

SENATE BILL REPORT

ESSB 5353

As Amended by House, April 9, 2021

Title: An act relating to creating a partnership model that facilitates community engagement with law enforcement.

Brief Description: Creating a partnership model that facilitates community engagement with law enforcement.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Conway, Darneille, Nguyen and Wilson, C.).

Brief History:

Committee Activity: Law & Justice: 2/09/21, 2/11/21 [DPS-WM, w/oRec].

Ways & Means: 2/17/21, 2/22/21 [DPS (LAW), w/oRec].

Floor Activity: Passed Senate: 3/9/21, 49-0.

Passed House: 4/9/21, 97-1.

Brief Summary of Engrossed First Substitute Bill

- Directs the Department of Commerce to create and maintain a grant program to foster community engagement through neighborhood organizing, law enforcement-community partnerships, youth mobilization, and business engagement.
- Requires a grant award to 12 to 15 counties in the state that demonstrate a commitment to community engagement in public safety.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5353 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; McCune, Assistant Ranking Member; Darneille, Holy, Kuderer and Salomon.

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.

Minority Report: That it be referred without recommendation.

Signed by Senator Wagoner.

Staff: Shani Bauer (786-7468)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5353 as recommended by Committee on Law & Justice be substituted therefor, and the substitute bill do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Braun, Carlyle, Conway, Darneille, Dhingra, Gildon, Hasegawa, Hunt, Keiser, Lias, Mullet, Muzzall, Pedersen, Rivers, Van De Wege, Wagoner, Warnick and Wellman.

Minority Report: That it be referred without recommendation.

Signed by Senators Honeyford, Assistant Ranking Member, Capital; Schoesler, Assistant Ranking Member, Capital.

Staff: Trevor Press (786-7446)

Background: Various regions around the state have developed community based coalitions to effect positive change in their neighborhoods and address issues such as violence and substance abuse. Coalition members are typically made up of educators, social services, health care providers, law enforcement, faith based groups, and tribal entities. Examples of such programs include:

- Okanogan County Community Coalition has worked to create permanent prescription drop boxes to reduce youth access to prescription medications and increased emphasis patrols and media to reduce youth alcohol consumption;
- Pierce County Safe Streets program has worked to reduce crime in neighborhoods and business districts with programs such as personal safety education for aging and disabled and initiatives to combat youth violence; and
- Safe Yakima Valley has spearheaded projects such as youth mentoring, youth career fairs such as 100 Jobs for 100 Kids, and neighborhood clean up initiatives.

Summary of Engrossed First Substitute Bill: Community Engagement Grant Program.

The Department of Commerce (Commerce) is directed to create and maintain a grant program to foster community engagement through neighborhood organizing, law enforcement and community partnerships, youth mobilization, and business engagement.

The program must include 12 to 15 grant awards to counties that have demonstrated a commitment to programs that promote community engagement in public safety, including Spokane, Pierce, King, Okanogan, Yakima, Cowlitz, Clark, Chelan-Douglas, Walla-Walla, Benton-Franklin, Grant, and Snohomish counties.

Commerce must adopt policies and procedures to administer the project, including an

application process, disbursement of grant funds to selected applicants, tracking compliance and proper use of funds, and measuring outcomes.

Program Eligibility. Applicants for the grant program must:

- be a public agency or nongovernmental agency that is not a law enforcement agency serving a city or county with a population in excess of 10,000 people;
- have demonstrated experience with community engagement initiatives that impact public safety;
- have community engagement;
- have established or be willing to establish a coordinated effort with committed partners, which must include law enforcement and organizations committed to diversity, equity, and inclusion of community members; and
- have established priorities, policies, and measurable goals in compliance with the requirements of the project.

Grant Participants. Activities for grant participants are outlined. Among other requirements, a successful participant must build substantive law enforcement and community partnerships; mobilize youth to partner with neighborhood groups and law enforcement to prevent violence; engage businesses to help prevent crimes through safety training and other prevention initiatives; and collect and report data and information required by Commerce.

Reporting. Commerce must work with the Washington State Institute for Public Policy to develop reporting guidelines for the grant recipient to measure whether the program had an impact on crime rates and community engagement with law enforcement. A preliminary report must be submitted to the Legislature by January 1, 2022, with a final report due December 1, 2023.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill (Law & Justice): *The committee recommended a different version of the bill than what was heard.* PRO: Community policing has been recognized as the centerpiece of those communities attempting to reform their police departments. The problem between law enforcement and communities is a relationship problem. Effective policing is predicated on trust in law enforcement and the consent of those being policed. We need programs that bring people together rather than further dividing them. Community policing is an effective mechanism for doing this.

Trust goes hand in hand with community engagement. Yakima program has been extremely successful. Would like to see program expanded. Funding is always an issue.

The Pierce County Safe Streets program has a 31 year history of community engagement and maintaining effective partnerships with law enforcement to increase lines of communication between civilians and law enforcement. The program is driven by community engagement. We recognize the challenges in ensuring all communities are able to bring ideas, experiences and recommendations for change to the table. This bill is the next step in bringing these partnerships along. Research indicates the key to reducing biases is to build sustained and meaningful contacts. This bill increases that opportunity.

The Okanogan Community Coalition started with a project reducing alcohol access for youth with retailers and conducting emphasis patrols. From this effort, we saw increased law enforcement participation in youth activities and the expansion of engagement between youth and law enforcement. This bill would increase opportunities for these activities.

Suggestions for improvements to the bill are: (1) allow more grants; (2) allow law enforcement agencies to apply for the grants—not all communities have the ability to engage in this manner; (3) on page 2, line 4 change school resource officers to all peace officers; and (4) look at integrating this bill with HB 1203.

Persons Testifying (Law & Justice): PRO: Senator Steve Conway, Prime Sponsor; Priscilla Lisicich, Safe Streets Campaign; Stacey Okland, Okanogan County Community Coalition; Mike Zaro, Washington Association of Sheriffs and Police Chiefs; James McMahan, Washington Association of Sheriffs and Police Chiefs; Teresa Taylor, Washington Council of Police and Sheriffs; Robert Udell, Yakima County Sheriff's Office; Michael Transue, Washington Fraternal Order of Police.

Persons Signed In To Testify But Not Testifying (Law & Justice): No one.

Staff Summary of Public Testimony on First Substitute (Ways & Means): PRO: Actions by a few in law enforcement have strained relationship with communities. This proposal brings people together rather than dividing us. We need more grants than the bill creates. Allow law enforcement agencies to receive these grants, not all communities have capacity or willingness to pursue these grants. This bill allows each community to improve and bolster programs that engage communities and law enforcement. The key to reducing biases is to build sustained and meaningful engagement. This will increase equitable practice in public safety. Can build mutual trust and respect for law enforcement and communities. Will get people to work together across group lines. Can make improvements to public safety system.

Persons Testifying (Ways & Means): PRO: James McMahan, Washington Association of Sheriffs and Police Chiefs; Priscilla Lisicich, Safe Streets Campaign; Jeff DeVere,

Washington Council of Police and Sheriffs.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.

EFFECT OF HOUSE AMENDMENT(S):

- Removes language prohibiting a law enforcement agency that serves a city or county with a population in excess of 10,000 people from applying for a community grant.
- Allows a law enforcement agency to be considered an eligible applicant only if there are no other eligible applicants from the community or county the law enforcement agency serves.