

### **2021 Legislative Session**

This was a year of historic breakthroughs in the Washington legislature. In the wake of widescale protests after the murder of George Floyd, the Washington State legislature passed far-reaching reforms to law enforcement. Some of these reforms, such as the legal duty of officers to intervene in excessive use of force by another officer, received bipartisan support. New protections for tenants, including the right to legal counsel in eviction proceedings and banning no-cause evictions, now put Washington state at the forefront of tenant law in the country. The passage of a tax on capital gains over \$250,000/year offers hope that Washington's upside-down tax code can finally be made just.

At the same time, in a process facing the emergency of COVID-19 with very limited time in the part-time legislative session some of our priorities were not given the time they deserved. Important life-and-death issues like the abolition of the death penalty or fixing earned release time continue to require advocacy from Quaker Voice and our allies.

#### **Highlights:**

- Washington State passed the HEAL Act to ensure Washington State undergoes a just, inclusive climate transition.
- A series of bills addressing police accountability and racial equity, which were priorities for Quaker Voice, were successfully passed this year. These included prohibitions on the use of force such as neck restraints and the use of certain military equipment, restrictions on the use of tear gas, provisions for the decertification of police officers guilty of wrongdoing, and independent investigation of police actions involving deadly force.
- Quaker Voice has long been part of a growing coalition in support of tenants' rights. This year we saw unprecedented success in this area, including the passage of the "Just Cause" bill requiring landlords to have a legitimate business reason to force a tenant to move and SB 5160, which will make Washington the first state in the country to guarantee legal representation for tenants in eviction proceedings.
- A new excise tax on capital gains marks a first step towards fixing Washington's upside-down tax code, generating significant income from the state's wealthiest 1% to reinvest in families and communities.
- A historic nearly \$120 million/year increase in the grant in the TANF/WorkFirst program (Temporary Assistance to Needy Families). The grant had been largely unchanged since 1996 and had not seen an increase this big since TANF was established.

***This report begins with a bill-by-bill summary table then moves to discussion of the issues surrounding each bill and how they fared in this session. It is organized by the three Quaker Voice working groups: Environmental Stewardship, Criminal Justice, and Economic Justice.***

<b>Priority Bill</b>	<b>House</b>	<b>Senate</b>	<b>Status</b>
<i>Environmental Stewardship</i>			
Right to Repair HB 1212	N/A	N/A	Retained in House Consumer Protection & Business Committee
HEAL Act SB 5141	Passed 56-41	Passed 28-21	Effective 7/25
Carbon Intensity/Fuel HB 1091	Passed 54-43	Passed 26-23	Effective 7/25
Regulating HFC's HB 1050	Passed 56-42	Passed 30-19	Effective 7/25
Energy Conservation for Low-Income Customers HB 1125	N/A	N/A	Retained in House Environment & Energy Committee
<i>Criminal Justice</i>			
Voting Rights/Community Supervision HB 1078	Passed 64-33	Passed 29-20	Effective 4/2
State Oversight of Police Officers SB 5051	Passed 54-43	Passed 26-19	Effective 7/25
Police Officer Duty to Intervene SB 5066	Passed 71-27	Passed 31-18	Effective 7/25
Police Officer Equipment/Use of Force HB 1054	Passed 54-43	Passed 27-22	Effective 7/25
Police Officer Hiring/Certification SB 5089	N/A	Stopped in Senate Rules Committee "X" File	Retained in Senate Law & Justice Committee

Debt-based Driver's License Suspension SB 5226	Passed 80-17	Passed 33-16	Effective 1/1/2023
Earned Release Time HB 1282	Stopped in House Appropriations Committee	N/A	Retained in House Public Safety Committee
Ban Open Carrying at Demonstrations SB 5038	Passed 57-40	Passed 28-21	Effective 5/12
<b><i>Economic Justice</i></b>			
Excise Tax on Capital Gains SB 5096	Passed 52-44 Rep. Dolan: Yes Rep. Bateman: Yes	25-24 Sen. Hunt: Yes (Cosponsor)	Effective 7/25
Legal Representation for Tenants SB 5160	Passed 72-26	Passed 27-22	Effective 4/22
Just Cause Evictions SB 1236	Passed 54-44	Passed 28-21	Effective 5/10
Limiting Rent Increases After Moratorium SB 5139	N/A	Stopped in Housing & Local Government Committee Sen. Hunt: Cosponsor	N/A
Emergency Rental Assistance/Dispute Resolution HB 1228	Stopped in Housing, Human Services, and Veterans Committee	N/A	Retained in House Housing, Human Services, and Veterans Committee
Basic Income Study BUDGET	Passed 57-40 Rep. Dolan: Yes Rep. Bateman: Yes	Passed 27-22 Sen. Hunt: Yes	Effective 7/25
TANF BUDGET	Passed 57-40 Rep. Dolan: Yes Rep. Bateman: Yes	Passed 27-22 Sen. Hunt: Yes	Effective 7/25

# Environmental Stewardship

## *Successful bills:*

**SB 5141** -- known as **the HEAL Act**, requires state agencies to apply environmental justice principles and practices to state policies and programs. The intent is to reduce environmental health impacts on Washington communities and improve access to clean air, clean water and a healthy environment throughout the state. This legislation will center those most affected by pollution as Washington transitions to a green economy. Environmental Justice will be defined in state law, outline how agencies should consider community needs and environmental justice in their work. Frontline communities will have majority representation on a permanent Environmental Justice Council to work with state agencies and expand equal community participation. Quaker Voice was part of a large coalition in support of this bill, called the Climate Justice Alliance, led by our allies at Front & Centered.

**HB 1091** -- Establishes a statewide **Clean Fuels Program** to limit greenhouse gas emissions per unit of transportation fuel energy to 10 percent below 2017 levels by 2028 and 20 percent below 2017 levels by 2035 through a combination of reducing carbon costs of transportation of fuel, increasing the mix of renewables and biofuels applied to the energy costs of transportation fuels, and other measures. The transportation sector is responsible for roughly 45% of greenhouse gas emissions in Washington. This legislation will spur innovation and adoption of clean technologies in oil and gas industries, and the development and use of low-carbon fuels to reduce greenhouse gas. Washington joins California, Oregon and Canada which already have clean fuel standards in place.

Because fuel affects almost every aspect of the economy, this is one of the more complicated and controversial bills Quaker Voice has advocated for over the past several years and its passage this year is an enormous victory for our state's carbon footprint. However, the controversy around this bill is not expected to die down anytime soon: its support by moderates in the legislature was tied to a subsection in the bill that only allows it to be implemented if there is accompanying revenue for Transportation spending. Governor Inslee line vetoed this part of the bill, an action which will be challenged in court. Quaker Voice will continue to advocate for a clean fuel standard to be implemented, as well as revenue for new, green transportation infrastructure in our state.

**HB 1050** -- **Regulates hydrofluorocarbons** by establishing a maximum threshold in line with established climate science for the use of hydrofluorocarbons (HFC's) in manufacturing. HFC's are "super greenhouse gases" that are thousands of times more potent than CO2. They are generally used as refrigerants in appliances like refrigerators and air conditioners. This is another bill for which Quaker Voice had been advocating several years, at times being one among only a handful of organizations to testify on its behalf. Its passage came only several days before the EPA came out with its [newest recommendation to scale down HFC's](#). This makes Washington State one of only a handful of states to already be in line with the EPA's new standards.

## *Efforts to Continue Next Session:*

**HB 1212** -- Known as the "Right to Repair", requires original manufacturers of digital electronic products (Apple, Microsoft, Nintendo, etc.) to **make information, equipment, parts, and tools available to repair their products on fair and reasonable terms**. This would make consumers less reliant on original manufacturers and reduce so-called "planned obsolescence" which contributes globally to over 50 million tons of "e-waste" every year. This was the first session that Quaker Voice officially supported this legislation, as well as the first time it was scheduled for a vote in the House Consumer Protection & Business Committee. However, this bill was pulled at the last minute due to a competing proposal

that will be put forward in the 2022 session. Quaker Voice will be tracking the substance of this competing proposal, as well as bringing our experience and relationships to this bill's coalition over the summer to help form an effective legislative strategy.

**HB 1125** -- This bill would have provided subsidies to low-income Washington homeowners to make needed weatherizing retrofits to their homes. The reality is that many low-income Washingtonians are already seeing large disruptions in their way of life as a result of climate change, and this will only grow worse until we are able to get this emergency under control. While policies like solar subsidies have been transformative in making alternative energy more accessible to upper- and middle-income homeowners, not all homeowners have the resources to make these changes to their homes out of their own pocket, and among those who do the lower income homeowners will spend a disproportionate amount of their income to do so. Without the support of this legislation, our neighbors will be largely unable to shoulder this burden. Quaker Voice testified on behalf of this legislation, and we do not plan to give up on ensuring that the needs of low-income people are placed at the forefront as Washington transitions its energy system.

## **Criminal Justice**

### *Successful bills:*

**HB 1078** -- Ten years after conditional voting rights were restored to persons released from prison and who had completed community supervision, finally a clearly stated act **HB 1078 will restore this most sacred citizen right to vote to all persons not under incarceration**. Quaker Voice has been a constant presence in this effort: beginning several years before the original bill in 2009 through final passage in 2021 of complete and immediate restoration after release. In our advocacy, we have always stressed the intrinsic universality of these rights. As we did in 2009, we recognize that this is an important step in healing the damage done by our nation's unjust Jim Crow system, and that we must continue to advocate for these rights until everyone has the right to vote whether they are incarcerated or not.

**HB 1054** -- This bill significantly **reforms statewide regulations of police use of force**. It prohibits police officers from using chokeholds and neck restraints, as well as introduces legal restrictions on the use of tear gas, police chases, and firing upon moving vehicles. It ends "no-knock" warrants in Washington State, and requires uniformed law enforcement officers to be reasonably identifiable. The bill also establishes a working group to develop policy on ethical use of animals by police. In our discussions with legislators on this issue, Quaker Voice brought our powerful tradition of nonviolent resistance to bear: legislators were made familiar with the history of state violence against our own community which pales in comparison to that regularly faced by communities of color to this day. This bill will save lives, and we are thankful to have made our contribution to its passage.

**SB 5051** -- This bill introduces for the first time a **state-level professional certification requirement for all law enforcement officers in Washington State**: previously, only management-level officers were required to attain state-level certification. Prerequisites to certification include a full background check, a psychological examination, and basic training requirements. Officers can face decertification if they fail to meet regular training requirements, are convicted of a felony, interfere with a disciplinary investigation, or abuse their authority as a police officer to commit any crime.

**SB 5066** -- This bill creates a **legal obligation for police officers to intervene** if they witness another police officer using excessive force. It also defines "excessive force" for the first time in Washington State law and protects officers from

retaliation for “intervening in good faith.” The goal of this legislation is to establish a greater culture of accountability within police departments, and we hope it will encourage greater discretion and reduce the use unnecessary of force by law enforcement across the board.

**SB 5226 -- This bill will reinstate over 100,000 drivers' licenses which have been suspended for failure to pay a traffic fine.** Currently, "Driving With License Suspended 3 (DWLS3) is the most common misdemeanor in Washington: between 1996 and 2015 over 860,000 Washingtonians were convicted of DWLS3. This would allow this group of drivers, who are disproportionately low income and people of color, to get to work and transport their families, maintain their insurance, and prevent interactions with the criminal legal system. Partway through the Session, this bill was amended to allow courts to set a hearing if drivers don't pay their ticket. While amendment this seemed to take the wind out of the sails of the coalition behind the bill, Quaker Voice continued to quietly advocate a message of both moving the bill and removing the amendment. This ended with a surprising passage of the bill, and a last-minute, successful scramble by the entire coalition to have Governor Inslee veto the problematic amendment. While there is still significant work to be done on this issue, the immediate restoration of over 100,000 driver's licenses will have far-ranging positive impacts, particularly for low-income people in Washington.

**SB 5038 --** This bill bans the open carrying of firearms at public demonstrations in Washington State. It was written in response to the January 6th Capitol riots which included violent incursions on the Olympia capitol campus. As you know, Quakers have stood by the freedom of speech since before the First Amendment was written into law, and we will continue to exercise and protect this cherished right for all people. But freedom of speech does not mean freedom to intimidate, and open carrying at demonstrations can infringe on the rights of others to free expression without the threat of violence. Quaker Voice has long advocated policies to reduce gun violence, with significant success in 2020, and this bill continued that work with a specific focus on protecting our civic institutions.

*Efforts to Continue Next Session:*

**SB 5089 --** This bill would have raised the hiring standards for local police officers, requiring a minimum age of 23, at least two years of relevant experience or an associate's degree, and a 24-month probationary period after being hired. Currently, newly hired local police officers are only required to have a three- to six-month probationary period. While this bill passed out of the Senate Law & Justice Committee, it was placed in the “X” file in the Rules Committee. This is an unusual legislative maneuver that effectively “freezes” the progress of a bill and can only be advanced at the discretion of the chair of the Senate Rules Committee, Lt. Governor Denny Heck. Quaker Voice plans to engage with the Lt. Governor's office and Senate and House leadership more broadly on the need for higher, not lower, standards for public employees armed with deadly weapons.

**HB 1282 --** Washington State Law currently caps earned release time in prison sentences to 15, 10, or even 0 percent of an individual's sentence depending on the crime committed. This makes Washington's one of the most draconian statutes in the country when it comes to earned release time for good behavior, and fails to reward genuine attempts by individuals to reform. Unfortunately, there are a wide range of approaches to this legislation and the Democratic caucus could not reach consensus on them in the limited amount of time within this session. This remains a central priority for Quaker Voice's Criminal Justice Working Group, and we will be continuing to engage in the coalition and with lawmakers between sessions to help build consensus around a solution that is both supported by incarcerated people, their families, and lawmakers.

**Abolishing the Death Penalty** -- Because the Session was done remotely due to the pandemic, the number of bills was significantly limited by House and Senate leadership. Because of Governor Inslee's moratorium on the death penalty this bill was not seen as enough of a priority to push through this session. Quaker Voice will continue to advocate for the abolition of the Death Penalty in Washington and bring this much-needed conversation to the Washington legislature.

## **Economic Justice**

### *Successful bills:*

**HB 1236** -- Dubbed the "Just Cause" bill, this requires landlords to have a legitimate business reason to force a tenant to move. This policy was seen as completely out of reach in Olympia when Quaker Voice began advocating for it a short two years ago. However, the crisis of skyrocketing housing prices and the pandemic made the need for this law extremely clear to legislators and jump-started the energy behind the law. While we were very gratified to see the wave of support this legislation garnered this session, we also understand the context in which its passage was possible.

**SB 5160** -- This bill will make Washington the first state in the country to guarantee legal representation for tenants in eviction proceedings, while expanding other protections for tenants who have fallen behind during the pandemic, including opportunities for mediation and repayment plans. Alongside the Just Cause bill, this represents a transformative change in the power dynamic between renters and landlords: in eviction proceedings an estimated 90 percent of landlords have legal representation while only 10 percent of tenants do, and tenants are much less likely to be evicted if they have legal representation.

**Time Limit Extensions for the TANF Grant Program** -- Under Federal Law, recipients of TANF are limited to a maximum of 60 months total of assistance over the course of their lifetimes. The massive job insecurity brought on by Covid-19 proved just how unworkable these limits really are: Governor Inslee was forced to issue emergency extensions to these time limits in order to keep families in need afloat through the pandemic. Quaker Voice joined the Washington Anti-Poverty Advocates Group in fighting this session to make those time limit extensions permanent. While we did not achieve our starting position, these efforts did lead to a change in the law that "stops the clock" on the 60-month time limit whenever Washington's unemployment rate hits 7%.

**Multiple Extensions of the Eviction Moratorium** - As a direct result of Covid-19, at the beginning of 2021 almost 200,000 renters in Washington were behind on their rent. Black renters were six times as likely as white ones to be in that group, and Hispanic households twice as likely. The vast majority of these households were behind because they lost income in the slowdown. To prevent a mass homelessness crisis, Quaker Voice successfully called on Governor Inslee to extend the eviction moratorium in September and March, with the current deadline (as of writing) set at June 30 followed by a weaker "bridge" period. Over the summer we will be continuing to pressure Governor Inslee to take steps to allow time for the new tenant protections and rental assistance to be put into place before eviction notices are allowed to be sent out.

### *Budget:*

**15% increase in the grant in the TANF/WorkFirst program** (Temporary Assistance to Needy Families). This grant had been largely unchanged since 1996 and had not seen an increase this big in at least 40 years. The program provides monthly, limited cash assistance and supportive services to children and parents experiencing poverty and facing barriers to

employment and includes the State Family Assistance program, a state-funded counterpart that reaches some immigrants excluded from federally funded TANF benefits. Before the increase, TANF and food assistance programs brought families to only 60% of the federal poverty level, which is itself too low. Quaker Voice also advocated for a new cost-of-living measure that would more accurately reflect what it takes to make ends meet. This will be considered in future years.

**SB 5096** - Excise Tax on Capital Gains. This bill marks a first step towards fixing Washington's upside-down tax code, generating significant income from the state's wealthiest 1% to reinvest in families and communities. Quaker Voice supported the Capital Gains Tax from the beginning, identifying it as a legislative priority in the 117th legislative session. Quaker citizen lobbyists spoke to their representatives in support of SB5096 during Quaker Lobby week. Members of the Economic Justice working group supported the bill's passage by writing their legislators. The working group followed the bill as it passed through committees and celebrated its passage through both houses.

Quaker Voice also successfully lobbied for a small budget provision to study the impacts of a basic income for people with extremely low incomes.