



July 26th, 2021

Lisa Herbold, Chair – Public Safety and Human Services Committee

Seattle City Council

City Hall

600 Fourth Ave, 2nd Floor

Seattle, WA 98104

Re: SLI SPD 004-B-002

Dear Chairwoman Herbold and Seattle City Council Members:

This Statement of Legislative Intent (SLI) would request that the Seattle Police Department (SPD) provide a report on July 1, 2021 on the demographics collected for traffic stops, including: (1) stops made for criminal and non-criminal purposes; and (2) racial disparities as requested in Ordinance 125358. This SLI would also request that SPD provide a separate report on November 1, 2021, that makes recommendations on training and policy changes, consistent with the Consent Decree, to address bias and racial disparities found in the requested traffic stop report. All reports should be submitted to the Chair of the Public Safety and Human Services Committee and the Central Staff Director.

Traffic Stop, Citation, and Warning Context

Prior to the Traffic Unit – which is comprised of both officers on Motorcycles and officers in Traffic Patrol Vehicles – being decimated by the staffing crisis that began in 2020, the unit was responsible for a significant proportion of SPD’s traffic stops and citations. A key issue, however, is that for operational and technology reasons, the Motors officers have not had reliable access to electronic means of recording their stops, warnings, and enforcement actions. Much of their work has been documented on paper forms, which the department attempts to make a digital record of and also sends directly to the Seattle Municipal Court. As result, SPD does not have a complete count or description of the total number warnings or citations issued.

A key challenge for the documenting of traffic stops and warnings, for both patrol and traffic officers, had been the lack of a reporting structure in the department’s prior records management system (RMS). During the consent decree work, SPD developed a work-around for street and traffic stops that met the *Terry* definition, but this solution was not exhaustive for other types of stops and non-arrest citations. In the development and deployment of the new, current RMS system, SPD required the final product to have the adaptability to record all current and future officer actions. After a period of implementation stabilization, SPD began to work through a policy change to require all traffic stops, including warnings, to be recorded within the RMS system, regardless of type of stop or unit of assignment.

In the interim, SPD did create a process to attempt to collect and code all paper warnings issued by officers. This is an imperfect process where it is impossible to know what percentage of warnings are accurately captured into the manual database system. Additionally, SPD can request citation data from SMC, though the Court only electronically documents those variables that are of operational interest to their work. These gaps will be filled when the new policy goes into effect, until then, SPD can report on what the current, albeit imperfect data, allow.

The SMC does have a retention schedule where traffic infraction data only are held for three (3) years after case closure. The data below are for 2018 through 2020, and partial data in 2021. SPD's review of the SMC data found that race/ethnicity variables were inconsistently reported. Given these data given to SPD by SMC are not original source data – but SMC's capturing of citations it processed from SPD, it is not immediately clear if the source of the inconsistency is at the moment of reporting or in the capturing of the data. Both the new SPD RMS system and the new policy, are designed to ensure that officers proactively report their perception of the demographics of the person stopped, including affirmatively indicating if they were unsure, rather than relying on a default "Unknown."

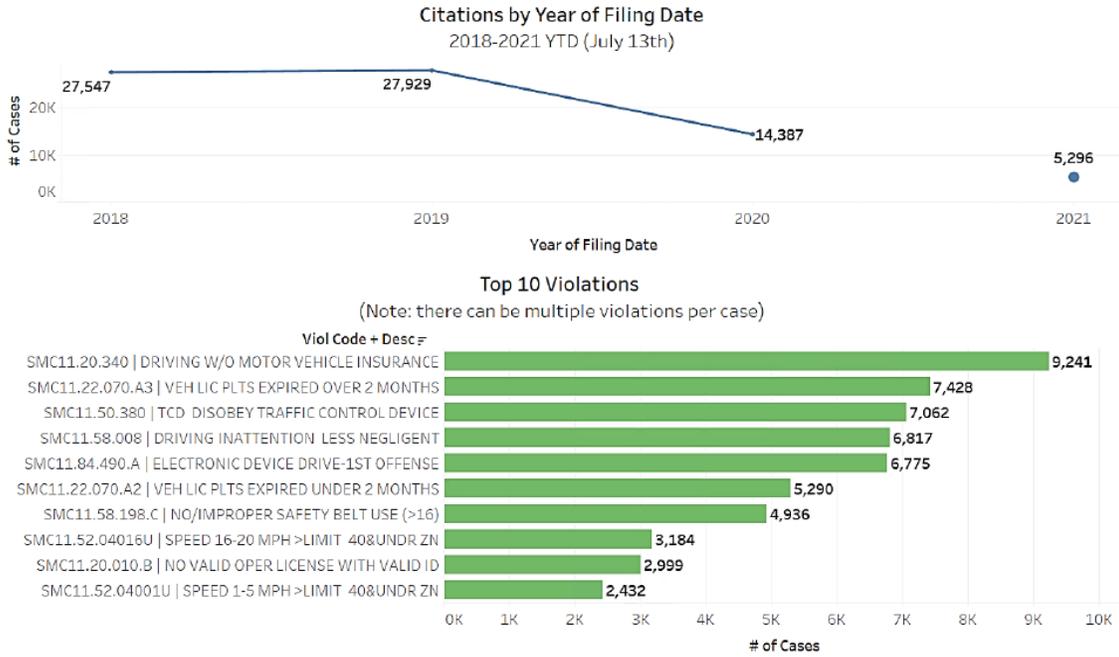
Of note, as the pandemic set in during March 2020, both normal social activity and the proactive work of SPD officers dramatically changed to assist in limiting the spread of the COVID-19 virus. Additionally, as the staffing crisis accelerated in the later half of 2020, Chief Diaz was faced with the difficult decision of reassigning officers from multiple specialty units – including the Traffic Unit – back into Patrol to ensure 911 calls could be answered. This reduction in Traffic resources was exacerbated by an uptick in retirements from the Unit, which were not able to be back-filled given the broader staffing crisis.

SPD Traffic Violation Citation Data

As the data in Figure 1 indicate, the leading violation type is driving without insurance. As these data can have more than one citation per case, it is likely this was a secondary reason, though it is not possible to confirm that at this time.

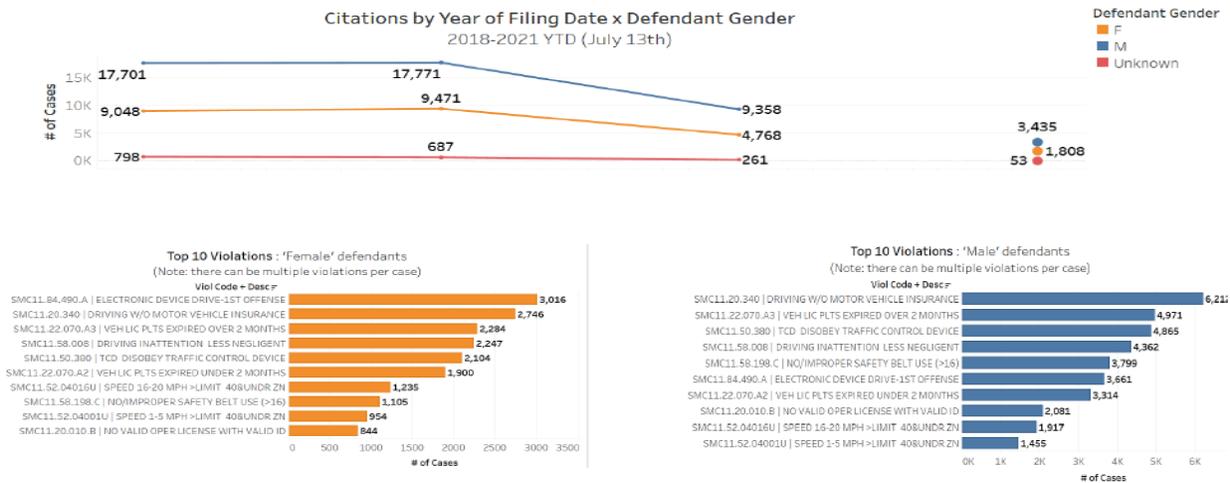
The SMC data did reliably have perceived gender data – which in some cases may have been confirmed on official identification. When the data are broken out by gender, as seen in figure 2, there are notable differences, both in the general count of citations and the top 10 violation types.

Figure 1. Seattle Municipal Court Recorded SPD Traffic Citations by Year of Filing Date & Top 10 Violation Types



- Data sourced from Seattle Municipal Court records and exclude parking and citations generated from cameras.
- The court record retention schedule for traffic infractions is 3 years after case closure. If the citation was paid and/or adjudicated by the court, it is purged from our system 3 years after that date.

Figure 2. Seattle Municipal Court Recorded SPD Traffic Citations by Year of Filing Date & Top 10 Violation Types, by Gender



- Data sourced from Seattle Municipal Court records and exclude parking and citations generated from cameras.
- The court record retention schedule for traffic infractions is 3 years after case closure. If the citation was paid and/or adjudicated by the court, it is purged from our system 3 years after that date.

SPD Traffic Warning Data

Police officers are granted a considerable amount of discretion in many cases around how to enforce the law – ranging from education, warnings, citations, all the way up to arrests. In the case of traffic violations, there are many circumstances where it is understandable that in some cases – someone is a visitor, a sign is brand new, etc. – there would be a level of unfairness to always cite individuals for what could have been honest mistakes.

In its previous records systems, SPD officers were not able to electronically record traffic warnings; rather, these warnings were done on carbon-copy paper so a copy could be given to the driver while another was processed by administrative units to try and collect the anonymous data electronically. This process is anything but full-proof. Recognizing this, SPD, in the configuration of its recently implemented records system, required the ability to create data capture opportunities for all current work, as well as the flexibility to adjust to new responsibilities and reporting demands. SPD currently has configured the system to allow all officers to record traffic warnings in the system. SPD is implementing a policy to require all officers – regardless of assignment – to record traffic warnings through this process. Until this process goes live, SPD only can report on those warnings that successfully were processed through the manual process in the Records unit. SPD currently is not able to calculate, or even estimate, what proportion of issued warnings are included in the dataset. SPD reports on these data with a clear message that they are highly likely to be incomplete, both as a collective, and in terms of the fields reported on paper forms and successfully transcribed into the system.

Figure 3 summarizes the data captured in the system. As noted in the citation data, there was a clear drop in contacts due to the pandemic in 2020. This decrease has persisted both as pandemic restrictions continued and as staffing availability restricted officer time to engage in proactive warning activity. Figure 4 details that warnings for recently expired plates, ignoring traffic signs/devices, and speeding, are the most common warnings issued.

Figure 3. Transcribed Traffic Warnings Issued by Year

Warning Incidents

Annual Incident Totals: 2015-2021 YTD

Traffic Stop Date							Grand T..
2015	2016	2017	2018	2019	2020	2021	
11,304	9,303	10,022	7,626	9,754	3,967	788	52,764

Figure 4. Top 10 Traffic Warning Types Issued and Transcribed

Top 10 Offense Types: 2015- YTD 2021
 (Note: there can be more than 1 offense per warning)

Offense Code+ Type	F	Traffic Stop Date							Grand T..
		2015	2016	2017	2018	2019	2020	2021	
11.22.070 (A)(2) License Plates/ TABS- EXPIRED Less than 2 months		909	1,113	1,290	1,104	1,606	481	83	6,586
11.50.380 Disobey Traffic Control Devices		1,366	1,308	1,040	723	754	987	39	6,217
11.50.380 SIGNS OBEY		1,366	1,308	1,040	723	754	987	39	6,217
11.52.040 SPEED		1,433	1,257	898	819	966	385	110	5,868
11.22.080 (A) License Plates- NONE, or IMPROPERLY DISPLAYED		1,319	866	1,007	654	767	274	78	4,965
11.50.320 STOP SIGN		639	524	623	421	483	170	76	2,936
11.22.070 (A)(3) License Plates/ TABS- EXPIRED Over 2 months		291	480	790	319	483	214	76	2,653
11.50.140 RED LIGHT		426	408	444	359	384	124	23	2,168
11.82.040 Veh. Lighting- LIGHTS REQUIRED AT NIGHT		429	405	380	219	266	153	43	1,895
11.84.480 CELL PHONE while driving (No hands-free device)		384	181	303	384	492	94	9	1,847

There is a clear need to assess any disparate trends in the issuance of warnings compared to citations, both within each category and between. Currently, due to the previously discussed limits on the data obtained from SMC and the unknown number of missing Warnings, as well as the high number of warnings where that information is missing, this type of analysis is not possible. Figure 5 does provide descriptive data of what is in the warning data database.

Figure 5. Available Demographic Data of Individuals Issued Traffic Warnings

Warning Demographics (Count and % of Total)

Race		Ethnicity		Gender	
Race	F	Ethnicity Type ..		Gender	
White	27,700 52.5%	Hispanic	1,277 2.4%	Female	18,081 34.3%
Unknown	10,845 20.6%	Non-Hispanic	1,796 3.4%	Male	34,519 65.4%
African American	8,920 16.9%	-Unknown	49,691 94.2%	Unknown	164 0.3%
Asian Or Pacific Islander	4,497 8.5%	Grand Total	52,764 100.0%	Grand Total	52,764 100.0%
Latin American	504 1.0%				
Middle Eastern	200 0.4%				
American Indian Or Alaska Native	98 0.2%				
Grand Total	52,764 100.0%				

Next Steps

The recent technology and policy changes will allow SPD to have confidence that is collecting all available information on all traffic warnings. When there is sufficient data to better establish and analyze trends – knowing that decreased activity may prolong how long it takes for a sufficient number of events – SPD will provide more detailed analyses on who, when, where, and for what reasons traffic warnings are being issued.

Washington State currently requires that traffic citations be entered into its SECTOR system. There have been discussions about replacing the SECTOR system or providing a connection so that SECTOR data could be

created in an agency's home system and transmitted to SECTOR. Until these changes take place, SPD has limited capability to improve the availability or type of citation data they have direct access to. SPD can have conversations with SMC about capturing and maintaining additional data, though those data may continue to be outside the operational need of the court.

SPD is committed to engaging in the same in-depth level of analysis and conversation around these traffic data as it has done around *Terry* stop data and use of force data. Traffic stops are one of the most common interactions the public has with the police, while research shows they often can be the source of negative attitudes toward the police – even when the individual knows they committed a violation. These stops also are an important element of broader traffic/commuter/pedestrian safety plans. Collectively, it is important to ensure they are being conducted professionally and fairly, and proportional to the harm they are seeking to help prevent.

Sincerely,



Adrian Z. Diaz
Chief of Police
Seattle Police Department