

# Washington Case Law

♦ *State v. Kinzy*, 141 Wn. 2d 373, 5 P.3d 668 (2000): Community caretaking function did not justify seizure of petitioner by police because they had no articulable suspicion that she had committed a criminal offense, and she was prevented from terminating the encounter when police grabbed her arm, forcing her to remain and answer questions about her age. Petitioner was a minor who was stopped by police in a high crime area late at night, when they discovered cocaine on her person. The state's interest in protecting children's safety did not outweigh petitioner's interest in her constitutional freedoms.

♦ *State v. Moore*, 129 Wn. App. 870, 120 P.3d 635 (2005): The initial stop, brief detention, and police interaction with defendant were valid because they were based on the community caretaking function, where the officer stopped the car because its registered owner was listed as missing/endangered, one of the passengers indicated that he was the subject of an outstanding felony warrant, the investigatory detention took no more than ten minutes, and the level of intrusion to examine the tattoos on his forearms to verify his identity was minimal. In a search incident to arrest, officers discovered a controlled substance.

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