

WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS

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Serving the Law Enforcement Community and the Citizens of Washington

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Greetings from Your Executive Director:

This morning, the **Washington State Senate passed HB 1064 (the I-940 amendment bill) unanimously**. As you may know, to amend an initiative requires a 2/3 vote in both chambers, and now the amendments have passed both the House and Senate unanimously (!). Because I know that the current law based on I-940 is a concern for you and your department members, I wanted to give you a timely update. So- now this will go to the Governor for his signature, at which point it would immediately become law, because an emergency provision was added. **It looks like the Governor will sign it Monday, February 4.**

Here is the bill info if you want to see the text of the bill and what it changes from I-940, the current law since Dec. 6 of last year:

<https://app.leg.wa.gov/billsummary?BillNumber=1064&Year=2019&initiative=#videoSection>

Just a reminder here is a quick summary of what this amended version does:

- Clarifies that **the department is responsible for training standards** - 940 would have decertified officers themselves when, for example, on military leave -- an unintended consequence.
- Cleaned up language about **first aid being a “paramount duty”**. This creates an unintended possibility of requiring officers to provide first aid while not dealing with, for example, an active shooter.
- The Deadly Force standard is confusing and difficult to train in I-940. The new version has a **simpler and clearer definition**, and balances community concerns with the challenges of law enforcement and requirement to make split second decisions.
- Both **remove “malice”** from the definition.
- Both versions **require independent investigations** of deadly force incidents, a significant change. The definitions of what an independent investigation is will now go to the Criminal Justice Training Commission for rulemaking.
- Clarifies **notifications to tribal governments** to facilitate the process- tribes were involved in this change.
- Adds clarification of **reimbursement of defense costs** if officers are acquitted or found not guilty. This is a significant good-faith compromise that is indicative of the positive agreement.

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We are almost there- thanks again for your patience, assistance in contacting legislators, and perseverance!

Work hard- Have Fun- Stay Safe

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