

# Bikers like new WA law about police profiling

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By [KATHIE DURBIN](#)

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VANCOUVER, Wash. —

Bikers will have something to celebrate at today's Motorcycle Mountain Jam in Clark County: Gov. Chris Gregoire has signed into law a bill that outlaws profiling of motorcyclists by state troopers and local law enforcement officers.

Engrossed Senate Bill 5242, which prohibits singling out bikers for police stops without a legitimate reason, passed both legislative chambers unanimously and was signed by the governor Wednesday.

A similar bill in the 2010 Legislature passed the House decisively but ran out of time in the state Senate.

The new law is modeled on a 2002 state law outlawing racial profiling by police, and it includes similar safeguards. It requires the Washington Association of Sheriffs and Police Chiefs and the Criminal Justice Training Commission to add a statement condemning motorcycle profiling to their existing policies banning racial profiling.

Motorcycle profiling is defined as when law enforcement officers single out people who ride motorcycles or wear biker garb, stopping, questioning, searching or arresting them without legal grounds.

Motorcycle enthusiasts presented compelling evidence to legislators, including a video of a state trooper crawling through bushes near the Legislative Building in Olympia two years ago and writing down motorcycle license numbers while bikers were holding a rally.

Jeff "Twitch" Burns, a member of a Tacoma-area motorcycle club, has produced an 86-minute video documenting the emergency of the anti-profiling movement. "It chronicles our growth and how it developed between the independent motorcycle community and the club community," he said.

Burns said he has been stopped repeatedly for wearing motorcycle paraphernalia.

"As soon as you are stopped, officers don't treat you like a normal person," he said. "They search you, they ask you about your tattoos, they try to take pictures of your tattoos. They ask you about your motorcycle club and its affiliation with other motorcycle clubs."

Burns has posted a YouTube video from 2008 showing a state trooper pulling over a biker in Thurston County for no apparent reason and ordering him to remove his helmet. When the biker refused, he was arrested.

"We have been instructed by our attorneys not to remove our helmets," Burns said. "There is no statutory basis for that. As a result of that arrest, the Washington State Patrol was forced to pay the motorcyclist \$90,000."

Burns' brother, Dave Devereaux, whose handle is DD, testified in Olympia about the need for the bill last year and again this year. He said many lawmakers were unaware of the problem until he showed video of the 2009 rally at the Capital, which drew more than 100 motorcyclists.

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"We captured a state trooper crawling through the bushes writing down the license number of every motorcycle," he said.

Also in 2009, a state trooper involved in a profiling case admitted to using a Washington State Patrol "Basic Biker 101" manual that had been banned years earlier, Devereaux said.

"We could prove law enforcement was continuing to promote discriminatory tactics," he said.

Attitudes toward bikers and biker clubs are changing in Olympia and elsewhere, Devereaux said. "In 2010, there was such a massive amount of law enforcement when we arrived that we had to walk through a gantlet. In 2011, they had completely changed their tactics."

"My hopes are high," he said. "I don't think it's going to completely solve the problem, but it provides the necessary training and clarifies the definition of what motorcycle profiling is."

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Information from: The Columbian, <http://www.columbian.com>