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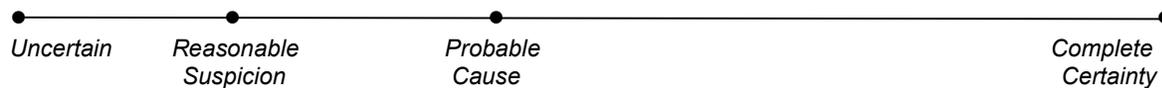
SHERIFF PRESS RELEASE

Date/Time: July 30, 2021 @ 0830
Contact: Sheriff Robert R. Snaza
Phone: (360) 740-1300
Release #: 3

WASHINGTON LEGISLATIVE POLICE REFORM LAWS POLICE RESPONSE TO CRIMINAL ACTIVITY

With the recent police reform legislation in Washington in effect, deputies will continue to respond to calls involving criminal activity; however, the new legislation sets forth new limitations on how law enforcement (LE) can respond. In particular, the criteria for when LE may physically detain someone has changed significantly, as outlined in House Bill 1310.

At the heart of the matter is the manner in which LE may detain an individual while determining whether they've committed a crime. The new legislation requires LE to have significantly more information (i.e. a higher standard of proof) before a person may be physically detained. Prior to the new legislation, LE could physically detain someone if they have "reasonable suspicion" that the person has committed or may commit a crime. Under the new law, the standard of proof is raised to "probable cause," which requires a higher degree of certainty that the individual has committed a crime before they can be physically detained, as demonstrated in the scale below:



Within these confines, to better understand how deputies will respond differently, let's use a simple theft call as an example: A retail business calls 911 and reports that someone has just left the store without paying for merchandise. As deputies arrive, they see someone running away from the store with an arm full of items. Based on the circumstances, deputies would have reasonable suspicion that the person running away may be the shoplifter. Through training and experience, deputies know that shoplifters frequently run when they know they have been caught, and the person is carrying many items that aren't bagged. Before, deputies could stop the person, detaining them while gathering more information to determine whether they are connected to the theft. With the new legislation in effect, deputies will not be able to physically detain the individual without first gathering specific detailed information about the crime and suspect, such as a full suspect description, description of the merchandise stolen, etc. Deputies now need to establish probable cause that the person committed a crime before engaging in a situation that could rapidly lead to the use of physical force.

This is but one example of how the new police reform legislation will impact our response to calls and ability to deter and solve crime. Please contact us if we can answer any questions for you about this, or other police reform legislation.