

SENATE BILL REPORT

SB 5156

As Reported by Senate Committee On:
Judiciary, January 28, 2009

Title: An act relating to certification actions of Washington peace officers.

Brief Description: Addressing certification actions of Washington peace officers.

Sponsors: Senators Brandland, McCaslin and Keiser; by request of Criminal Justice Training Commission.

Brief History:

Committee Activity: Judiciary: 1/28/09 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin, Ranking Minority Member; Hargrove, Kohl-Welles, Roach and Tom.

Staff: Juliana Roe (786-7438)

Background: Under current law, administrative peace officer decertification actions are heard by panels that make the final administrative decisions for the Washington State Criminal Justice Training Commission.

Decertification actions requested in relation to Washington peace officers who are not peace officers of the Washington State Patrol are required to be heard by a panel consisting of one police chief, one sheriff, two peace officers who are at or below the level of first-line supervisor and are from city or county law enforcement with at least ten years experience, and one person who represents a community college or four-year college or university.

Decertification actions requested in relation to Washington State Patrol officers are required to be heard by a panel consisting of either one police chief or sheriff, one state patrol administrator, one peace officer who is at or below the level of first-line supervisor from a city or county law enforcement agency with at least ten years experience, one state patrol officer who is at or below the level of first-line supervisor with at least ten years experience, and one person who represents a community college or four-year college or university.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Decertification actions requested in relation to tribal police officers are required to be heard by a panel consisting of either one chief or one sheriff, one tribal police chief, one peace officer who is at or below the level of first-line supervisor, is from a city or county law enforcement agency, and has at least ten years experience, and one person who represents a community college or four-year college or university.

Summary of Bill: Decertification actions are renamed "certification" actions.

Peace officers that are appointed to the administrative hearing panels for certification actions must be certified Washington peace officers.

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.

Staff Summary of Public Testimony: PRO: The changes in this bill are made as a result of an oversight. Certification only applied to city and county police officers and failed to take into consideration that there are fish and wildlife, county, and university officers. These are necessary changes so that they all have an opportunity to serve on the hearings board. This statute is the only one that uses the term decertification. The commission actually uses a certification process in which licenses are either revoked or denied.

Persons Testifying: PRO: Doug Blair, Criminal Justice Training Commission.