could be eliminated or deprioritized for in-person enforcement, exploring alternative responses address to minor offenses, and use of engineering and technology to enhance and maintain roadway safety.

On June 2, 2021, Chief Diaz responded affirmatively that he and the entire SPD were very interested in bringing together all relevant stakeholders, most centrally the Seattle Department of Transportation (SDOT), to identify those low-level traffic violations that could be addressed without an in-person traffic stop, or could be deprioritized or eliminated. OIG and SPD agreed that it was important for this work to be informed by a robust data analysis and transparent engagement with community. To further support this work, Chief Diaz approved a policy change requiring all traffic stops to be documented in the records management system, following the implementation of a new system function capable of collecting this information. That change went into effect on August 1, 2021.¹

In June of 2021, OIG had meetings with the Policing Project (a program of New York University School of Law) and the Nashville Community Oversight Board, to discuss their work concerning traffic stops made by the Nashville Police Department. The Policing Project researchers shared lessons learned and discussed draft municipal legislation with reforms for traffic stops in cities where pretextual stops are still legal. A goal of that work was to mitigate disparity in the realm of traffic stops and reduce community harm from needless traffic stop interactions.

On July 16, 2021, OIG convened the first in a series of stakeholder meetings and engagements to review issues and current interventions around SPD traffic stops from multiple perspectives, e.g., concern for public safety, reduction of community harm, disparate impacts to BIPOC individuals,² and changes implemented or needed by SPD to improve data collection. Attendees included representatives from the

¹ In July of 2017, Seattle City Council passed [Ordinance 125358](#), which requires data collection not only on Terry stops, but also traffic stops. During the summer of 2021, Seattle City Councilmember and Chair of the Public Safety and Human Services Committee, Lisa Herbold, communicated with OIG and SPD to follow up on whether there was compliance with Ord. 125358.

² In 2017, Seattle Municipal Court conducted an inventory and assessment of its fines and fees. The Court concluded that Black defendants received costlier traffic penalties than other than racial groups. One of the primary violations attributed to disparity was issuance of “No Insurance” infractions.



Public Defender Association, King County Public Defender, Community Policing Commission (CPC), Office of Police Accountability (OPA), Seattle Monitor Team, ACLU, Policing Project, Washington State Criminal Justice Training Center, SPD, and OIG.

In the time since that meeting, OIG staff, in collaboration with SPD, SDOT, and King County, has been identifying sources of necessary information; gathering data related to the issue of reducing traffic stops by SPD for civil and non-dangerous, low-level violations; and, collecting and evaluating information and work being done by others to support and inform our efforts. OIG and SDOT have been working in assessing and documenting disparate impacts of traffic stops in BIPOC communities of Seattle. SDOT has created a presentation with initial findings of disparities in fees and fines resulting from traffic stops.

Immediate next steps for OIG and SPD include identifying minor civil and misdemeanor violations that carry only monetary sanctions or provide no meaningful benefit to the safety of motorists and pedestrians. OIG will convene a workgroup meeting in the next few weeks to discuss and evaluate a proposal to eliminate stops for those violations or discuss ways in which enforcement can be deprioritized or handled by an alternative means. The short-term goal is to reduce or eliminate stops for these offenses by the end of this year. This has been accomplished by other jurisdictions, so there are models and frameworks available to support and guide this step of the work.

In subsequent longer-term work, SPD, SDOT, OIG, and community partners will continue to discuss and assess additional needed work around in-person traffic stops for other minor violations, considering the implications for public safety vs. regulation, alternative mechanisms for enforcement, weighing the need for enforcement, identifying traffic safety enhancements via technology or design, among other issues. Given recent local discussions around bicycle helmet laws and other minor infractions involving cyclists and pedestrians, these types of violations should also be included for discussion around enforcement deprioritization or alternative enforcement.³

Chief Diaz has committed to develop and provide on-going, real-time disparity analytics for SPD enforcement actions – including traffic stops. This analytic work is part of what the SPD is building in 2021 and 2022 – in partnership with OIG, as well as external experts including the Research Triangle Institute, the Council of State Governments Justice Center, and Seattle University.

³ On October 21, 2021, the King County Board of Health proposed the repeal of King County's bicycle helmet regulation and accompanying resolutions, because of inequitable enforcement of the law on Black, Indigenous and people of color, and to replace it with a resolution outlining the Board's action and position on the importance of helmet usage for all bicyclists as well as other active transportation riders. King County Health Board conducted a study that showed that citations were issued to Black, Indigenous, and people of color more frequently than to white cyclists, and that persons experiencing homelessness reported that the helmet requirement is a commonly cited reason for engagement with law enforcement.