

Guidelines for Enforcement of Governor Inslee’s COVID-19 Proclamations

The risks created by COVID-19 require an unprecedented response from our communities, healthcare providers, law enforcement and other first responders, state and local leaders, and all of us individually. Since February 29, 2020, Governor Inslee has issued numerous proclamations aimed at reducing the spread of the virus and providing for the needs of Washingtonians. The response has been strong with the vast majority of individuals and businesses following the directives of the Governor. However, there have been numerous questions about enforcement issues that have arisen at the state and local levels.

The purpose of these guidelines is to provide a process that will allow for a consistent response across the state in the event that there is a need for enforcement of the proclamations. Voluntary compliance is the absolute goal. We want to encourage individuals and businesses to comply by educating them about the proclamations, the reasons for compliance and, if necessary and appropriate, consequences for failure to comply.

Level	Business	Individual	Notes
Initial report of an individual or business violating proclamation	<ol style="list-style-type: none"> 1) If a report is made to coronavirus.wa.gov regarding a business, the report will be referred to the appropriate state agency for review and action based on their regulatory authority. 2) If the business is not regulated by Department of Health (DOH), Department of Licensing (DOL), Washington State Liquor and Cannabis Board (LCB) or Labor and Industries (L&I), the complainant will be directed to contact local law enforcement. 3) If the report is made directly to local law enforcement rather than coronavirus.wa.gov, law enforcement will evaluate the report and respond according to their agency process and protocol. The law enforcement agency should not refer the complainant to coronavirus.wa.gov without first determining if the person has already submitted a complaint to coronavirus.wa.gov and has been directed to contact law enforcement because DOH, DOL, LCB, or L&I do not regulate the business. 	The local law enforcement agency is the appropriate referral for calls about individuals or private groups/ gatherings.	<p>Coronavirus.wa.gov has a link to report businesses licensed by a state agency that are violating the Governor’s proclamation, particularly the Stay Home-Stay Healthy proclamation, 20-25.</p> <p>Complaints regarding individuals or private groups who are not following the proclamation should be reported to the local law enforcement agency who will respond based on their policies and resources.</p>

<p>Individual or business declines to comply after contact and education</p>	<ol style="list-style-type: none"> 1) The state agency with regulatory authority over the business will make initial contact with the business if appropriate based on the complaint and the authority of the agency. State agencies will need to prioritize contacts based on the volume of referrals and other agency responsibilities, particularly as related to COVID-19 response activities. 2) The initial contact by the agency will be to provide education on the proclamation and requirements. If the business declines to follow the proclamation requirements, the state agency will take further action as appropriate. Action taken by the agency may include, but is not limited to, any of the following: warning, suspension, violation, revocation of a license. 	<p>The local law enforcement agency is the appropriate referral for calls about individuals or private groups/ gatherings.</p>	<p>The goal of the compliance process is to encourage voluntary compliance by educating the individual or business on the proclamation requirements and consequences for failure to comply.</p> <p>The initial contact by law enforcement or an agency should be primarily focused on education.</p> <p>If a business fails to comply after contact and education, the state agency response would include progressive accountability for continued noncompliance.</p> <p>Law enforcement agencies will determine appropriate actions based on the law enforcement agency policy. It is not contemplated that incarceration would be an alternative unless there was a public safety threat beyond following the proclamation.</p>
<p>Individual or business continues to decline to follow the proclamation after contact by the appropriate state agency</p>	<p>If a business continues to decline to follow the proclamation, they could be subject to criminal charges and/or Consumer Protection Act violations.</p> <p>The case will be referred to local law enforcement for potential criminal citation or referral to the prosecuting attorney for criminal charges and/or referral to the Attorney General’s Office for review for a Consumer Protection Act violation.</p> <p>For liquor license businesses, the LCB may potentially consider criminal citations in addition to the license sanctions for continued non-compliance.</p>	<p>The local law enforcement is the appropriate referral for calls about individuals or private groups/ gatherings.</p>	<p>Contact by the local law enforcement/ Attorney General’s Office for enforcement action is a last resort when there is a continuing public health concern due to non-compliance with the Governor’s proclamation. The goal of the contact is to encourage voluntary compliance.</p>