



March 22, 2024

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

- 2024COMP-0001

Topic

- 3rd Avenue Corridor

Summary

- There is no legal exception for SPD officers patrolling downtown’s 3rd Avenue corridor, forcing them to occupy bus lanes due to the corridor’s configuration.

Analysis

- The 3rd Avenue corridor is “Seattle’s busiest bus corridor and one of the busiest transit corridors in the state.”¹ The route is designated for and restricted to bus traffic from 6:00 am to 7:00 pm daily.
- The 3rd Avenue corridor is also recognized as an area of public disorder, which the City is working to address with increased police presence.²
- SPD officers operating emergency vehicles are exempt from certain traffic restrictions when responding to an emergency call or pursuing a suspect.³
- However, there is no explicit exception for SPD officers patrolling that area, absent an emergency response.⁴

Recommendation(s)

- Work with Seattle’s Department of Transportation and other City offices and officials to accommodate SPD officers patrolling the 3rd Avenue corridor.⁵

¹ Seattle Department of Transportation, *3rd Ave Improvements*, <https://www.seattle.gov/transportation/projects-and-programs/programs/transit-program/3rd-ave-improvements>.

² See Greg Kim, *Third Avenue Project seeks to quell disorder downtown*, SEATTLE TIMES (April 6, 2023), <https://www.seattletimes.com/seattle-news/homeless/third-avenue-project-seeks-to-clear-section-of-downtown/>.

³ See Seattle Municipal Code (SMC) 11.12.080 – Exemption of authorized emergency vehicles. See also Revised Code of Washington (RCW) 46.61.035 – Authorized emergency vehicles.

⁴ The SMC and RCW suggest police officers are both limited by and have discretion to disregard traffic-control devices such as marked restricted zones. “No person shall disobey the applicable instructions of any official traffic-control device, unless otherwise directed by a peace officer.” SMC 11.50.380. See also RCW 46.61.050(1) (the driver of “any vehicle” must follow “the instructions of any official traffic control device . . . unless otherwise directed by a traffic or police officer.”).

⁵ Compare SMC 11.16.020 – Police Department authority (function of Police Department to work with other officers of the City to administer traffic laws and develop ways to improve them), with SMC 11.16.340 Traffic



Thank you for your consideration. I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Gino Betts, Jr.".

Gino Betts, Jr.
Director, Office of Police Accountability