**2908-S.E AMS PADD S5167.1 - NOT FOR FLOOR USE**

**ESHB 2908** - S AMD **752**

By Senators Padden, Pedersen

**ADOPTED 03/09/2016**

Strike everything after the enacting clause and insert the following:

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

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

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

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

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

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

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

(c) The president of the senate and the speaker of the house of representatives jointly shall appoint:

(i) Members representing the following:

(A) Washington association of sheriffs and police chiefs;

(B) Washington state patrol;

(C) Washington council of police and sheriffs;

(D) Criminal justice training commission;

(E) Washington association of prosecuting attorneys;

(F) Washington association of criminal defense lawyers, public defender association, or the Washington defender association;

(G) Washington state association of counties;

(H) Association of Washington cities;

(I) National association for the advancement of colored people or its designee;

(J) Northwest immigration rights project;

(K) Black alliance of Thurston county;

(L) Disability rights Washington;

(M) Latino civic alliance;

(N) COMPAS (council of metropolitan police and sheriffs);

(O) Washington state fraternal order of police;

(P) One other association, community organization, advocacy group, or faith-based organization with experience or interest in community policing; and

(Q) One other association representing law enforcement officers who represent traditionally underrepresented communities; and

(ii) A member representing a liberty organization.

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

(i) Washington state commission on Hispanic affairs;

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

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

(iv) Governor's office of Indian affairs.

(3) The task force shall:

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

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

(c) Recommend best practices to reduce the number of violent interactions between law enforcement officers and members of the public.

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

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

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

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

(8) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

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

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

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On page 1, line 2 of the title, after "Washington;" strike the remainder of the title and insert "creating new sections; and providing an expiration date."

EFFECT: (1) Eliminates the legislative finding that current law has insufficient clarity.

(2) Changes task force membership to eliminate the center for Latino leadership and add a member representing a liberty organization.

(3) Revises the review of RCW 9A.16.040 to reducing the number of violent interactions.