

LEGAL UPDATE FOR WASHINGTON LAW ENFORCEMENT

Law Enforcement Officers: *Thank you for your service, protection and sacrifice*

JULY 2022

TABLE OF CONTENTS FOR JULY 2022 LEGAL UPDATE

ANNOUNCEMENT: RESEARCH MATERIALS BY JOHN WASBERG HAVE BEEN UPDATED THROUGH JULY 1, 2022, AND ARE AVAILABLE ON THE CRIMINAL JUSTICE TRAINING COMMISSION’S INTERNET LED PAGE UNDER “SPECIAL TOPICS”02

UNITED STATES SUPREME COURT.....03

U.S. SUPREME COURT SENDS TWO CASES BACK TO THE NINTH CIRCUIT FOR RECONSIDERATION IN LIGHT OF THE SUPREME COURT’S INTERPRETATION OF THE SECOND AMENDMENT IN NEW YORK STATE RIFLE & PISTOL ASSOCIATION v. BRUEN.....03

NINTH CIRCUIT OF THE UNITED STATES COURT OF APPEALS.....03

PROBABLE CAUSE TO ARREST REGARDING RCW 9.41.270: WHERE A LAW ENFORCEMENT OFFICER WAS RESPONDING TO TWO CALLS TO DISPATCH REPORTING ALARM OVER SUSPECT’S DISPLAY OF A PISTOL, BUT NEITHER REPORTING PARTY INDICATED EITHER (1) A THREATENING DISPLAY OR (2) CONCEALMENT OF THE PISTOL ON THE SUSPECT’S PERSON, A NINTH CIRCUIT PANEL VOTES 2-1 TO AFFIRM THE FEDERAL DISTRICT COURT’S RULING THAT UNDER WASHINGTON STATE LAW, THE OFFICER DID NOT HAVE PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT HAD DISPLAYED A PISTOL IN A MANNER THAT “WARRANTED ALARM FOR THE SAFETY OF PERSONS” PRESENT AT THE TIME OF THE DISPLAY

United States v. Willy, ___ F.4th ___, 2022 WL ___ (9th Cir., July 26, 2022).....03
The Majority Opinion and the Dissenting Opinion in U.S. v. Willy can be accessed on the Internet at:
<https://cdn.ca9.uscourts.gov/datastore/opinions/2022/07/26/21-30006.pdf>

CIVIL RIGHTS ACT SECTION 1983 CIVIL LIABILITY FOR CORRECTIONS: INSTRUCTION GIVEN TO JURY IN PRISONER’S LAWSUIT AGAINST PRISON OFFICIALS FOR FAILURE TO PROTECT HIM FROM PRISON GANG

ERRONEOUSLY PRECLUDED JURY FROM WEIGHING WHETHER SECURITY CONCERNS SUPPORTED OFFICIALS' DECISIONS; THE CASE MUST BE RETRIED WITH REVISED JURY INSTRUCTIONS

Fierro v. Smith, ___ F.4th ___, 2022 WL ___ (9th Cir., July 5, 2002).....06

The Ninth Circuit Opinion in Fierro v. Smith can be accessed on the Internet at:
<https://cdn.ca9.uscourts.gov/datastore/opinions/2022/07/05/19-16786.pdf>

WASHINGTON STATE SUPREME COURT.....07

SHOPLIFTER WHO TURNED HIMSELF INTO A ROBBER WHEN HE USED FORCE TO ESCAPE FROM STORE SECURITY IS NOT ALLOWED TO ARGUE FOR A DIMINISHED ROBBERY SENTENCE BASED ON THE ALLEGEDLY MINIMAL AMOUNT OF FORCE THAT HE USED TO GET AWAY; IN DEFINING “ROBBERY,” THE ROBBERY STATUTE EXPRESSLY STATES THAT THE DEGREE OF FORCE USED IS IMMATERIAL

State v. Thomason, ___ Wn.2d ___, 2022 WL ___ (July 7, 2022).....07

NO PUBLISHED OR UNPUBLISHED WASHINGTON COURT OF APPEALS OPINION IN JULY MET THE LEGAL UPDATE’S CRITERIA FOR REPORTING ON SUCH OPINIONS

ANNOUNCEMENT: THE FOLLOWING RESEARCH MATERIALS BY JOHN WASBERG HAVE BEEN UPDATED THROUGH JULY 1, 2022, AND ARE AVAILABLE ON THE CRIMINAL JUSTICE TRAINING COMMISSION’S INTERNET LED PAGE UNDER “SPECIAL TOPICS”

The LED page is at: <https://www.cjtc.wa.gov/resources/law-enforcement-digest>

OUTLINE: “Law Enforcement Legal Update Outline: Cases On Arrest, Search, Seizure, And Other Topical Areas Of Interest to Law Enforcement Officers; Plus A Chronology Of Independent Grounds Rulings Under Article I, Section 7 Of The Washington Constitution”

OUTLINE: “Initiation of Contact Rules Under The Fifth Amendment”

ARTICLE: “Eyewitness Identification Procedures: Legal and Practical Aspects”

These documents compiled by John Wasberg (retired Senior Counsel, Office of the Washington State Attorney General) are updated at least once a year, and they are now updated through July 1, 2022. Several 2021 and 2022 court decisions were added to the “Law Enforcement Legal Update Outline” (the first item). In each of the first two items, brief notes are included to refer readers to some of the law enforcement reform legislation adopted by the 2021 Washington State Legislature, but no summaries or discussions of the legislation are provided. The Eyewitness Identification article was revised by insertion of some discussion of the June 23, 2022, Washington Supreme Court decision in State v. Derri, in which the Court declared that in applying the U.S. Supreme Court’s two-part test for admissibility of eyewitness testimony, Washington courts must consider widely accepted modern scientific evidence in assessing both

the Part I question (Were the law enforcement ID procedures impermissibly suggestive?) and the Part II question (If the answer to the part I question is “yes,” is the in-court identification testimony nonetheless reliable under all relevant circumstances?)

UNITED STATES SUPREME COURT

U.S. SUPREME COURT SENDS TWO CASES BACK TO THE NINTH CIRCUIT FOR RECONSIDERATION IN LIGHT OF THE SUPREME COURT’S INTERPRETATION OF THE SECOND AMENDMENT IN NEW YORK STATE RIFLE & PISTOL ASSOCIATION v. BRUEN

Under U.S. Supreme Court docket number 20-1639 for Young v. Hawaii, and under U.S. Supreme Court docket number 21-1194 for Duncan v. Bonta, the petitions for writs of certiorari are granted, the judgments of the lower courts are vacated, and the cases are remanded to the lower courts for further consideration in light of the Second Amendment interpretation by the U.S. Supreme Court in New York State Rifle & Pistol Assn., Inc. v. Bruen, 597 U. S. ____ (2022), reported in the July 2022 Legal Update beginning at page 4. In an 11-judge (en banc) 2021 Ninth Circuit decision in Young v. Hawaii, the Ninth Circuit upheld a Hawaii statute limiting issuance of carry permits in a manner similar to the law struck down in Bruen. And in an 11-judge (en banc) 2021 Ninth Circuit decision in Duncan v. Bonta, the Ninth Circuit upheld a California law banning possession of large-capacity magazines that hold more than 10 rounds of ammunition. The Legal Update will report any further rulings by the Ninth Circuit in the two cases.

NINTH CIRCUIT OF THE UNITED STATES COURT OF APPEALS

PROBABLE CAUSE TO ARREST REGARDING RCW 9.41.270: WHERE A LAW ENFORCEMENT OFFICER WAS RESPONDING TO TWO CALLS TO DISPATCH REPORTING ALARM OVER SUSPECT’S DISPLAY OF A PISTOL, BUT NEITHER REPORTING PARTY INDICATED EITHER (1) A THREATENING DISPLAY OR (2) CONCEALMENT OF THE PISTOL ON THE SUSPECT’S PERSON, A NINTH CIRCUIT PANEL VOTES 2-1 TO AFFIRM FEDERAL DISTRICT COURT’S RULING THAT UNDER WASHINGTON STATE LAW, THE OFFICER DID NOT HAVE PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT HAD DISPLAYED A PISTOL IN A MANNER THAT “WARRANTED ALARM FOR THE SAFETY OF PERSONS” PRESENT AT THE TIME OF THE DISPLAY

United States v. Willy, ___ F.4th ___, 2022 WL ___ (9th Cir., July 26, 2022)

[LEGAL UPDATE EDITOR’S NOTE: This Ninth Circuit decision in a federal criminal case addresses the scope of subsection 1 of RCW 9.41.070, which provides:

(1) It shall be unlawful for any person to carry, exhibit, display, or draw any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.

Emphasis added

Subsection 2 of the statute classifies the crime as a gross misdemeanor. Subsection 3 of the statute provides some exceptions to application of the statute. None of those exceptions are relevant to the facts of the Willy case.]

In United States v. Willy, a staff summary (which is not part of the Majority Opinion or Dissenting Opinion in the case) provides the following brief description of those Opinions:

Majority Opinion

The panel affirmed the district court's order granting Marc Anthony Willy's motion to suppress evidence and statements obtained after his arrest, in a case that required the panel to determine whether there was probable cause to arrest Willy for displaying a weapon in a manner that "warrant[ed] alarm for the safety of other persons." Wash. Rev. Code § 9.41.270(1).

Willy was arrested after two people separately reported that a man in a truck had displayed a firearm while asking them questions about an alleged kidnapping in the area [Willy's rambling story to each of the Reporting Parties was that he himself had been kidnapped]. After his arrest, a search of Willy's vehicle and person recovered illegal firearms and a modified CO2 cartridge. He was charged with making and possessing a destructive device in violation of the National Firearms Act.

Explaining important context for Willy's actions, the panel noted that Washington is an open carry state (i.e., it is presumptively legal to carry a firearm openly) in which it is a misdemeanor to carry a concealed pistol without a license, but also a "shall issue state" meaning that local law enforcement must issue a concealed weapons license if the applicant meets certain qualifications. The panel wrote that the bare fact that Willy displayed a weapon would not be sufficient to stop Willy, because there is no evidence that Willy was carrying a concealed weapon.

Noting that Washington courts have narrowed terms in § 9.41.270(1) to preserve the constitutionality of the statute, the panel observed that what emerges is a workable standard: The act must warrant alarm in a reasonable person for the safety of others.

A sheriff's deputy's suspicion that Willy had violated § 9.41.270 arose not from his own observations but from the accounts of the two reporting parties. The panel wrote that it was reasonable for an officer in the sheriff's deputy's position to rely on the information, but concluded that the deputy did not, consistent with Washington law and the Fourth Amendment, have probable cause to arrest Willy without further inquiry for three reasons.

First, it was not clearly erroneous for the district court to conclude that neither reporting party indicated to the deputy that Willy displayed his firearm in a threatening manner.

Second, § 9.41.270(1) requires more than the mere display of a firearm, and at the time the deputy located Willy, he did not have sufficient information to reasonably believe Willy had displayed his gun in a manner that warrants alarm [the Majority Opinion also declares that the statute does not apply to circumstances where a person creates an impression that, at some unspecified future time, he might seek to harm persons not present]. The panel wrote that although the reports indicated that Willy displayed the

firearm rather than just carrying it, this distinction does not, in an open-carry state, create enough of a possibility of criminal activity that Willy was subject to immediate arrest without further investigation.

Finally, the district court accurately stated that § 9.41.270(1) both incorporates a reasonable person standard and does not require that a person's actions [actually] cause alarm.

As the government did not challenge application of the "fruit of the poisonous tree" doctrine, the panel affirmed the district court's application of the exclusionary rule to suppress Willy's statements, the firearms, and the CO2 device.

Dissenting Opinion:

Dissenting, Judge Christen wrote that the deputy without question had probable cause to suspect that Willy violated the second clause of § 9.41.270(1) because the reliability of the callers' reports was verified when the details they provided checked out; and it was the deputy's perilous duty to arrest Willy, a man he had good reason to believe to be armed and mentally compromised, for displaying a firearm "in a manner, under circumstances, and at a time and place that . . . warrants alarm for the safety of other persons."

[Subheadings added; bracketed language added; some paragraphing revised for readability]

The Majority Opinion and the Dissenting Opinion both contain lengthy analysis, including discussion of numerous appellate decisions by Washington courts. I will not excerpt from or summarize that discussion, other than to note two things:

(1) the Majority Opinion indicates that the officer had reasonable suspicion that would justify a Terry stop (but not an arrest) based on RCW 9.41.270, while the Dissenting Opinion concludes that the officer had probable cause for an arrest under RCW 9.41.270; and

(2) the Majority Opinion explains that RCW 9.41.270 does not apply where a person creates an impression that, at some unspecified future time, he might seek to harm persons not present (this explanation in the Majority Opinion relates to the argument by the government that Willy's story to the two reporting parties suggested that the reports would have indicated to the officer that Willy was mentally compromised and could harm someone in the near future).

The Majority Opinion provides the following description of the facts that led to the arrest of Willy:

On May 12, 2019, the Yakima County's Sheriff's Office received a call from a witness ("Reporting Party 1") stating that a man had pulled up outside of his home in a vehicle and displayed a firearm. Dispatch relayed this information to [Deputy A], who interviewed Reporting Party 1 at his residence. Reporting Party 1 told [Deputy A] that a white male in a green truck pulled up on the street in front of his house and began talking about being abducted and kept somewhere in the area. The man said he was trying to find the place where he was kept.

During the conversation, the man pulled out a semiautomatic pistol, racked the slide, and then put it down. Reporting Party 1 expressed concern about the man's mental state. He provided [Deputy A] with the truck's license plate number, and the vehicle

came back as registered to Marc Willy. [Deputy A] showed Reporting Party 1 Willy's Department of Licensing photo, and he identified Willy as the man with whom he had spoken. Reporting Party 1 said that Willy made no threats to him, nor had Willy pointed the pistol at him at any time.

About ten minutes after leaving Reporting Party 1's residence, [Deputy A] responded to another report from dispatch. The second call had come from Reporting Party 2, who lived about three miles from the previous caller. [Deputy A] spoke to the second witness over the phone because Reporting Party 2 had already left her residence.

Reporting Party 2 stated that a man with a name like "Willis" pulled up to her gate in a green truck when she was leaving her house and told her that he had been kidnapped and held in a camouflaged trailer or van in the area and that he was trying to find it. While they were talking, the man told her he was armed and then displayed a pistol and put it away.

Reporting Party 2 told the man she did not know the place he was looking for, and he drove away. Reporting Party 2 said that she was not directly threatened, nor was Willy argumentative or hostile.

[Deputy A] resumed patrol and testified that at this point he was concerned that Willy was "a danger to himself or others in the area," because

the way he was rambling on, that things weren't completely coherent what was going on; that he would possibly use it if confronted with somebody else, that he had made contact with somebody else; that once the gun's out – normal people just don't walk around displaying firearms out to people when they pull up.

[Deputy A] believed Willy "had already committed the violation of carry, exhibit, draw a dangerous weapon or firearm with an intent to create an affront or alarm to another." See Wash. Rev. Code § 9.41.270. [Deputy A] located the green truck pulling into a gas station. Once he confirmed the license plate matched the one given to him by Reporting Party 1, [Deputy A] turned on his emergency lights and conducted a "high-risk stop."

With his firearm drawn, [Deputy A] ordered Willy out of the vehicle. Willy complied with all of [Deputy A]'s orders. While making Willy turn around, [Deputy A] saw a pistol holstered on his hip. [Deputy A] removed the gun, put Willy in handcuffs, and escorted him to the back seat of the police vehicle.

[Footnote omitted; some paragraphing revised for readability]

Result: Affirmance of suppression ruling of the U.S. District Court (Eastern District of Washington) in the federal prosecution of Marc Anthony Willy.

**CIVIL RIGHTS ACT SECTION 1983 CIVIL LIABILITY FOR CORRECTIONS:
INSTRUCTION GIVEN TO JURY IN PRISONER'S LAWSUIT AGAINST PRISON
OFFICIALS FOR FAILURE TO PROTECT HIM FROM PRISON GANG
ERRONEOUSLY PRECLUDED JURY FROM WEIGHING WHETHER SECURITY**

CONCERNS SUPPORTED OFFICIALS' DECISIONS; THE CASE MUST BE RETRIED WITH REVISED JURY INSTRUCTIONS

In Fierro v. Smith, ___ F.4th ___, 2022 WL ___ (9th Cir., July 5, 2022), a three-judge Ninth Circuit panel sets aside an Arizona U.S. District Court judgment on jury verdict in favor of prison officials in a lawsuit brought under 42 U.S.C. § 1983. The lawsuit alleged that the prison officials failed to protect Plaintiff (a prisoner) from violence by other prisoners.

A Ninth Circuit staff summary (which is not part of the panel's Opinion) describes the ruling as follows:

Between 2011 and 2013, Plaintiff made six requests to be placed into protective custody, insisting that he was at risk of harm because he had received threats from the Border Brothers, a gang active throughout Arizona's prisons. All six times, [the government defendants] denied Plaintiff's requests for protective custody. After his sixth request was denied, Plaintiff was physically assaulted in the prison yard by two other prisoners, at least one of whom was a suspected member of the Border Brothers.

Plaintiff brought suit, and after a four-day trial, the District Court instructed the jury to "give deference to prison officials in the adoption and execution of policies and practices that, in their judgment, are needed to preserve discipline and to maintain internal security in a prison."

The [three-judge] panel held that, because the evidence at trial reflected a genuine dispute whether the decisions to deny Plaintiff's requests for protective custody were made pursuant to a security-based policy, and, if so, whether the decisions were an unnecessary, unjustified, or exaggerated response to security concerns, the District Court's deference instruction was erroneous. That error may have affected the verdict. Accordingly, the panel vacated and remanded for a new trial. . . .

Result: Reversal of U.S. District Court (Arizona) judgment on jury verdict for the prison officials; case remanded for re-trial.

WASHINGTON STATE SUPREME COURT

SHOPLIFTER WHO TURNED HIMSELF INTO A ROBBER WHEN HE USED FORCE TO ESCAPE FROM STORE SECURITY IS NOT ALLOWED TO ARGUE FOR A DIMINISHED ROBBERY SENTENCE BASED ON THE ALLEGEDLY MINIMAL AMOUNT OF FORCE THAT HE USED TO GET AWAY; IN DEFINING "ROBBERY," THE ROBBERY STATUTE EXPRESSLY STATES THAT THE DEGREE OF FORCE USED IS IMMATERIAL

In State v. Thomason, ___ Wn.2d ___, 2022 WL ___ (July 7, 2022), the Washington Supreme Court rejects defendant's argument that he should receive a sentence for second degree robbery below the statutory standard range because, in his characterization, he used minimal force (including a punch that landed a glancing blow on the security guard's face) in effecting his evasion of a seizure by a grocery store security guard.

The Washington Supreme Court's Majority Opinion (signed by eight of the nine Justices) summarizes the ruling in the Opinion's introduction as follows:

Lance A. Thomason attempted to steal about \$15 worth of meat and cheese from Yoke's Fresh Market in Spokane and fought with a security guard on his way out. A jury convicted him of second degree robbery (in violation of RCW 9A.56.210), and the trial court imposed a 63-month sentence – a sentence at the bottom of the standard sentence range.

Thomason appealed; he argued that the “de minimis” – or insubstantial – nature of his crime, especially his supposedly minimal use of force, justified an exceptional sentence below the standard range. The Court of Appeals affirmed.

This court accepted review. We hold that under RCW 9.94A.535(1), the de minimis nature of a crime can constitute a substantial and compelling factor that supports an exceptional sentence below the standard range, in the appropriate case. An appropriate case is one in which (1) the legislature did not consider the mitigating factor already when it listed the elements of the crime or set the standard sentence range and (2) the factor constitutes a substantial and compelling reason to depart below the range.

Thomason fails to satisfy that test. In this case, the supposedly minimal level of force used (including punches aimed at the guard's face) was explicitly considered by the legislature when establishing the elements of robbery. See RCW 9A.56.190 and .210. No other factors in support of an exceptional sentence were raised or argued at trial or sentencing. We therefore affirm the Court of Appeals.

[Footnote omitted]

The Majority Opinion points out that the plain language of the robbery statute shows that the Legislature did consider the possibility of allegedly minimal use of force when it defined the crime of robbery. Thus, the definitional provisions of RCW 9A.56.190 provide that a person commits “robbery” when he or she

unlawfully takes personal property from the person of another or in his or her presence against his or her will by the use or threatened use of immediate force, violence, or fear of injury to that person or his or her property or the person or property of anyone. Such force or fear must be used to obtain or retain possession of the property, or to prevent or overcome resistance to the taking; in either of which cases the degree of force is immaterial. . . .

[Emphasis added]

The Majority Opinion neither accepts nor rejects defendant's characterization of his use of force in this particular case as being minimal.

Result: Affirmance of Spokane County Superior Court conviction of Lance A. Thomason for second degree robbery and his 63-month sentence.

LEGAL UPDATE FOR WASHINGTON LAW ENFORCEMENT IS ON WASPC WEBSITE

Beginning with the September 2015 issue, the most recent monthly Legal Update for Washington Law Enforcement is placed under the “LE Resources” link on the Internet Home Page of the Washington Association of Sheriffs and Police Chiefs. As new Legal Updates are issued, the three most recent Legal Updates will be accessible on the site. WASPC will drop the oldest each month as WASPC adds the most recent Legal Update.

In May of 2011, John Wasberg retired from the Washington State Attorney General’s Office. For over 32 years immediately prior to that retirement date, as an Assistant Attorney General and a Senior Counsel, Mr. Wasberg was either editor (1978 to 2000) or co-editor (2000 to 2011) of the Criminal Justice Training Commission’s Law Enforcement Digest. From the time of his retirement from the AGO through the fall of 2014, Mr. Wasberg was a volunteer helper in the production of the LED. That arrangement ended in the late fall of 2014 due to variety of concerns, budget constraints and friendly differences regarding the approach of the LED going forward. Among other things, Mr. Wasberg prefers (1) a more expansive treatment of the core-area (e.g., arrest, search and seizure) law enforcement decisions with more cross references to other sources and past precedents; and (2) a broader scope of coverage in terms of the types of cases that may be of interest to law enforcement in Washington (though public disclosure decisions are unlikely to be addressed in depth in the Legal Update). For these reasons, starting with the January 2015 Legal Update, Mr. Wasberg has been presenting a monthly case law update for published decisions from Washington’s appellate courts, from the Ninth Circuit of the United States Court of Appeals, and from the United States Supreme Court.

The Legal Update does not speak for any person other than Mr. Wasberg, nor does it speak for any agency. Officers are urged to discuss issues with their agencies’ legal advisors and their local prosecutors. The Legal Update is published as a research source only and does not purport to furnish legal advice. Mr. Wasberg’s email address is jrwasberg@comcast.net. His cell phone number is (206) 434-0200. The initial monthly Legal Update was issued for January 2015. Mr. Wasberg will electronically provide back issues on request.

INTERNET ACCESS TO COURT RULES & DECISIONS, RCWS AND WAC RULES

The Washington Office of the Administrator for the Courts maintains a website with appellate court information, including recent court opinions by the Court of Appeals and State Supreme Court. The address is [<http://www.courts.wa.gov/>]. Decisions issued in the preceding 90 days may be accessed by entering search terms, and decisions issued in the preceding 14 days may be more simply accessed through a separate link clearly designated. A website at [<http://legalwa.org/>] includes all Washington Court of Appeals opinions, as well as Washington State Supreme Court opinions. The site also includes links to the full text of the RCW, WAC, and many Washington city and county municipal codes (the site is accessible directly at the address above or via a link on the Washington Courts’ website). Washington Rules of Court (including rules for appellate courts, superior courts, and courts of limited jurisdiction) are accessible via links on the Courts’ website or by going directly to [http://www.courts.wa.gov/court_rules].

Many United States Supreme Court opinions can be accessed at [<http://supct.law.cornell.edu/supct/index.html>]. This website contains all U.S. Supreme Court opinions issued since 1990 and many significant opinions of the Court issued before 1990. Another website for U.S. Supreme Court opinions is the Court’s own website at [<http://www.supremecourt.gov/opinions/opinions.html>]. Decisions of the Ninth Circuit of the U.S. Court of Appeals since September 2000 can be accessed (by date of decision or by other search

mechanism) by going to the Ninth Circuit home page at [<http://www.ca9.uscourts.gov/>] and clicking on "Opinions." Opinions from other U.S. circuit courts can be accessed by substituting the circuit number for "9" in this address to go to the home pages of the other circuit courts. Federal statutes are at [<http://www.law.cornell.edu/uscode/>].

Access to relatively current Washington state agency administrative rules (including DOL rules in Title 308 WAC, WSP equipment rules at Title 204 WAC, and State Toxicologist rules at WAC 448-15), as well as all RCW's, is at [<http://www.leg.wa.gov/legislature>]. Information about bills filed since 1991 in the Washington Legislature is at the same address. Click on "Washington State Legislature," "bill info," "house bill information/senate bill information," and use bill numbers to access information. Access to the "Washington State Register" for the most recent proposed WAC amendments is at this address too. In addition, a wide range of state government information can be accessed at [<http://access.wa.gov>]. For information about access to the Criminal Justice Training Commission's Law Enforcement Digest and for direct access to some articles on and compilations of law enforcement cases, go to [cjtc.wa.gov/resources/law-enforcement-digest].
