

WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS

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Serving the Law Enforcement Community and the Citizens of Washington



September 6, 2018

Greetings from Your Executive Director:

I was honored to be asked to speak at the Project North Star conference in British Columbia this past week. The conference is an annual event that brings together law enforcement from Canada and the US at the federal, provincial, county and state level concerning border security. Clallam County Sheriff Bill Benedict is a co-chair of the event. My topic was "**Law Enforcement as a Political Football for Marijuana and Immigration**". After explaining the challenges of illicit marijuana around our state and the need for increased funding for local task forces aimed at illicit grows as well as opioids, I received a timely phone call from the Governor's Office. We had discussed this issue at length and **they are committed to supporting the task forces and working for state funding for the task forces for enforcement around the state**. It is just the early stages, but this is a good sign- we will keep you in the loop as this issue progresses into the legislative session next year.

Some of you have been hearing about some **proposed court rules being considered by the State Supreme Court**- they include:

- A new criminal rule requiring the recording of interrogations. A violation of the proposed rule renders a statement inadmissible in any criminal proceeding against the person, except for purposes of impeachment.
- Recording of all out-of-court identifications, including show-up identifications. A violation of the requirements can render the identification inadmissible.
- Exclusion of all in-court identifications where the perpetrator is unknown to the witness and there has been no prior out-of-court eyewitness identification procedure.
- Allows a defense attorney to provide a copy of discovery materials to a defendant after making specified redactions, rather than redactions approved by the prosecuting attorney or order of the court.
- Allows a party to openly record all witness interviews, including the use of a court reporter. While a witness may refuse to be recorded, if the witness does so, "the jury should be instructed to examine the statement carefully in the light of any reasons for the refusal and other circumstances relevant to that witness's testimony, including, but not limited to, bias and motive."

As we have discussed before in this newsletter, we have concerns with many of these proposals, and the general narrative that we are seeing from defense attorneys that seems to suggest that if something has not been recorded, it never happened. This is a bad direction and the word of a sworn law enforcement officers does, and should continue to, matter. The rules are also overly restrictive and will cause significant problems for investigations. Just be aware that we will be coordinating with the Prosecutors to respond to these proposals and express our concerns.

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I sent out some information last week **after the Supreme Court ruled that only I-940 will go to the ballot**. Here are a couple of news articles from this week that do a good job of explaining the complex situation:

<https://www.heraldnet.com/news/their-i-940-made-the-ballot-but-not-the-version-they-prefer/>

<http://www.spokesman.com/stories/2018/sep/04/opponents-and-supporters-of-washington-initiative-/>

Interesting **data this week from the Bureau of Justice Statistics**- in the last 20 years the population of the US has gone up 21% while the number of sworn officers has increased just 8%:

[Full-Time Employees In Law Enforcement Agencies, 1997-2016](#)

In the polarized and divided environment we are seeing about everything right now, including and especially involving law enforcement, **we should recognize and give due credit** when a major media source does a balanced fact check. Here is a link to a story in the Washington Post where they check out the data after a Texas Senate candidate made a hyperbolic assertion about police killing unarmed black children. It is a quick read:

https://www.washingtonpost.com/politics/2018/08/30/beto-orourkes-claims-blacks-police-shootings/?utm_term=.a82acd9a1a90

Finally this week, Chief Scott Engle's team at **Puyallup PD did a great job** on one of those informal and social contacts that seem small, but are a big deal. KIRO Radio recognized it and this is a good story:

<http://mynorthwest.com/1093539/man-thanks-puyallup-police-officer/>

Have a great week-

Work Hard- Have Fun- Stay Safe

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