
SENATE BILL 5170

State of Washington 59th Legislature 2005 Regular Session

By Senators Carrell, Rasmussen, Rockefeller and Shin

Read first time 01/17/2005. Referred to Committee on Judiciary.

1 AN ACT Relating to conduct of law enforcement officers; adding a
2 new section to chapter 43.43 RCW; and adding a new chapter to Title 10
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.43 RCW
6 to read as follows:

7 The Washington state patrol shall adopt personnel policies that
8 ensure that patrol officers do not improperly use their position or
9 authority as patrol officers in dealing with personal matters, legal or
10 otherwise, or in dealing with other persons with whom they have a
11 personal matter. These policies must include, at a minimum, provisions
12 that prohibit patrol officers from:

13 (1) Taking part in the investigation or processing of a case or
14 complaint in which they have a personal interest;

15 (2) Using their unique position or authority as a patrol officer to
16 investigate a personal matter, legal or otherwise;

17 (3) Using their position or authority to investigate, follow, place
18 under surveillance, intimidate, or harass a person with whom they have
19 a personal matter, legal or otherwise;

1 (4) Using the information resources that are available to them as
2 patrol officers to investigate a personal matter or a person with whom
3 they have a personal matter; and

4 (5) Investigating or engaging other officers to investigate a
5 personal matter of a patrol officer or a person with whom a patrol
6 officer has a personal matter unless investigation of the matter is
7 within the proper function of the state patrol and the investigation
8 takes place through the normal process of investigating a case or
9 complaint.

10 NEW SECTION. **Sec. 2.** Law enforcement agencies shall adopt
11 personnel policies that ensure that law enforcement officers do not
12 improperly use their position or authority as officers in dealing with
13 personal matters, legal or otherwise, or in dealing with other persons
14 with whom they have a personal matter. These policies must include, at
15 a minimum, provisions that prohibit officers from:

16 (1) Taking part in the investigation or processing of a case or
17 complaint in which they have a personal interest;

18 (2) Using their unique position or authority as an officer to
19 investigate a personal matter, legal or otherwise;

20 (3) Using their position or authority as officers to investigate,
21 follow, place under surveillance, intimidate, or harass a person with
22 whom they have a personal matter, legal or otherwise;

23 (4) Using the information resources that are available to them as
24 officers to investigate a personal matter or a person with whom they
25 have a personal matter; and

26 (5) Investigating or engaging other officers to investigate a
27 personal matter of an officer or a person with whom an officer has a
28 personal matter unless investigation of the matter is within the proper
29 function of the law enforcement agency and the investigation takes
30 place through the normal process of investigating a case or complaint.

31 NEW SECTION. **Sec. 3.** Section 2 of this act constitutes a new
32 chapter in Title 10 RCW.

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