

# FINAL BILL REPORT

## ESSB 6288

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Synopsis as Enacted

**Brief Description:** Creating the Washington office of firearm safety and violence prevention.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Dhingra, Pedersen, Frockt, Carlyle, Wilson, C., Kuderer, Das, Hunt, Lovelett, Nguyen and Saldaña).

**Senate Committee on Law & Justice**  
**Senate Committee on Ways & Means**  
**House Committee on Civil Rights & Judiciary**  
**House Committee on Appropriations**

**Background:** Gun violence prevention strategies often develop through collaboration among academic and community-based experts from law enforcement, criminal justice, social welfare, health care, and public health. The Centers for Disease Control (CDC) began studying patterns of violence as a public health issue in 1980 after the U.S. Surgeon General identified violent behavior as a public health priority.

Public health science involves preventing illness, injury, and the spread of disease at a population or community level. From 1992 to 1996, the CDC's National Center for Injury Prevention and Control funded public health research investigating how to reduce deaths and injuries resulting from gun violence. In 1996, Congress enacted a budget proviso to the CDC injury prevention center's budget allocation: "[n]one of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control." The proviso was not a ban on gun violence research, but the CDC discontinued its gun violence-related research in light of the proviso. The CDC continued to collect data reported by states through the National Violent Death Reporting System and data for unintentional firearm injury deaths. Researchers identify limits on national-level data collection and data access as an impediment to their research. Congress continued the budget proviso restriction in subsequent years. In 2018, budget negotiations resulted in compromise language in a budget report. The report said "while appropriations language prohibits the CDC and other agencies from using appropriated funding to advocate or promote gun control, the Secretary of Health and Human Services has stated the CDC has the authority to conduct research on the causes of gun violence."

The American Public Health Association considers gun violence a public health crisis. For approximately 30 years, researchers have integrated core public health concepts of primary

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prevention into their studies of gun violence to develop evidence-based prevention strategies. Primary prevention activities related to gun violence include:

- conducting surveillance to develop the data needed to track gun-related deaths and injuries;
- identifying the causes of gun violence and assessing the impact of interventions;
- identifying risk factors associated with gun violence and resilience or protective factors that guard against gun violence;
- developing, implementing, and evaluating interventions to reduce risk and build resilience; and
- institutionalizing successful prevention strategies.

Even with limited federal funding and data, gun violence research programs at the state level have continued to integrate public health methods into their research to support evidence-based policy efforts to reduce gun violence. One of the oldest multi-disciplinary research programs is the Violence Prevention Research Program at UC Davis in California. Currently, the New Jersey and New York legislatures are considering measures to create similar programs following California's model. Another program is the Regional Gun Violence Research Consortium based at the Rockefeller Institute of Government in New York. This consortium combines the efforts of six states—Connecticut, Delaware, Massachusetts, New Jersey, New York, and Rhode Island—and Puerto Rico, to create a multi-state database supplementing the federal National Instant Criminal Background Check System, to trace and intercept guns used in crimes, as well as guns transported across state borders, and inform policymakers through interdisciplinary research and analysis.

In Washington, Harborview's Injury Prevention and Research Center began researching firearm injuries and deaths in 1985. With the 1996 federal funding reduction, Harborview continued its work using funding from the City of Seattle. In 2019, the state awarded the University of Washington Medical School \$1 million to form the Firearm Injury and Policy Research Program (FIPRP) within Harborview's Injury Prevention and Research Center. The King County Prosecutor's Office criminal strategies unit initiated its Shots Fired Project in 2016, with grant funding from the federal Bureau of Justice Assistance. The project used public health methods to study firearm violence using shooting incident data gathered from King County's law enforcement agencies. In the context of illegal shootings, the public health approach addressed the following questions: who is being shot; why are they being shot; and how can future shootings be prevented?

The prosecutors used the data analysis to produce evidence-based interventions that were likely to reduce preventable injuries and death.

**Summary:** The Washington Office of Firearm Safety and Violence Prevention is created within the Department of Commerce to coordinate and promote effective state and local efforts to reduce firearm violence. Its duties include:

- working with law enforcement agencies, county prosecutors, researchers, and public health agencies across the state to improve available data sources, data collection methods, and data-sharing mechanisms and to identify gaps in data needed for ongoing analysis and policy recommendations;

- researching, identifying, and applying for nonstate funding to aid the research, analysis, and implementation of statewide firearm violence intervention and prevention strategies;
- working with the office of crime victims advocacy to identify opportunities to provide support to firearm violence victims;
- administering the Washington Firearm Violence Intervention and Prevention Grant Program; and
- reporting by December 1st, every odd-numbered year, its progress and recommendations beginning with a report submitted in 2021.

Subject to funding, the office shall contract with a level one trauma center in Washington to provide a statewide helpline, counseling, and referral service for gun violence victims and their professional services providers. The office shall also contract with the University of Washington to develop a best practice guide for therapy to gun violence victims.

The Washington Firearm Violence Intervention and Prevention Grant Program is created to improve public health and safety by supporting effective firearm violence reduction initiatives in communities disproportionately affected by firearm violence. Program grants are used to support, expand, and replicate evidence-based violence reduction initiatives. The grants focus on intervention services to the population segment identified as having the highest risk of perpetrating or being victimized by firearm violence including suicides. A competitive process awards grants to cities disproportionately impacted by violence, to law enforcement agencies in those cities, and to community-based organizations serving the residents of those cities. Two or more cities may submit joint applications to better address regional problems.

Grant proposals must include the following:

- clearly defined and measurable grant objectives;
- a statement describing the proposed use of the grant to implement an evidence-based firearm violence reduction initiative;
- a statement describing the proposed use of the grant to enhance coordination of existing violence prevention and intervention programs while minimizing duplication of services; and
- evidence showing the proposed firearm violence reduction initiative would likely reduce the incidence of firearm violence.

When awarding grants, applicants whose proposals demonstrate the greatest likelihood of reducing firearm violence in the community without contributing to mass incarceration receive preference.

Each grantee city must distribute at least 50 percent of the funds to one or more of any of the following entities:

- community-based organizations; and
- public agencies or departments primarily dedicated to community safety or firearm violence prevention.

The Office of Firearm Safety and Violence Prevention must form a grant selection advisory committee including persons who:

- have been impacted by violence;
- formerly incarcerated persons; and
- persons with direct experience implementing evidence-based violence reduction initiatives, including initiatives incorporating public health and community-based approaches.

The grantee must report its progress in achieving the grant objectives as required by the Office of Firearm Safety and Violence Prevention. The office is authorized to contract with an independent entity to evaluate the program's effectiveness.

**Votes on Final Passage:**

Senate	25	23	
House	53	44	(House amended)
Senate	25	24	(Senate concurred)

**Effective:** June 11, 2020