



September 21, 2021

Interim Chief Adrian Diaz
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

Dear Chief Diaz:

Please see the below Management Action Recommendation.

Case Number

- 2021OPA-0125 / 2021COMP-0042

Topic

- Traffic Section Mask Compliance

Summary

- The complainant alleged the named employee (NE) failed to wear a face mask during a traffic stop.

Analysis

- The NE was assigned to a motorcycle when he pulled over the complainant for having expired tabs. The NE ignored questions from the complainant about why he was not wearing a face mask.
- At the time of the incident, all officers were required to comply with a face mask mandate. The mandate included several exemptions, including instances where “wearing a face covering would be impractical or unsafe.”
- The NE told OPA he does not wear a face mask when riding his motorcycle, and that he did not put on a face mask after he dismounted the motorcycle to contact the complainant because he did not have time.
- The NE’s union representative, who has been assigned to the Traffic Section for many years, stated that simultaneous use of a face mask and eye protection worn by motorcycle officers would cause the protective glasses to fog and reduce visibility. He also stated that the NE would need to remove his helmet to put on a face mask, and motorcycle officers are not instructed to remove their helmets during traffic stops.
- OPA does not believe that removing a helmet to put on a face mask is impractical or unsafe. If the Traffic Section disagrees with OPA based on its extensive experience in this area, it should formally seek an exemption in writing from the chain of command.

Recommendation(s)

- Consult the Traffic Section regarding this matter. If an exemption is sought, OPA asks SPD to provide it with both the written request for an exemption and SPD’s response to the request.
 - If an exemption is granted, make the terms of the exemption public (e.g., on the SPD blotter), and train all Traffic officers on the specifics of the exemption.
 - If an exemption not granted, instruct all Traffic officers, including those on motorcycles, to put on face masks prior to contacting members of the public.

Thank you for your consideration of this matter. I look forward to your response.



Sincerely,

AM

Andrew Myerberg
Director, Office of Police Accountability