

10 THINGS YOU SHOULD KNOW ABOUT SEATTLE SPEEDING TICKETS

1. Don't try to talk your way out of a speeding ticket – silence is your friend.

The worst thing that ever happened in speeding ticket law was the prevalence of the “I talked my way out of a speeding ticket” story. We've all heard them, and they all sound believable. But the fact is this – the cop is either going to give you a ticket or he is not. And in reality it has little to nothing to do with what you say to him.

This article is not meant to be relied upon as legal advice. **It is for informational purposes only.** Before making decisions about speeding tickets you should consult a [Seattle speeding ticket attorney](#).

But, trying to talk yourself out of a ticket, particularly if you go for the sob story or the worthless defense method, will accomplish one thing – it will make the case against you stronger if the officer does decide to write you a traffic citation. That can make it harder to win at a contested hearing, particularly if your defense is that the officer failed to present enough evidence against you.

2. Do not consent to a search of your car or belongings. It's an easy way to turn a traffic ticket into something much much worse.

This rule applies to traffic law and criminal defense in general, and is something everyone should be aware of. But you should never, ever consent to the search of your vehicle. It might be okay if you are sure there is nothing in there, but I personally would never consent because I'm against it based on principal. Make them get a search warrant to look in your stuff. Chances are they won't have anything near the probable cause required to get a search warrant.

Be weary of the following situation officer's use all the time to take advantage of your conscience and your lack of knowledge of the law. An officer will often pull you over for a routine traffic stop, play nice with you, write you a ticket or warning, and right before he is about to leave, as if it's an afterthought, say “hey, you don't have any drugs or guns in the car do you?” This, as it is intended, catches you off guard and elicits the natural response, “no.” Your response is then followed from the cop with “then you wouldn't mind if I looked around the vehicle would you?” At this point it is okay to say yes I do mind, and let him know that you mind. The only way that cop is going to be able to look around in your car is if you let him, and I don't know how many times I've seen people let cops look around in their car when they had drugs sitting in the glove box. Just say no to a search when requested by the cops.

3. You are only required to provide your driver's license, proof of insurance, and registration. Do more at your own peril.

This kind of goes back to item one and two, but is said a little more succinctly. If you are pulled over for a traffic stop, all you have to provide is evidence that you are who you say you are, that you can drive, that your car is legal, and that it is insured. After that you don't have the obligation to tell the cop anything, including where you are going, where you've been, who you've been with, if you've been drinking, or if you have a gun in the car. So sit tight and keep your mouth shut, let him write you the ticket and live to fight another day.

Where most people get in trouble is they start trying to explain themselves and the reason for their traffic violation (or more) and they end up digging a deeper hole for themselves, creating a situation that is going to be a nightmare for a criminal defense attorney to help out with, and shutting the door on a criminal conviction or traffic committed finding.

- 4. If you are given a ticket, do these things: (1) keep the ticket; (2) respond to the ticket; (3) consult an attorney – most will talk to you for free; and (4) hire an attorney – they work – they can save you a lot of money on your insurance – and they can save you the time and hassle of court.**

When you are issued a traffic infraction, you have fifteen days to decide what you want to do with it. You can pay the ticket, you can ask for a mitigation hearing, or you can contest your ticket. But whatever you do, it must be done within fifteen days. If you don't you face higher fines, including court costs, and the suspension of your driver's license. Don't mess up more because you were too scared or dumb to take care of your business – decide how you are going to take of your ticket within fifteen days, or be prepared to face stiff consequences.

- 5. Always contest your traffic ticket, and don't forget to do it in time. A contested ticket is often a reduced or dismissed ticket (particularly with a traffic lawyer).**

Contesting your traffic ticket is great for three reasons: (1) it gives you a chance to actually beat your speeding ticket; (2) if you don't beat it, it will usually be lowered just as if you asked for a mitigation hearing (where you have zero chance of getting your ticket dismissed); and (3) if you lose, you don't face any more penalty than if you paid the ticket straight up. It's kind of like being able to throw a knockout punch at Mike Tyson and if you miss he only gets to hit you lightly in the arm. There is nothing to lose by contesting your ticket and everything to gain.

- 6. Remember the details of your stop: where you were; where the cop came from; what the weather was like; what the traffic was like; the time of day; your speed; what you were doing at the time of the accident.**

This is important because when you contest your speeding ticket you are going to get the opportunity to see the officer's report, including what he says you did concerning the ticket. If anything he says on there is wrong, or if there are conditions that make what he says impossible, it is possible that you could beat your speeding ticket. But you have to have remembered what was going on at the time.

And, just FYI, speeding ticket lawyers don't rely on this often. It's more a last thing we look at, but anything is helpful, and the more you remember, the better off you'll be.

- 7. If you do your contested hearing on your own don't center your defense around these two things because it won't fly with the judge: (1) the officer was just wrong; or (2) your speed was justified by some weird circumstances.**

When I mentioned the "worthless defenses" up in item one as something you don't want to tell a cop when he pulls you over for speeding, these were what I was talking about. And they are worthless for one primary reason – they are not excuses for speeding. What I mean is, even if the judge believes what you are saying 100%, he cannot dismiss your speeding infraction. This is because in Washington speeding is an absolute defense. Either you were going over the speed limit and speeding, or you weren't. How much you were speeding has little effect on your ticket other than establishing the fine.

And attacking the officer's credibility won't work. All the judge hears day after day, week after week, are cops who are testifying about how they did everything right, followed every procedure, and followed the letter of the law. And all they hear are day after day, week after week, are drivers who couldn't possibly have been speeding but have no other reason why they got pulled over other than the cop was wrong. Don't try this defense, it doesn't work.

8. Minor mistakes on tickets won't get you a dismissal.

Messing up your address or spelling your name slightly incorrect won't get your ticket dismissed. Period. If you have something you think might work, call me and I'll tell you for free whether or not it will fly.

9. Just because the cop doesn't show up doesn't mean your case will automatically be dismissed (particularly if you don't subpoena them).

Used to be back in the olden days that you would subpoena the cop for your traffic ticket case and if he didn't show up you could get your ticket dismissed. And then the Legislature decriminalized traffic infractions, making them civil in nature, and decided that since all of your constitutional rights went out the window with that change they'd make it much harder to get your traffic ticket dismissed by using this tactic.

What they decided to do was pass a rule that says if you don't specifically subpoena or request the officer's presence then the court can just take a look at the report and if it has enough information to find you guilty then they can find you committed a traffic infraction. That way the onus is on you to subpoena the officer, they have to keep many fewer court dates on the calendar, and one more loophole is closed up.

And, they made it even less likely that the officer won't show if you decide to subpoena the officer. For example, in Seattle, if you subpoena the officer for your case, they set the hearing on a special "officer" date that the officer already has set aside to come to court. This means that unless they see something going down on the way to court or have something much more pressing, they show up to court to try to bust you for your speeding ticket.

10. Always be respectful to everyone you deal with – cop, prosecutor, judge. One thing that won't let you beat that traffic ticket is being a jerk.

We've all heard stories about cops letting people out of traffic tickets. It does happen. Even though, like I said above, it usually happens because the cop has just decided to go easy on you (and I think their discretion is getting cut down more and more every year) and not because you did something spectacular or different than anyone else.

One way that you will surely never get your ticket dismissed, however, is if you are a jerk. And the cop will remember you for being a jerk, and he will write it in his report, and the judge will see it, and then he won't go easy on you either. So remember, try to treat everyone with respect. It is definitely something that has the potential to pay off big in the end.