
Public Safety & Emergency Preparedness Committee

ESB 5242

Brief Description: Addressing motorcycle profiling.

Sponsors: Senators Hargrove, Pflug, Kline, Regala, Harper, Carrell, Keiser, Nelson, Sheldon, Conway and Shin.

Brief Summary of Engrossed Bill

- Requires the Criminal Justice Training Commission to ensure that issues related to motorcycle profiling are addressed in basic law enforcement training and offered to in-service law enforcement officers.
- Requires local law enforcement agencies to add a statement condemning motorcycle profiling to existing policies regarding profiling.
- Defines "motorcycle profiling."

Hearing Date: 3/22/11

Staff: Yvonne Walker (786-7841).

Background:

Profiling occurs when a law enforcement officer singles out a suspect with certain characteristics because the officer believes that the class of persons that exhibits the characteristics is more likely than others to commit crimes. With respect to profiling based on race, local law enforcement agencies must:

- adopt a written policy designed to condemn and prevent racial profiling;
- review and audit their existing procedures, practices, and training to ensure that they do not enable or foster racial profiling;
- continue training to address the issues relating to racial profiling. Officers should be trained in how to better interact with persons they stop to prevent legitimate behavior from being misinterpreted as racial profiling;

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- ensure that they have a citizen complaint process in place;
- work with minority groups to appropriately address racial profiling; and
- collect demographic data on traffic stops and analyze the data to ensure that racial profiling is not occurring.

The Washington Association of Sheriffs and Police Chiefs and the Criminal Justice Training Commission (CJTC) must ensure that issues related to racial profiling are addressed in basic law enforcement training and offered in regional training for in-service law enforcement officers.

Summary of Bill:

The CJTC must ensure that issues related to motorcycle profiling are addressed in basic law enforcement training and offered to in-service law enforcement officers in conjunction with existing training. Local law enforcement agencies must add a statement condemning motorcycle profiling to existing policies regarding profiling.

"Motorcycle profiling" is defined as the illegal use of the fact that a person rides a motorcycle or wears motorcycle-related paraphernalia as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle with or without a legal basis under the United States Constitution or the Washington Constitution.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.