

# AG'S CIVIL RIGHTS INVESTIGATIONS & REFORM BILL

HB 1445

**ACLU**  
Washington

When a community's law enforcement agency or jail is engaged in a pattern or culture of unconstitutional or unlawful policing, Washingtonians need a place to turn to for help.

House Bill 1445 expands and clarifies the Washington Attorney General's Office authority to investigate and hold accountable police departments and jails for constitutional and state law violations, including litigation subpoena powers.

## **THIS IS ABOUT SYSTEMIC MISCONDUCT:**

HB 1445 isn't about addressing isolated instances of officer wrongdoing. It instead seeks to end a cycle of misconduct and address long standing practices that violate civil rights, or where there are ingrained problems that undermine the effectiveness, community trust, and integrity. If a department has a history of violating civil rights and can't or won't fix itself, communities need an outside authority to intervene. HB 1445 provides a needed tool to ensure departments that have breached trust in the past are on the path to restoring trust for the communities they serve.

## **NOTABLE EXAMPLES OF MISCONDUCT:**

Under HB 1445, the AG can investigate issues at departments that include:

- Systemic discriminatory policing
- Systemic use of excessive force against people in mental health crisis
- Favoritism toward white supremacist extremist groups
- A pattern of violating state laws protecting immigrants, or protecting those seeking abortion access
- Unconstitutional use of stops, searches and arrests

## **COMMUNITIES CANNOT AFFORD TO WAIT FOR RELIEF:**

Currently, the primary tool for addressing systemic

misconduct is to request an investigation and potential consent decree from the U.S. Department of Justice (DOJ). HB 1445 is intended to be a more efficient and effective backstop for the DOJ. The federal government has the authority to investigate police departments throughout the country for a pattern or practice of police misconduct. But with the entire country and more than 18,000 departments in their jurisdiction, the DOJ doesn't have the capacity to address each law enforcement agency engaged in a pattern of wrongdoing. Meanwhile, communities are forced to endure continued bad policing while they wait on the federal government to intervene.

In Vancouver, WA for example, community members have waited more than two years for a response from the DOJ after reporting issues with excessive deadly force, racial profiling, and ties to known white supremacist extremist groups within the Vancouver Police Department and Clark County Sheriff's Office. Without an intervention, the harm persists.

## **THIS IS A PROVEN, EFFECTIVE POLICY:**

HB 1445 is similar to other successful policies already in place in states including:

- Colorado
- California
- Virginia
- Nevada