
SUBSTITUTE HOUSE BILL 2908

State of Washington

64th Legislature

2016 Regular Session

By House Public Safety (originally sponsored by Representatives Ryu, Ortiz-Self, Walkinshaw, Stanford, and Santos)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to establishing the joint legislative task force
2 on community policing standards for a safer Washington; creating new
3 sections; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

20 The legislature finds that the law of deadly force in Washington
21 provides absolute protection for law enforcement in virtually all

1 instances, above and beyond that which is reasonable and justifiable.
2 As such, the legislature finds that the law regarding use of deadly
3 force in Washington does not reflect the expectations of law
4 enforcement or the people of this state. The legislature also
5 acknowledges that the current law on deadly force in Washington
6 provides insufficient clarity for law enforcement on when deadly
7 force is justifiable and when it is not.

8 It is the intent of the legislature to improve our deadly force
9 law in a manner that provides clear guidance to law enforcement,
10 respects and supports the role of law enforcement to maintain public
11 safety, and fosters accountability and public trust.

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

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

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

18 (b) The speaker of the house of representatives shall appoint one
19 member from each of the two largest caucuses of the house of
20 representatives.

21 (c) The president of the senate and the speaker of the house of
22 representatives jointly shall appoint twelve members representing the
23 following:

- 24 (i) Washington association of sheriffs and police chiefs;
- 25 (ii) Washington state patrol;
- 26 (iii) Washington council of police and sheriffs;
- 27 (iv) Criminal justice training commission;
- 28 (v) Washington association of prosecuting attorneys;
- 29 (vi) Washington association of criminal defense attorneys, public
30 defender association, or the Washington defender association;
- 31 (vii) Washington state association of counties;
- 32 (viii) Association of Washington cities;
- 33 (ix) American civil liberties union of Washington;
- 34 (x) National association for the advancement of colored people or
35 its designee;
- 36 (xi) OneAmerica;
- 37 (xii) Black alliance of Thurston county; and
- 38 (xiii) Disability rights Washington.

1 (d) The governor shall appoint four members representing the
2 following:

3 (i) Washington state commission on Hispanic affairs;

4 (ii) Washington state commission on Asian Pacific American
5 affairs;

6 (iii) Washington state commission on African-American affairs;
7 and

8 (iv) Governor's office of Indian affairs.

9 (3) The task force shall:

10 (a) Review laws, practices, and training programs regarding the
11 use of deadly force in Washington state and other states;

12 (b) Review current policies, practices, and tools used by or
13 otherwise available to law enforcement as an alternative to lethal
14 uses of force, including tasers and other nonlethal weapons; and

15 (c) Review proposals and recommend modifications to the standards
16 for justifiable homicide and criminal liability in RCW 9A.16.040 to
17 assure adequate protection for law enforcement and the community.

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

24 (5) The legislative membership shall convene the initial meeting
25 of the task force no later than July 1, 2016. The task force shall
26 convene at least four meetings in 2016. The task force shall choose
27 its cochairs from among its legislative membership, which must
28 include one representative from the house of representatives and one
29 senator from the senate.

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

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

37 (8) Legislative members of the task force are reimbursed for
38 travel expenses in accordance with RCW 44.04.120. Nonlegislative
39 members are not entitled to be reimbursed for travel expenses if they
40 are elected officials or are participating on behalf of an employer,

1 governmental entity, or other organization. Any reimbursement for
2 other nonlegislative members is subject to chapter 43.03 RCW.

3 (9) The expenses of the task force shall be paid jointly by the
4 senate and the house of representatives. Task force expenditures are
5 subject to approval by the senate facilities and operations committee
6 and the house executive rules committee, or their successor
7 committees.

8 (10) This section expires December 31, 2016.

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