

HOUSE BILL REPORT

HB 1054

As Amended by the Senate

Title: An act relating to establishing requirements for tactics and equipment used by peace officers.

Brief Description: Establishing requirements for tactics and equipment used by peace officers.

Sponsors: Representatives Johnson, J., Entenman, Dolan, Ryu, Berry, Simmons, Bateman, Kloba, Lekanoff, Duerr, Fitzgibbon, Slatter, Wylie, Ramos, Berg, Tharinger, Ramel, Ortiz-Self, Senn, Peterson, Gregerson, Valdez, Callan, Hackney, Morgan, Chopp, Cody, Ormsby, Taylor, Frame, Santos, Macri, Davis, Pollet, Bergquist and Harris-Talley.

Brief History:

Committee Activity:

Public Safety: 1/12/21, 1/22/21 [DPS].

Brief Summary of Bill

HOUSE COMMITTEE ON PUBLIC SAFETY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Goodman, Chair; Johnson, J., Vice Chair; Davis, Hackney, Lovick, Orwall, Ramos and Simmons.

Minority Report: Do not pass. Signed by 4 members: Representatives Mosbrucker, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Graham and Griffey.

Minority Report: Without recommendation. Signed by 1 member: Representative Young.

Staff: Edie Adams (786-7180).

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

HOUSE COMMITTEE ON APPROPRIATIONS

Staff:

Background: Tactics and Equipment.

A peace officer's use of any particular weapon or other tactic or tool is limited by the constitutional protections afforded to the public. Any use of force must be reasonable under the circumstances. Officers use various tools and equipment issued to them by individual agencies, and most agencies have policies governing the use of those tools and equipment. In addition, the basic training provided by the Criminal Justice Training Commission (CJTC) to all general authority law enforcement officers includes training on patrol procedures, firearms, and defensive tactics.

Tear gas. The term "tear gas" refers to a group of substances that irritate mucous membranes, causing a stinging sensation in the eyes and irritating the upper respiratory tract. Tear gas is dispersed in the air through the use of sprays, fog generators, or grenades and shells. Tear gas has been used by peace officers to control or disperse crowds as well as to control or influence the movements of armed suspects in certain settings. Tear gas typically includes Chloracetophenone (CN) and O-chlorobenzylidene malononitrile (CS), but other chemical irritants have also been used, including, for example, oleoresin capsicum (OC), commonly referred to as pepper spray.

Military Surplus Program. The United States Department of Defense operates a military surplus transfer program where excess property is transferred to law enforcement agencies. Law enforcement agencies may apply to participate in the program. While participating agencies do not pay for the equipment, they are responsible for shipping, storage, and maintenance costs. The types of equipment available and requested through the program varies, including, for example, armored vehicles, helicopters, rifles, respirators, digital cameras, night vision goggles, and office equipment.

Summary of Bill:

EFFECT OF SENATE AMENDMENT(S):

HERE IS THE EFFECT!!!!

Appropriation:

Fiscal Note:

Effective Date:

Staff Summary of Public Testimony (Public Safety):

Staff Summary of Public Testimony (Appropriations):

Persons Testifying (Public Safety): (In support) Representative Jesse Johnson, prime sponsor; Breean Beggs, Council President, City of Spokane; Sonia Joseph, WA Coalition for Police Accountability; carlos bratcher, WA Coalition for Police Accountability; Michael McPhearson, WA Coalition for Police Accountability; Enoka Herat, WCPA and ACLU; Trishandra Pickup, WA Coalition for Police Accountability; Fred Thomas, WA Coalition for Police Accountability; Devon Connor-Green, The Washington Black Lives Matter Alliance; Sakara Remmu, The Washington Black Lives Matter Alliance.

(Opposed) James McMahan, WA Assoc Sheriffs & Police Chiefs; Spike Unruh, Washington State Patrol Troopers Association; Aliyyah Slade, Teamsters 117; Arman Barros, Teamsters 117.

(Other) James Schrimpsheer, Washington Fraternal Order Police.

Persons Testifying (Appropriations): None.

Persons Signed In To Testify But Not Testifying (Public Safety): (In support) Paula Sardinas, FMSGs/WBBBA; Sharon Swanson, Association of Washington Cities; Keith Blocker, Deputy Mayor, City of Tacoma; Cathleen deSmet; Calico Goodrich; Ramona Brandes, WACDL/WDA; Peter Shellito; Kelsey Hamlin.

(Opposed) Patrick McCormick; Dawn Land; Ryan Portmann, Puyallup Police Department; JEFF DEVERE, WACOPS - Washington Council of Police and Sheriffs; Rob Huss, Washington State Patrol; Nathan Spiering, Spokane Police Department K9 Unit; Dave Brown, Skamania County Sheriff's Office; Bruce Surplus, Benton county sheriff office.

Persons Signed In To Testify But Not Testifying (Appropriations): None.