**1089-S2.E AMS ENGR S2393.E - NOT FOR FLOOR USE**

**E2SHB 1089** - S AMD

By Senator Dhingra

**ADOPTED AND ENGROSSED 4/7/2021**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

(1) The office of the Washington state auditor is authorized to conduct a process compliance audit procedure and review of any deadly force investigation conducted pursuant to RCW 10.114.011. At the conclusion of every deadly force investigation, the state auditor shall determine whether the actions of the involved law enforcement agency, investigative body, and prosecutor's office are in compliance with RCW 10.114.011, chapter 43.--- RCW (the new chapter created in section 601 of Engrossed Substitute House Bill No. 1267), and all rules adopted pursuant to these provisions for the investigation and reporting of incidents involving the use of deadly force. A deadly force investigation is concluded once the involved prosecutor's office makes a charging decision and any resulting criminal case reaches disposition. Audit procedures under this section shall be conducted in cooperation with the commission.

(2) The state auditor may not conduct an audit under this section until adequately staffed with subject matter expertise regarding law enforcement and investigative audits. Until that time, the state auditor shall contract with persons with the appropriate subject matter expertise and shall issue a request for proposal for contracting with a person or entity to provide adequate subject matter expertise.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

Upon the request of the commission, the office of the Washington state auditor is authorized to conduct an audit procedure on any law enforcement agency to ensure the agency is in compliance with all laws, policies, and procedures governing the training and certification of peace officers employed by the agency. A copy of any completed audit must be sent to the commission, law enforcement agency, city or county council, county prosecutor, and relevant committees of the legislature.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

A law enforcement agency shall not pay any costs or fees for an audit conducted pursuant to section 1 or 2 of this act.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2021, in the omnibus appropriations act, this act is null and void."

**E2SHB 1089** - S AMD

By Senator Dhingra

**ADOPTED 4/7/2021**

On page 1, line 2 of the title, after "agencies;" strike the remainder of the title and insert "adding new sections to chapter 43.101 RCW; and creating a new section."