
HOUSE BILL 2908

State of Washington 64th Legislature 2016 Regular Session

By Representatives Ryu, Ortiz-Self, Walkinshaw, Stanford, and Santos

Read first time 01/27/16. Referred to Committee on Public Safety.

1 AN ACT Relating to establishing the joint legislative task force
2 on community policing standards for a safer Washington; creating new
3 sections; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature recognizes the invaluable
6 contributions of law enforcement officers, who risk their own lives
7 every day to protect our families and communities. We hold law
8 enforcement to a high standard in their positions of public trust and
9 as the guardians in our communities, and the legislature applauds
10 their efforts to show respect and compassion to all citizens while
11 holding individuals accountable for their criminal activity.

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

20 The legislature finds that the law of deadly force in Washington
21 provides absolute protection for law enforcement in virtually all

1 instances, above and beyond that which is reasonable and justifiable.
2 As such, the legislature finds that the law regarding use of deadly
3 force in Washington does not reflect the expectations of law
4 enforcement or the people of this state. The legislature also
5 acknowledges that the current law on deadly force in Washington
6 provides insufficient clarity for law enforcement on when deadly
7 force is justifiable and when it is not.

8 The legislature acknowledges that the use of deadly force is a
9 small part of the extensive training provided to law enforcement. The
10 legislature finds that effective law enforcement training must
11 embrace and promote a guardian mindset and culture; provide crisis
12 deescalation tools to its officers; and value using the least
13 necessary force to ensure the safety of both our officers and
14 communities.

15 It is the intent of the legislature to improve our deadly force
16 law in a manner that respects and supports the role of law
17 enforcement to maintain public safety and foster accountability and
18 public trust. As part of that effort, it is the intent of the
19 legislature to consider the tools and training available to law
20 enforcement in the context of safe community policing in order to
21 protect both our citizens and the guardians of our communities.

22 NEW SECTION. **Sec. 2.** (1) A joint legislative task force on
23 community policing standards for a safer Washington is established.
24 The task force may be known and cited as the joint legislative task
25 force on COPS for a safer Washington.

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

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

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

33 (c) The president of the senate and the speaker of the house of
34 representatives jointly shall appoint thirteen members representing
35 the following:

- 36 (i) Washington association of sheriffs and police chiefs;
- 37 (ii) Washington state patrol;
- 38 (iii) Criminal justice training commission;
- 39 (iv) Washington association of prosecuting attorneys;

1 (v) Washington association of criminal defense attorneys or the
2 Washington defender association;

3 (vi) Washington state association of counties;

4 (vii) Association of Washington cities;

5 (viii) American civil liberties union of Washington;

6 (ix) National association for the advancement of colored people
7 or its designee;

8 (x) OneAmerica; and

9 (xi) Three other associations, community organizations, advocacy
10 groups, or faith-based organizations with experience or interest in
11 community policing.

12 (d) The attorney general shall appoint one representative from
13 his or her office.

14 (e) The governor shall appoint four members representing the
15 following:

16 (i) Washington state commission on Hispanic affairs;

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

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

21 (iv) Governor's office of Indian affairs.

22 (3) The task force shall:

23 (a) Review and discuss data collected and reported by the
24 attorney general as directed by Senate Bill No. 6294, if passed in
25 the 2016 legislative session, as well as other data reported on
26 justifiable homicide or use of deadly force by public officers from
27 other reputable sources;

28 (b) Review proposals and recommend modifications to the standards
29 for justifiable homicide and criminal liability in RCW 9A.16.040 to
30 assure adequate protection for law enforcement and the community;

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

34 (d) Evaluate the availability of body cameras and similar tools,
35 and determine whether such tools should be implemented to promote
36 accountability, transparency, and safety for law enforcement and the
37 community;

38 (e) Review current training curriculum and practices used by and
39 otherwise available to law enforcement regarding use of force and

1 evaluate whether the curriculum and practices conform to best
2 practices for community policing; and

3 (f) Evaluate the public confidence in community policing
4 practices and use of force policies in Washington.

5 (4) The task force shall consult with persons, organizations, and
6 entities with interest or experience in community policing including,
7 but not limited to, law enforcement, local governments, professional
8 associations, community organizations, advocacy groups, and faith-
9 based organizations.

10 (5) The legislative membership shall convene the initial meeting
11 of the task force no later than July 1, 2016. The task force shall
12 convene at least three meetings in 2016 and three meetings in 2017.
13 The task force shall choose its cochairs from among its legislative
14 membership, which must include one representative from the house of
15 representatives and one senator from the senate.

16 (6) The task force shall submit a preliminary report, which may
17 include findings and recommendations, to the governor and the
18 appropriate committees of the legislature by December 1, 2016, and a
19 final report with findings and recommendations to the governor and
20 the appropriate committees of the legislature by December 1, 2017.

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

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

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

34 (10) This section expires July 1, 2018.

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