

FINAL BILL REPORT

ESB 5242

C 49 L 11
Synopsis as Enacted

Brief Description: Addressing motorcycle profiling.

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

Senate Committee on Judiciary

House Committee on Public Safety & Emergency Preparedness

Background: Profiling occurs when a law enforcement officer singles out a suspect that has certain characteristics the officer believes are consistent with a class of persons who are more likely than others to commit crimes. With respect to profiling based on race, local law enforcement agencies must (1) adopt a written policy designed to condemn and prevent racial profiling; (2) review and audit their existing procedures, practices, and training to ensure that they do not enable or foster racial profiling; (3) continue training to address the issues relating to racial profiling; (4) ensure that they have a citizen complaint process in place; (5) work with minority groups to appropriately address racial profiling; and (6) 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 (WASPC) 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: 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.

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 legal basis under the United States Constitution or the Washington Constitution.

Votes on Final Passage:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Senate 48 0
House 91 0

Effective: July 22, 2011.