

SENATE BILL REPORT

SB 5267

As Passed Senate, March 8, 2005

Title: An act relating to clarifying the ability of Washington state patrol officers to engage in private law enforcement off-duty employment in plainclothes for private benefit.

Brief Description: Clarifying the ability of Washington state patrol officers to engage in private law enforcement off-duty employment in plainclothes for private benefit.

Sponsors: Senators Haugen, Esser, Rasmussen, Delvin and McAuliffe.

Brief History:

Committee Activity: Transportation: 2/7/05, 2/9/05 [DP].

Passed Senate: 3/8/05, 49-0.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Swecker, Ranking Minority Member; Benson, Eide, Esser, Kastama, Mulliken and Oke.

Staff: Janice Baumgardt (786-7319)

Background: Under current law, no state employee or officer may use any person, money, or property under his or her official control or direction for private benefit or gain. However, Washington State Patrol officers may engage in private law enforcement off-duty employment for benefit, if in uniform and subject to guidelines adopted by the chief of the state patrol. The use of uniforms is considered a de minimus use of state property.

Summary of Bill: Washington State Patrol officers may also engage in private law enforcement off-duty employment in plain clothes, under guidelines adopted by the chief of the state patrol.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a clarification of the 1997 legislation which first authorized off-duty law enforcement.

Testimony Against: None.

Concerns: The training troopers receive at the Academy may not be adequate for all situations off-duty law enforcement employment might involve. The number of off-duty law

enforcement hours worked may become a problem. The types of off-duty employment may cause liability concerns for the Washington State Patrol.

Who Testified: PRO: Bob Thurston, Washington State Patrol Troopers Association; Rick Jensen, Washington State Patrol Troopers Association; Robert Reandeu, Puget Sound Executive Services, Inc. PRO with CONCERNS: Fred Fakkema, Washington State Patrol.