

CHAPTER 366

[Second Substitute Senate Bill No. 5073]

BIGOTRY AND BIAS—COLLECTION OF DATA ON CRIMES MOTIVATED BY

AN ACT Relating to crimes motivated by bigotry and bias; adding a new section to chapter 36.28A RCW; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 36.28A RCW to read as follows:

(1) The Washington association of sheriffs and police chiefs shall establish and maintain a central repository for the collection and classification of information regarding crimes which are motivated by bigotry and bias. Upon establishing such a repository, the association shall develop a procedure to monitor, record, and classify information relating to incidents apparently directed against racial, religious, or ethnic groups. The procedure may be established within the association's incident-based reporting program, and the procedure shall be submitted to the senate law and justice committee and the house of representatives judiciary committee for approval.

(2) All local law enforcement agencies shall report monthly to the association concerning all violations of RCW 9A.36.080 in such form and in such manner as prescribed by rules adopted by the association. Agency participation in the incident-based reporting program, with regard to the specific data requirements associated with violations of RCW 9A.36.080, shall be deemed to meet agency reporting requirements. The association must summarize the information received and file an annual report with the governor and the senate law and justice committee and the house of representatives judiciary committee.

(3) Any information, records, and statistics collected in accordance with this section shall be available for use by any local enforcement agency, unit of local government, or state agency, to the extent that such information is reasonably necessary or useful to such agency in carrying out the duties imposed upon it by law. Dissemination of such information shall be subject to all confidentiality requirements otherwise imposed by law.

(4) The criminal justice training commission shall provide training for law enforcement officers in identifying, responding to, and reporting all violations of RCW 9A.36.080.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1989, in the omnibus appropriations act, this act shall be null and void.

Passed the Senate March 14, 1989.

Passed the House April 23, 1989.

Approved by the Governor May 12, 1989.

Filed in Office of Secretary of State May 12, 1989.

CHAPTER 367

[Substitute Senate Bill No. 5186]

COMMISSION ON JUDICIAL CONDUCT

AN ACT Relating to the commission on judicial conduct; amending RCW 2.64.010, 2.64.020, and 2.64.050; adding new sections to chapter 2.64 RCW; repealing RCW 2.64.091 and 2.64.110; and providing a contingent effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 2, chapter 268, Laws of 1981 as amended by section 1, chapter 186, Laws of 1987 and RCW 2.64.010 are each amended to read as follows:

~~((For purposes of this chapter,))~~ Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Admonishment" means a written disposition of an advisory nature that cautions a judge or justice not to engage in certain proscribed behavior. An admonishment may include a requirement that the judge or justice follow a specified corrective course of action.

(2) "Censure" means a written action of the commission that requires a judge or justice to appear personally before the commission, and that finds that conduct of the judge or justice violates a rule of judicial conduct, detrimentally affects the integrity of the judiciary, undermines public confidence in the administration of justice, and may or may not require a recommendation to the supreme court that the judge or justice be suspended or removed. A censure shall include a requirement that the judge or justice follow a specified corrective course of action.

(3) "Commission" means the commission on judicial conduct provided for in Article IV, section 31 of the state Constitution, which is authorized to recommend to the supreme court, after notice and hearing, the ~~((censure,))~~ suspension or removal of a judge or justice for violating a rule of judicial conduct, or the retirement of a judge or justice for disability ~~((which is permanent, or likely to become permanent, and which seriously interferes with the performance of judicial duties. For purposes of this chapter, the term))~~.