
HOUSE BILL 2571

State of Washington

55th Legislature

1998 Regular Session

By Representatives Ballasiotes and O'Brien

Read first time 01/15/98. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to peace officers; amending RCW 43.101.010; adding
2 new sections to chapter 43.101 RCW; and providing an expiration date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.101.010 and 1981 c 132 s 2 are each amended to read
5 as follows:

6 When used in this chapter:

7 (1) The term "commission" means the Washington state criminal
8 justice training commission.

9 (2) The term "boards" means the education and training standards
10 boards, the establishment of which are authorized by this chapter.

11 (3) The term "criminal justice personnel" means any person who
12 serves in a county, city, state, or port commission agency engaged in
13 crime prevention, crime reduction, or enforcement of the criminal law.

14 (4) The term "law enforcement personnel" means any public employee
15 or volunteer having as a primary function the enforcement of criminal
16 laws in general or any employee or volunteer of, or any individual
17 commissioned by, any municipal, county, state, or combination thereof,
18 agency having as its primary function the enforcement of criminal laws
19 in general as distinguished from an agency possessing peace officer

1 powers, the primary function of which is the implementation of
2 specialized subject matter areas. For the purposes of this subsection
3 "primary function" means that function to which the greater allocation
4 of resources is made.

5 (5) The term "correctional personnel" means any employee or
6 volunteer who by state, county, municipal, or combination thereof,
7 statute has the responsibility for the confinement, care, management,
8 training, treatment, education, supervision, or counseling of those
9 individuals whose civil rights have been limited in some way by legal
10 sanction.

11 (6) The term "committee" means the committee on professional
12 conduct and responsibility for Washington state peace officers created
13 under section 2 of this act.

14 NEW SECTION. Sec. 2. A new section is added to chapter 43.101 RCW
15 to read as follows:

16 (1) The committee on professional conduct and responsibility for
17 Washington state peace officers is established. The committee shall
18 immediately dissolve after making its recommendations to the criminal
19 justice training commission under section 4 of this act.

20 (2) The purpose of the committee is to review and recommend to the
21 commission a model policy for the professional conduct and ethical
22 responsibilities of Washington state peace officers.

23 NEW SECTION. Sec. 3. A new section is added to chapter 43.101 RCW
24 to read as follows:

25 The committee consists of seven members appointed by the executive
26 director of the commission and subject to approval by the commission.
27 The committee members must represent the following groups:

28 (1) One must be a sheriff representing county law enforcement
29 agencies;

30 (2) One must be a police chief representing city police agencies;

31 (3) Two must be members of the Washington state council of police
32 officers. A peace officer who is not a member of the Washington state
33 council of police officers may be appointed to the committee, if the
34 officer has a rank of sergeant or below;

35 (4) One must be a peace officer with the Washington state patrol;

36 (5) One must represent the association of Washington cities; and

1 (6) One must represent the Washington state association of
2 counties.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.101 RCW
4 to read as follows:

5 By July 1, 1999, the committee shall create a model policy to be
6 evaluated and adopted by the commission. The model policy must at a
7 minimum ensure that peace officers:

8 (1) Uphold the Constitution of the United States, the Constitution
9 of the state of Washington, and all laws enacted or established under
10 legally constituted authority;

11 (2) Use proper and ethical procedures in the discharge of their
12 official duties;

13 (3) Conduct their public and private lives in a way that
14 exemplifies the integrity, trust, and morality that is demanded of the
15 law enforcement profession;

16 (4) Recognize and protect individual freedoms and rights as
17 guaranteed by law;

18 (5) Cooperate with other officials and organizations who are using
19 legal and ethical means to achieve the goals and objectives of the
20 peace officer profession;

21 (6) Refrain from accepting, giving, or soliciting a gratuity;

22 (7) Maintain the confidentiality of information available to them
23 through any source that they use in a professional capacity;

24 (8) Cooperate with all laws, regulations, and policies regarding
25 the investigation of peace officers; and

26 (9) Uphold all rights offered to Washington state peace officers
27 guaranteed under the Constitution of the United States, the
28 Constitution of the state of Washington, and applicable case law and
29 statutes.

30 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.101 RCW
31 to read as follows:

32 By January 1, 2000, the commission shall:

33 (1) Amend or adopt the model policy and may adopt appropriate rules
34 regarding the professional conduct and responsibility of Washington
35 peace officers based on the model policy created by the committee; and

1 (2) Adopt training courses to educate peace officers about the
2 model policy and any rules adopted by the commission resulting from the
3 model policy.

4 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.101 RCW
5 to read as follows:

6 (1) By January 1, 2002, every Washington state law enforcement
7 agency shall enact a local policy on professional conduct and
8 responsibility that includes all of the subject areas covered in the
9 model policy and any rules adopted by the commission.

10 (2) By January 1, 2002, the Washington state patrol shall enact a
11 local policy on professional conduct and responsibility that includes
12 all of the subject areas covered in the model policy and any rules
13 adopted by the commission that are applicable to the Washington state
14 patrol.

15 NEW SECTION. **Sec. 7.** Sections 2 and 3 of this act expire December
16 31, 1999.

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