

FINAL BILL REPORT

ESSB 6076

C 128 L 02
Synopsis as Enacted

Brief Description: Modifying the powers and duties of fish and wildlife law enforcement officers.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Kline, McCaslin, Oke, T. Sheldon, Snyder, Hargrove and Rasmussen; by request of Department of Fish and Wildlife).

Senate Committee on Judiciary
House Committee on Criminal Justice & Corrections
House Committee on Appropriations

Background: Currently, Fish and Wildlife officers do not have the authority to issue a citation for violating traffic laws, or arrest a person for violating general criminal laws unless the criminal offense takes place in the officer's presence. Instead, Fish and Wildlife officers are designated as "limited authority peace officers" who only have the authority to enforce the laws governing the subject matter of their agency, unless a criminal offense occurs in the officer's presence.

Given that nearly all Fish and Wildlife officers have successfully completed the basic law enforcement academy course, or an equivalency course, sponsored by the Criminal Justice Training Commission, it is suggested that such officers be designated as "general authority peace officers" with such police powers and duties as are vested in sheriffs. It is argued that such a change would enhance public safety, reduce the workload of other police officers, and remove some of the ambiguity in current statutes governing the authority of Fish and Wildlife officers.

Summary: Fish and Wildlife officers are general authority peace officers and have the same police powers and duties as are vested in sheriffs and peace officers generally.

All Fish and Wildlife officers must be citizens of the United States who can read and write the English language. All officers employed on or after the effective date of the act must successfully complete the basic law enforcement academy course, or an equivalency course, sponsored by the Criminal Justice Training Commission.

Fish and Wildlife officers do not have the authority to conduct warrantless searches of noncommercial private areas or otherwise exceed constitutional search provisions.

Provisions of the act do not provide membership in the LEOFF retirement system.

Votes on Final Passage:

Senate 25 24

House 81 12

Effective: June 13, 2002