

# OPEN USE AND DISPLAY OF MARIJUANA

Seattle City Council Briefing  
September 22, 2014

Seattle Police Department  
Seattle City Attorney's Office



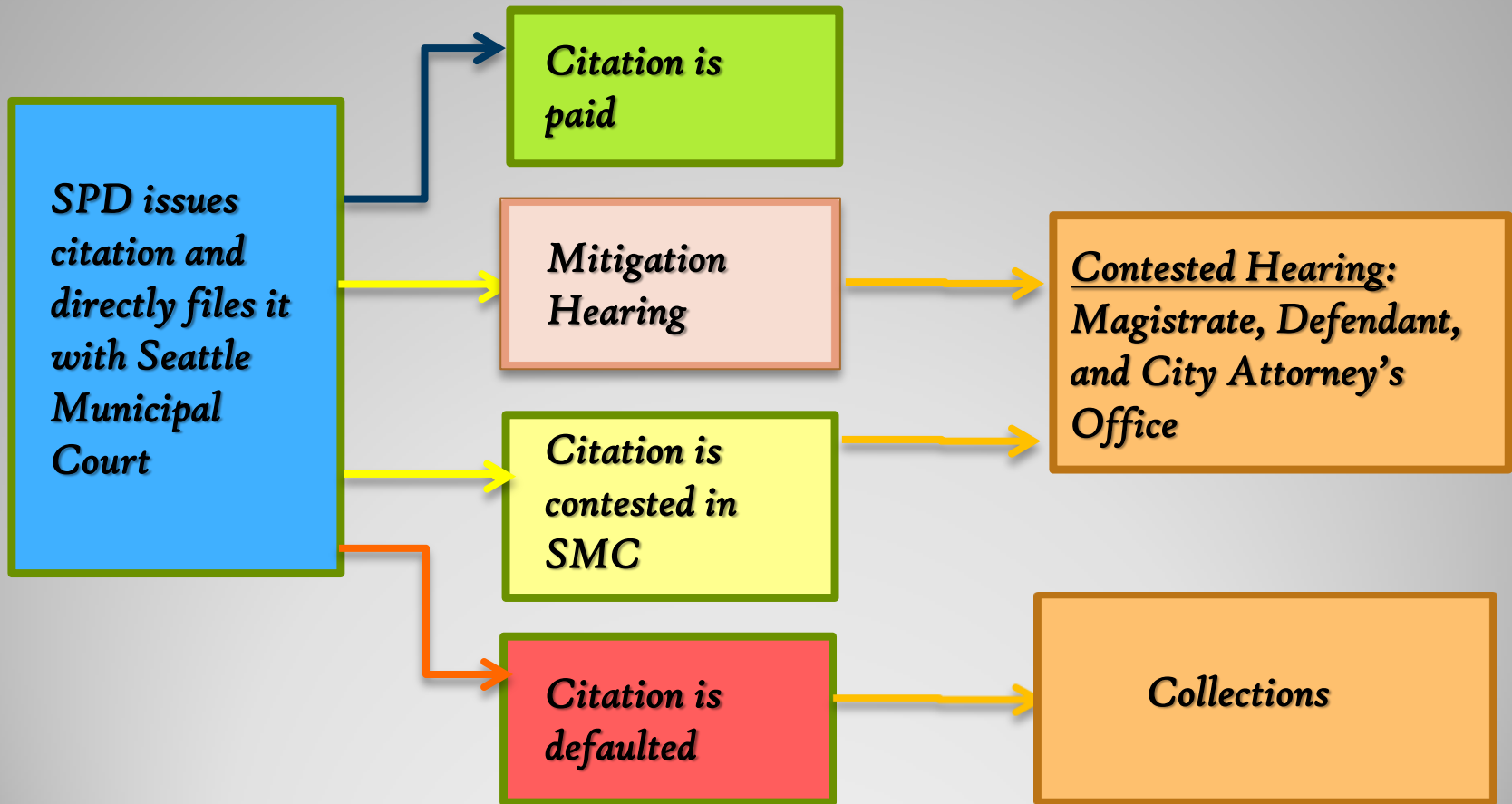
## Civil Infraction, \$27

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 tickets<sup>1</sup>
- 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

<sup>1</sup> 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 4<sup>th</sup> 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?