

Snoqualmie Police Department



Vehicle Trespass Ordinance



**Public Safety Committee
March 6, 2023**



Vehicle Theft Increases

According to the Puget Sound Auto Theft Task Force, Washingtonians reported 41,330 vehicles stolen between January and November of 2022.

Every day, roughly 132 vehicles are stolen in the State of Washington.

POTENTIAL REASONS FOR THE SPIKE IN STOLEN VEHICLES

- 2020 COVID bookings for new property crime charges were denied
- 2021 Police Reform laws that prohibit police pursuits of stolen vehicles
- Criminals are taking advantage of defunded, demoralized, and understaffed police departments
- Restrictive filing standards by the King County Prosecutor's Office



Letter of the Law

- RCW 9A.56.068 – Possession of a Stolen Vehicle
 - A person is guilty of possession of a stolen vehicle if he or she possesses [possesses] a stolen motor vehicle.
 - Possession of a stolen motor vehicle is a class B felony.



King County Prosecuting Attorney Filing Standard

Actual explanation from a declined Possession of a Stolen Vehicle case from 2022:

"To convict a suspect of Possession of a Stolen Vehicle, we would need to prove beyond a reasonable doubt of each of the following four elements; (1) The suspect possessed a stolen vehicle, (2) suspect acted with knowledge that the motor vehicle had been stolen, (3) the suspect withheld or appropriated the vehicle from the true owner, (4) this occurred in Washington

In this case, officers and the victim would be able to testify to elements 1, 3, and 4. As to the knowledge element, that can often times be proved through an admission by the defendant, exposed wiring in the car (showing that anyone who drove the car knew it was hotwired), shaved keys used to start the car, or some other indication that anyone who drove the car knew it was stolen.

In terms of proving knowledge on this case, we have none of the above potential evidence that the defendant knew that the vehicle was stolen. While we do have evidence that the driver side door was damaged and the driver side door-lock was punched, there is nothing tying this evidence to the defendant's possession of the vehicle or that he knew or should have known that the vehicle was stolen."



Stolen Vehicles & Stolen Vehicle Recoveries

2021

Snoqualmie

Stolen – 24

Recovered – 13

North Bend

Stolen - 20

Recovered – 20

2022

Snoqualmie

Stolen – 31

Recovered – 30

North Bend

Stolen - 28

Recovered - 32

Possession of Stolen Vehicle Case Declines



2022 – 3*

2021 – 7

2020 – 2

2019 – 1

2018 – 3

* We anticipate additional declines for 2022 cases as they are processed and sent back from the King County Prosecutor's Office



Proposed Ordinance

PROPOSED SNOQUALMIE CITY ORDINANCE

- To hold suspects criminally accountable for their actions, a City ordinance is needed to create a misdemeanor level offense:

VEHICLE TRESPASS

- A. person is guilty of vehicle trespass if he or she knowingly enters, **attempts to enter**, or remain unlawfully in a vehicle that belongs to another.
- B. As used in this section:
 1. The word “enter” shall include the entrance of the person, or the insertion of any part of their body, or any instrument or weapon held in their hand.
 2. A person enters or remains unlawfully in or upon a vehicle when they are not licensed, invited, or otherwise privileged to so enter or remain.
- C. Vehicle trespass under this section is a misdemeanor, punishable by up to 90 days in jail and up to a \$1,000.00 fine, or by both such fine and imprisonment.

This language was adopted by the City of Renton into their Renton Municipal Code in 2017. City of Issaquah passed ordinance in November of 2022 with the exception of “attempts to enter”.



Thank You
Questions?