

E2SHB 1089 - S AMD
By Senator Dhingra

ADOPTED AND ENGROSSED 4/7/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.101
4 RCW to read as follows:

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

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

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101
27 RCW to read as follows:

28 Upon the request of the commission, the office of the Washington
29 state auditor is authorized to conduct an audit procedure on any law
30 enforcement agency to ensure the agency is in compliance with all
31 laws, policies, and procedures governing the training and

1 certification of peace officers employed by the agency. A copy of any
2 completed audit must be sent to the commission, law enforcement
3 agency, city or county council, county prosecutor, and relevant
4 committees of the legislature.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101
6 RCW to read as follows:

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

9 NEW SECTION. **Sec. 4.** If specific funding for the purposes of
10 this act, referencing this act by bill or chapter number, is not
11 provided by June 30, 2021, in the omnibus appropriations act, this
12 act is null and void."

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13 On page 1, line 2 of the title, after "agencies;" strike the
14 remainder of the title and insert "adding new sections to chapter
15 43.101 RCW; and creating a new section."

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