



December 17, 2021

Greetings from your Executive Director:

As we head toward the end of the year and the legislative session in 2022, I wanted to share a few points as we work for balanced, constructive changes to the reform laws. 2021 has been a year of unique pressures and significant changes. Still, WASPC's June 2021 statement on reform continues to resonate: *"We anticipate 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."*

In talking with our members and stakeholders, here is what I am seeing:

- Good policing and reform are not mutually exclusive.
- We need both, but we also need clarity so we can do the job, and we need to reduce some restrictions to allow proactive policing.
- Our law enforcement officers are trained to serve and protect our communities. We understand the importance of being a part of the greater solution for issues plaguing our communities: homelessness, addiction, emboldened criminals and increased contempt for the laws we are sworn to uphold.
- We need the tools and the staffing to:
 1. Get people the help they need,
 2. Arrest, jail and prosecute people who victimize others, and
 3. Hire additional officers to facilitate de-escalation when possible and provide increased safety in our communities.

Instead, we currently have *fewer* tools, *reduced* staffing that is needed to do the job safely, and restrictions that severely *limit our ability* to help bring justice for victims of crime.

WASPC made clear that nothing in the new laws prevents law enforcement from going to behavioral health calls, but what they can do when they get there has changed a great deal, based on individual agency legal counsel. The lack of procedural clarity and need for better information is clear from the fact that the authors of the bills sent a [request](#) in August 2021 to the Attorney General for a legal opinion. No information or opinions have been provided as of today.

A few specific examples of our challenges:

- Each agency has many examples of how the new laws have created problems with detaining suspects when necessary, persons fleeing or leaving areas before probable cause can be established, emboldened criminals, and suspects citing the new laws while flouting the rule of law. Here is an illustrative set of [examples](#) we have compiled to provide some context of what is going on and is occurring frequently; each agency in our state has many more. Just this week, I spoke to Puyallup PD Chief Scott Engle who said they are tracking 3-4 instances of people simply not stopping for traffic stops *each day*. Many agencies are seeing this trend and this is not acceptable, and should not be acceptable for the lawmakers who pass the laws your teams are sworn to uphold. Feel free to share your examples with us as we communicate with legislators and others.
- The restrictions created by HB 1310 have effectively eliminated “Terry” stops in our state and are the most restrictive laws on proactive policing in the nation.
- The Blake decision, and the Legislature's response, have removed the ability to incentivize treatment, and drastically reduced any enforcement of drug use. One Chief told me that their evidence room has taken in less than half of the seized items compared to the year before. The Blake decision, booking restrictions, restrictions on proactive policing, and more people fleeing have all been factors. This is related to overall increases in crime.
- There were 302 murders in 2020; this is an increase of 46.6% compared to 206 murders in 2019. Murders have increased overall 66.9% since 2016. For 2021, I believe our state will exceed the 2020 rate of homicides. As we mentioned last week, auto thefts are up 50% statewide since the new laws went into effect. The King County Prosecutor's “Shots Fired” report shows shootings are up 40% in King County, and 81% of victims are persons of color.

The bottom line? Law enforcement really wants things to be better and safer for all, and we are willing to work and change as needed to meet that goal. Our communities are very concerned about rising crime, emboldened criminal behaviors, becoming a victim of a crime, and understaffed agencies. Our agencies need both additional officers to “team up and slow down” and to continue ongoing de-escalation training.

Law enforcement wants to be a dynamic force for good, for compassion, for safety, for respect and for fairness for all. We need to listen to our communities, and for our communities to listen to us, so we can work together and attain these shared goals. We also all need to be honest and admit to that our state is at a crossroads.

Our state needs to decide if they want ***proactive policing with balanced reform*** that enhances trust and maintains public safety, or if they want the current “new normal”. The “new normal” is fewer officers in a state that was ***already 51st of 50 in staffing***, more persons in behavioral health crisis who decompensate and end up in jail before they get the help they need, and more community

concern with safety and crime. ***We need to balance constructive reform with public safety.*** Here is our [2022 legislative agenda](#) two-page document.

This week, WASPC presented our proposed reform improvements to the members of the House Public Safety and Senate Law & Justice Committees, as approved by the legislative committee and Executive Board and our members, including this [letter](#), along with our proposed [bill draft](#). This bill draft was written to address those items that we've heard most from WASPC members, and crafted in a way that we think is most likely to be well-received by the Legislature. If you have questions, comments, or feedback on WASPC's proposal, please email James McMahan at james@waspc.org.

Now is the time for us to be a part of balanced reform that works in each of our local communities whether it be a rural community in Eastern Washington or the City of Seattle. Our elected representatives need to hear our message; **our communities expect us to come together and collaborate for balanced solutions that enhance trust and maintain safety for our communities.**

Thank you for your continued leadership; thank you for all you do and stay safe! Steve