

ESHB 2908 - S COMM AMD

By Committee on Law & Justice

ADOPTED 03/01/2016

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature recognizes the invaluable
4 contributions of law enforcement officers, who risk their own lives
5 every day to protect our families and communities. We hold law
6 enforcement to a high standard in their positions of public trust and
7 as the guardians in our communities, and the legislature applauds
8 their efforts to show respect and compassion to all citizens while
9 holding individuals accountable for their criminal activity.

10 The legislature acknowledges that officers are often placed in
11 harm's way and must make decisions quickly while under extreme
12 stress. Although regrettable in every case, the use of deadly force
13 may sometimes be necessary to protect the safety of others. The
14 legislature also recognizes that both the people of this state and
15 law enforcement officers themselves rely on and expect
16 accountability, the failure of which damages the public trust in
17 those who serve the public honorably and with compassion.

18 It is the intent of the legislature to improve our law in a
19 manner that provides clear guidance to law enforcement, respects and
20 supports the role of law enforcement to maintain public safety, and
21 fosters accountability and public trust.

22 NEW SECTION. **Sec. 2.** (1) A joint legislative task force on the
23 use of deadly force in community policing is established.

24 (2) The task force is composed of members as provided in this
25 subsection.

26 (a) The president of the senate shall appoint one member from
27 each of the two largest caucuses of the senate.

28 (b) The speaker of the house of representatives shall appoint one
29 member from each of the two largest caucuses of the house of
30 representatives.

1 (c) The president of the senate and the speaker of the house of
2 representatives jointly shall appoint members representing the
3 following:

- 4 (i) Washington association of sheriffs and police chiefs;
- 5 (ii) Washington state patrol;
- 6 (iii) Washington council of police and sheriffs;
- 7 (iv) Criminal justice training commission;
- 8 (v) Washington association of prosecuting attorneys;
- 9 (vi) Washington association of criminal defense lawyers, public
10 defender association, or the Washington defender association;
- 11 (vii) Washington state association of counties;
- 12 (viii) Association of Washington cities;
- 13 (ix) Center for Latino leadership;
- 14 (x) National association for the advancement of colored people or
15 its designee;
- 16 (xi) Northwest immigration rights project;
- 17 (xii) Black alliance of Thurston county;
- 18 (xiii) Disability rights Washington;
- 19 (xiv) Latino civic alliance;
- 20 (xv) COMPAS (council of metropolitan police and sheriffs);
- 21 (xvi) Washington state fraternal order of police;
- 22 (xvii) One other association, community organization, advocacy
23 group, or faith-based organization with experience or interest in
24 community policing; and
- 25 (xviii) One other association representing law enforcement
26 officers who represent traditionally underrepresented communities.

27 (d) The governor shall appoint four members representing the
28 following:

- 29 (i) Washington state commission on Hispanic affairs;
- 30 (ii) Washington state commission on Asian Pacific American
31 affairs;
- 32 (iii) Washington state commission on African-American affairs;
33 and
- 34 (iv) Governor's office of Indian affairs.

35 (3) The task force shall:

- 36 (a) Review laws, practices, and training programs regarding the
37 use of deadly force in Washington state and other states;
- 38 (b) Review current policies, practices, and tools used by or
39 otherwise available to law enforcement as an alternative to lethal
40 uses of force, including tasers and other nonlethal weapons; and

1 (c) Recommend best practices to reduce the number of violent
2 interactions between law enforcement officers and members of the
3 public.

4 (4) The task force may review literature and reports on the use
5 of deadly force, and may consult with persons, organizations, and
6 entities with interest or experience in community policing including,
7 but not limited to, law enforcement, local governments, professional
8 associations, community organizations, advocacy groups, and faith-
9 based organizations.

10 (5) The legislative membership shall convene the initial meeting
11 of the task force no later than July 1, 2016. The task force shall
12 convene at least four meetings in 2016. The task force shall choose
13 its cochairs from among its legislative membership, which must
14 include one representative from the house of representatives and one
15 senator from the senate.

16 (6) The task force shall submit a report, which may include
17 findings and recommendations, to the governor and the appropriate
18 committees of the legislature by December 1, 2016. A minority report
19 must be submitted along with the task force's report if requested by
20 any member of the task force.

21 (7) Staff support for the task force shall be provided by the
22 senate committee services and the house office of program research.

23 (8) Legislative members of the task force are reimbursed for
24 travel expenses in accordance with RCW 44.04.120. Nonlegislative
25 members are not entitled to be reimbursed for travel expenses if they
26 are elected officials or are participating on behalf of an employer,
27 governmental entity, or other organization. Any reimbursement for
28 other nonlegislative members is subject to chapter 43.03 RCW.

29 (9) The expenses of the task force shall be paid jointly by the
30 senate and the house of representatives. Task force expenditures are
31 subject to approval by the senate facilities and operations committee
32 and the house executive rules committee, or their successor
33 committees.

34 (10) This section expires December 31, 2016."

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1 On page 1, line 2 of the title, after "Washington;" strike the
2 remainder of the title and insert "creating new sections; and
3 providing an expiration date."

EFFECT: (1) Eliminates the legislative finding that current law
has insufficient clarity.

(2) Changes task force membership.

(3) Revises the review of RCW 9A.16.040 to reducing the number of
violent interactions.

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