
State Government & Tribal Relations Committee

HB 1333

Brief Description: Establishing the domestic violent extremism commission.

Sponsors: Representatives Ramos, Berg, Berry, Duerr, Leavitt, Taylor, Mena, Peterson, Ramel, Ryu, Senn, Simmons, Street, Reed, Lekanoff, Doglio, Cortes, Pollet, Callan, Fosse, Macri and Stonier.

Brief Summary of Bill

- Creates the Domestic Violent Extremism Commission (Commission), composed of 15 members, in the Office of the Attorney General to establish a comprehensive public health and community-based framework for responding to domestic violent extremism.
- Expires the Commission on September 1, 2025.

Hearing Date: 1/24/23

Staff: Desiree Omli (786-7105).

Background:

The Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS) use the term "domestic violent extremism" to refer to domestic terrorism threats. Under federal law, "domestic terrorism" is defined as activities that: (1) involve acts dangerous to human life that are a violation of the criminal laws of the United States or any state; (2) appear to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnaping; and (3) occur primarily within the territorial jurisdiction of the

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.

United States. The FBI and the DHS define a domestic violent extremist as an individual based and operating primarily in the United States without direction or inspiration from a foreign terrorist group or other foreign power and who seeks to further political or social goals wholly or in part through unlawful acts of force of violence. However, the federal intelligence community has acknowledged that mere advocacy of political or social positions, political activism, use of strong rhetoric, or generalized philosophic embrace of violent tactics may not constitute violent extremism, and may be constitutionally protected.

In 2022, the state Office of the Attorney General (AGO) was appropriated \$125,000 to study state and local responses to acts or potential acts of domestic terrorism in the state. In conducting the study, the AGO was required to review laws and policies regarding domestic terrorism including:

- federal, state, and local laws regarding acts of domestic terrorism, including how a criminal incident is determined to be an act of domestic terrorism;
- state and local data collection, tracking, and reporting practices as related to acts of domestic terrorism; and
- state and local policies regarding responding to acts of domestic terrorism.

As part of the study, the AGO was required to submit a report that includes:

- a summary of current laws and policies regarding acts of domestic terrorism;
- recommended best practices for standardizing and improving data collection, tracking, and reporting on acts of domestic terrorism at the state and local level;
- recommendations for strengthening law enforcement, prosecutorial, and other local government responses to a potential act of domestic terrorism; and
- recommendations for any statutory changes that may be necessary for clarity and consistency.

The AGO, in its report, recommended that:

- A two-year commission be created within the AGO to include a broad cross section of relevant stakeholders, with the goal of proposing specific steps to adopt and fund a comprehensive public health and community-based framework for responding to domestic violent extremism, based on expert research and data.
- The commission propose specific steps to improve, standardize, and add transparency to data collection and reporting on incidents of domestic violent extremism.
- The commission conduct and publish a review of the state's existing civil and criminal codes to create a toolkit of potential legal options to respond to domestic violent extremism.
- A Journalism Fellowship Program be created to combat misinformation and disinformation.
- Legislation be passed to protect election workers.
- The Legislature create a fund for elected officials to have additional security at sensitive locations and around political events and public gatherings that may pose a risk to their safety.

Summary of Bill:

The Domestic Violent Extremism Commission (Commission) is established within the AGO to establish a comprehensive public health and community-based framework for responding to domestic violent extremism. The Commission consists of the following 15 members:

- four legislators, one appointed by each of the two largest caucuses of the Senate, and one appointed by each of the two largest caucuses of the House of Representatives;
- one representative from the Governor's office, appointed by the Governor;
- one representative from the AGO;
- one representative from the American Civil Liberties Union;
- one representative from the Anti-Defamation League;
- one representative with expertise in public health; and
- six representatives from organizations representing groups protected under the state's hate crime statute, which protects persons from hate crime based on race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, mental disability, physical disability, or sensory disability.

In addition to the membership above, the Commission must extend an invitation to the following entities to participate in, or provide feedback to, the Commission:

- a representative from the FBI;
- a representative from the DHS;
- a representative from a federally recognized tribe; and
- nonmember groups and individuals with relevant experience, as needed.

The duties of the Commission include:

- identifying community-led and evidence-based solutions to combat disinformation and misinformation, address early signs of radicalization, and develop a public health-style response;
- evaluating any future data-tracking recommendations around domestic violent extremism; and
- evaluating current legal tools and making recommendations for potential new legislation and regulations to address domestic violent extremism.

The Commission must create a report, and the AGO must publish it, no later than August 30, 2025, on:

- specific steps to adopt and fund a public health-style and community-based framework for proactively responding to domestic violent extremism;
- specific steps to improve, standardize, and add transparency to data collection and reporting on incidents of domestic violent extremism; and
- legal options available under existing law, and potential new legislation and regulations to address domestic violent extremism.

The Commission must hold at least four meetings, with its first meeting to occur before December 31, 2023. The Commission dissolves on September 1, 2025.

Staffing for the Commission is provided by the AGO. Reimbursement is allowed for legislative and non-legislative members in accordance with law.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.