



# Poulsbo Police Department

Honor \* Integrity \* Teamwork \* Professionalism

Ron Harding, Chief of Police

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On February 25, 2021, a Supreme Court of Washington ruling declared that RCW 69.50.4013(1), Washington's simple possession of a controlled substance statute, violates the due process clause of the State and Federal Constitution and is void. The ruling stemmed from State v. Blake which is linked here <http://www.courts.wa.gov/opinions/pdf/968730.pdf>

As a result of this ruling, Poulsbo officers have received a directive which brings our policies in-line with the ruling of what is now a voided law related to possession of a controlled substance. Effective February 25, 2021, Poulsbo law enforcement officers are no longer authorized to conduct a criminal investigation, effect an arrest, seek a search warrant, or take any other law enforcement action for simple possession of controlled substances pursuant to RCW 69.50.4013 <https://app.leg.wa.gov/rcw/default.aspx?cite=69.50.4013>

This ruling from the Supreme Court of Washington as it stands has legalized simple possession of controlled substances.

The safety and well-being of all members of the Poulsbo community are of the utmost importance to us. Simple possession arrests oftentimes stem from a search incident to arrest in which a suspect has been arrested for a crime unrelated to possession of a controlled substance. Oftentimes, we discover controlled substances on a suspect or in their belongings during a search incident to arrest for shoplifting, vehicle prowl and other crimes not related to possession of a controlled substance.

While this ruling prohibits us from investigating or making an arrest for possession of a controlled substance, it does not prohibit us from making an arrest for the initial unrelated crime that started the investigation into the suspect. However, we can no longer file charges for possession of a controlled substance if we locate controlled substances on a suspect' person or belongings during the investigation into the initial unrelated crime(s).