

OPEN USE AND DISPLAY OF MARIJUANA

Seattle City Council Briefing
September 22, 2014

Seattle Police Department
Seattle City Attorney's Office



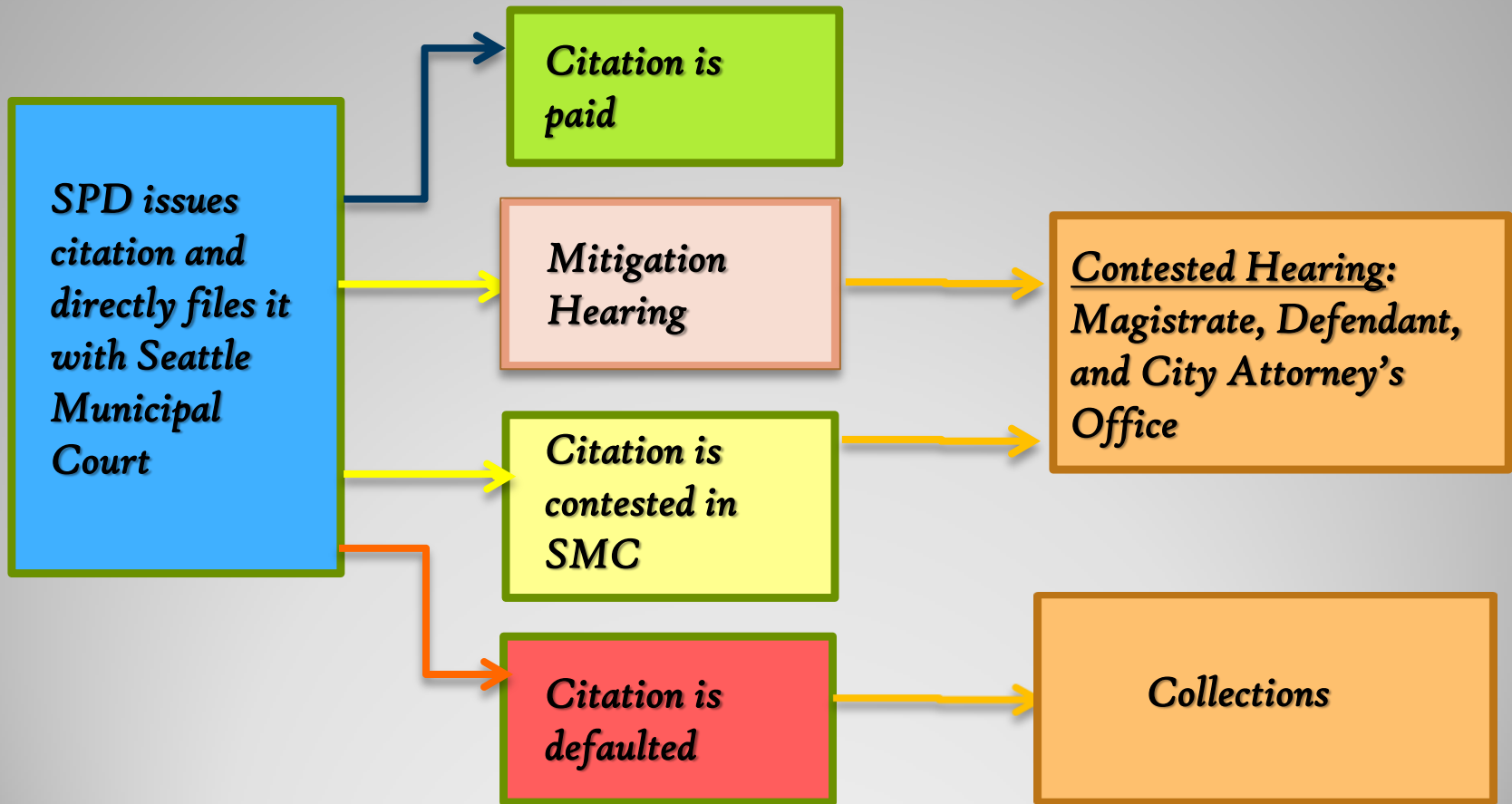
Civil Infraction, \$27

It is unlawful to open a package containing or consume marijuana, useable marijuana or a marijuana-infused product in view of the general public. SMC 12A.20.100.

Cited persons have these options:

- Pay fine.
- Mitigate fine.
- Contest infraction.
- Defaulted infractions are sent to collections.

Infracton Process



Six Month Report

Analysis of the open use and display of marijuana infractions issued by the Seattle Police Department

- January 1, 2014 – June 30, 2014
- 82 infraction tickets¹
- Primarily West Precinct
- 46% had addresses associated with transitional related housing
- Race of cited person:
 - 50% White
 - 35% Black
 - 7% Asian
 - 0% Latino
 - 6% Native American
 - 2% Unknown

¹ Upon further research, there were actually 86 infractions issued between January 1, 2014 – June 30, 2014

Additional Infraction Information

- 80% were written by SPD Officer R. Jokela
- Officer Jokela wrote comments such as:
 - “Lost the coin flip so he got the ticket while the other person walked”
 - “Was allowed to keep all his dope per our silly protocol”
 - “ *ATTN: PETEY HOLMES* ”
- R. Jokela wrote infractions through July 30, 2014
- Chief O’Toole reassigned R. Jokela temporarily during the investigation
- OPA investigation began related to unprofessional comments
- Chief O’Toole requested the City Attorney dismiss all infractions written by Officer R. Jokela through July 30, 2014
- SMC is holding the infractions, awaiting further instructions



City of Seattle

Seattle Police Department

August 20, 2014

Peter S. Holmes
City Attorney
600 4th Avenue
PO Box 94769
Seattle, WA 98124-4769

Dear Mr. Holmes:

As you are aware, the Office of Professional Accountability of the Seattle Police Department is currently conducting an investigation related to the issuance of marijuana citations by Officer Randy Jokela. Unfortunately, I am unable to share specific facts of the case during a pending investigation. However, based on the information available to me at this time, I am requesting that you petition the Court to vacate and dismiss the marijuana citations issued by Officer Jokela between January 1, 2014 and July 30, 2014.

I have been informed by OPA Director Pierce Murphy that the investigation will conclude in the coming weeks. As soon as appropriate, I look forward to sharing the facts of the case and my rationale for decisions I have made during the course of this investigation with members of the Seattle Police Department and the community we serve.

Yours truly,

A handwritten signature in cursive script that reads "Kathleen O'Toole".

Kathleen O'Toole
Chief of Police

KT:cv

Letter
from
SPD
Chief
O'Toole

Time to Reset

- In order to treat everyone equally during this time period, the City Attorney's Office will request that all infractions issued between January 1 and July 30, 2014, be dismissed with prejudice
- SPD is developing a new enforcement directive to replace the former interim directive

New Directive

- Officers will first warn people whenever practical, but warnings are not required
- Officers will use Misc. Incident Report (MIR) to document oral warnings
- SPD direct files infractions in Seattle Municipal Court as with other infractions

Recent Infractions

- **Infractions issued July 1 – Sept. 15, 2014**
 - **27 Infractions**
 - **Race of cited person:**
 - 59% White
 - 30% Black
 - 0% Asian
 - 0% Latino
 - 7% Native American
 - 4% Unknown

Q & A

Questions?