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"Public Safety through Professional Service"

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SHERIFF PRESS RELEASE

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WASHINGTON POLICE REFORM LAWS – USE OF FORCE

One area that sets law enforcement apart from other professionals is the authorization to use force when necessary to maintain public safety. One of the most impactful laws to come out of the last Washington Legislative Session addresses police use of force (House Bill 1310). The new law substantially changes the landscape for when deputies may use force, what they must consider before/when using force, and the clear duty to “de-escalate situations,” to include “leaving the area” to avoid using force.

In previous releases, we explained how the new laws have raised the standards for officers for physically detaining someone who is mentally ill or who may be engaging in criminal activity. The legislation also requires that officers, “when possible, exhaust available and appropriate de-escalation tactics prior to using force,…” The law requires that officers create physical distance; have one officer communicate when multiple officers are on scene; call for resources such as mental health professionals (of which the infrastructure to support this is not established nor properly funded); call for back up; take as much time as possible; and again, leave the area if there is no threat of imminent harm and no probable cause and crime has been committed.

Most of these are techniques that law enforcement use effectively on a daily basis. However, the new law changes our ability to use discretion about when, and for how long, we employ these tactics. The community may see that events take longer to resolve because deputies are tasked with exhausting de-escalation tactics before we can detain someone. In addition, more deputies will have to respond to scenes. This means you may see multiple deputies responding to a scene that may appear somewhat minor in nature. Unfortunately, this also means other calls may go unanswered for longer periods of time, stretching our resources even thinner than before.

Finally, there will be times when we must simply leave a scene without resolution, as long as no crime is being committed and no one is an “imminent threat”, defined in HB 1310 as:

- A person has the present and apparent ability, and opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person.

We have always taken the responsibility for using force very seriously and very judiciously here in the Lewis County at the Sheriff’s Office. We have robust policies about when and how force can be used, we regularly train on how to avoid using force, and we evaluate to learn from all of our uses of force. Regardless, we will continue to ensure our deputies use force only as necessary and required to preserve public safety.