



December 1, 2021

Greetings from your Executive Director:

It was great to see many of you at our fall conference recently. Our members approved the 2022 legislative agenda, and we appreciate your efforts to communicate the needed changes to these laws (and the effects of these laws on your community) while working in good faith and with flexibility to maintain public safety.

Just before the new laws took effect back in July, we sent out a statement [WASPC Statement - Police Reform Legislation impact on policing](#), which stated, in part:

On the whole, WASPC anticipates that the policing reforms may have the positive impact of reducing the number of violent interactions between law enforcement and the public. However, we owe it to the public we serve to be candid and share that we are deeply concerned that some policing reforms may have unintended outcomes that result in increased levels of confusion, frustration, victimization, and increased crime within our communities.

The reliance on other systems (fire/EMS, behavioral health, chemical dependency, social services, etc.), some of which are not yet fully developed or are underfunded, along with changes to the use of force law will restrict proactive enforcement, the ability to detain, and the scope of police response.

So, how do we best address these issues? Here is the [2022 Legislative Reform two-page document](#) approved recently by the Board and WASPC members. This provides an easy-to-use reference to **communicate with elected policy makers and community members, as well as legislators**. WASPC continues to work with legislators and advocates and supports follow-up legislation to address unintended consequences, ambiguities, and conflicting provisions of the new laws, and to create balance in restrictions on proactive policing. As the document also states, “WASPC's focus is not to change or reverse the positive goals of reform, but to establish clear and concise answers to the problems facing the implementation of these laws, and to **better balance public safety with reform. Good policing and reform are not mutually exclusive; in fact, they are reliant on each other. We need to get the balance right.**”

In addition, WASPC approved amendments to our [“Principles for Community Trust”](#) to add language about the behavioral health system being underfunded and understaffed.

Following a spate of recent shootings and community concerns, Federal Way Mayor Jim Ferrell recently made this statement:

“We will not sit by while criminals take advantage of weakened drug laws, lack of prosecutions and unnecessary restrictions caused by newly passed legislation,”

Adding the city intends to advocate for ways to strengthen public safety laws during the next legislative session. As I write this newsletter, there was another multiple shooting outside a gas station in Federal Way just last night.

[South King County cities calling for collective approach to combat rise in violent crime | The Seattle Times](#)

Along with the significant restrictions on proactive policing that we have highlighted over the past several weeks, the need for clarity on use of force in involuntary treatment and behavioral health calls continues to be a huge issue. Most agencies are doing their best to muddle through until we get better answers, as everyone wants to provide safety and service. While some media outlets and advocacy groups keep intimating that this is “just the cops refusing to go” and using loaded, subjective words like “claim” and “refuse”, the fact is, nothing says law enforcement cannot go to behavioral health calls. What has changed, a lot, is what they can do when they get there, depending on advice from your counsel. Don’t let people conflate “not able to go” with “what you can do legally under the new laws”. That is the real issue and it needs to be resolved by the legislature. We have asked for a definition of what constitutes force. A definition would remove many of the difficulties in interpreting these new laws. At a zoom meeting involving several dozen participants last week, some legislators made clear they agree a definition will need to be part of the changes.

Here is an article from last week about the problems related to confusion and interpretations of the new laws. The article states the effects of the new laws have, in some cases, produced the **exact opposite of what was intended**. In this case, *fewer* behavioral health placements, a *larger* backlog, and *more* persons committing crimes and ending up in jail before they are evaluated. [King County crisis responders struggle with backlogs | Crosscut](#)

Recently, the Seattle Times published an editorial about public expectations and safety, and it contains a line that speaks the truth: **“Council members should turn off social media and listen to their constituents.”**

[Seattle City Council must restore police funding in budget vote | The Seattle Times](#)

In case you missed it, **60 Minutes recently broadcast a story on “reimagining police.”** (<https://www.cbsnews.com/news/police-reform-austin-texas-60-minutes-2021-11-21/>) The story is pretty good, although somewhat superficial and it minimizes increases in shootings and homicides in many cities. I do note, however, the comment from Scott Pelley, the correspondent, toward the end of the story that summarizes well the current dialogue:

The period after George Floyd has been deadly for officers too. The FBI reports, this year, 66 have been murdered, a 53% jump from 2020. The leading cause of these deaths has been unprovoked attacks. Austin, and cities advised by Philip Goff, are asking whether justice and safety can be found in relieving poverty, addiction, and mental illness, while focusing police on those 'things they do very well.'

You may have seen recent stories about **brazen retail thefts and shoplifting**, which has led some businesses to close in California, and extra patrols in some communities in our state. Over the Thanksgiving weekend there were examples of “swarm” style organized thefts at retailers like Best Buy. Here are two recent examples.

[Shoplifting and Theft Is on the Rise, Best Buy, Walgreens, Retail Groups Say - Bloomberg](#)
[As holidays near, 'smash-and-grab' robbers hit U.S. retailers | Reuters](#)

Summit Law Group will provide an **encore employment and labor law update webinar**. This webinar will provide a more in-depth overview of (1) collective bargaining updates, including those specific to arbitration; (2) state and federal COVID vaccine mandates, accommodations, and ramifications; and (3) additional legal updates most relevant to law enforcement personnel.

The webinar will be presented by **Peter Altman** at Summit Law Group and has been scheduled for **Wednesday, Dec. 15 at 1:00 PM**. You can [click here to register](#).

In conjunction with the Washington Cities Insurance Authority, we appreciate the opportunity to provide this additional resource.

Finally, this week we are posting a new podcast titled [“Policing In Washington State: Where Do We Go From Here?”](#) featuring retired Pierce County Sheriff Paul Pastor. Sheriff Pastor talks about observations from his career, and the responsibilities of the public in change and reform.

Have a great week and stay safe!

Steve