

Ticket to Walk: How Jaywalking Enforcement Impacts Washingtonians



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For Transportation Choices Coalition

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Executive summary

In recent years, the enforcement of jaywalking laws has been recognized as a catalyst for racially disparate interactions between police and the public, which have on occasion escalated into violent or tragic incidents. Concerns about enforcement practices have prompted efforts to reform jaywalking statutes, including in the state of Washington.

This report examines the characteristics and outcomes of jaywalking enforcement across Washington state, drawing insights from analysis of over 10,000 records of police stops and citations obtained from law enforcement, dispatch agencies, and the courts.

Jaywalking enforcement – defined as the act of an officer detaining a pedestrian for a jaywalking violation – is observed to be a widespread practice in Washington’s major population centers, with approximately three-quarters of these stops resulting in verbal warnings rather than tickets. Stark disparities in enforcement are evident in race, housing status, and gender. Black pedestrians experience detentions 4.7 times and receive tickets 2.7 times more frequently than their share of the population. Notably, nearly half of those stopped and cited for jaywalking are homeless, and 80% are male.

A majority of stops for jaywalking violations are found to occur at least a 3.5-minute round-trip detour on foot from the nearest marked crosswalk or signalized intersection, predominantly on wide arterial roads populated with commercial destinations. The arbitrariness of stops, their geographic concentration in areas of homelessness, the prevalence of warrant checks during 77% of detentions, the clear role of unrelated suspicion in some contacts, and their more frequent association with crime-oriented emphasis patrols, rather than those focused on traffic safety, together all suggest that jaywalking is routinely used as a pretext for stops that are investigatory in nature. Moreover, the use of physical force by police or initiation of foot pursuits in nearly 3% of these ostensibly low-level interactions underscores the potential for escalation.

Pedestrian safety is an urgent crisis in Washington, but current jaywalking enforcement practices shift responsibility away from its root causes, lack credibility as a deterrent, and may erode community trust in the police. Punitive enforcement exacerbates rather than alleviates the challenges faced by pedestrians who are forced to navigate inadequate street infrastructure designed in ways that can be expected to encourage jaywalking.

History shows that the impact of jaywalking statutes has been felt most acutely by those marginalized in society since their addition to law books in Washington over a century ago. With new statewide polling indicating majority support for repealing such laws, Washingtonians appear ready to turn a new page. Overall, the findings in this report point to the need for a more evidence-based approach to pedestrian safety that is mindful of the unintended harms of jaywalking enforcement.

Introduction from Transportation Choices Coalition

Dear Reader,

In 2020 — like many organizations, especially white-led nonprofits — Transportation Choices Coalition grappled with how our organization could respond to the demands of the Black Lives Matter movement: What policies could we advance to reduce the harms of policing and enforcement in transportation? How could we leverage our statewide position and resources to chip away at racial disparities and police violence?

Building on efforts locally and around the country, we began to host space for social justice advocates and transportation professionals to share, brainstorm, and collaborate. The [Free to Walk campaign](#) arose out of an understanding that traffic safety is about more than injuries from crashes, and that interpersonal harassment and the impacts of traffic stops and citations create their own kind of harm.

People in our stakeholder group intuitively understood that everyone jaywalks but not everyone gets stopped. The work resonated with members of the public as well — people that jaywalk every day without consequence, and people who had been harassed, ticketed, and arrested for crossing the street in the “wrong” way.

Data from around the country affirmed what we were hearing — Black and unhoused community members bore the brunt of the impacts — but we knew we needed local data to make our case. Our report’s author, Ethan Campbell, is both a brilliant advocate and a rigorous data scientist. His work shows irrefutable proof that jaywalking laws have real, disproportionate impacts throughout Washington state.

We hope this background, data, and methodology help others further mobility justice in their communities.

We are so grateful to all the people and organizations that have participated in this effort — those who have collaborated, strategized, testified, shared your experiences, called us in, and made us better. And even more so to those who have been leading movements for civil rights and mobility justice locally and across the country for generations.

Sincerely,

Hester Serebrin
Policy Director
Transportation Choices Coalition

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Jaywalking laws: upholding the roadway hierarchy

Jaywalking refers to the “act of crossing a street in an illegal, careless, or unsafe manner”¹ but is frequently understood to encompass any act that goes against norms or laws discouraging pedestrians on a roadway. In the context of jaywalking laws, a “pedestrian” may include someone walking, using a wheelchair or other mobility device, playing in the street, or riding a skateboard^{2,3,4}.



Figure 1: An anti-jaywalking poster from 1936 or 1937.
Source: Library of Congress⁵.

The word “jaywalk” was first used in 1909⁶ and became rooted in public discourse as automobile interests fought throughout the 1910s and 1920s to restrict pedestrians’ previously unquestioned right to walk in the street^{7,8,9}. At the time, a “jay” was a slur meaning an uneducated or unsophisticated rural person. (Note that the term “jaywalking” is used in this report despite its problematic origins, as no analogous and easily understood alternative exists.) Auto dealers, clubs, and drivers seized on the term to cast the blame on pedestrians for a budding crisis of traffic deaths, largely of children¹⁰. This new roadway hierarchy became formalized in 1924 with the introduction of national model traffic regulations that required pedestrians to use crosswalks and cross only when there was little traffic¹¹.

Today, jaywalking remains a common practice – a behavior so endemic that even Supreme Court Justice Sonia Sotomayor has confessed to jaywalking on occasion¹² – and one often borne out of necessity or convenience. A 2014 study by the Federal Highway

Administration analyzing over 70,000 pedestrian crossings at 20 locations, for example, was able to predict with 90% accuracy whether or not pedestrians would cross mid-block based on environmental factors, like the distance between crosswalks or the presence and location of bus stops¹³. Other influences, like a sidewalk that is crowded¹⁴ or impassable¹⁵ due to construction, snow, or other hazards, may encourage or require jaywalking between legal crosswalks.

Even at crosswalks, where they are typically legally required to do so¹⁶, drivers rarely yield to pedestrians: two studies in 2014 and 2018, for example, found that drivers yield to pedestrians less than 20% of the time at crosswalks without traffic lights or stop signs^{17,18}. Yield rates are generally lower on roadways with faster vehicle speeds¹⁹. At intersections, both left-turning and right-turning traffic pose a significant risk to pedestrians²⁰, as well as vehicles traveling straight that may run a red light. These hazards are obvious to anyone who has crossed a busy roadway, and pedestrians consequently develop an intrinsic awareness that their safety is not guaranteed in crosswalks, even at signalized intersections. Crossing the street mid-block where a pedestrian only has to contend with one or two directions of traffic may reduce the complexity of the

crossing and, for wide roads with a center median, the time required to reach a place of shelter. For these reasons, crossing mid-block after looking both ways may feel like – and in fact may often be – a rational and safe decision. That said, while the majority of pedestrian injuries occur at intersections, most fatalities nonetheless occur mid-block where vehicles are generally traveling at faster speeds²¹.

Roadway hazards that contribute to jaywalking or walking in the street are distributed unequally across communities and populations. A 2015 study of drivers yielding in Portland, OR found that Black pedestrians were passed by twice as many cars and waited 32% longer to cross a road than white pedestrians²². Poorer neighborhoods in the U.S. with a higher proportion of Black and Hispanic residents are also less likely to have sidewalks and marked crosswalks – and more likely to feature wide roads and large intersections – due to a shared history of underinvestment in safe roadway infrastructure²³. Likely as a direct result, Black pedestrians in the U.S. are twice as likely to die while walking than white pedestrians; American Indian or Alaska Native pedestrians are over three times as likely to die²⁴. In 2020, 60% of all pedestrian deaths occurred on non-interstate arterial roads (e.g., **Fig. 2**), which typically feature marked crossings that are prohibitively far apart, long wait times for pedestrians at wide intersections that may lack crosswalks on some sides, numerous destinations such as grocery stores and dense housing, and narrow and obstructed sidewalks – all factors that naturally encourage jaywalking²⁵.

Against this backdrop of inadequate pedestrian infrastructure that promotes or necessitates jaywalking – as well as everyday situations that allow for safe mid-block crossings – jaywalking nonetheless remains prohibited by state statute across most of the U.S.²⁶. This is the case despite the lack of an evidence base supporting the



Figure 2: Two youth walking home from school on Aurora Avenue in Seattle where sidewalks do not exist. Aurora Avenue is an arterial roadway with fast vehicle speeds, few safe crossings, numerous destinations, and frequent vehicle collisions with pedestrians. *Photo by Lee Bruch and used with permission.*

necessity of jaywalking laws. Our review of the research literature could not identify a single case-control study examining the influence of jaywalking laws on rates of pedestrian injury or fatality, in contrast to relatively abundant research on analogous paradigms like bicycle helmet laws²⁷ that are far less common in the U.S.²⁸.

Comparative evidence suggests the influence of jaywalking laws may be minimal. In the United Kingdom, for example, similar prohibitions do not exist despite similarly car-centric street infrastructure. Yet the per-capita rate of pedestrian fatalities in the U.K. is about half of that in the U.S.²⁹. The same holds true in most other countries with the best traffic safety records, such as Norway and the Netherlands³⁰. Some exceptions – like Denmark, which has jaywalking laws – still feature a legal framework that places more responsibility for pedestrian safety on motorists while minimizing inconvenience to those crossing a street³¹. While jaywalking laws have not been proven to keep pedestrians safe, roadway modifications such as speed reductions, narrower lanes, speed cushions, curb extensions, raised pedestrian crossings, refuge islands, and flashing beacons are known to reduce rates of injury and fatality for people walking³².

Disparities and dangers of jaywalking enforcement

Jaywalking laws have come under increased scrutiny in recent years largely because of racial disparities in their enforcement by police. Racial disparity refers to a difference in how something is distributed across racial groups compared to the baseline racial distribution of a population. Disparities are often presented as the relative likelihood of an outcome for one racial group (based on their share of the population) compared to the likelihood for another racial group³³.

In Jacksonville, FL, for instance, an extensive investigation by ProPublica in 2017 found that Black residents were nearly three times as likely to be ticketed for violating one of Florida's 28 distinct pedestrian laws compared to white residents, a disparity that increased to six times for residents of Jacksonville's three poorest zip codes³⁴. It also found a clear mismatch between the locations where tickets were issued and where crashes involving pedestrians had occurred, as well as widespread misunderstanding of crosswalk laws by sheriff's deputies. On the basis of similar reports in New York, NY³⁵, Atlanta, GA³⁶, Ferguson, MO³⁷, Kansas City, MO³⁸, Denver, CO³⁹, Sacramento, CA⁴⁰, Los Angeles, CA⁴¹, Long Beach, CA⁴², San Diego, CA⁴³, and Seattle, WA⁴⁴, Black pedestrians being disproportionately stopped and cited while walking appears to be ubiquitous across the country, if not yet rigorously quantified and examined using standardized methodologies.

These profound racial disparities are not surprising in the context of similar findings throughout the U.S. for traffic stops of bicyclists⁴⁵ and drivers⁴⁶. Black individuals have also been shown to be disproportionately targeted in police detentions that have an explicit investigatory component, known as *Terry* stops. For example, the Seattle Police Monitor found that Black drivers and pedestrians have been subject to *Terry* stops at a rate about four times higher than their share of the Seattle population and reached the following conclusions: “[The] racial disparity with respect to who is stopped and who is frisked in Seattle cannot be easily explained in terms of underlying societal or social disparities in crime, demographics, or socioeconomic factors manifesting in neighborhood or geographic trends. Even after incorporating those factors, an individual's race alone helps to predict the likelihood of being stopped and the likelihood of being frisked by [a Seattle police] officer”⁴⁷. Yet the report found that minority subjects were less likely to be found with any weapon and just as likely as white subjects to be found with a firearm.

Numerous factors may contribute to disparities in jaywalking police stops and tickets. While nearly everyone walks and jaywalks at least occasionally, inequities in safe street infrastructure may lead to higher rates of jaywalking among populations who live or work around arterial roadways with few legal crossings, as discussed above. High public transit use among Black residents (who are 30% of all bus riders nationwide, more than double their population share⁴⁸) translates to more frequent walking to and from bus stops that are often located mid-block on busy roads. Additionally, police officers do not randomly patrol a city: denser, lower-income communities and their roadways may be subject to geographically uneven policing at higher rates, leading to a higher likelihood of someone jaywalking being observed and stopped. Those living unsheltered often experience more policing and are forced to regularly navigate dangerous roadways⁴⁹.

While findings of disparity do not necessarily imply bias on the part of law enforcement, research has shown that biases in policing do arise from both explicit prejudice as well as deep-seated implicit biases that associate Black individuals with crime^{50,51}. Structural aspects of policing's mission to reduce "urban disorder" can also lead to a systematically punitive approach to interactions with people experiencing homelessness, whose existence is already criminalized through the enforcement of bans on loitering, sitting, lying down, camping, and panhandling^{52,53}. Analyses of jaywalking citations from Salt Lake City and Denver are suggestive of disproportionate ticketing of homeless residents^{54,55}. In general, when enforcement is highly discretionary, as is the case with jaywalking stops and citations, biases that manifest at the individual level may be more easily introduced and magnified.

Police stops for jaywalking can have unequal impacts: for unhoused individuals who are already stigmatized by exclusion from public spaces and forms of restricted mobility⁵⁶, the police contacts that jaywalking laws invite represent an additional restriction on mobility that can be uniquely damaging for those reliant on walking to get around. The fines associated with jaywalking tickets also do not impact all recipients equally. For those in poverty, receiving even a minor ticket can trigger – or exacerbate – the destabilizing cycles of debt and legal consequences that can result from unpaid minor infractions. In a recent survey of Americans who have received fines within the last 10 years, the majority of respondents reported experiencing a resulting hardship and 99% of parents reported having to cut back on at least one essential daily need⁵⁷. For those who jaywalk out of necessity due to inadequate pedestrian infrastructure in disadvantaged communities (see above) – and in particular for those experiencing homelessness – jaywalking enforcement can have the effect of criminalizing and entrenching poverty.

The harms of jaywalking enforcement go beyond racial disparities and the burdens of receiving a ticket. While ostensibly a low-level police contact, jaywalking stops may be particularly prone to "going bad" – becoming explosive – because few expect to be stopped for such a minor offense and thus may be confused or upset about it. As Angie Schmitt and Charles T. Brown write in *Bloomberg*, "Often police interpret confusion as lack of cooperation and add on charges – like resisting arrest – or resort to use of force when people complain about being stopped on such a minor offense"⁵⁸.

Jaywalking stops have escalated quickly with deadly consequences in a few high-profile incidents. In 2014, Michael Brown, an unarmed 18-year-old Black man, was shot and killed by police in Ferguson, MO after being stopped for walking in the street⁵⁹. In 2018, Chinedu Okobi was killed when a sheriff's deputy in Millbrae, CA repeatedly used a Taser on him during a jaywalking stop⁶⁰. In 2019, an Auburn, WA police officer shot and killed 26-year-old Jesse Sarey while trying to arrest him for jaywalking⁶¹. The same officer had previously ordered his

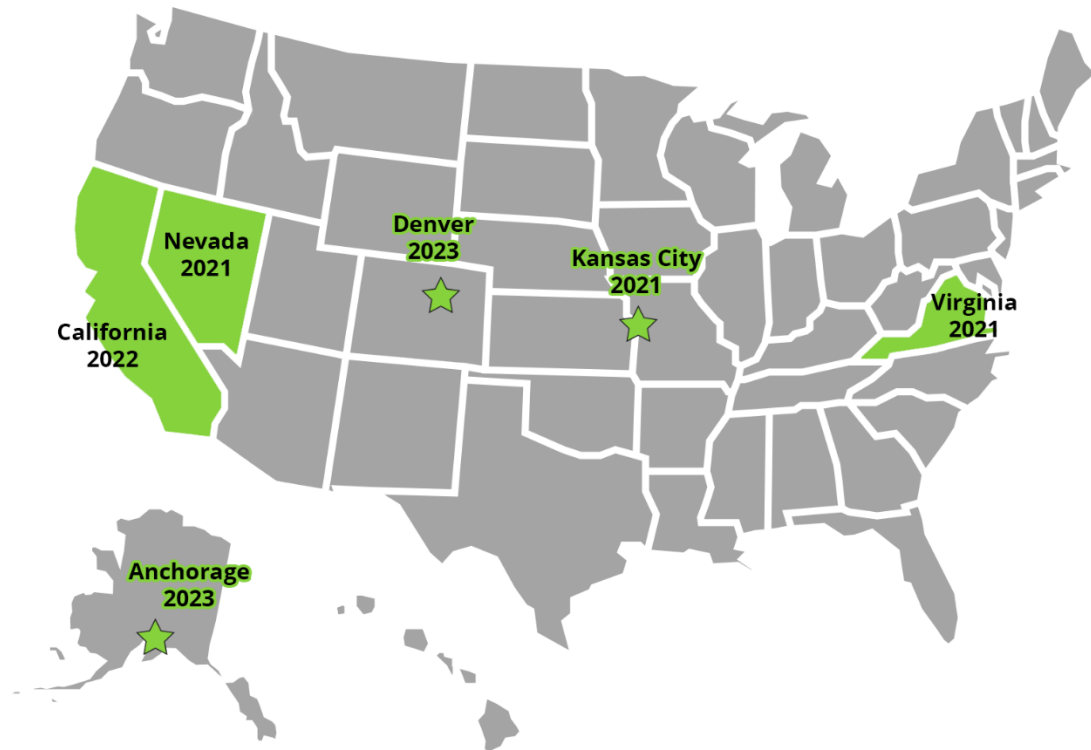


Figure 3: States and cities in the U.S. that have reformed jaywalking laws. The year that the change took effect is indicated below the place name. *Source: Free to Walk WA campaign.*

police dog to attack a man during a jaywalking stop in 2014⁶². In 2020, sheriff’s deputies in San Clemente, CA shot and killed Kurt Reinhold, an unarmed homeless Black man, during a jaywalking stop⁶³.

Examples abound of other, non-fatal jaywalking stops in which police used significant physical force: a Black man tackled, punched, shocked with a Taser, and choked in Asheville, NC⁶⁴; a Black teenager tackled in Tulsa, OK⁶⁵; a Black man thrown on the ground and punched in Sacramento, CA⁶⁶; an elderly Asian man in New York, NY bloodied by an officer whose instructions in English he couldn’t understand⁶⁷; a Black man tackled, Tased, and held at gunpoint in Salt Lake City, UT⁶⁸; a man pinned to the ground and punched in San Jose, CA⁶⁹; a Black man tackled and punched in Saginaw, MI⁷⁰; and a 25-year-old Black woman tackled while running to catch a bus in Edmonds, WA⁷¹. Body camera footage of the 2022 incident in Michigan is illustrative of how a jaywalking stop can rapidly become a violent confrontation for little apparent reason⁷².

The changing landscape of jaywalking laws

The randomness and rapid escalation associated with many of these incidents have fueled concerns that every police contact resulting from a jaywalking stop potentially puts someone’s life in danger, with people of color being most at risk. With growing frustration around the arbitrary and racially disparate nature of routine jaywalking stops and latent interest in subverting the current automobile-centric paradigm, pedestrian and racial justice advocates have increasingly called for an end to jaywalking enforcement.

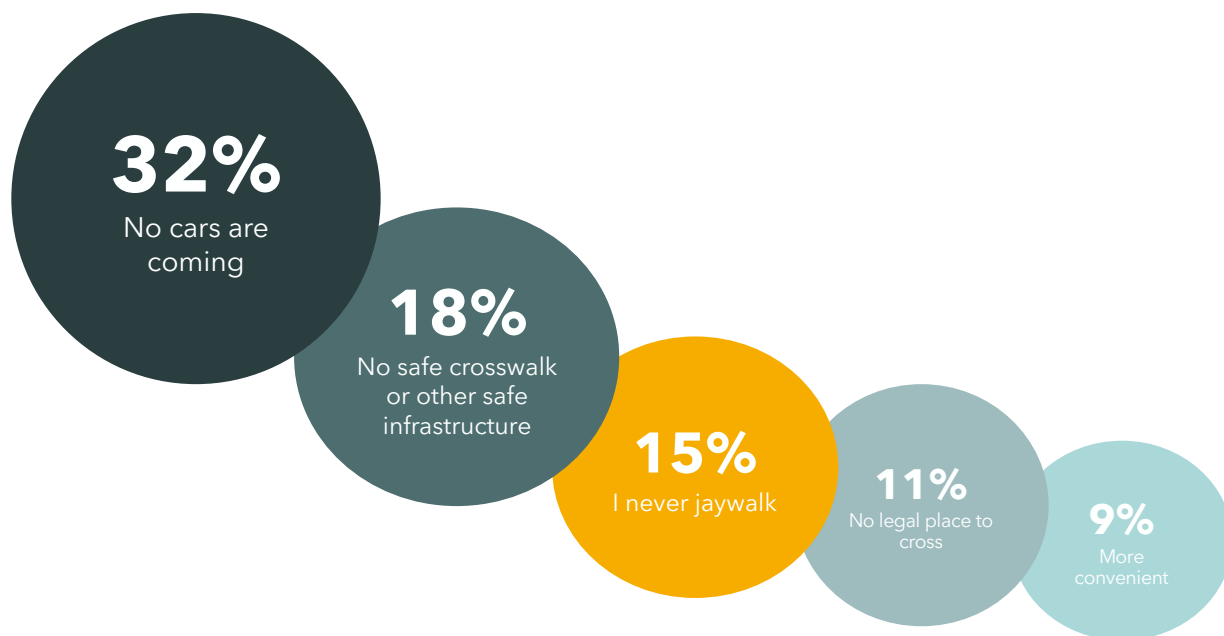


Figure 4: Top reasons that Washington residents might jaywalk, according to a statewide poll by DHM Research. Respondents were asked to select one top reason and were provided background information on Washington state laws before answering the question (see **Appendix A** for methods). Not shown are responses for “It’s the safest option for getting to where I need to go” (6% of respondents), “I need to catch the bus” (4%), Some other reason (open-ended; 2%), and “Don’t know” (3%). *Source: DHM Research.*

Efforts to repeal jaywalking laws, decriminalize jaywalking, or reform enforcement have succeeded in Virginia⁷³, Nevada⁷⁴, and Kansas City⁷⁵ in 2021, California⁷⁶ in 2022, and Denver⁷⁷ and Anchorage⁷⁸ in 2023. Initiatives were introduced but failed to pass in Washington state⁷⁹ and New Orleans⁸⁰ in 2023. A bill was introduced in New York’s City Council⁸¹ in 2023. Early data from Virginia suggest no pronounced impact of the state’s decriminalization of jaywalking on pedestrian deaths and serious injuries⁸², though a rigorous analysis has not yet been conducted.

In advance of re-introducing the jaywalking reform bill in Washington state’s 2024 legislative session, Transportation Choices Coalition commissioned two questions in an online survey of Washington residents to explore public perception on jaywalking and jaywalking laws. The survey was conducted by DHM Research and reached 500 Washington residents from August 18 to August 23, 2023 (see **Appendix A** for methods).

The first question asked why the respondent might jaywalk. No oncoming traffic and a lack of safe or legal crossings were found to be top reasons (**Fig. 4**). The results indicate that the majority of respondents consider jaywalking as a behavior that can be safe – or at least the safest option available to them at times – and also match research that found that environmental characteristics like distance to crosswalks are strongly predictive of jaywalking behavior⁸³. Few statistically significant differences in these responses were found across demographic characteristics.

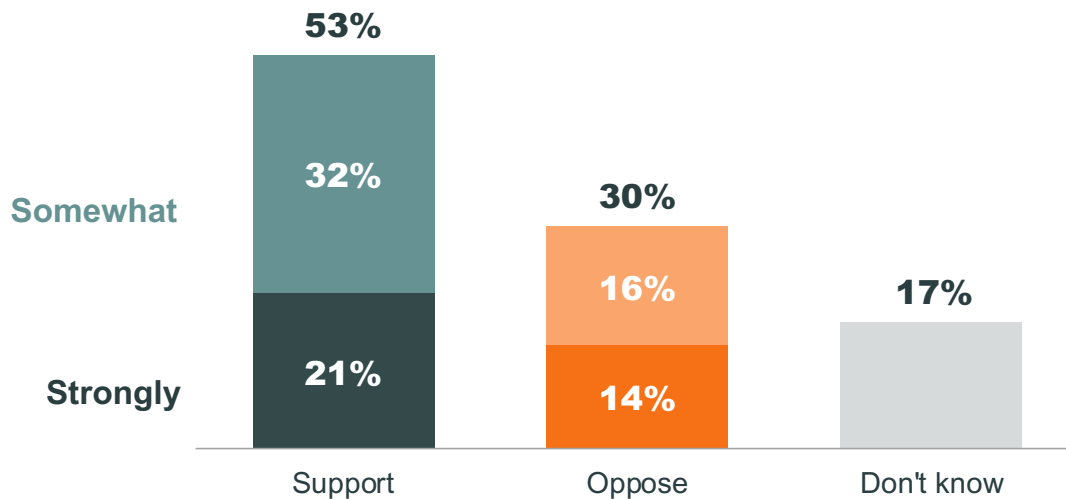


Figure 5: Public perception of a statewide repeal of jaywalking laws in Washington from polling. Respondents were asked to select one of the five options and were provided background information on the 2023 repeal bill before answering the question (see **Appendix A** for methods). *Source: DHM Research.*

The second question asked about respondents’ perception of a statewide repeal of jaywalking laws, as was introduced in 2023 and expected to be re-introduced in 2024. The majority of respondents shared support for a repeal (**Fig. 5**), with support found to be strongest among Washingtonians between ages 18 and 44, those aligned with the Democratic Party, and residents of eastern Washington (**Fig. A1**).

A brief history of jaywalking enforcement in Washington state

The history of jaywalking laws in Washington state – one admittedly centered on Seattle – has mirrored national trends and happenings. Pedestrians’ right to the street was officially restricted when anti-jaywalking ordinances went into effect in downtown Seattle in 1917⁸⁴ and Spokane in 1918⁸⁵. Facing quickly rising traffic deaths, with 190 pedestrians killed between 1936 and 1939, Seattle police began jaywalking enforcement “drives,” or stings⁸⁶. Out of 16 jaywalkers arrested and jailed in an initial drive in 1939, most were poor laborers who were unable to post the \$5 bail—some couldn’t even pay the \$1 fine⁸⁷. The “war on jaywalking” continued, predictably, with little impact on the increasing carnage caused by automobiles in the city. By one estimate, Seattle police wrote a half-million jaywalking tickets from the 1930s through the 1980s, gaining a reputation for stringent enforcement⁸⁸. By the 1970s, Seattle police officers on traffic duty were being instructed to write 3-4 jaywalking tickets per shift⁸⁹. The tide turned in the late 1980s, however, as complaints from ticketed residents prompted a policy change towards writing tickets more equally to both motorists and pedestrians; by 2000, the annual volume of jaywalking citations had dropped to one-fifth of its rate in the 1980s⁹⁰.

A pivotal Washington court case in 1997, *State v. Rife*, indirectly led to a significant expansion of police power during jaywalking stops. The case examined whether a pedestrian stopped for jaywalking in Seattle was improperly seized when an officer conducted a warrant check without reasonable suspicion of any other offense⁹¹. When the state Supreme Court surprised law enforcement agencies by ruling that state law does not

authorize such warrant checks, the state legislature convened an emergency session to explicitly allow warrant checks during all traffic stops, including jaywalking contacts⁹². The head of the Washington Association of Sheriffs and Police Chiefs was candid in explaining their support for the legislation: “[A warrant check] is a very important tool for officer safety. Without it, we could be turning loose people who have already preyed on the public and here we have them in custody.”

The history of jaywalking enforcement that followed in Seattle included civic uproar over mistreatment of 14 Asian-American teens during a jaywalking stop in 2002⁹³, physically aggressive jaywalking stops of two Black activists in 2002⁹⁴, a teenage boy in 2009⁹⁵, and a Black girl in 2010^{96,97,98} that drew condemnation, and a civil rights lawsuit settled in 2013 over an illegal search during a jaywalking stop⁹⁹. In 2011, the Seattle Police Department entered a consent decree with the U.S. Department of Justice, in large part due to racial disparities and use of force during pedestrian stops¹⁰⁰. A 2017 *Seattle Times* analysis found that jaywalking tickets had continued to be issued to Black pedestrians at a rate 3.7 times higher than their share of the population from 2011-2015¹⁰¹. Notable incidents outside of Seattle include the shooting death of 26-year-old Jesse Sarey in 2019 at the hands of an Auburn police officer who had detained him for jaywalking¹⁰² and a 2020 episode in which a 25-year-old Black woman who jaywalked was tackled by a Snohomish County Sheriff’s deputy in Edmonds¹⁰³.

Pedestrian statutes in Washington

As a starting point for this research, code chapters concerning pedestrian movement in Washington state were identified at the state and municipal level (**Table 1**). The Revised Code of Washington (RCW) and Washington Administrative Code (WAC)¹⁰⁴ were thoroughly reviewed along with the municipal codes of the top 15 cities in Washington by population. Citation records later queried by Washington State Administrative Office of the Courts using keyword searches such as “pedestrian” and “jaywalk” (see **Appendix B** for methods) also yielded relevant local codes. The City of Seattle was found to be unique in the number of municipal statutes that either mirror, extend, or contrast with RCWs. In rare instances, other municipalities were found to have jaywalking statutes, but these are usually limited in scope (i.e., apply only to a specified downtown district) or mirror state codes.

Statutes were sorted into five broad categories in **Table 1**, with some subsections spanning multiple categories. “Crossing outside of crosswalk” laws represents jaywalking as traditionally defined, with RCW 46.61.240 setting two key conditions¹⁰⁵: (1) pedestrians may cross outside of a crosswalk or in a non-intersection unmarked crosswalk, but must yield right of way to all vehicles while doing so; (2) between “adjacent intersections” with traffic signals, pedestrians must only cross in a marked crosswalk. “Crossing against signal” laws require pedestrians to obey traffic signals and generally only cross with a white walk symbol. “Suddenly entering the roadway” laws address both due care violations and a pedestrian’s failure to yield right of way to vehicles. “Walking on roadway” laws prohibit pedestrians from walking in the street unless sidewalks are not provided, in which case one must walk facing traffic instead of with traffic. Violations in these first four categories are civil traffic infractions and carry a fine of \$68 for the RCW citations, about four hours’ work at Washington’s current minimum wage, not including late penalties that may be added.

	Crossing outside of crosswalk	Crossing against signal	Suddenly entering roadway	Walking on roadway	Pedestrian interference or obstruction
RCWs	<u>46.61.240</u>	<u>46.61.230</u> , <u>46.61.050</u> , <u>46.61.055(2b)</u> , (3b), (3d), <u>46.61.060*</u>	<u>46.61.235(2)</u> , <u>46.61.240</u>	<u>46.61.250</u>	<u>9A.84.030(1c)*</u>
WACs (not cited)	<u>504-14-940(4)</u>	<u>504-14-940(1)</u>	<u>504-14-940(3)</u>		
Seattle Municipal Code	<u>11.40.100</u> , <u>11.40.140</u> (applies to arterials only), <u>11.40.160</u>	<u>11.40.020</u> , <u>11.40.150</u> , <u>11.50.120*</u> , <u>11.50.160</u> , <u>11.50.280*</u> , <u>11.50.300</u>	<u>11.40.060</u> , <u>11.40.090</u>	<u>11.40.220</u> , <u>11.40.240</u> , <u>11.40.250</u>	<u>12A.12.015*</u> (includes begging)
Other local codes (examples)	Yakima Municipal Code <u>9.50.320</u> , Bothell Municipal Code <u>10.20.070</u> , Redmond Municipal Code <u>10.44.020</u>	Auburn City Code <u>10.12.290</u>		Centralia Municipal Code <u>10.38</u>	SeaTac Municipal Code <u>9.05.070</u> , Lakewood Municipal Code <u>10.16.050</u> ; Spokane Municipal Code <u>10.60.010*</u> , Lynnwood Municipal Code <u>10.02.140*</u> (includes begging), Tacoma Municipal Code <u>8.13*</u> , and others

Table 1: Patchwork of statutes regulating pedestrian movement in Washington state. An asterisk (*) indicates a code chapter may also apply to vehicle operators and/or sidewalk behaviors by pedestrians, and thus has been excluded from analyses in this report.

Pedestrian interference or obstruction statutes in the fifth column of **Table 1** are criminal (misdemeanor) violations, usually with penalties of \$250-\$1000. Most prohibit intentional obstruction of vehicle traffic, but also prohibit obstruction of pedestrian (i.e., sidewalk) traffic, begging, and/or other behaviors within the same statute. This poses a challenge if one wishes to extract only pedestrian roadway violations and can make analysis of bulk records infeasible. For this reason, the scope of most of this report is limited to the first four categories.

Research goals and approach

The goal of the original research described in this report was to quantitatively and qualitatively characterize the enforcement of pedestrian laws in Washington state. Records of both citations (i.e., tickets) and police stops, including those that did not lead to a citation being written, were examined. A complete description of the methodology is provided in **Appendix B** and summarized here.

First, a comprehensive set of records of 9,833 jaywalking citations issued across Washington from 2000 to 2023 was analyzed (**Fig. 6**). These data were requested from the Washington State Administrative Office of the Courts and Seattle Municipal Court, which together maintain records of nearly every pedestrian citation issued in the state. 855 citations issued under Seattle Municipal Code 11.50.280 (Don't walk signal) were discarded,

as the statute can apply to both pedestrians and vehicle operators; these citations are not included in the above total. Furthermore, due to court records retention practices, citations prior to 2008 are largely incomplete and some fraction of records from 2008 to 2017 may also be missing in our data. With this in mind, pre-pandemic records from 2018 and 2019 are most complete and suggest that around 800 to 900 jaywalking citations have been issued annually in Washington, a number that has markedly declined since the start of the pandemic in 2020 (**Fig. B1**). In the data, the law enforcement agency (LEA) that wrote the ticket is listed, but the location of the violation (city/town or county) had to be inferred based on the LEA, the statute cited, and/or the court with jurisdiction over the citation (**Fig. 7**). Each record contains basic information about the individual who was cited. This includes their race as perceived by a police officer, which was aggregated over all stops, counties, or cities and compared to U.S. Census demographic data to assess disparities (**Figs. 9, 10, 11**).

Additionally, 1,079 individual public records of jaywalking police stops requested from law enforcement and dispatch agencies across Washington were manually reviewed. These were primarily computer-aided dispatch (CAD) logs, supplemented by citation, incident, and arrest reports, and they constitute an incomplete but richly illustrative sample of police-initiated contacts related to jaywalking from 2017 to 2022. The records obtained span about half of Washington’s counties, but are largely within the state’s five most populous counties – King, Pierce, Snohomish, Clark, and Spokane – as well as the city of Kennewick. Out of the 1,079 records, 845 were CAD logs (or CAD logs paired with accompanying reports) located by agencies through database queries using search criteria that were broad and unbiased enough to yield a representative, quasi-random sample of jaywalking stops suitable for analysis of stop outcomes (warnings, citations, and arrests; **Fig. 8**). Key narrative elements and data fields in the records, when available, were manually labeled and tabulated to estimate the prevalence of homeless subjects of these police stops (**Fig. 12**), explore the physical street characteristics associated with stop locations (**Fig. 13**), and assess the frequency of warrant checks and other facets of policing. Most importantly, detailed narrative summaries of the stops written by police officers were present in 354 of the reports, or 33% of all records. Closely reading these allowed for characterization of the sequence of events during stops, unique circumstances, and patterns that cannot be discerned from data fields alone.

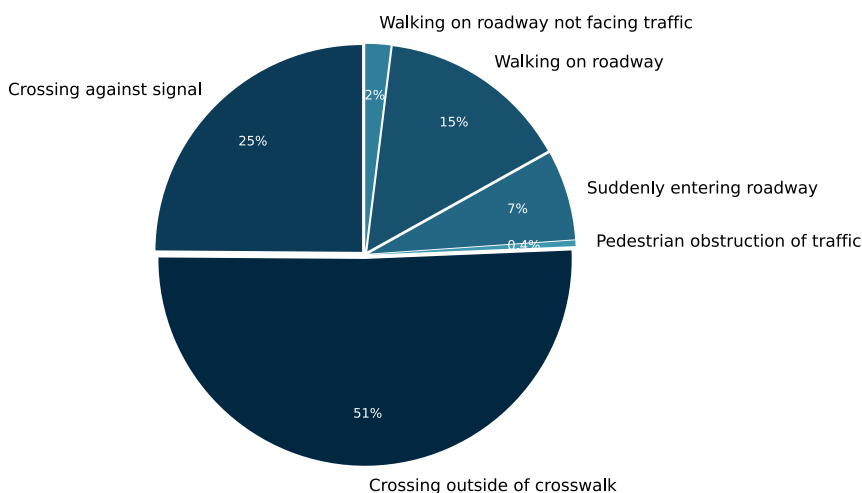


Figure 6: Types of jaywalking violations cited in Washington state from 2000-2023. Records of 9,833 tickets issued under state and local codes fall within six broad categories of ticketing. Note that this chart excludes pedestrian interference charges for which there is ambiguity over whether a pedestrian was on the roadway or sidewalk. Citation data are from Washington State Administrative Office of the Courts and Seattle Municipal Court.

Jaywalking enforcement in Washington: geography and outcomes

Out of all jaywalking citations, **Fig. 6** shows that about half are for mid-block crossing violations and a quarter are for crossing improperly at a signalized intersection, with the remaining split between walking on roadway violations and entering a roadway without exercising due care or yielding the right of way to vehicles. 90.5% of all jaywalking citations have been issued under state statutes within the RCW, with the remaining 9.5% cited to municipal codes, largely Seattle's. In contrast, just 0.2% of all misdemeanor pedestrian interference-type charges have been issued under a RCW statute; nearly all are issued under municipal pedestrian interference, pedestrian obstruction, or disorderly conduct statutes.

The geographic patterns of jaywalking citations in Washington resemble the state's population distribution: clustered in metropolitan areas, with jaywalking enforced minimally, if at all, in many rural counties (**Fig. 7**). The counties with the most number of citations are, in descending order: King, Snohomish, Spokane, Pierce, and Clark. The distribution of citations within the greater Seattle metropolitan area (**Fig. B2**) shows the city of Seattle, south King County, and Tacoma to be hotspots of jaywalking enforcement and is reflective of the relatively higher per-capita enforcement rates in south King County cities, most notably Tukwila, Federal Way,

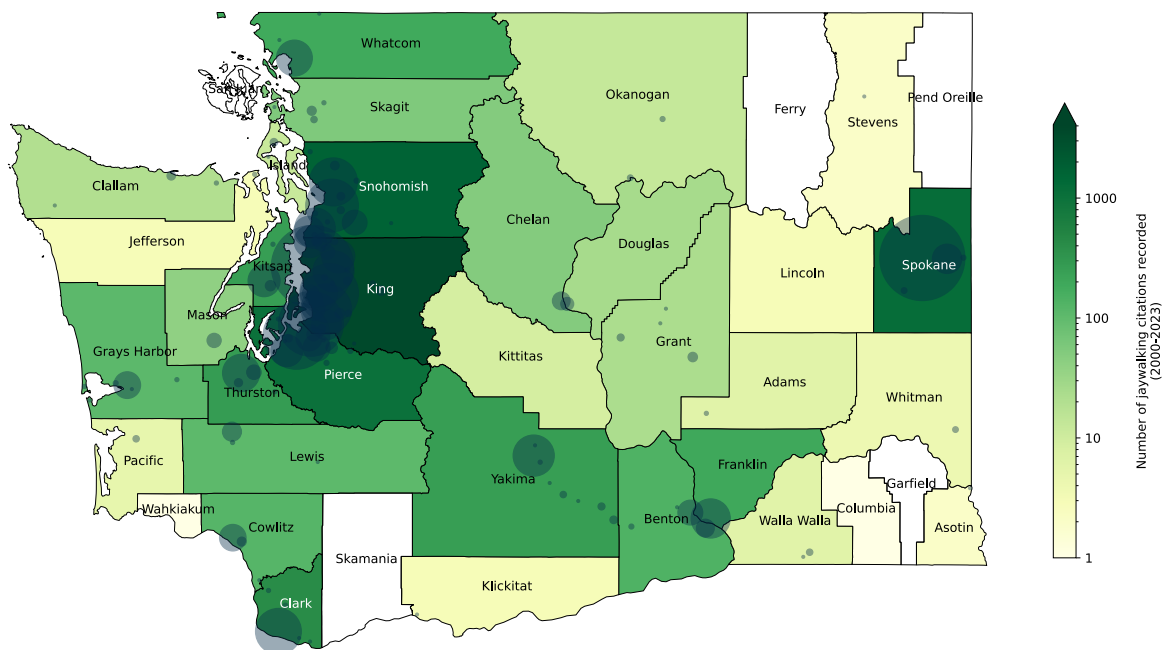


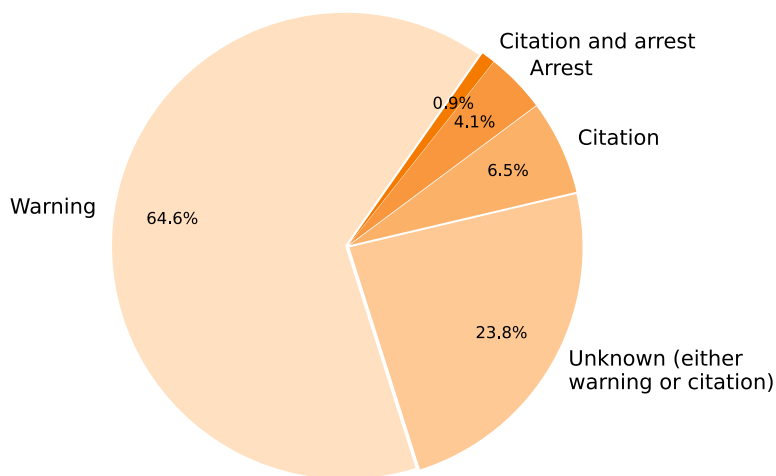
Figure 7: Number of jaywalking citations issued from 2000-2023 by county and city in Washington. Yellow and green shading corresponds to the number of citations (note the logarithmic color scale at right). Shaded circles denote the number of jaywalking citations issued by police departments in individual cities and towns. See **Fig. B2** for an inset map of Pierce County, King County, and Snohomish County. Citations issued by county sheriff's departments and Washington State Patrol are included in the countywide citation totals indicated with yellow and green shading but not the shaded circles due to incomplete location records. Citation data are from Washington State Administrative Office of the Courts and Seattle Municipal Court.

and Renton (**Fig. 11**). The Snohomish County cities of Lynnwood, Marysville, Monroe, and Everett also have relatively high per-capita citation rates. East King County cities feature both relatively low absolute and per-capita rates of jaywalking enforcement. Of all citations statewide, 80.4% have been issued by police departments, 11.4% by sheriff’s offices, and 8.2% by the Washington State Patrol (WSP). WSP has issued a majority of jaywalking citations in six counties, all of which are largely rural: Adams, Kittitas, Lewis, Lincoln, Skagit, and Stevens. In our records, jaywalking citations have not been issued in only five counties: San Juan, Ferry, Pend Oreille, Skamania, and Garfield.

Examining a representative subset of individual jaywalking stop reports shows that the large majority of jaywalking-related police contacts – anywhere from a lower estimate of 65% to an upper bound of 88% – result in only a verbal warning being issued (**Fig. 8**). Between 7% and 30% of encounters lead to a ticket alone being written and about 5% result in arrests, which may arise from multiple charges (see section “Enforcement characteristics” for more discussion). The uncertainties in these numbers mostly arise from the nature of CAD logs, in which the outcome of a stop is not always reported by an officer upon the conclusion of the contact and thus may go unrecorded by the dispatcher. A more precise estimate of 20% of jaywalking stops leading to tickets in Seattle falls within the statewide estimated range. The latter is made possible because Seattle PD provides a publicly-accessible CAD event dashboard, from which all pedestrian violations can be tallied and compared to the number of tickets in Seattle Municipal Court data¹⁰⁶.

The statewide range of 7% to 30% contacts leading to a ticket can be used to extrapolate from the pre-pandemic rate of around 800 to 900 jaywalking citations issued annually statewide (see section “Research goals and approach”). This estimate points to an approximate range of no fewer than 3,000 and no more than 13,000 police contacts related to jaywalking occurring each year in Washington state before the pandemic, with fewer occurring now. In any case, it is beyond dispute that the total number of police contacts arising from jaywalking enforcement is far greater than the number of citations alone would suggest.

Figure 8: Outcomes of police stops for jaywalking in Washington. Stop outcomes were tabulated based on manual review of a representative sample of 845 individual computer-aided dispatch (CAD) logs and police reports from 2017-2022 (see discussion in **Appendix B** section “Police stop data processing”). **Fig. B3** shows the geographic distribution of the data, which were requested from various agencies in Washington state (**Table B1**).



This finding mirrors those for other minor traffic offenses; for example, an examination by the U.S. Department of Justice of Tampa, FL found that just 3-5% of cyclists stopped by police for various reasons received a formal citation¹⁰⁷. While it is unclear how officers make the decision to issue a warning or a citation, the high proportion of warnings raises the question: if jaywalking violations are so minor that officers can rarely be bothered to write a ticket, then why are they enforced at all? Past research on police stops of drivers has suggested that pretextual stops (i.e., those justified by a traffic violation but motivated by an interest in conducting an unrelated criminal investigation) may indeed be more likely to end in warnings¹⁰⁸, pointing to the possibility that jaywalking offenses are likewise being used to justify pretextual or stop-and-frisk-style enforcement.

It is important to understand that a police stop alone – regardless of whether a ticket is issued – can have severe ramifications. Seattle Inspector General Lisa Judge, who leads Seattle’s civilian police oversight agency, the Office of Inspector General, describes these in a recent letter in which she asked the Seattle Police Department to cease conducting routine traffic stops for minor violations^{109,110}:

“Stopping a person is a significant infringement on civil liberty and should be reserved for instances when a person is engaged in criminal conduct that harms others. ... While these interactions may create the potential for a tragic outcome, they also generate an encounter that can impact whether and how community members form negative opinions of the police, which can influence public trust in the department. Researchers have documented that persons stopped for traffic violations are significantly less likely to seek help from the police and/or to report non-crime emergencies than those with other types of direct police interactions. Moreover, research has consistently shown that Black and Latino experiences during traffic stops are different from those of white persons.”

The records provided to us by LEAs included dozens of police reports concerning pedestrians injured or killed after being hit by a vehicle while allegedly jaywalking, due to the broad search terms used. While these reports are not analyzed further or included in any statistics in this report, as they are not police stops, it is worth highlighting two common themes present in the police narratives: pedestrians reportedly being struck after emerging from behind one lane of traffic that had stopped to allow them to cross¹¹¹, and the ubiquity of law enforcement instinctively placing a pedestrian at fault – both before obtaining results from a formal collision investigation as well as afterwards, within reports documenting crash reconstruction analyses – solely because the victim was jaywalking.

Enforcement subjects and disparities

Analysis of citation records shows that Black pedestrians are overrepresented in tickets issued for jaywalking as well as all police stops for jaywalking, regardless of whether a ticket was issued or not (**Fig. 9**). Black pedestrians are ticketed 2.7 times more frequently and detained 4.7 times more frequently than would be expected based on their share of the population, as calculated by compositing U.S. Census demographics for the cities/towns and counties in which tickets were issued or stops occurred. Asian or Pacific Islander pedestrians are starkly underrepresented in the records, being cited at a rate five times lower than expected from their expected demographic distribution and experiencing stops at a rate around 25 times lower than their share of the population (**Fig. B4**). White pedestrians are both ticketed and stopped at a rate proportional

Jaywalking stops (2017-2022)



Population for stop locations



Jaywalking tickets (2000-2023)



Population for ticket locations



Figure 9: Disparities for Black pedestrians stopped and/or ticketed for jaywalking in Washington state. Red bars represent the fraction of total stops and citations, respectively, that were Black pedestrians, as reported by a police officer. Gray bars indicate the expected share for Black pedestrians based on population demographics, calculated by compositing U.S. Census American Community Survey (ACS) data for 2017-2021 applied to each individual stop or citation’s location (city/town or county). The top red bars divided by the bottom gray bars offer a measure of inequality or disparity. See **Fig. B4** for data including all racial categories and **Appendix B** section “Citation data processing” for methods. Citation data for 2000-2023 are from Washington State Administrative Office of the Courts and Seattle Municipal Court; police stop data were tabulated from a manual review of computer-aided dispatch (CAD) logs and police reports from 2017-2022.

to their demographic share, though they may be underrepresented when considering that most Census categories included in “Other race” are likely recorded as “white” by police officers. Disparities for Hispanic/Latino pedestrians, who are also generally included in the “white” racial category in court records, were unable to be assessed because ethnicity was frequently coded as “Unknown/other” (89.5% of citations) or, in the case of police stop records, even more rarely reported. The overall jaywalking stop disparity for Black pedestrians identified here is three times as large as the disparity found for Black drivers in statewide traffic stops by the Washington State Patrol from 2015-2019¹¹².

Examining racial disparities in jaywalking tickets by county allows for the inclusion of tickets written by sheriff’s offices and the Washington State Patrol. For citations issued by these agencies, the city, town, or unincorporated area in which they were written is unrecorded in the court records and thus unknown (unlike citations from police departments, for which cities and towns can be reasonably inferred). However, counties can be assumed based on the sheriff’s department and/or the listed court that processed the ticket. The resulting analysis shows that Black pedestrians are overrepresented in jaywalking tickets in 15 of the 17 counties in Washington for which more than 25 citation records were provided to us (**Fig. 10**). This indicates that disparities for Black pedestrians are ubiquitous across Washington state in areas where jaywalking laws are enforced. Counties with the most severe disparities for Black pedestrians are Franklin County (with a disparity of 3.6x based on 197 total tickets), Yakima County (3.2x; 253 tickets), King County (2.9x; 3,590 tickets), Spokane County (2.9x; 1,212 tickets), and Pierce County (2.6x; 1,021 tickets).

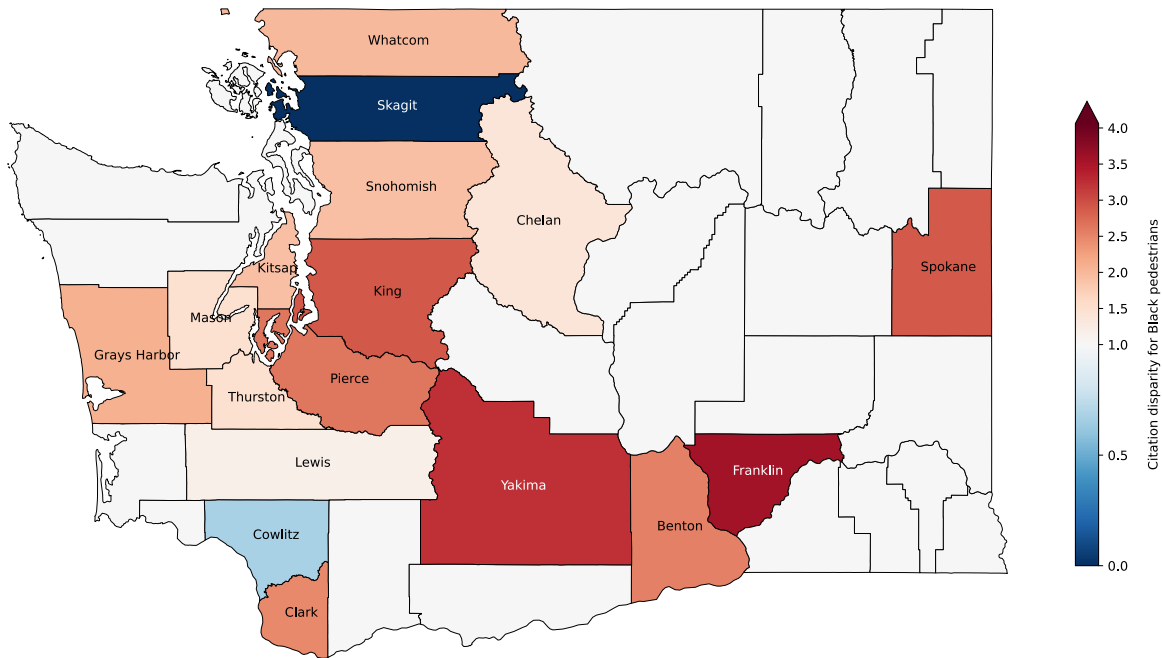


Figure 10: Disparities for jaywalking citations issued to Black pedestrians by county in Washington. Counties with more than 25 citation records are labeled and shaded according to the relative number of citations issued to Black pedestrians compared to the expected distribution from composited U.S. Census American Community Survey (ACS) data for 2017-2021. Red shading signifies an overrepresentation of Black pedestrians relative to their share of the population (disparity > 1) while blue shading indicates a lower share relative to the population (disparity < 1).

Comparing the per-capita ticketing rate to racial disparities in tickets issued in cities across Washington allows for further insight (**Fig. 11**). This analysis is focused on police departments in cities that have more than 10 citations recorded in our data and reveals a wide range of citation rates and disparities across different cities. Black pedestrians are overrepresented in jaywalking tickets in nearly all cities across the state. Out of those with at least 100 citations, ticketing of Black pedestrians is most disproportionate in Edmonds (disparity of 7.6x), Bellevue (6.0x), Redmond (4.8x), Renton (4.7x), Pasco (3.6x), Yakima (3.5x), Spokane Valley (3.4x), Tacoma (3.3x), and Tukwila (3.2x). Perhaps most notable, however, are cities in the upper right sector of the chart: locales in which jaywalking enforcement is most vigorous and Black pedestrians are also cited most disproportionately. Spokane, the second most populous city in the state, is conspicuous in this regard, as are the King County suburban cities of Tukwila and Renton. On the opposite corner of the chart, Lacey, Kennewick, and Burien stand out as cities with over 50,000 residents that have both relatively infrequent jaywalking enforcement and lower racial disparities when tickets are written.

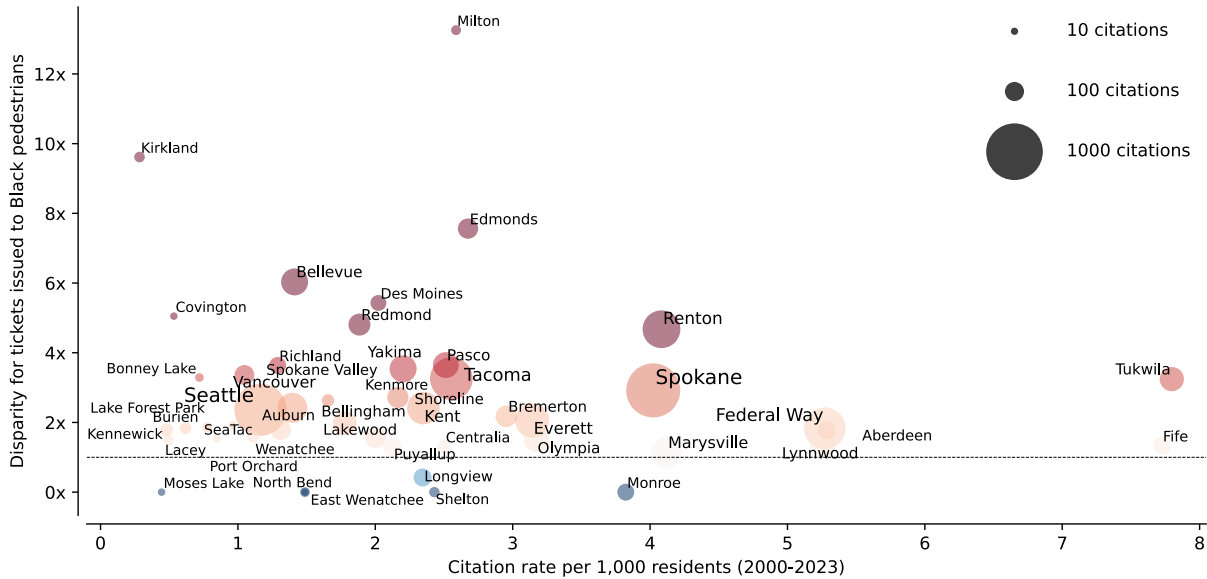


Figure 11: Per-capita jaywalking ticketing rates vs. racial disparities for Black pedestrians by city in Washington. The size of each circle and accompanying label represents the total number of jaywalking citations issued by a city or town’s police department in records provided from 2000-2023. Citation rates shown are not annualized and were computed for that entire period, including years of incomplete data (particularly 2000-2007 and 2023; see **Fig. B1**), using U.S. Census American Community Survey (ACS) population estimates for 2017-2021. The shading and vertical position of circles denote the degree to which Black pedestrians have been cited more (red; disparity > 1) or less (blue; disparity < 1) than their share of the population, based on the U.S. Census ACS data. Cities and towns with 10 or fewer citation records as well as citations issued by county sheriff’s offices, tribal agencies, Washington State Patrol, and other statewide law enforcement agencies are not shown here.

Statewide police stop records provide further data on who tends to be detained for jaywalking infractions. The recorded home addresses of individuals stopped and clear narrative elements in police reports indicate that at least 41% of people stopped for jaywalking are homeless (**Fig. 12**; see details in figure caption). This may be an underestimate given the methodology used: someone living unhoused could conceivably provide an officer with the home address of a family member or friend or another location, while it is less probable that someone who is stably housed would provide a homeless shelter, service provider, or transitional supportive housing location as their home address. Considering that people experiencing homelessness comprise 0.4% of Washington state’s population today¹¹³, a record high, this figure indicates a staggering disparity in jaywalking police contacts for homeless residents – at least one order of magnitude greater than the racial disparities previously described. The fact that Black residents are overrepresented among Washington’s homeless population by a factor of 3.8 times their share of the population¹¹⁴ points to a possible explanation for the racial disparities observed in jaywalking citations and stops. To put a finer point on it, homeless residents are more frequently detained for jaywalking, and many of them are likely Black. The likeliness of overlapping disparities speaks to the need for a more robust intersectional analysis than is possible with the available data collected in this study.

Housing status unknown or likely housed
59%

Unhoused
41%

Figure 12: Frequency of homeless subjects of jaywalking police stops. These determinations are from the 179 manually-reviewed citation and/or arrest reports of jaywalking stops that included a subject home address. Housing status was inferred using those addresses and/or additional narrative evidence. An individual was assumed to be homeless if their address was listed as “transient” or found to be a homeless shelter, service provider, or transitional supportive housing from a Google or Google Maps search, or if the address mapped to a residence but narrative elements that clearly indicate homelessness were present (e.g., “walking with a shopping cart full of their belongings,” “subject mentioned that she is living on the street”).

In some Washington cities, patterns of enforcement suggest repeated targeting of pedestrians who are homeless. For example, dispatch records provided by the Clark Regional Emergency Services Agency (CRESA) show dozens of jaywalking stops from 2018 to 2020 by Vancouver PD concentrated in the blocks surrounding Vancouver’s Navigation Center, a city-run homeless services facility that opened in 2018 and shuttered in 2020¹¹⁵. Similar concentrations of jaywalking stops are seen in Renton near the Red Lion Hotel that served as a homeless shelter during the pandemic¹¹⁶, as well as in Federal Way along the stretch of Pacific Hwy S close to the New Horizon Motel¹¹⁷. In Spokane, a homeless man cited for crossing outside of a crosswalk during a downtown “pedestrian violations grant emphasis” patrol had reportedly been detained and warned by a different officer half an hour prior, illustrating how homelessness can increase exposure to policing. Another man in Spokane presumed to be homeless was charged with pedestrian interference, a \$500 fine, after crossing the road against a pedestrian signal. Over the following two years, records show he was arrested five times for an open warrant from that pedestrian interference charge during stops for further pedestrian infractions, violation of Spokane’s “sit-and-lie” ordinance, and trespassing. In Kennewick, one person experiencing homelessness was stopped three times in the span of a week for jaywalking or obstructing traffic. Records show detentions of homeless pedestrians reported to be panhandling in which jaywalking offenses were the primary motivation for the stop, including some that led to citations issued under RCW 46.61.250 (Pedestrians on roadways). Overall, the high proportion of homeless residents stopped for jaywalking in Washington may be unsurprising given the patterns found in other U.S. cities and the explanations for disproportionate ticketing that are proposed above (see section “Disparities and dangers of jaywalking enforcement”).

80% of people cited and 81% of people stopped for jaywalking in Washington are male, based on all court citation records and the 53% of police stop records where gender was recorded or, when possible, inferred from the pronouns used by an officer. This represents a substantial disparity of uncertain origin and is surprising given that men have been found to be only slightly more likely than women to experience police-initiated contacts across the U.S.¹¹⁸.

The police and dispatch records contain 51 unambiguous instances of youth stopped for jaywalking (5% of all stop records), as determined by clear mentions of a subject’s juvenile status and/or by calculation using their reported birth date and the date of the police contact. These include, for example, four 12-13 year olds detained in Kirkland, three youth on their way to play basketball stopped for jaywalking and questioned as part of a “gang emphasis” patrol in Everett, and a teen given an “educational stop about jaywalking and not getting himself squished” (i.e., hit by a driver) in Vancouver. Assuming this particular sample of records examined is representative, extrapolating from pre-pandemic statewide stop rates estimated for adults (see section

“Jaywalking enforcement in Washington: geography and outcomes”) suggests that hundreds of youth have been detained by police for jaywalking annually in Washington state.

While only three tickets were recorded as being written to youth in these records, it is the police contact itself that raises the gravest concerns: research has shown that police stops of youth associated with “proactive policing” cause significant psychological distress that can change one’s life trajectory. A 2019 study, for example, found that adolescent Black and Latino boys stopped by police are more likely to engage in delinquent behavior in the following months and years, even after controlling for prior delinquency, and that this is partially mediated by stress, depression, and anxiety responses to the stop¹¹⁹. Similarly, a 2020 study by University of Washington researchers that followed Seattle Public Schools students found that police encounters in childhood increase the risk of arrest in young adulthood for Black youth, but not white youth¹²⁰. This adds to evidence that Black youth are treated more poorly during minor, discretionary police stops, such as those for jaywalking, as well as evidence that Black boys are more likely to be perceived as older and less innocent than peers of other races during these interactions¹²¹.

Criminal pedestrian interference statutes have been controversially used to cite and/or arrest groups of people protesting in the roadway in Washington state^{122, 123, 124, 125}. In a more unusual recent example, a police accountability activist in Spokane was arrested for pedestrian interference after loudly protesting George Floyd’s murder towards a passing officer^{126, 127}. The records examined in this study contain one instance of a protester detained and warned for obstructing traffic in Kennewick, as well as 27 instances of anti-nuclear demonstrators outside the entrance of Naval Base Bangor-Kitsap in Silverdale cited under RCW 46.61.250 (Pedestrians on roadways) by Washington State Patrol on nine separate occasions (the latter were not considered jaywalking stops and were thus excluded from analyses in this report). Assuming this sample of records is representative, law enforcement’s use of civil pedestrian statutes to detain protesters in Washington state appears to be limited, at least relative to more conventional jaywalking stops.

The police and dispatch records include 14 instances of individuals being stopped for jaywalking violations while riding a bicycle, six instances while riding a skateboard, and one instance while riding a kick scooter, together representing 2% of all police contacts. Pedestrians on foot or using a mobility device thus appear to account for almost all jaywalking stops, with limited exceptions.

The roadway environment

The location of a stop is often recorded in police and dispatch records, which allows one to characterize the surrounding streetscape and relevant roadway features. By referencing 261 stops with well-defined locations to satellite and Google Street View imagery, it is found that the majority of mid-block road crossings leading to a police stop for jaywalking occurred 452 or more feet from the nearest marked crosswalk or signalized intersection (**Fig. 13**). This median distance – a round-trip detour of 904 feet – represents at least a 3.5-minute round-trip detour on foot, assuming a walking speed of 3 mph. This does not include the wait time for long crossing signals that frequently prioritize vehicular traffic over pedestrians. The average round-trip detour distance of 1,413 feet (5.5 minutes) is longer than the median, reflecting the skew of the long-tailed distribution shown in **Fig. 13** owing to exceptional cases of distant crosswalks.

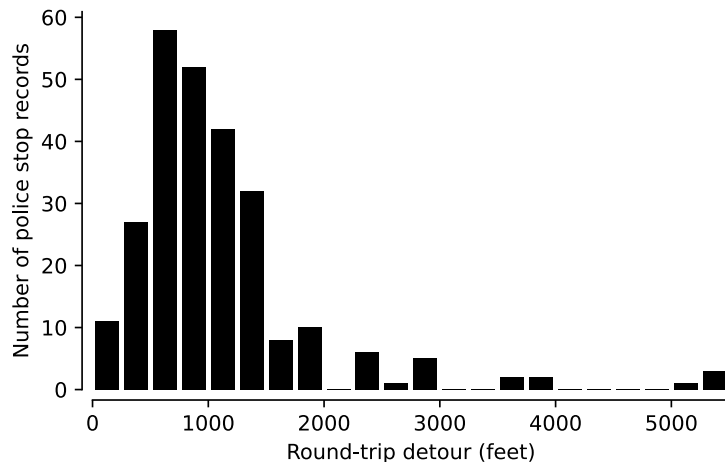


Figure 13: Distance to the nearest marked crosswalk or signalized intersection for mid-block crossing violations that led to a police stop. Round-trip detour distances were calculated using Google Maps satellite and Street View imagery for 279 jaywalking stops in Washington in which the primary street was known and an exact address, landmark, or GPS coordinate was provided (see **Appendix B** section “Police stop data processing” for methods).

All intersections in Washington except those located between two “adjacent” signalized intersections or those closed with a sign are technically legal crosswalks, and drivers are required by law to stop for pedestrians trying to cross at an unmarked crosswalk¹²⁸. However, data from Seattle suggest that fewer than 10% of drivers stop for people at unmarked crosswalks¹²⁹, making their use arguably less predictable or safe than instead jaywalking at a mid-block location when no traffic is present (where it can be simply assumed that drivers will not stop). It is with this in mind that the analysis in **Fig. 13** focuses on somewhat safer crossings – marked crosswalks and signalized intersections – rather than unmarked crosswalks. The inconvenience of walking such long distances to the nearest safe crossing is a likely contributor to jaywalking behavior and thus jaywalking stops.

Police records contain examples of law enforcement failing to interpret Washington’s pedestrian laws correctly, with more potentially undetected due to imprecision in location information. In one, a Kennewick police officer improperly stopped two Hispanic pedestrians who had lawfully crossed in an unmarked crosswalk, resulting in the arrest of one woman for drug possession and a warning to the other. In another case, a Fife police officer wrote that they “educated [the subject] about unmarked crosswalks and [to] not jaywalk” at that location, which appears to have been a legal crossing between two unsignalized intersections. While not improper stops, pedestrians have been detained by officers who claimed that “crosswalks [were] less than 100 feet on either side of [the] violation,” a dubious underestimate of the necessary detour on a block that was 550 feet long, or that “there were clearly marked and signed crosswalks 200 feet to the east and west of where [the individual] was crossing,” for a block 840 feet long. Some situations saw pedestrians making the best of hostile infrastructure, such as a woman who only made it halfway across a crosswalk before the walk sign changed and so stopped in the concrete median, only to be contacted and detained for jaywalking. In multiple instances, pedestrians facing wide intersections with crosswalks painted on only three sides opted not to take the long way around, then were stopped for jaywalking (e.g., top right panel of **Fig. 14**).

Federal Way PD • January 2018
S 284th St at 26th Ave S, Federal Way, WA

[We] observed a subject walking in the middle of the roadway... westbound. No sidewalks were provided. The subject was not walking on the left side of the roadway facing traffic. [Disposition: citation issued under RCW 46.61.250]



Puyallup PD • April 2017
3710 S Meridian, Puyallup, WA

*20:09: (Queries driver's license in NLETS and WACIC)
20:09: Disposition: verbal warning
20:10: Male was jaywalking, [officer] was looking for a subject in call #1949*



Spokane PD • November 2017
N Wall St at W Main Ave, Spokane, WA

Three subjects were walking down the street so I asked them to go to the sidewalk. They looked at me and blew me off. I told them to stop but they continued on after looking at me. I then stopped them to run their names. [Disposition: warning]



Bonney Lake PD • March 2017
21301 SR 410 E, Bonney Lake, WA

*22:56: (Queries driver's license in WACIC)
22:57: Confirm and see if they want him
23:00: Records... confirmed, checking with sergeant on a meet...
23:03: Sergeant 80 declined to meet
23:04: Disposition: advised of warrant, verbal warning for jaywalking*



Figure 14: Illustrative examples of jaywalking stops in Washington accompanied by the street environment of the stop. From top left, clockwise: **(top left)** A citation report from Federal Way PD shows a Black man was ticketed after walking on the wrong side of a quiet, residential road without sidewalks. **(top right)** A CAD log from South Sound 911 shows a white man who jaywalked at an intersection with crosswalks on only three sides was detained and checked for warrants by a Puyallup PD officer looking for a different person. **(bottom right)** A CAD log from South Sound 911 shows a man was stopped by Bonney Lake PD for crossing mid-block from the sidewalk on the right side to the commercial destinations on the left side, which have no sidewalk access. An open arrest warrant was found, but a transfer of custody was declined and he was released with a warning. **(bottom left)** A CAD narrative from Spokane PD shows three people stopped while walking on a curbsless, brick-lined, pedestrianized street, checked for warrants, and warned. Note that ellipses indicate truncation, and queries of NLETS (National Law Enforcement Telecommunications System) and WACIC (Washington Crime Information Center) indicate criminal justice databases being searched for wants and warrants. *Photos are from Google Street View.*

Further statistics assessing the streetscape at locations of jaywalking stops suggest they predominately occur on wide arterial roadways and state highways that lack adequate pedestrian infrastructure (e.g., right panels of **Fig. 14**). 77% of crossing-related police contacts with well-defined locations occur on roads with five lanes or more. For 60% of stops related to a pedestrian walking on the roadway, sidewalks were absent or present only on one side. The most common roads for jaywalking stops in the records reviewed were SR 99 and Evergreen Way in Snohomish County, NE Hwy 99/Main St, Mill Plain Blvd, and Fourth Plain Blvd in Vancouver, Pacific Hwy/Tacoma Way in Federal Way/Lakewood/Tacoma, Pacific Ave in Tacoma, and Division St and Sprague Ave in Spokane. Most of these are wide roadways that could be characterized as pedestrian-hostile – designed with infrequent legal crossings and long wait times at intersections, which both encourage jaywalking – yet are densely populated with commercial destinations, multifamily housing, and mid-block transit stops that bring frequent pedestrian traffic. The demographics of those who live and work around such roads likely reflect the suburbanization of poverty, which has concentrated lower-income communities around dangerous arterial roadways¹³⁰. It is reasonable to assume that individuals walking on busy roads like these will be more exposed to “proactive policing” than on quieter, residential streets that are patrolled by police less often. The conspicuity of someone jaywalking from the perspective of an officer inside a patrol car may also be enhanced owing to the long crossing times, car-dominated streetscape, and straight sightlines. All of these factors combine to explain why higher levels of jaywalking as well as jaywalking enforcement on such roadways can be expected.

Enforcement characteristics

Individual police and dispatch records show that the motivation for jaywalking enforcement in Washington often extends far beyond the jaywalking violation itself—and that a contact with police can have substantially more serious ramifications than just a warning or ticket. From the ubiquity of warrant checks during jaywalking stops, the clear role of unrelated suspicion as a factor in some contacts, and the frivolous, condescending, or arbitrary nature of many encounters, the characteristics of jaywalking enforcement in Washington raise questions about procedural justice and whether stops are primarily safety-oriented or instead rooted in pretext. The frequency of foot pursuits and instances of use of force by officers within the records reviewed demonstrates how jaywalking stops can escalate with potentially dangerous consequences.

Officers are found to check for open warrants during 77% of jaywalking stops across Washington state. This statistic is based on 577 CAD logs obtained from dispatch agencies and police departments whose record format clearly delineates when an officer queries criminal justice databases, most commonly the Washington Crime Information Center (WACIC) and the National Crime Information Center (NCIC), using the name, birth date, driver’s license number, and/or other identifying details of the individual stopped. The routineness of this procedure – one that was recently restricted in New York City¹³¹ – may be unsurprising in light of law enforcement agencies’ admissions following *State v. Rife* that conducting warrant checks is a core facet of jaywalking stops and traffic enforcement in general (see section “A brief history of jaywalking enforcement in Washington state”).

Out of the subset of CAD logs in which the outcome of warrant checks is generally indicated or reported by officers, comprising 490 records, an open warrant was identified in 16% of checks. These reflect the nearly 8 million outstanding warrants that exist in the U.S.¹³², which are frequently bench warrants originating from so-

called “crimes of poverty” like unpaid fines for minor offenses or a failure to show up in court due to being unable to miss employment or not having child care^{133,134}. An officer finding an open warrant does not guarantee that one will be arrested—indeed, about half of warrants identified during jaywalking stops did not lead to an arrest (e.g., bottom right panel of **Fig. 14**). Nonetheless, the uncertain experience of living with a warrant has been described as “life under the sword of Damocles”¹³⁵. Among its impacts is the normalization of strategies to evade arrest¹³⁶, which could contribute to a decision to give a false name or flee from a jaywalking stop (see discussion of foot pursuits below).

The minority of arrests that do not result from an open warrant are largely from interaction-related offenses such as obstruction or false reporting (e.g., giving a false name) that would not have been an issue had the stop not occurred. Only 19 of the 1,079 records reviewed (about 2%) involved an arrest for possession of drugs or drug paraphernalia found in a frisk or search during the stop; in most of these cases an open warrant also contributed to the arrest. Drug or alcohol use are noted before a police contact in 3% of jaywalking stops. Mental health crises also intersect with jaywalking enforcement on occasion, and in these cases, the jaywalking offense is rarely the precipitating factor for the stop or a subsequent arrest. As one example: a homeless white man whose listed address is a psychiatric hospital was contacted by Milton police for jaywalking and stepping in front of traffic, among other disruptive actions suggestive of a mental health crisis; he was cited and arrested for disorderly conduct.

Forms of suspicion unrelated to the jaywalking violation appear to frequently play a role in motivating officers’ stops of pedestrians. The ability of police to lawfully conduct pretextual stops has been upheld by the Supreme Court since *Whren v. United States* in 1996¹³⁷ and by Washington’s Supreme Court since *State v. Arreola* in 2012¹³⁸, though the latter decision held that such “mixed-motive” stops are technically not pretextual (despite it being clear to any reasonable observer that they may be). It would be challenging, if not impossible, to quantify the prevalence of pretextual jaywalking stops given the fact that officers may not necessarily fully document their motivations for every stop. Nonetheless, the available records contain numerous examples of clearly or likely pretextual stops:

- Lynnwood police received a call about an individual asking people for money and looking into vehicles. Soon after, officers stopped a man for jaywalking who “didn’t really match the description” but was contacted anyway, checked for warrants, warned, and released.
- Lynnwood police responded to a call about two men “lurking” suspiciously in a parking lot, but noted they had insufficient probable cause to detain the men. When one of the men jaywalked two minutes later, officers moved in to detain him, leading to a foot pursuit and arrest for a felony warrant (escape from community custody).
- A homeless Native American/Alaskan Native teenage boy was observed by Kirkland police walking away from a bus stop known for drug activity. After observing him jaywalking, the officers followed the teen, who ran and hid behind a bush. He was handcuffed, frisked, and arrested for drug possession and a juvenile drug-related warrant.
- A homeless man who was yelling and high on drugs was detained and checked for warrants by a Bellevue police officer after he jaywalked, though the officer noted no crime had been committed.
- A man walking towards a mall while carrying “three bags of new product” from an outdoor apparel brand was stopped for jaywalking by Bellevue police, checked for warrants, questioned about the origin of the items, and released.

- A Bellevue police officer followed a man who reportedly tried to steal shoes from a mall, then declared “going to stop him for jaywalking.” The man was arrested on an unknown warrant and trespassed from the mall.
- A homeless man was stopped, frisked, and questioned by Tacoma police in Lakewood after jaywalking in the vicinity of a recent drive-by shooting. He was released with a warning.
- A man with a flag hanging out of his front pocket who was crossing outside of a crosswalk was detained by Tacoma police. The officer ran a warrant check and questioned him about being in a gang, which he denied.
- Someone who seemed suspicious because they were wearing a dinosaur mask was stopped while jaywalking and warned by Tacoma police.
- A man was detained for jaywalking, checked for warrants, and warned by a Gig Harbor police officer, partially motivated by suspicion about the man’s rain gear, gloves, flashlight, and duct tape for unclear reasons.
- A homeless white man who was holding some kind of stick was stopped for jaywalking by Puyallup police, checked for warrants, and given a warning.
- A white man was contacted, checked for warrants, and warned for jaywalking by Puyallup police, apparently in part because officers were looking for a suspect from a different incident (see top right panel of **Fig. 14**).
- Puyallup police stopped and conducted a warrant check on a jaywalking man who was believed to be the subject of a phone call about somebody holding a rifle. The “rifle” turned out to be a black umbrella and cane.
- Battle Ground police officers tracked a white man who they thought resembled a bank robbery suspect onto a bus and around town as he made two errands before contacting him when he jaywalked. The ID turned out to be incorrect, no wants or warrants were found, and the man was warned and released.
- Three people walking down a curbsless, brick-lined, pedestrianized street were asked by a Spokane police officer to move to the sidewalk. When they continued walking, “I then stopped them to run their names,” the officer writes. No warrants were found and the three were released with a warning (see bottom left panel of **Fig. 14**).

While pretextual stops are often narrowly directed towards a particular individual, the pervasiveness of warrant checks is suggestive of jaywalking enforcement alternatively being used as a broader, “stop-and-frisk”-style dragnet strategy for detaining pedestrians in certain areas. Records show some jaywalking citations issued as part of traffic safety-oriented “pedestrian emphasis” or “crosswalk emphasis” patrols (e.g., in Vancouver and Spokane). However, more frequent are mentions of crime-focused policing. These include Everett PD officers making jaywalking stops while on “gang detail” and “gang emphasis” patrols; Tacoma PD officers doing so while on “street crimes” emphasis patrols or “PredPol” (predictive policing, or policing guided by algorithms to anticipate and prevent specific crimes), particularly in the “Hosmer corridor” (a stretch of S Hosmer St that has seen high levels of violent and property crime¹³⁹); and Federal Way PD’s Special Investigations Unit stopping pedestrians to investigate for drug crimes. Snohomish County Sheriff’s deputies appear to combine fare enforcement emphasis patrols on Community Transit’s Swift bus line between Everett and Aurora Village Station with monitoring for jaywalking violations upon exiting the bus, including through the use of a “follow car” behind the bus. The latter practice appears to be similar to what motivated a Snohomish County Sheriff’s

deputy who tackled a 25-year-old Black woman after she jaywalked while running to catch a Swift bus in Edmonds in 2020, a case that ended in a \$75,000 settlement¹⁴⁰. The agency's fare enforcement activities on the Swift line were also the subject of a recent Washington Supreme Court case¹⁴¹. The involvement of gang and street crimes patrols raises the specter of excessively heavy-handed enforcement of the type seen from Tulsa's Organized Gang Unit during a 2020 jaywalking stop of two Black teenagers¹⁴² and Memphis's Scorpion unit, which was known for using minor infractions as a pretext to investigate crime in low-income neighborhoods, often violently, as well as their murder of Tyre Nichols in 2023¹⁴³.

Even in jaywalking stops without overtly concerning elements, records paint a picture of enforcement that can feel frivolous or patronizing, rather than educational and considerate. Some stops do not appear to have a clear nexus with safety (see also left panels of **Fig. 14**). In Bellevue, a police officer stopped and warned a man who crossed at a quiet intersection around 1 AM at night "without pressing the crosswalk button." A person who entered a street to grab his dog, who had run after a cat outside, was promptly detained by La Center police for jaywalking. In other stops, police seem to treat pedestrians as foolish for navigating a roadway environment not designed for them under conditions they are likely aware are not ideal. A man with a toddler walking in foggy conditions was stopped and warned for crossing outside of a crosswalk by a University Place police officer, who "explained to him how to be a responsible parent." Three pedestrians who made a diagonal mid-block crossing were stopped by Vancouver police, who pointed out the "very dark unsafe conditions." Similarly, Edmonds police stopped a man for jaywalking, in part because he did so "in a very dark part of [the street]."

Further examples illustrate the discretionary nature of jaywalking enforcement, which at times appears capricious and at other times targeted. In Spokane, a homeless white man was almost hit by a van while crossing against a signal between heavy backed-up traffic and, upon being stopped by police, stated "I could've been killed." He was charged with pedestrian interference, a \$250 fine. In contrast, another homeless white man stopped two months later by Spokane police was given a verbal warning rather than a ticket "because [the man] correctly named the can opener on his belt as a P-38; he laughed and was allowed to leave." In University Place, a homeless woman making obscene gestures at an officer was detained when she was spotted jaywalking, after which "the rude female was sent on her way." Out of a group of four people stopped by Federal Way police for crossing outside a crosswalk, three "appeared to take note of the serious potential for harm" while one woman "was very argumentative... and a verbal warning did not seem to have an educational effect on her." She was issued a citation.

Overall, the police practices detailed in this section may have the unintended effect of tarnishing the professed traffic safety motives of jaywalking enforcement and, in the process, the legitimacy of policing in the eyes of the public. The prevalence of warrant checks and pretextual stops, the contemptuous attitude of some officers towards individuals stopped, the association of stops with street crimes patrols, and the gross racial and homelessness disparities observed in stops and citations are all counterproductive from a procedural justice standpoint. Procedural justice rests on four principles, according to the Task Force on 21st Century Policing convened by President Obama: "(1) treating people with dignity and respect, (2) giving individuals 'voice' during encounters, (3) being neutral and transparent in decision making, and (4) conveying trustworthy motives"¹⁴⁴. Prior research on procedural justice during traffic stops has established the influence of dignity and respect demonstrated by an officer on perceptions of police legitimacy and levels of compliance towards officers' requests¹⁴⁵, and a recent study has shown that the words spoken by an officer during a traffic stop are

predictive of later escalation in racially distinct ways, with Black men disproportionately experiencing escalated outcomes¹⁴⁶.

Such escalated outcomes – specifically, foot pursuits and use of physical force – are clearly present in 30 incidents, nearly 3% of the jaywalking stop records reviewed for this report. Extrapolating to statewide rates of enforcement suggests that jaywalking stops across Washington state have been responsible for dozens to a few hundred escalated encounters between pedestrians and police annually. An example of a foot pursuit by Kirkland police in 2019 of a young white man who jaywalked to get to a Rite Aid pharmacy (**Fig. 15**) shows the precariousness of these situations, which can develop rapidly. It is not hard to imagine this incident becoming deadly had the officer, nervous and trained to expect that the man fleeing could have a weapon, misinterpreted his “furtive movements” and hands in his pockets and reacted with preemptive aggression, as has unfolded in so many traffic stops¹⁴⁷. Notably, the man in this incident had neither weapons on his person nor any outstanding warrants. While his impetus for running is unknowable (and it is unclear whether his belongings were fully searched and, if not, what may have been inside), conceivable reasons that he or others in his position may be prompted to flee include fear of police harassment, the unknown, or of escalation itself¹⁴⁸.

Kirkland PD • February 2019

11800 NE 124th St, Kirkland, WA

*I noticed a male... cross... diagonally. If I had not slowed my patrol vehicle I would have hit the male. It should be noted: in the area that this male crossed NE 124th ST, **there were no stoplights and no crosswalk signs...***

I activated my... emergency lights to detain the subject. I witnessed the subject turn around and look at my patrol vehicle. I quickly exited and yelled at the subject to stop.

*The male continued to briskly walk away from me, and he put both of his hands in his jacket pockets. I began to give chase... giving him commands “Police! Stop!” **The male continued these furtive movements** as he kept his hands concealed in his pockets...*

*I flanked the subject after utilizing positions of cover along the way. After a total chase of approximately 75 yards, I closed the distance on the subject and detained him in handcuffs. **I frisked the male for weapons and found nothing.***

[name] was released from the scene at about 2310 hours and was warned for the crosswalk violation. I developed Probable Cause to charge [name] with RCW 9A.76.020 Obstructing a Law Enforcement Officer. Criminal Citation & PC Affidavit will be forwarded to the Kirkland Municipal Prosecutors...

Figure 15: Narrative from a Kirkland Police Department affidavit developing probable cause for arrest after a jaywalking stop that escalated in February 2019. Passage is abbreviated (ellipses indicate truncation) and personal names are redacted; bold highlighting has been added for emphasis.

University Place PD • April 2017

5610 Orchard St W, University Place, WA

I was getting gas for my patrol vehicle at the Shell gas station... standing near my fully marked patrol vehicle. I observed a young Black male... crossing Lakewood Dr W... about 50-70 yards south of the intersection of Cirque Dr W and Orchard St W. He was walking toward me. **I told him what he did was jaywalking and told him it would be nice if crossed [sic] the road where legally authorized in the future.** [Name] looked at me and kept walking. I told [name] I was talking to him. There was no one else around and it was clear he was the only person I could be talking to. He disregarded my observation. I told him he was detained for jaywalking and was not free to leave. He replied he did not have to stop and kept walking away. I again told [name], "Police, stop, you are not free to leave." He kept walking away. After that I ran after [name] and told him he was under arrest for obstructing a peace officer. I told him to stop and put his hands behind his back yet he ignored my commands. I placed my hands on his right wrist and he tried to pull away violently, while cussing at me and saying he did not have to comply because he did not do anything. I then wrestled [name] on the ground and got on top of him. He was trying to get up and break free. **I placed my left arm around his neck and applied minimum pressure while giving [name] commands to stop resisting.** He ignored my commands and kept trying to get up and break free. I applied a little more pressure and again told him to stop resisting to no avail. **I then applied more pressure while ordering [name] to stop resisting and in about five to seven seconds he lost his consciousness for about 3-5 seconds.** It was enough for me to place him in handcuffs. ... [After being seated in a patrol vehicle and informed of his rights] he started complaining about the handcuffs. I checked the handcuffs again and told him they were actually too large for him and they should fit a little tighter. I replaced the hinged cuffs to chained cuffs and made sure they were properly spaced, gauged, and double-locked. ... I transported [name] to Pierce County Jail and booked him for obstructing a peace officer and resisting arrest. I also issued [name] a Notice of Infraction for jaywalking prior to booking.

Figure 16: Narrative from a University Place Police Department arrest report regarding a jaywalking stop that escalated in April 2017. Passage is abbreviated (ellipses indicate truncation) and personal names are redacted; bold highlighting has been added for emphasis.

Fig. 16 presents a second example of a young Black man who jaywalked and was detained using significant physical force by a University Place police officer in 2017. The officer's narrative shows him initiating the stop – a serious imposition on any individual's civil liberty, and not a casual matter – with a sarcastic suggestion ("it would be nice..."), one vague enough that the man may not have been aware he was being detained. Not coincidentally, things go downhill from there, culminating in a struggle and the man's brief loss of consciousness from a neck restraint.

Other instances of pursuits and use of force in the records include:

- An Everett police officer tried to detain a white man on a skateboard for jaywalking and failure to yield to traffic. The man was arrested after a short pursuit, likely for obstruction.

- Renton police engaged in an unsuccessful foot pursuit of a white man who fled during a jaywalking stop. Results of a warrant check came across an open warrant that would have been too minor for the issuing jurisdiction to accept a transfer and booking.
- A jaywalking stop of a Black man led to a foot pursuit with at least ten Kent police officers responding. The man was apprehended and arrested.
- A 15-year-old Black teenage boy was contacted by Tacoma police for crossing outside a crosswalk with 2-4 other teenagers who ran from the officers, leading to a foot pursuit. The teen fell down and was handcuffed. When asked, he said that he fled because he'd previously been "tackled by a cop for no reason." He was warned and released into his mother's custody.
- A homeless Black man was arrested by Tacoma police after he ran while being detained for crossing outside a crosswalk. He was booked for a warrant, obstruction, and resisting arrest and cited for jaywalking.
- A man was stopped by Lakewood police for blocking traffic while crossing against a signal and approaching an officer's patrol vehicle suspiciously. While being searched, he tensed up and tried to turn around, leading to the officer tackling him. He went unconscious for 15 seconds and sustained an orbital fracture on his face. He was arrested for disorderly conduct and obstruction.
- Clark County Sheriff's deputies in Vancouver engaged in a foot pursuit following an attempted jaywalking stop of a homeless white man who they believed to be in possession of drugs and the subject of a prior complaint for trespassing at a nearby location. The pursuit led to an area search and eventual detention of the man at gunpoint, followed by an arrest for misdemeanor warrants and obstruction.
- A Vancouver police officer contacted a Black or Hispanic man under unclear circumstances, during which the man mentioned he was looking for water and the officer reported he was "just acting strange." After he subsequently jaywalked, the officer attempted to detain him, leading to a foot pursuit, detention, and booking for open warrant(s).
- Kennewick police officers observed a homeless man who crossed against a signal then walked away when they attempted to detain him. He was pushed onto his stomach, handcuffed, cited for jaywalking, and arrested for obstruction.
- A Black homeless man who jaywalked and was dancing in the roadway was detained and handcuffed by Kennewick police. A supervisor was called at the request of onlookers who believed the force used to handcuff him was "too rough." The man was released after being cited for obstruction and disorderly conduct.
- A Washington State Patrol trooper stopped a Native American/Alaskan Native woman in Spokane for crossing at a "closed" crosswalk. After she tried to walk away, she was restrained and some force was used to handcuff her. She was cited for jaywalking, transported to jail to be administratively booked for providing a false name, and released.
- A Spokane police officer's attempt to stop a female juvenile for a "crosswalk violation" led to a foot chase and struggle on the ground, after which medics were called to treat injuries that she sustained. The girl was booked into jail for a felony warrant and obstruction.

Conclusions

New research presented in this report establishes that jaywalking enforcement in Washington state occurs in all of its population centers, with annual police stops for jaywalking typically numbering in the thousands. Jaywalking stops result in the issuance of a verbal warning alone in around three-quarters of encounters, highlighting the importance of looking beyond ticketing data and considering the potential impacts of the police contact itself. Disparities in pedestrians stopped for jaywalking are observed in race, housing status, and gender, with Black, homeless, and male pedestrians all detained and ticketed at starkly disproportionate rates. Police stops related to crossing outside of a crosswalk tend to occur far from the nearest safe crossing, on wide arterial roadways defined by pedestrian-hostile features that encourage jaywalking.

The deterrent effect of a legal penalty and accompanying enforcement generally relies on the certainty of punishment and, to a lesser extent, the severity of punishment¹⁴⁹. The arbitrariness of discretionary jaywalking enforcement seen in stop narratives combined with the relatively low absolute stop rates and financial penalties in Washington thus suggest that jaywalking laws may offer a minimal deterrent effect at present. Rather, jaywalking laws appear to be most effective at providing law enforcement with a means to check a population for open arrest warrants, a procedure that occurs in 77% of jaywalking-related contacts, as well as a pretext to initiate a stop and undertake unrelated investigatory actions. Escalated encounters involving foot pursuits and/or the use of physical force by police represent nearly 3% of jaywalking stops reviewed.

Overall, the characteristics and contexts of stops deduced from dispatch and police records raise procedural justice concerns and give the impression of jaywalking enforcement as a strategy for exerting “social control”: a tool through which police officers assert the hierarchy of the roadway, as well as reinforce the economic and racialized hierarchies of a society in which poverty and Blackness are punished and those walking in lower-income areas are vulnerable not only to increased danger from roadway traffic but also unexpected police contacts. Jaywalking warnings and ticketing serve to “sanitize space”¹⁵⁰ for drivers who desire exclusive access to roadways, unfettered by pedestrians foolish enough to endeavor to get where *they* need to go in an efficient manner.

Consider this analogy, however: trying to curb the tide of jaywalking using enforcement is similar to asking a friend to halt a river’s flow using a small bucket. At the end of the day, they may end up with the bucket full of water, but no closer to the objective than when they started. Moreover, your friend will quickly realize the futility of their assignment and may endeavor to use the bucket to catch fish instead. If you are fortunate, all you will get will be some minnows and dashed hopes. More likely, though – moving beyond the tortured metaphor – you may have on your hands a beleaguered, impoverished, and imprisoned populace that is justifiably less trusting of the institution of law enforcement, the bucket-holders; fewer resources to dedicate to more effective, permanent pedestrian safety strategies; and, if you are particularly unlucky, a police misconduct settlement to pay out. This is the steep price that is paid for jaywalking enforcement, and still the river keeps flowing.

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About the author

Ethan C. Campbell (he/him) is a community advocate and partner of Transportation Choices Coalition. He organizes with the BIPOC-focused group *Whose Streets? Our Streets!*, using research to drive change towards a more equitable transportation system, and with Central Seattle Greenways, which is a part of the citywide Seattle Neighborhood Greenways coalition whose mission is to mobilize communities to advocate for safer bike and pedestrian infrastructure. He has served on Real Change Homeless Empowerment Project's Board of Directors since 2023. Ethan co-led the Helmet Law Working Group, a coalition that formed in 2020 to research and address local inequities in traffic stops of bicyclists. For his contributions to this effort, which led to the repeal of King County's bicycle helmet law, he was named the 2021 Policy Volunteer of the Year by Cascade Bicycle Club and received Greenways' Rising Leadership Award. He is currently a participant in a national stakeholder group convened by the Road to Zero Coalition to examine equity issues with speed safety cameras, as well as another convened by Vision Zero Network, Center for Policing Equity, and the Johns Hopkins Institute for Health and Social Policy to explore best practices for modernizing traffic enforcement. Outside of this work, Ethan is a Ph.D. candidate studying Antarctic sea ice and ocean physics at the University of Washington.

Appendices

Appendix A: Jaywalking public polling

From August 18-23, 2023, an online survey of Washington adults was conducted by DHM Research, a nonpartisan and independent research and consulting firm. The survey aimed to gauge Washingtonians’ perceptions of the state, the economy, key leaders and organizations, and current issues. Transportation Choices Coalition commissioned two survey questions regarding jaywalking and jaywalking laws in Washington (see **Fig. 4**, **Fig. 5**, and **Fig. A1**). The following description is adapted from DHM Research’s methodology.

The online survey consisted of 500 Washington residents ages 18 and up who are registered to vote and took approximately 13 minutes to complete. This was a sufficient sample size to assess Washingtonians’ opinions generally and to review findings by multiple subgroups. Respondents were members of a professionally maintained online panel. A variety of quality control measures were employed, including questionnaire pre-testing and validation. To ensure a representative sample, demographic quotas were set, and data were weighted by area of the state, age, gender, race, education, and political party. The calculated margin of error with a 95% confidence interval is $\pm 4.4\%$.

The first question asked regarding jaywalking was multiple-choice, with eight set answers and one open-ended option (see **Fig. 4**): “What is the top reason you might jaywalk?”. Respondents were provided with the following background information:

“In Washington, the law states that pedestrians who are between adjacent intersections at which traffic control signals are in operation must not cross at any place except in a marked crosswalk. Breaking this law is commonly known as ‘jaywalking.’ The term ‘jaywalking’ is also loosely applied to

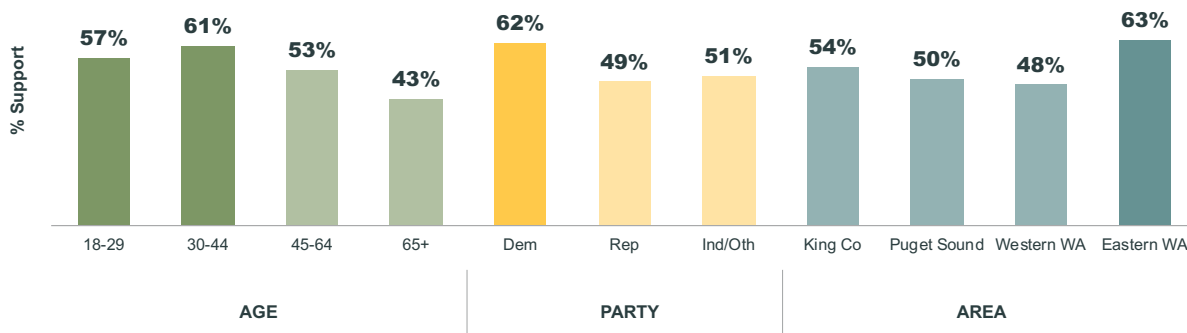


Figure A1: Support for a statewide repeal of jaywalking laws in Washington by age bracket, political party affiliation, and geography. Geographical regions were coded automatically based on the selected Washington county of a respondent’s home address. Survey data is from 2023 polling of Washington adults (see **Appendix A** for methods). *Source: DHM Research.*

other ways people use the street – crossing when the ‘don’t walk’ signal is flashing or walking in the wrong direction on a street with no sidewalks.”

The second question asked was also multiple-choice, with five set answers (see **Fig. 5**): “Do you support a statewide repeal of jaywalking laws?”. Respondents were provided with the following background information:

“During the 2023 legislative session a bill was introduced in the Washington State Legislature that would repeal the jaywalking law. Repealing the law would allow pedestrians to use care to cross a roadway at any point as long as there is no immediate danger of collision with a vehicle. Some research has found that jaywalking laws are ineffective at keeping pedestrians safe and disproportionately impact Black and unhoused people. The bill did not pass but will likely be reintroduced in the 2024 legislative session.”

Appendix B: Jaywalking stops and citations research methodology

Citation records

This report analyzes 13,687 pedestrian citations issued from 2000 to 2023 that were provided by the Washington State Administrative Office of the Courts (AOC), which manages the statewide Judicial Information System (JIS). The AOC data include 9,008 jaywalking citations and 4,679 other citations, mostly pedestrian interference charges, for which there is ambiguity over whether the pedestrian was on the roadway or sidewalk. The JIS stores records from nearly all courts of limited jurisdiction (municipal and district courts) in Washington, with the notable exception of civil cases from Seattle Municipal Court (SMC)¹⁵¹. To fill in that gap, the AOC data were supplemented with records of 825 jaywalking citations issued in Seattle from 2013 to 2023 provided by SMC. None of these totals include records discarded during data cleaning and processing steps (see section “Citation data processing” below).

Based on the sharp discontinuity in annual citations from 2007 to 2008 (**Fig. B1**), it can be inferred that the provided AOC records prior to 2008 are largely incomplete. This is likely due to an automated or manual purging of cases from the JIS after 15 years. Note that this retention time would be inconsistent with the official JIS records retention schedule for courts of limited jurisdiction. The published schedule lists a retention period of five years for all infraction cases except for those with deferred findings (which should be purged after seven years) and those with domestic violence flags (purged after 15 years)¹⁵². One can conclude that actual retention practices likely differ from the published retention schedule, though there remains a possibility that a limited number of cases from 2008 to 2017 have been purged from the JIS and are missing in our data. Additionally, records of Seattle jaywalking citations obtained from SMC appear to be largely incomplete prior to 2016. SMC’s records retention schedule specifies that citation data will be automatically purged from Seattle’s Municipal Court Information System (MCIS) three years after the fine and associated fees are paid¹⁵³; note that data were requested from SMC in two batches in 2021 and 2023.

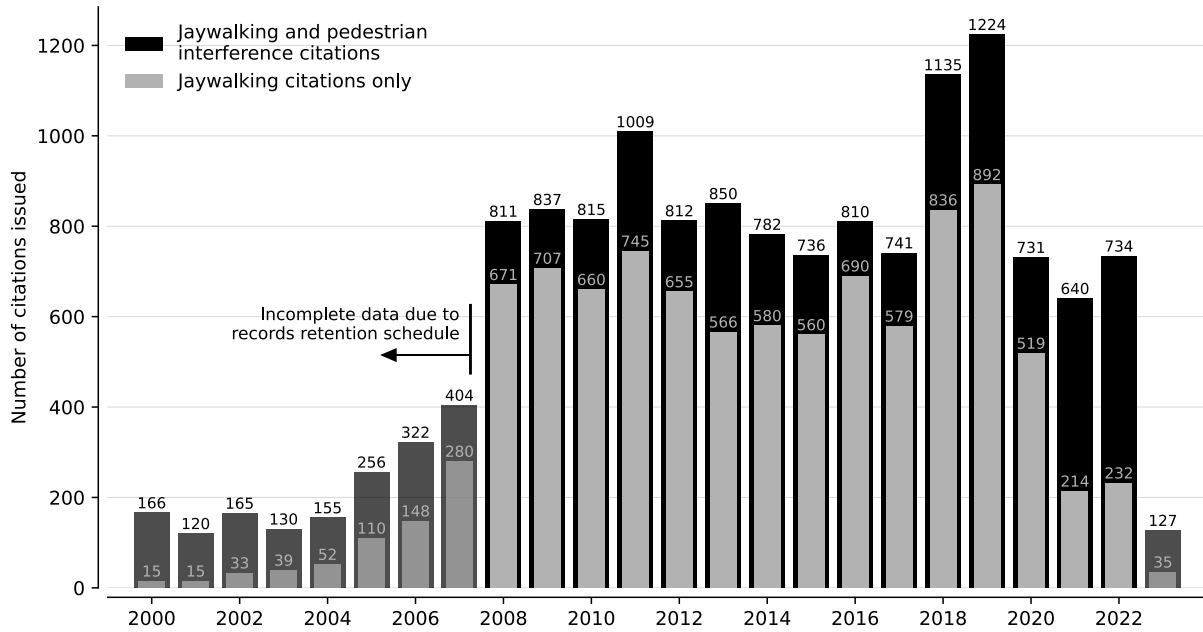


Figure B1: Number of annual pedestrian citations from 2000-2008 in the bulk records analyzed in this report. Black bars contain both jaywalking and pedestrian interference citations, including pedestrian interference charges for which there is ambiguity over whether the pedestrian was on the roadway or sidewalk, while gray bars depict only jaywalking violations. Records are from the Washington State Administrative Office of the Courts (AOC), which does not maintain civil infraction records from Seattle, supplemented by records from Seattle Municipal Court. It can be inferred that records prior to 2008 are largely incomplete, likely due to a records retention schedule that purges cases from the Judicial Information System (JIS) after 15 years. Some cases from 2008-2017 are also missing (see **Appendix B** section “Citation records” for more discussion).

WA AOC queried the JIS on March 21, 2023, for all available pedestrian-related citations issued to adult defendants in Washington from 2000 to 2023. The following specific code sections were searched at our request: RCWs 46.61.055(2b, 3b, and 3d only), 46.61.060, 46.61.230, 46.61.235(2), 46.61.240, 46.61.250; WAC 504-14-940 (note that no JIS matches were found); Spokane Municipal Code 10.10.025(D), Tacoma Municipal Code 8.13.030(B), Vancouver Municipal Code 7.24.020(2), Bellevue City Code 10.06.020(C), Kent City Code 9.02.640(A)(3), Everett Municipal Code 10.48.010(A)(3), Renton Municipal Code 6-25-2(A), Spokane Valley Municipal Code 8.25.025(B) and 8.25.030(C), Federal Way Revised Code 6.35.030(2)(A), Yakima Municipal Code 6.75.020(A)(1) and 9.50.320, Bellingham Municipal Code 10.24.010(C), Kirkland Municipal Code 11.84A.030(5), Auburn City Code 9.78.010(A)(4) and 10.12.290, and Kennewick City Code 10.08.020(1)(C). Additionally, queries for the following keywords in the charge description field, including fragments (e.g., “cross” includes “crossing”), were requested: “pedestrian,” “ped,” “walk,” “jaywalk,” “cross,” “crosswalk,” and “xing.” Provided data fields for each citation included court name, case type, citation/case number, law enforcement agency (LEA), violation date, charge statute and description, charge result/disposition, and defendant name/birth date/race/ethnicity/gender. Financial data (e.g., obligations ordered, paid, and outstanding) were provided but were unusable due to inconsistencies with the case keys used to connect the financial records to individual citations.

SMC queried the MCIS on April 9, 2021, for civil jaywalking citations issued under Seattle Municipal Code Chapter 11.40 (Pedestrian Rules) or WAC 504-14-940 from 2000 to 2021. In a separate follow-up request, SMC queried the MCIS in February 2023 for citations issued under Seattle Municipal Code chapter 11.40 from April 2021 to 2023 and sections 11.50.120, 11.50.160, 11.50.280, 11.50.300, 11.50.380 from 2013 to 2023. Included data fields were analogous to those provided by WA AOC except for law enforcement agency and defendant ethnicity, which were not provided. Officer name/badge number, defendant home address city/zip code, violation time, and some violation locations were additionally included.

Citation data processing

Analysis of citation data was conducted using code written in Python (see section “Data and code availability”). SMC records were cleaned by removing citations issued under Seattle Municipal Code 11.40.040, 11.40.130, 11.40.180, 11.40.260, 11.40.340, 11.40.360, 11.50.380, and 11.40.430, which either apply to vehicle operators only or are not generally considered jaywalking offenses. 856 citations issued under 11.50.280 (Don’t walk signal) and one citation issued under 11.50.120 (Yellow signals) were also discarded, potentially resulting in a significant undercount of jaywalking citations in Seattle in this report. These two statutes contain subsections that apply to both pedestrians and vehicle operators, and it was not possible to distinguish between the two subject types in the bulk citation data. For example, Seattle Municipal Code 11.50.280 states¹⁵⁴:



Figure B2: Inset map of number of jaywalking citations issued from 2000-2023 for cities in the greater Seattle metropolitan area (Snohomish, King, and Pierce counties). The size of both the shaded circles and italicized text correspond to the number of jaywalking citations issued by police departments in each labeled city. See **Fig. 7** for a statewide map of citations. Citations issued by county sheriff’s departments and Washington State Patrol are not included here due to incomplete location records. Citation data are from Washington State Administrative Office of the Courts and Seattle Municipal Court.

“Pedestrians facing a steady or flashing ‘DON’T WALK’ word legend or a hand symbol signal shall not enter the roadway, but if pedestrians have begun to cross before the display of either signal, vehicle operators shall stop to allow them to complete their movements.”

AOC records required significant processing through re-coding, aggregation, and inference. Detailed steps can be found in the Python code notebook (see section “Data and code availability”) and are summarized here:

1. First, the language of each state or municipal code section cited in the AOC records was manually reviewed to allow classification of the statute as a jaywalking violation, a pedestrian interference-type violation with ambiguity over whether the pedestrian was interfering with roadway or sidewalk traffic, or a violation not relevant to this analysis. Jaywalking violations included civil charges under RCWs 46.61.055(3), 46.61.060(2), 46.61.230, 46.61.235(2), 46.61.240, 46.61.250(1 and 2); Bothell Municipal Code 10.20.070; Redmond Municipal Code 10.44.020; Spokane Municipal Code 16.61.055(1 and 3), 16.61.060(2), and 16.61.240 (all since repealed); Centralia Municipal Code 10.38.050(B); and Pacific Municipal Code 10.36.010 (since repealed). Also included with jaywalking violations were criminal pedestrian obstruction charges concerning only pedestrians on roadways, not sidewalks: SeaTac Municipal Code 9.05.070, Centralia Municipal Code 10.38.050(C), and Lakewood Municipal Code 10.16.050. Pedestrian violations with ambiguity over the circumstances (roadway or sidewalk) included numerous municipal pedestrian interference, pedestrian obstruction, and disorderly conduct statutes – all misdemeanors – from Arlington, Bellingham, Blaine, Everett, Federal Way, Kennewick, Lynnwood, Milton, Mount Vernon, Olympia, Orting, Puyallup, Raymond, Renton, Sammamish, Seattle [Seattle Municipal Code 12A.12.015], Selah, Shelton, Spokane, Tacoma, Toppenish, Tumwater, Vancouver, Wapato, Wenatchee, and Yakima, as well as RCW 9A.84.030(1c).
2. SMC records were merged into the AOC records to form a unified citation data set, and duplicate citations were removed. Instances in which the defendant race was erroneously coded as “M” (for male) were re-coded as white for defendants whose ethnicity was noted as Hispanic and unknown for all others. Instances of transposed gender and race codes were fixed. Missing race, ethnicity, and gender codes were filled as unknown.
3. Law enforcement agency (LEA) names were imputed based on the available LEA codes and court names. When LEAs were listed as prosecuting attorneys, county prosecuting authorities were inferred to be county sheriff departments and city prosecuting authorities to be municipal police departments (with the exception of Olympia Prosecuting Attorney, inferred as Thurston County Sheriff). “Metro Rapid Ride” was inferred to be King County Metro Transit PD. The LEA was unknown for four citations.
4. Geographic areas were inferred by assigning citations issued by municipal police departments to the corresponding municipality (city or town) and by county sheriffs to the corresponding county. Citations issued by Western Washington University PD, University of Washington PD, Eastern Washington University PD, Evergreen State College PD, Port of Seattle PD, and King County Metro Transit PD were assigned to Bellingham, Seattle, Cheney, Olympia, Seattle, and King County, respectively. Those issued by Kalispel Tribal PD, Puyallup Tribal PD, and Tulalip Tribal PD were assigned as unknown due to their jurisdictions spanning multiple cities/towns and the inability to resolve their demographics using Census data geographies. For citations issued by Washington State Patrol, Washington State Department of Fish & Wildlife PD, and Burlington Northern and Santa Fe PD, geographic areas were inferred using the listed municipal or district court.

Lastly, the racial demographics of cities/towns and counties with recorded citations were obtained from the U.S. Census Bureau American Community Survey (ACS) five-year estimates for 2017-2021¹⁵⁵, accessed using the Python package *censusdis*¹⁵⁶. When a city or town spanned two or three counties, a single county was assigned based on the largest share of the locale’s population according to Washington Office of Financial Management estimates¹⁵⁷: King County for Auburn, Bothell, Enumclaw, and Pacific; Pierce County for Milton; Cowlitz County for Woodland; and Okanogan County for Coulee Dam. For multiracial categories (“Two+ races”), a best guess was applied to categorize police stop subjects how they might be most likely to be perceived and recorded by an officer: Black was assigned for “Black and white” and “Black and Native American”; “Asian or Pacific Islander” was used for “Asian and white”; and “Native American or Alaskan Native” was chosen for “Native American and white.” For each locale, the category of “Unknown/other race” was calculated as 100% minus the sum of the four categories used in the police and court records: white, Black, Asian or Pacific Islander, and Native American or Alaskan Native.

Police stop records

This report additionally analyzes 1,079 jaywalking stops that were detailed in 1,161 documents obtained by public records request. Requests were filed in October and November 2022 with police departments in the 14 most populous cities in Washington: Seattle, Spokane, Tacoma, Vancouver, Bellevue, Everett, Kent, Yakima, Renton, Federal Way, Bellingham, Kennewick, and Auburn (with Spokane Valley covered by Spokane County Sheriff’s Office). Requests were also submitted to Washington State Patrol and sheriff’s departments in four of the five most populous counties: King, Pierce, Spokane, and Clark. Further requests for computer-aided dispatch (CAD) logs were filed with five regional dispatch agencies: South Sound 911 (covering Pierce County), Valley Communications Center (ValleyCom; south King County), Clark Regional Emergency Services Agency (CRESA; Clark County), Northeast King County Regional Public Safety Communication Agency (NORCOM), and Snohomish County 911 (SNO911). **Table B1** lists the documents that were analyzed in this report. As the volume of records received was greater than could be read within the time allotted by the author, records were

[following page] Table B1: Sources of police stop records analyzed in this report. Documents obtained from the agencies listed under “Source” were read individually, from which a sample of 1,079 jaywalking stops was identified and assessed for key pieces of information. “Search keywords” refer to the query or incident type that an agency reported using to locate a group of records. “Dates” indicates the range of dates of recorded police contacts in each group, while “Cities” and “Law enforcement agencies” denote the locations of recorded jaywalking stops and the agencies that initiated them, respectively. “Fraction of documents usable for each analysis” specifies the subset of each group of documents that was determined to be representative or informative enough for each quantitative analysis (from 0%-100% of all documents; white to green). The analyses are listed by applicable figure number (Fig. 8: outcomes of police stops; Fig. 9, Fig. B4: race of individuals stopped; Fig. 12: homeless status; Fig. 13: distance from stop locations to nearest crossing) or description (Road width: number of lanes at stop locations; Sidewalks: presence of sidewalks at stop locations; Warrant checks: how often warrant checks occurred; Warrant identified: how often open warrants were found during checks; Warrant arrest: how often an open warrant led to an arrest).

Additionally, note that some documents may concern multiple jaywalking stops and some jaywalking stops may be detailed in multiple documents; thus, the total number of documents tallied here (1,161) does not exactly equal the number of stops cataloged (1,079). Furthermore, protest-related police contacts resulting in jaywalking citations (largely from Washington State Patrol) are included in this table and mentioned in the report, though they are not considered jaywalking stops and were not included in quantitative analyses. The 9,833 court records of jaywalking citations are not included here.

Source	Search keywords	Record types	Number of documents (not stops)	Dates	County	Cities	Law enforcement agencies	Fraction of documents usable for each analysis									
								Fig. 8	Fig. 9, Fig. B4	Fig. 12	Fig. 13	Road width	Side-walks	Warrant checks	Warrant identified	Warrant arrest	
South Sound 911	"jaywalk"	CAD log	147	02/16/2017-08/11/2022	Pierce	Bonney Lake, Elk Plain, Fife, Fircrest, Frederickson, Gig Harbor, Lakewood, Milton, Parkland, Puyallup, South Hill, Spanaway, Tacoma, University Place	Bonney Lake PD, Fife PD, Fircrest PD, Gig Harbor PD, Lakewood PD, Milton PD, Pierce County Sheriff, Puyallup PD, Tacoma PD, University Place PD	100%	22%	0%	29%	94%	1%	98%	80%	5%	
		Incident report	25	02/13/2017-12/12/2020			Fife, Lakewood, Milton, Tacoma, University Place	Fife PD, Lakewood PD, Milton PD, Pierce County Sheriff, Tacoma PD, University Place PD	0%	0%	72%	48%	88%	4%	0%	0%	0%
Valley Communications Center (ValleyCom)	"jaywalk"	CAD log	24	10/22/2019-10/07/2022	King	Des Moines, Federal Way, Kent, Renton, Tukwila	Des Moines PD, Federal Way PD, Kent PD, Renton PD, Tukwila PD	0%	50%	0%	29%	63%	0%	83%	50%	13%	
	"pedestrian"	CAD log	23	10/22/2019-09/28/2022			Algona, Auburn, Federal Way, Kent, Renton	Algona PD, Auburn PD, Federal Way PD, Kent PD, Renton PD	0%	22%	0%	17%	70%	17%	100%	70%	17%
Clark Regional Emergency Services Agency (CRESA)	"jaywalk", "jay walk"	CAD log	227	01/19/2017-05/31/2022	Clark	Barberton, Battle Ground, Brush Prairie, Camas, Five Corners, Hazel Dell, La Center, Ridgefield, Salmon Creek, Vancouver, Washougal	Battle Ground PD, Camas PD, Clark County Sheriff, La Center PD, Ridgefield PD, Vancouver PD, Washougal PD	100%	25%	0%	21%	68%	0%	0%	0%	0%	
	"obstruct", "interfer" + "traffic"	CAD log	5	07/11/2017-03/05/2021			Vancouver	Vancouver PD	100%	20%	0%	0%	0%	40%	0%	0%	0%
	"pedestrian" + "cross", "pedestrian" + "signal"	CAD log	1	09/15/2022			Vancouver	Vancouver PD	100%	100%	0%	0%	0%	100%	0%	0%	0%
Northeast King County Regional Public Safety Communication Agency (NORCOM)	"jaywalk"	CAD log	104	01/05/2017-08/25/2022	King	Bellevue, Kirkland, Normandy Park	Bellevue PD, Kirkland PD, Normandy Park PD	100%	25%	0%	13%	71%	2%	98%	57%	15%	
Snohomish County 911 (SNO911)	"jaywalk"	CAD log	295	01/05/2017-12/27/2020			Arlington, Edmonds, Everett, Lake Stevens, Lynnwood, Marysville, Mill Creek, Monroe, Mukilteo, Snohomish	Arlington PD, Edmonds PD, Everett PD, Lake Stevens PD, Lynnwood PD, Marysville PD, Mill Creek PD, Monroe PD, Mukilteo PD, Snohomish County Sheriff, Snohomish PD	100%	18%	0%	34%	71%	1%	98%	81%	5%
Spokane PD	"PEDVIO"	CAD log, Citation, Incident report	80	07/13/2017-12/31/2017	Spokane	Deer Park, Spokane	Spokane County Sheriff, Spokane PD	100%	48%	36%	6%	53%	21%	0%	16%	8%	
Federal Way PD	RCW 46.61	Citation, Incident report	36	03/02/2017-12/02/2021			Federal Way	Federal Way PD	0%	3%	92%	14%	72%	36%	3%	31%	25%
Kirkland PD	"jaywalk", "jay walk"	CAD log, Citation, Incident report	22	02/04/2017-01/26/2022	King	Kirkland	Kirkland PD	82%	41%	32%	9%	82%	5%	77%	55%	36%	
Renton PD	"pedestrian" (in violation description)	CAD log, Citation, Incident report	39	03/23/2017-08/18/2021			Renton	Renton PD	0%	8%	97%	33%	59%	13%	5%	33%	23%
Kennewick PD	RCW 46.61, KMC 10.08.020	Citation	24	03/26/2017-05/05/2021	Benton	Kennewick	Kennewick PD	0%	0%	58%	42%	100%	0%	0%	25%	25%	
	"jaywalk"	CAD log	6	01/26/2017-04/26/2021			Kennewick	Kennewick PD, Washington State Patrol	100%	17%	0%	0%	17%	33%	50%	50%	17%
	"crosswalk", "obstruct" + "traffic"	CAD log, Citation, Incident report	23	08/23/2017-08/26/2021			Kennewick	Kennewick PD	0%	0%	26%	13%	35%	48%	0%	43%	9%
Washington State Patrol	RCW 46.61.230, 46.61.240, 46.61.250	Citation	80	02/24/2017-10/06/2022	Adams, Benton, Bellingham, Bow, Bryn Mawr-Skyway, Clallam, Clatsop, Chehalis, Everett, Grant, Kennewick, Kent, Leavenworth, Lynnwood, Mount Vernon, Olympia, Parkland, Port Angeles, Puyallup, Quincy, Ritzville, Salkum, Seattle, Shelton, Silverdale, Spanaway, Spokane, Spokane Valley, Startup, Tacoma, Vancouver, Winlock, Woodland	Washington State Patrol	0%	0%	64%	10%	0%	34%	0%	0%	0%		

reviewed in the order provided – generally chronologically from 2017 onwards – with the goal of generating a broad and diverse sample of jaywalking stops. Agencies not listed in **Table B1** (including Seattle PD) either did not locate records in time, produced documents mostly irrelevant to jaywalking enforcement, or provided records that did not include sufficient detail to be useful.

Similar requests were filed with each agency and were subsequently amended, narrowed, clarified, or prioritized in response to feedback from agency staff about their record management systems' search capabilities and preliminary query results. As an example, the following initial request was filed with dispatch agencies:

"I am requesting all CAD incident logs, any cross-referenced CAD logs, and related reports from 2017 to present that document interactions between law enforcement officers from any agency and pedestrians who were believed to be jaywalking, obstructing traffic, or interfering with traffic. 'Jaywalking' here refers to a pedestrian crossing against signals, crossing outside of a crosswalk, suddenly entering a roadway, walking on roads where prohibited, or similar actions. 'Interaction' here refers to any police contact, regardless of whether or not it resulted in issuance of a citation and regardless of whether or not jaywalking was a primary offense. Relevant sets of keywords are provided below as a starting point for your search. If installments are necessary, I ask that you start by providing records located using the keywords 'jaywalk,' 'jaywalked,' and 'jaywalking.' Keywords: 'jaywalk,' 'jaywalked,' and/or 'jaywalking'; 'pedestrian,' 'cross,' 'crossed,' 'crossing,' 'crosswalk,' and/or 'signal'; 'obstruct,' 'obstructed,' and/or 'obstructing' plus 'traffic'; 'interfere,' 'interfered,' and/or 'interfering' plus 'traffic.'"

Variations of the following generic request were submitted to police departments (note that this example is truncated to omit similar language to the request to dispatch agencies above):

"I am requesting all electronic records and reports from 2017 to present that document interactions between law enforcement officers and pedestrians who were believed to be jaywalking, obstructing traffic, or interfering with traffic. ... Relevant keywords and code chapters are provided below as a starting point for your search. However, note that I am requesting all relevant records that can feasibly be located, not merely those containing the specified keywords or associated with a violation or citation under the specified code chapters. I am requesting records stored in electronic (not paper) formats or systems commonly used by your department to catalog interactions between officers and subjects, regardless of whether a warning or citation was issued. These may include logs or reports of 'stops,' 'detentions,' 'interviews,' 'field contacts,' 'Terry stops,' or other interactions. For each record, I request all available information fields. ... Relevant code chapters are RCWs 46.61.055(2b), 46.61.055(3b), 46.61.055(3d), 46.61.060, 46.61.230, 46.61.235(2), 46.61.240, 46.61.250, and any municipal or city code sections related to pedestrian violations."

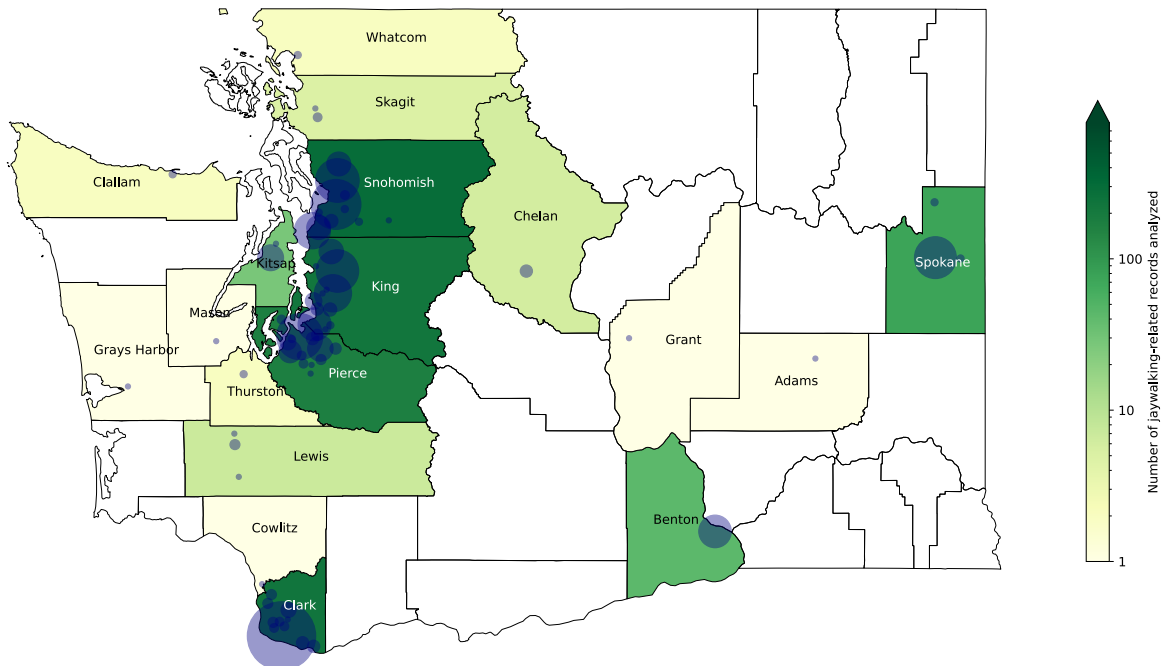


Figure B3: Number of records of jaywalking police contacts from 2017-2022 analyzed in this report, by county and city in Washington. Counties labeled have at least one jaywalking contact in the records compiled; an absence of data here reflects the subset of records requested, obtained, and analyzed, not an absence of jaywalking enforcement. Yellow and green shading corresponds to the number of records (note the logarithmic color scale at right). Shaded circles denote the number of records of jaywalking contacts in individual cities, towns, and unincorporated areas. Data are compiled from various dispatch and law enforcement agencies around Washington (see **Table B1**). Both police stops of pedestrians believed to be jaywalking and police contacts with protestors that were justified using jaywalking statutes are depicted here.

Police stop data processing

The most common type of records provided were CAD logs, citations, and police incident reports (used here to refer to incident, arrest, and case reports). Other types of records, such as collision reports, body-worn and in-car video, warrant settle slips, and arrest-related documentation, were reviewed as supporting evidence but not formally analyzed. CAD logs are terse and permeated with radio jargon, abbreviations, and disposition codes that require interpretation using agency-specific code charts¹⁵⁸; in contrast, citation and incident reports generally include standardized data fields and between one sentence to multiple paragraphs of narrative text written by an officer.

All documents were read and those not involving jaywalking stops were discarded. Each remaining individual record of a jaywalking stop was thoroughly reviewed to extract key characteristics, where possible based on the available information, using the following criteria and definitions:

- *Police narrative present (True/False)*: At least one complete typed sentence from an officer post-incident that provided insight into the contact.
- *Primary law enforcement agency (LEA)*: If multiple agencies responded to an incident, the agency that initiated a contact was listed.
- *Contact date and time*: The earliest time associated with a police stop or response.
- *Jaywalking stop (True/False)*: Stops were defined as police-initiated contacts in response to alleged jaywalking violations. Neither investigations of pedestrians hit by vehicles while allegedly jaywalking nor detentions associated with mass protests or demonstrations on roadways were considered to be jaywalking stops. A “record” of a stop was considered to be an interaction between one person and an officer; thus, two people stopped by an officer would result in two separate records of stops in this data set.
- *Type of jaywalking*: See the five categories outlined in **Table 1**; “walking on a roadway” was divided into improperly walking on a roadway (i.e., when sidewalks are provided) and walking on the wrong side of the roadway.
- *Stop outcome (Fig. 8)*: Options included issuance of a verbal warning, jaywalking-related citation, arrest, or jaywalking-related citation and arrest.
- *Contact location – name of city, town, or unincorporated area (Fig. B3)*: Inferred from the primary LEA and/or the address of a stop location in rare instances when not specified.
- *Violation location – address, primary and cross streets, landmarks and other information, and any GPS coordinates*: Addresses of mid-block crossing violations specified using a block number were considered to be imprecise absent other clarifying details. Precise addresses inferred from narrative elements or position relative to landmarks, together with use of Google Maps, were prioritized over listed locations. It was assumed that recorded stop locations were generally nearby the violation location, and that any directional biases (e.g., stops occurring closer or farther from a crosswalk than the violation location) were zero-centered and sufficiently mitigated through aggregation of data.
- *Violation location – width of road*: Google Maps and/or Street View were used to document the number of lanes (including turn lanes, median lanes, and full-width parking lanes) at the violation location. For walk signal violations at intersections, the road width was only recorded when the primary street was known or both primary and cross streets had the same number of lanes.
- *Violation location – distance from nearest safe crossing (Fig. 13)*: For well-defined locations in situations in which an individual allegedly crossed outside of a crosswalk, the “measure distance” tool in Google Maps was used to calculate the along-roadway (i.e., curved when needed) distance between the violation and the center of the nearest marked crosswalk or crosswalk at a signalized intersection.
- *Violation location – sidewalks (both sides/only one side/no continuous sidewalks present)*: For police contacts concerning individuals walking on a roadway that were not related to protests, mental health crises, or panhandling and did not occur on a limited-access highway, the presence or absence of sidewalks was determined using Google Maps and/or Street View.
- *Subject – name, birth date, and juvenile status*: When a name matched a previously recorded contact in the same city, unknown data fields (e.g., race, homeless status, etc.) were filled in both directions using all information available for that individual. Age was calculated using the contact date and an individual’s birth date. Juvenile status was based on any mention in a stop narrative and/or a calculated subject age younger than 18.

- *Subject – race and ethnicity (Fig. 9, Fig. B4)*: Standard categorizations also used in court records were applied here, namely: white, Black, Asian, Native American/Alaskan Native, and unknown/other; Hispanic ethnicity was also noted.
- *Subject – gender (male/female/other)*: Pronouns in CAD logs and report narratives were used to infer gender when not explicitly recorded.
- *Subject – full home address; homelessness indicated by address (True/False; Fig. 12)*: Home addresses were extracted from citation or arrest reports; see Fig. 12 caption for how homeless status was inferred. While this methodology most likely underestimates the frequency of unhoused individuals stopped, as discussed in the text, it is nonetheless possible that a positive bias could be produced owing to the inclusion of incident reports. These tend to document more noteworthy, complex stops in which homeless individuals may be more likely to appear.
- *Warrant check – conducted (True/False/unknown) and identified (True/False/unknown)*: CAD logs were reviewed for entries indicating a WACIC, NCIC, NLETS, or other criminal database query and

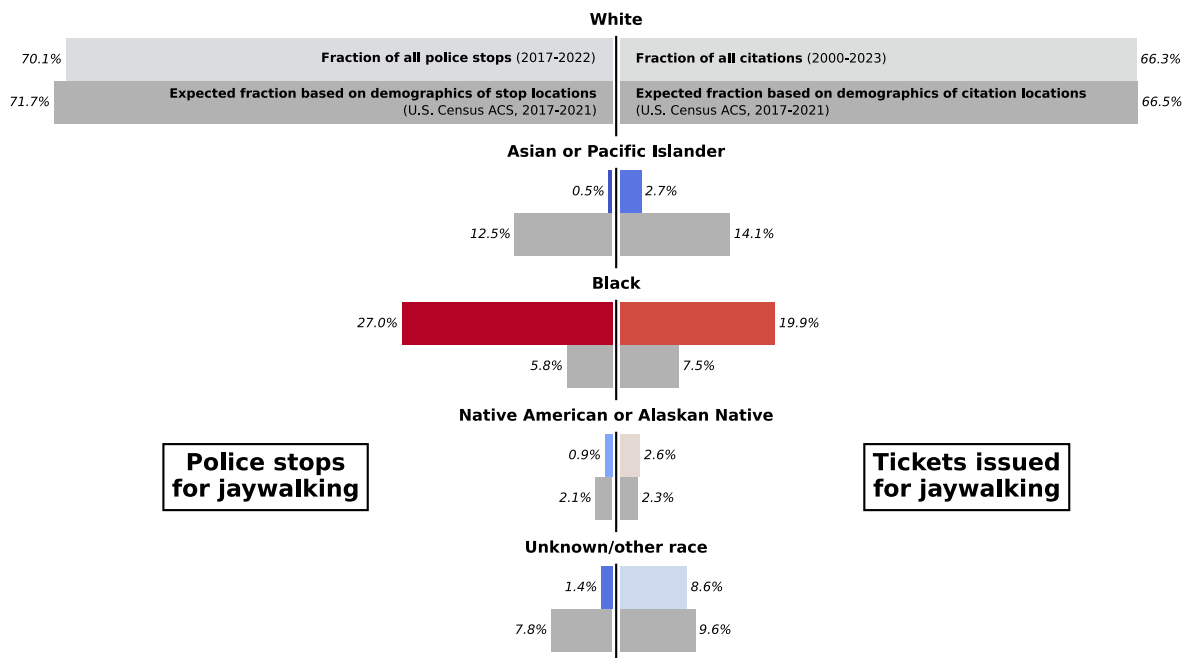


Figure B4: Racial demographics of pedestrians stopped and/or ticketed for jaywalking in Washington state. Shown here are the fraction of total stops (top left bars) and citations (top right bars) categorized by the race of the pedestrian as perceived by the police officer. Bottom gray bars indicate the expected demographic distribution based on a composite of U.S. Census American Community Survey (ACS) data for 2017-2021 applied to each individual stop or citation’s location (city/town or county; see **Appendix B** section “Citation data processing” for methods). The top bars divided by the bottom bars offer a measure of inequality, or *disparity*, highlighted here in red (high disparity compared to expected demographics), gray (low or no disparity), and blue (disproportionately fewer citations or stops). Citation data for 2000-2023 are from Washington State Administrative Office of the Courts and Seattle Municipal Court; police stop data were tabulated from a manual review of computer-aided dispatch (CAD) logs and police reports from 2017-2022.

response; report narratives were also assessed for mentions of warrant checks and their outcomes, though these were not considered part of a representative sample (see below). Negative inferences (i.e., of no warrant check or no open warrant identified) were made only for agencies whose CAD logs consistently and clearly documented warrant checks and responses using computer-generated notations.

- *Concurrent situations – drug/alcohol use noted before contact (True/unknown)*: Narrative text was examined for unambiguous observations, such as an open alcoholic drink or an individual “appearing to be high on drugs.”
- *Concurrent situation – homelessness (True/unknown)*: If a stop subject’s homeless status was mentioned in narrative elements (see **Fig. 12** caption) or using a CAD disposition code (e.g., “HML”), the individual was noted as homeless even if their listed home address did not give such indication.
- *Involvement of use of force and/or pursuit (True/unknown)*: The employment of greater than de minimis force (i.e., unresisted handcuffing would not qualify as use of force) or weapons to gain control over a situation was considered to be a use of force, which includes the pointing of a firearm or Taser even without deployment^{159,160}. Situations in which an officer chased a fleeing subject in attempt to detain or arrest them were considered to be foot pursuits¹⁶¹.
- *Other notable aspects or concurrent situations*: Illustrative or unique jaywalking stops were summarized briefly and objectively. Circumstances such as the role of unrelated suspicion in a stop, concurrent behavioral episodes, discovery of drugs or drug paraphernalia during a frisk or search, or the context of a stop as part of an emphasis patrol were noted for subsequent review.

Representativeness of police stop records

“Representativeness” refers to the fidelity with which a smaller sample of records can be expected to accurately reflect characteristics of the larger population that it was drawn from. Assessing representativeness requires considering the provenance of data, potential sources of bias, the sufficiency of the available data for a given analysis, and what conclusions one hopes to draw from a calculated metric.

Such assessments led to the establishment of distinct inclusion criteria, and thus different sample sizes, for each quantitative analysis in this report. The resulting distribution of records incorporated into analyses is shown in **Table B1** under “Fraction of documents usable for each analysis.”

- *Outcomes of police stops (Fig. 8)*: This analysis relies on groups of records that consist predominantly of CAD logs located using a broad keyword search (e.g., “jaywalk”) or mixed CAD logs and incident reports identified using a categorical query (“PEDVIO” for Spokane PD), with various outcomes clearly present (i.e., warnings, citations, and arrests). Citation or incident reports cannot otherwise be included in this analysis due to a bias originating from keyword searches, which may yield nearly all arrest reports related to jaywalking due to the extensive included narratives but only a subset of all contacts resulting in warnings or citations documented in CAD logs. Note that instances where the outcome of a stop was ambiguous or unrecorded were assumed to be either a warning or citation, but not an arrest, relying on the fact that arrests generally lead to communications from officers to dispatch that become notated in a CAD log.
- *Race of people stopped (Fig. 9, Fig. B4)*: This analysis used the same inclusion criteria as for outcomes of police stops, except with the addition of CAD logs from ValleyCom, whose queries appear not have

yielded a comprehensive sample for unclear reasons but were focused on all jaywalking stops nonetheless. Additional criteria were the reporting of subject race and the availability of U.S. Census ACS five-year demographic estimates¹⁶² for a given city, town, or county, yielding a total of 211 stop records in this analysis. Since the goal was to characterize the racial demographics of all those stopped for jaywalking, in contrast to only those who receive tickets, it was critical to exclude groups of records that were largely citation reports. For comparison, a broader sample that includes manually-reviewed citation reports yields 372 records, of which Black pedestrians comprise 25.5% of jaywalking stops compared to their population share of 7.6% (a disparity of 3.4x, lower than the stops-only estimate of 4.7x and closer to the estimated citation-only value of 2.7x).

- *Homeless status (Fig. 12)*: Inclusion in this analysis required a jaywalking stop to lead to a citation and/or arrest, thus generating a report listing an individual's home address (or the notation "Transient" or "Homeless"). The resulting metric is therefore most representative of the fraction of pedestrians receiving tickets who are unhoused, rather than all those who are stopped.
- *Distance to nearest crossing (Fig. 13)*: All records of jaywalking stops were permitted in this analysis, but records were limited to those offering detail sufficient to unambiguously determine the location of a jaywalking violation. A potential source of bias arises from the more frequent exclusion of shorter city blocks, for which block numbers resolved to the hundreds place offer less clarity as to where a stop occurred relative to surrounding crosswalks. On the other hand, citable landmarks and destinations are more present in such an environment.
- *Road width (see section "The roadway environment")*: Identical inclusion criteria to "distance to nearest crossing" were used, except for the exclusion of many Washington State Patrol stops for which road width on either a limited-access highway or two-lane rural state route may not be representative of the bulk of jaywalking stops in Washington.
- *Sidewalks (see section "The roadway environment")*: Only a small sample of 40 records, corresponding to the less commonly-cited violation of walking on roadways, was available to estimate the presence of sidewalks during police stops for walking on roadways. Uncertainty in the result is reflected by its approximate nature in the text.
- *Warrant checks (see section "Enforcement characteristics")*: A similar sample to the analysis of subject race was used in order to avoid biases from introducing arrest reports (which clearly would increase the likelihood that warrant checks were conducted and open warrants identified within the sample). CAD logs provided by CRESA and Spokane PD were excluded due to the provision of abbreviated logs by both agencies that do not consistently document warrant inquiries. Citation reports also do not consistently mention warrant checks.
- *Warrant identified; arrest from open warrant (see section "Enforcement characteristics")*: Compared to the above, citation reports with narratives mentioning the outcome of a warrant check were added to this sample examining how frequently warrants are found upon a check. The small sample exploring the rate of arrests due to identified warrants was constructed by further requiring an arrest and the presence of a narrative report that articulates the cause of that arrest.

Provenance of text

Note that some passages in this report containing background research or context on policing practices have been adapted from unpublished prior work by the author, namely, a white paper concerning the enforcement of bicycle laws in King County, Washington¹⁶³.

Data and code availability

Python analysis code used to produce the statistics and figures in this report can be accessed on GitHub at https://github.com/ethan-campbell/TCC_report and reused with attribution under a MIT License. To protect the confidentiality of police stop subjects and to comply with Washington State Administrative Office of the Courts' data dissemination agreement, we are not publicly releasing the records of pedestrian stops or citations referenced in this report. Many of these records, however, may be obtained by public records request to the relevant agency, and we would be happy to assist interested parties in formulating such a request. Demographic data and crosstabs for the DHM Research survey on jaywalking perceptions are available by request.

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