

FINAL BILL REPORT

SSB 5004

C 288 L 15
Synopsis as Enacted

Brief Description: Establishing the position and authority of warrant officers.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Angel and Rolfes).

Senate Committee on Law & Justice
House Committee on Judiciary

Background: Washington cities fall into one of the following classifications based on population: first class, second class, and town. A first-class city is defined as a city with a population of 10,000 or more at the time of its organization or reorganization and has a charter adopted under the state Constitution. A second-class city is a city with a population of 1500 or more at the time of its organization or reorganization that does not have a charter adopted under the state Constitution and does not operate under the state Model Municipal Code. A town has a population of up to 1500 at the time of its organization and does not operate under the state Model Municipal Code.

A warrant officer is a limited-commission officer with the authority to arrest based on misdemeanor warrants and to serve court orders. Warrant officers are not fully commissioned law enforcement officers subject to law enforcement academy requirements. Washington law currently provides cities with a population of over 400,000 with the authority to maintain the position of warrant officer within the city police department. These cities are authorized to establish the number of warrant officer positions and the qualifications for warrant officers by ordinance. The warrant officer's compensation must be paid by the city employing the warrant officer. A warrant officer is vested only with the authority to make arrests authorized by court order and other arrests as authorized by ordinance. A municipal court order may not be executed by the warrant officer outside of the limits served by that court unless the person authorized by the order first contacts the law enforcement agency in whose jurisdiction the order is to be served. If a defendant is arrested in another city or county pursuant to a municipal court order, the municipal court issuing the order bears the cost of arresting the defendant, serving the order, and returning the defendant to the city. Warrant officers are not entitled to death, disability, or retirement benefits currently authorized under state law for law enforcement officers and firefighters. A city with a population of up to 400,000 is not expressly authorized by statute to maintain the position of warrant officer within its police department.

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.

Summary: Any code or non-code city or town may establish and maintain the position of warrant officer within the police department. A warrant officer is vested only with authority identified in ordinance which may include making arrests authorized by warrants, and service of civil and criminal process. The authority to serve or enforce a court's process is limited to the authority that the local jurisdiction has granted by ordinance. The chief of police must establish training requirements consistent with the duties of the warrant officer, which must be approved by the Criminal Justice Training Commission.

Votes on Final Passage:

Senate	43	1	
House	70	28	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 24, 2015