



Washington Coalition
for
Police Accountability

The mission of the Washington Coalition for Police Accountability is to reduce police violence and increase accountability. Our work centers families who have lost loved ones to police violence.

Victims of Police Violence Deserve Justice

Access to Fairness Act

House Bill 1025

What the bill does

We expect our law enforcement officers to uphold the constitution, and if an officer violates our constitutional rights, we expect consequences. Yet, few families or victims of police violence sue when harm occurs. Today, there are many obstacles to bringing a lawsuit, including qualified immunity in federal court, and an inability to sue for damages from violations of the Washington constitution — even though our state constitution is more protective of civil rights than the federal constitution. This results in a lack of accountability, and leaves families with significant financial burdens. House Bill 1025, the Access to Fairness Act, solves these problems by creating a path for victims to enforce the Washington State Constitution if their rights have been violated, and to recover damages and attorneys fees. HB 1025 is supported by dozens of organizations representing tens of thousands across the state, including leading voices in racial justice, reproductive health, immigrant rights, labor organizing, housing, and mental health.

“Qualified immunity protections as they stand send the message to the country that police officers face no consequences or penalty for violating citizens’ rights. Ending qualified immunity will finally provide victims with access to answers, compensation, and justice.”

- Campaign Zero.

In federal court, qualified immunity is a significant obstacle that has denied justice for even the most egregious acts of misconduct. Because there is currently no means to sue for damages from state constitutional violations, victims and their families must sue under federal law. But federal courts have developed the legal doctrine of qualified immunity, which shields officers who violated a person’s constitutional rights from accountability. This bill would prevent Washington courts from applying qualified immunity for these state-law civil rights violations.

Access to Fairness would follow states like California, Colorado, Connecticut, New Mexico, and Nevada to provide a legal remedy to people whose rights have been violated by law enforcement. Because individual officers are indemnified, and thus protected from liability, it is ultimately the local government who will foot the bill. And as the employer, they are in the best position to properly hire, train, supervise and discipline their officers to hold them accountable to the law. Law enforcement should be treated like other public servants, and be accountable if they violate someone’s constitutional rights.



Washington Coalition
for
Police Accountability

The mission of the Washington Coalition for Police Accountability is to reduce police violence and increase accountability. Our work centers families who have lost loved ones to police violence.

Why do we need this bill?

We must hold the people responsible for harm accountable. Right now, victims and their families bear the emotional and financial burden when their rights have been violated by an officer. This bill places responsibility on the entity causing the harm. Legal remedies are part of how we hold each other and institutions accountable. Departments that don't change their conduct so it is lawful expose themselves to liability and higher insurance premiums. The bill encourages police departments to have sound and reasonable hiring, training, supervising and disciplining policies while protecting officers who follow their training, the direction of their employer, and who uphold the Washington Constitution.

"The point of this bill is to take care of the kids left behind. My cousin was killed during a traffic stop. We don't come from a wealthy family and when a breadwinner is killed, it leaves a financial hole in the community. Now his kids have to rely on public housing, food stamps, and food banks instead of relying on him." - Po Leapai, cousin of Iosia Faletogo.