
Labor & Workplace Standards Committee

SB 6145

Brief Description: Addressing civil service qualifications.

Sponsors: Senators Saldaña, Keiser, Dhingra and Kuderer.

Brief Summary of Bill

- Provides that city police and fire department and county sheriff civil service applicants may be lawful permanent residents as an alternative to United States citizens.
- Allows a city police or county sheriff law enforcement agency to reject an application if the agency deems that it does not have the resources to conduct the background investigation.
- Changes the background investigation for a fully commissioned peace officer or reserve officer to include proof of lawful permanent resident status as an alternative to United States citizenship.

Hearing Date: 2/15/18

Staff: Joan Elgee (786-7106).

Background:

Law Enforcement.

Under state law, United States citizenship is required for city police and county sheriff civil service positions. Separate laws require the police chief and sheriff to be United States citizens.

Cities with more than six commissioned officers, including the chief, may exclude a number of positions from civil service depending on the size of the city. Civil service is not required for very small cities. For county sheriff's offices, all employees are classified as civil service, except that the county may exclude a number of positions depending on the size of the sheriff's office.

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.

The Criminal Justice Training Commission (CJTC) certifies applicants for fully commissioned peace officer positions. The CJTC has the power to require county, city, and state law enforcement agencies to administer a background investigation of applicants for these positions. Under the CJTC rules, proof of United States citizenship is required. Peace officers include, in addition to city and county law enforcement officers, commissioned Washington State Patrol officers and Department of Fish and Wildlife officers with enforcement powers for all criminal suits.

Fire Departments.

State law also requires United States citizenship for city fire department civil service positions. All full-paid positions are classified as civil service, except that the city may exclude the chief. A fire protection district may also provide for civil service.

Lawful Permanent Residents.

Under federal immigration law, a person "lawfully admitted for permanent residence" is a person who has been lawfully accorded the privilege of residing permanently in the United States as an immigrant. These persons are also known as green card holders. A person may become a lawful permanent resident through family, a job, or through other specified means.

Summary of Bill:

Lawful permanent resident status is an alternative to the requirement that city police and sheriff, and city fire department civil service applicants be United States citizens. The laws specifying requirements for civil service applicants are clarified to apply only to the respective civil service law. Citizenship continues to be a requirement for sheriffs and police chiefs. A city police or county sheriff law enforcement agency may reject an application if the agency deems that it does not have the resources to conduct the required background investigation. Resource means materials, funding, and staff time. An applicant's rights under state anti-discrimination laws are not impaired.

The background investigation for a fully commissioned peace officer or reserve officer includes verification of immigrant or citizen status as either a citizen of the United States or a lawful permanent resident. This qualification applies to city and county law enforcement personnel, Washington State Patrol officers, and Department of Fish and Wildlife officers with enforcement powers for all criminal laws.

A "lawful permanent resident" is a person "lawfully admitted for permanent residence" under federal law.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.