



Washington Association of
**SHERIFFS &
POLICE CHIEFS**

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Greetings from your Executive Director:

We sent out a [statement](#) prior to the release of the video of the appalling beating death of Tyre Nichols, and I also really appreciated how many of you issued heartfelt and personal messages to your communities directly from you and your agencies.

Legislative Update

Thanks again for each of you who take the time to attend our weekly legislative webinars (you can [register here](#)), and here are a few updates this week:

Hearings were held this week on [HB 1025](#) (Civil Cause for Action or “Qualified Immunity”) and [HB 1445](#) (Attorney General’s Pattern and Practices) Here is the video testimony from WASPC for both- if you want to see the entire hearing just drag the cursor back to the beginning.

HB 1025:

<https://www.tvw.org/watch/?clientID=9375922947&eventID=2023011515&startStreamAt=2010>

HB 1445:

<https://www.tvw.org/watch/?clientID=9375922947&eventID=2023011515&startStreamAt=4036>

The House held a hearing on [HB 1363](#) which can be viewed [here](#) . I rarely encourage you to watch an entire hearing on a bill but this one is very compelling. In addition to law enforcement voices urging a change, there was strong testimony from Mayors, the Democratic bill sponsor, Rep. Rule, and from parents of a child killed by the driver of a stolen truck who was not apprehended earlier. These parents testified they believe this tragic incident was a result of the law change. This is an important issue and we encourage you to be engaged, and communicate your opinion and concerns.

On Monday, the Senate Law and Justice Committee heard [SB 5533](#) which is the “Study” bill offered as an alternative to [SB 5352](#), (HB 1363 is the House companion bill) which is the fix to the pursuit bill we strongly support. SB 5533 creates a task force run by the CJTC made up of 12 community groups and 7 law enforcement groups to study the issue and send a report at the end of Oct., 2024. As [James testified](#), we opposed SB 5533 because it is worse than doing nothing. It allows the legislature to look like they did something when they did not and only results in a delay in addressing the issue. Also, some legislators are suggesting this is a good option because it’s “just like when we did the K9 model policy”. Except, it isn’t. There were no restrictions on the use of K9s implemented until the model policy was completed in that case, but in this case the current problematic pursuit restrictions would remain in place for at least

two more years, so that is entirely different. Again, the entire hearing can be viewed by dragging the cursor back to the beginning.

A path forward to work together

One of my (many) frustrations right now is that following the 2018 passage of Initiative I-940, law enforcement, including WASPC, approached advocacy groups and legislators and told them the way the changes were written would be counterproductive and ineffective, and could be crafted to actually accomplish the intention of the initiative. This offer was graciously accepted- in good faith- and the example of “actually listening” and working together to find common ground, and common-sense solutions, [was justifiably celebrated](#). I am very proud of the work WASPC and others did.

With the murder of George Floyd in May, 2020, the environment changed. Advocacy groups and legislators decided to go in a very different direction. [Our concerns with unintended outcomes were disregarded.](#)

As time has gone by, we have seen those anticipated outcomes: counterproductive results, more crime and lawlessness, a net loss of 600 officers from our state the past two years, and now, more divisive politics surrounding pursuits, qualified immunity, consent decrees, and more. The future may look like more civil lawsuits, fewer people applying to serve in law enforcement, leading to a downward spiral of reduced staffing, more reactive policing, less experienced supervisors and specialty unit personnel, less decompression time, more mandatory overtime, and on it goes.

At the same time, our elected leaders sometimes whipsaw back and forth with reactive laws, further creating career risk, both perceived and real, possibly driving more people out of the profession, and discouraging those coming in.

The time is now for us to stop that spiral and lead the way to encourage balanced laws, and ensuring law enforcement gets the right people, and they have the right training, supervision, and accountability where it is needed. It's not easy- we have internal politics, human resources departments who may not be helpful, risks of losing arbitrations and unfair labor practice filings, and more.

But these problems have solutions. Our elected leaders need to work together to find a balanced way to support, truly support, good policing. They need to spend the time, effort, money and political capital to support law enforcement, provide real treatment for addicts and those who need behavioral health support, and help us get and keep hardcore criminals off the street. And, we need to continue to lead on constantly improving our agencies.

Media stories of interest

This week I appeared on the podcast “Undivided” to [discuss these issues](#) and it starts at the 29-minute mark. We appreciate the opportunity to discuss complex issues that go beyond sound bites and tweets to get to what can really make a difference.

This theme is very consistent with this [substantive video segment](#) sent to me this week by Franklin County Sheriff Jim Raymond. He said he saw this segment featuring Dr. Kirk Burkhalter, on CBS News and felt it was a very productive dialogue about this very issue. It is only about ten minutes long but I encourage you to take a look. Here is a short summary of what he says, *with notes from me in italics*:

Develop national standards (*much like the fire service develops and requires*) which lead to industry-wide mandatory minimums for:

- Supervision
- Recruitment
- Monitoring

Also, identify trends that lead to failure- (*Like the NTSB does after an air crash- focus on process improvement rather than just litigation and reaction*)

- Mental health diagnosis before hiring and assignment
- Require intervention for use of force violations, through policy (*this is already statutory in our state*)
- Avoid using militarized terms like “Scorpion Unit”
- Create standards for people with not enough time or experience being placed in these units
- Allow for decompression time, counseling, and improved wellness (*a major focus for us*)

Qualified Immunity

- The professor says it must be maintained in some form
- He explains it ensures officers cannot be sued civilly for certain types of misconduct, but points out is not a blanket protection
- It will be difficult to get people to take a job where they do not feel comfortable making decisions that are needed, but it also cannot be a free pass for misconduct

WASPC Resources

Please know we are here to help- through executive development training, through LEMAPS and accreditation, through our conferences here we can have real conversations, both during presentations and offline. There is a lot going on right now. Please keep up your engagement with your legislators and your local elected officials, and as always, thanks for your leadership.

Stay Safe--- Steve