

SENATE BILL REPORT

SB 6316

AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS,
FEBRUARY 4, 1994

Brief Description: Providing minimum qualifications for county sheriffs.

SPONSORS: Senators Haugen, A. Smith, Oke, M. Rasmussen, Loveland, Winsley and Ludwig

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: That Substitute Senate Bill No. 6316 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; McCaslin, Oke, Owen and Winsley.

Minority Report: Do not pass.

Signed by Senator Loveland.

Staff: Rod McAulay (786-7754)

Hearing Dates: February 2, 1994; February 4, 1994

BACKGROUND:

To qualify as a candidate for the office of county sheriff, a person must be an elector in the same county. To be an elector, a person must be 18 years of age, have resided in the county for 30 days, and not be disqualified by a felony conviction. A person who is a successful candidate for sheriff must complete a basic law enforcement training program which complies with the standards of the Criminal Justice Training Commission within one year of assuming office.

It is believed that more stringent requirements should be established for a person to be eligible to become a candidate for county sheriff.

SUMMARY:

On or after November 9, 1994, to appear on a ballot as a candidate for the office of county sheriff, a person must be a citizen of the United States, be a registered voter, have a high school diploma or equivalent, have not been convicted of a felony in any state or the United States, have not been convicted of a gross misdemeanor or of a crime involving moral turpitude within ten years of the date of election, be fingerprinted by the State Patrol, hold a certificate of completion of a basic law enforcement training program which complies with the standards of the Criminal Justice Training Commission or obtain such a certificate within 12 months of assuming office, have completed four years of full-time law

enforcement or corrections officer employment, have completed either two years of law enforcement or corrections officer employment as a manager or two years of postsecondary education.

The work experience and postsecondary education requirements may be waived if no qualified candidate files or is available for appointment to fill a vacancy.

The county prosecutor or any citizen may bring an action to declare the office of sheriff vacant if the sheriff does not meet the qualifications to appear on the ballot.

Every sheriff must obtain 30 hours of continuing education each years.

EFFECT OF PROPOSED SUBSTITUTE:

Grammatical errors are corrected and redundant requirements are deleted. The required work experience is reduced to two years and the ability to substitute postsecondary schooling for work experience is eliminated.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

Will increase the professionalism of the office. Imposes standards similar to those for city police chiefs. Prosecutors and judges have minimum qualifications. Does not increase current level of our job training.

TESTIMONY AGAINST:

Article II, Section 5 of the Constitution does not permit the Legislature to fix additional qualifications.

TESTIFIED: PRO: Bob McBride, Sheriff, Kittitas County; Sheriff Strong, Wahkiakum County; Dan LaRouch, Douglas County Sheriff; Tim Shellberg, Sheriffs and Chiefs Assn.; CON: Jerry Sheehan, ACLU