



March 22, 2024

Greetings from your Executive Director:

I want to thank all those involved in the memorial for WSP Trooper Gadd last week- attendance was high, including several troopers from other states. As I sat there in the arena, I could not help but think just how young Trooper Gadd was, and how little time he had as a law enforcement officer before his life was tragically taken while on duty. One of the speakers was WSP Cpl. Alexis Robinson, who said of the senselessness of Trooper Gadd's death, "I would trade places with him in a second if I had the chance because he was there doing his job to keep others safe. It's not fair and it's not right." At the ceremony I also thought of how many times I have heard Chief Batiste speak at these services, and we are thinking of the entire WSP team as they mourn this loss.

Here is a high-level recap of the recently completed state legislative session. Our Policy team, James McMahan and Taylor Gardner, will be sending out a comprehensive list of new bills/laws once that is compiled. Pay particular attention to these three specific law changes, and make sure you, your legal counsel, and your teams are planning for any necessary policy changes:

1. "Hogties" ([SB 6009](#)): We had concerns with the language of the bill, which was passed without some of our suggested changes. Our concerns focused on the possibility that the language of the final bill may inadvertently prohibit or create liability for use of tools such as the WRAP. Representatives of the WRAP system sent this [document](#) with their comments. This is not WASPC's view or endorsement but simply additional information that may assist you. We encourage you to discuss the language of the bill and ensure it is in accord with your legal counsel's view of what is permitted under this new law, and to get that in writing to make sure you are supporting your team as they utilize the tools necessary to safely do their jobs.
2. Pursuits ([I-2113](#)): The initiative was passed and changes the minimum requirements for a pursuit to be lawful. [Here](#) is a matrix based on information from PERF on [pursuit policy](#). The matrix provides a possible framework for a policy that could allow for property crime pursuits within certain defined circumstances. Again, this is not a recommendation or a policy, it is a resource for you to use if you wish as you examine any pursuit policy changes. The new law simply changes the minimum and does not require you to change your pursuit policy. The approach needs to be thoughtful and recognize the balancing test in the language of the new law.
3. Wellness ([HB 2311](#)) included a portion that will hopefully address concerns with the Clark County court ruling that may change the confidentiality of critical incident debriefings. We encourage you to make sure your legal counsel is aware, as well as those involved in peer support.

Here is our [post-session statement](#), along with the link to the [hearing](#) on the pursuit initiative and our [statement on I-2113](#). I am communicating that it will take time for agencies to transition once the new standard goes into effect June 6. It will “take time to get the toothpaste back in the tube.” We want criminals to understand a pursuit is possible, but that certainly does not mean one will occur in all cases- it simply provides discretion and the atmosphere of emboldened criminality will take time to change. [Here](#) is a story from KUOW and [here](#) is a story where WASPC Board Treasurer and Liberty Lake Chief Damon Simmons is quoted. I also appeared on [KIRO Radio](#) as well as [KOMO TV](#) about the legislative changes.

Now that the [2024 session](#) is over, we can compare the original reforms of 2021, with the modifications over time each year, and the effects it has had on crime and our communities’ sense of well-being. Following the law changes of 2021, WASPC issued [this statement](#), and it’s worth reviewing to see if the concerns we raised have been borne out. It said, in part, “...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.”

Some legislators said, candidly, that the 2021 law changes were “just a big experiment”. The experiment was based on the idea that broadly removing and restricting law enforcement would produce greater community safety and increase trust. The reality has been mostly the opposite. In the past three years, there has been a sort of forced “de-policing” and we have seen the effects. Communities have seen increased crime, more people frustrated with the perception that government cannot provide expected services, a reduced sense of community well-being, and officers leaving the profession.

More restrictions that the legislature will likely consider again in the future, like limiting low level traffic stops (HB 1513) or creating more liability, will only further exacerbate these outcomes. Meanwhile, some legislators and some in the [media](#) accuse law enforcement of “peddling disinformation.” NBC News, showing why [trust in the media](#) continues to decline, published [this story](#) where they say “California and Oregon have returned to the war on drugs” because of a “national narrative expounded by conservative media and politicians”. More division, more “us vs. them” framing, because it’s easier than explaining complex, balanced approaches and actually coming together for solutions. I hope people see through this and realize this is about victims of crime, ensuring fair and just policing, and creating better public safety, not about politics. Public safety is a core function of government, and it deserves better than to always get thrown into the “wedge issue” arena. Police Chiefs and Sheriffs feel strongly about crime because our officers and deputies are the ones who have to look victims in the eye and try to provide closure and justice when it seems no one else cares.

We are seeing elected officials on [both sides](#) of the [aisle support increased staffing](#) and overall support for policing. We can and will build on this balanced approach as we move forward, and I deeply appreciate your ongoing work and communication during these challenging times. As General James Mattis has said, “politicians have a right to be wrong.” We will focus on supporting good officers and deputies knowing what

is expected, feeling supported to do the job, and feeling their community has their back when they make tough choices in the most difficult of situations. I feel we are making progress.

Speaking of sudden bursts of common sense, this week the Seattle Times' editorial cartoonist and commentator David Horsey published [this column](#) which includes this:

“There is no question that various racial and economically disadvantaged groups have been abused or poorly served by the legal system or in public education throughout American history, but disproportionality is not, in all cases, an indication of bias, whether in policing, in our schools or in some other sector of our society. ...Here in Washington, there has been a push in the Legislature to drastically reduce, if not eliminate, [enforcement of jaywalking](#) laws because homeless people are disproportionately represented among those being cited for crossing streets in the wrong place or at the wrong time. It does not seem to matter to those concerned about this disproportionality that homeless folks are also disproportionately represented among those being injured or killed in pedestrian accidents; they are more focused on their automatic assumption that the police are using jaywalking as an excuse to harass people stuck living out on the streets.”

Kudos to Renton Chief Jon Schuldt who was cited in the story providing real data debunking the argument of advocates who make this nonsensical argument. This is exactly the kind of data- and community- driven information we need to provide to our community and elected officials.

To expand on this issue of disproportionality not equaling bias, I mentioned that major media outlets use misleading population benchmarks to a professor of criminal justice who has published several major papers and is a respected authority of these topics. He replied that there is no way any serious journalist or respected news source would still be using population benchmarks as a measure of bias or disproportionality. I subsequently sent him this list, which took about twenty seconds of Google research:

- [Minneapolis Police Use Force Against Black People at 7 Times the Rate of Whites - The New York Times \(nytimes.com\)](#)
- [Study finds police fatally shoot unarmed black men at disproportionate rates - The Washington Post](#)
- [Latinos are disproportionately killed by police but often left out of the debate about brutality, some advocates say - The Washington Post](#)

His e-mail response was “I hate to admit that you are right. See P. 32-33 in the attached article.” I appreciate his candor and [here](#) is the paper he refers to, with a specific academic source detailing why using these (very commonly used) population benchmarks are misleading.

To make my point, one day after the Seattle Times published information about how disproportionality does not equal bias, they published [this story](#) which, you guessed it, cites population benchmarks to prove disproportionality.

You may remember we filed an amicus (“friend of the court”) brief to the US Supreme Court asking for “certiorari” (that they take up the case) for the Grants Pass case involving the expansion of the Martin v Boise decision involving dealing with homeless issues in our communities. The Supreme Court did, as we and others requested, take up the case and the WASPC Board further approved that we provide an amicus for the case itself, which is now scheduled to be decided by the Supreme Court later this spring. The desired outcome for us would be a decision that removes or reduces some of the onerous requirements created by Martin v Boise, and expanded with the Grants Pass case. We had common concerns and therefore coordinated with the California Sheriffs, California Chiefs, along with a number of California cities. Here is the [amicus](#) itself if you wish to review.

Finally, congratulations to Wenatchee Chief Steve Crown on his [announcement](#) of his upcoming retirement. Chief Crown is our current WASPC Past President and has served on our Board for many years.

That is a lot to cover this week- thanks to each of you for all you do and have a safe week- Steve