

1062

Sponsor(s): Representatives O'Brien, Ballasiotes, Delvin, Lovick and Haigh; by request of Criminal Justice Training Commission

Brief Description: Modifying provisions pertaining to the certification of peace officers.

HB 1062 - DIGEST

(DIGEST AS ENACTED)

Provides that, as a condition of continuing employment as peace officers, all Washington peace officers: (1) Shall timely obtain certification as peace officers, or timely obtain certification for exemption therefrom, by meeting all requirements of RCW 43.101.200, as that section is administered under the rules of the commission, as well by meeting any additional requirements under this chapter; and (2) shall maintain the basic certification as peace officers under chapter 43.101 RCW.

Directs the commission to certify peace officers who have satisfied, or have been exempted by statute or by rule from, the basic training requirements of RCW 43.101.200 on or before the effective date of this section. Thereafter, the commission may revoke certification pursuant to this chapter.

Provides that the commission shall allow a peace officer to retain status as a certified peace officer as long as the officer: (1) Timely meets the basic law enforcement training requirements, or is exempted therefrom, in whole or in part, under RCW 43.101.200 or under rule of the commission; (2) meets or is exempted from any other requirements under this chapter as administered under the rules adopted by the commission; (3) is not denied certification by the commission under this chapter; and (4) has not had certification revoked by the commission.

Declares that a peace officer's certification lapses automatically when there is a break of more than twenty-four consecutive months in the officer's service as a full-time law enforcement officer. A break in full-time law enforcement service which is due solely to the pendency of direct review or appeal from a disciplinary discharge, or to the pendency of a work-related injury, does not cause a lapse in certification. The officer may petition the commission for reinstatement of certification.

Provides that, on all appeals brought under this act, a five-member hearings panel shall both hear the case and make the commission's final administrative decision.

Declares that the commission, its boards, and individuals acting on behalf of the commission and its boards are immune from suit in any civil or criminal action contesting or based upon proceedings or other official acts performed in the course of their duties in the administration and enforcement of this act.

Declares that, except as provided, the following records of the commission are confidential and exempt from public disclosure: (1) The contents of personnel action reports filed under this act; (2) all files, papers, and other information obtained by the commission pursuant to this act; and (3) all investigative files of

the commission compiled in carrying out the responsibilities of the commission under this act. Such records are not subject to public disclosure, subpoena, or discovery proceedings in any civil action, except as provided.