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**HOUSE BILL 1456**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Griffey, Caldier, Jacobsen, Klicker, Nance, and Eslick

Read first time 01/21/25. Referred to Committee on Community Safety.

1 AN ACT Relating to changing conditions, policies, and programs to  
2 support specified law enforcement personnel and help in recruiting  
3 and retaining law enforcement officers; amending RCW 4.24.420,  
4 43.43.112, 79A.05.160, and 42.52.120; reenacting and amending RCW  
5 10.120.020; adding a new section to chapter 43.59 RCW; adding a new  
6 section to chapter 28B.50 RCW; adding a new section to chapter 36.28  
7 RCW; and creating a new section.

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

9 NEW SECTION. **Sec. 1.** The legislature finds that Washington  
10 state has the lowest number of law enforcement officers per capita in  
11 the country with a rate of 1.35 officers per one thousand residents  
12 in 2023, down from 1.51 in 2019 and the national average is 2.31  
13 officers per thousand residents. The legislature also finds that  
14 during the same time frame of 2019 to 2023, crimes against persons  
15 have increased nine percent, property crimes have increased 14  
16 percent, and the number of law enforcement officers assaulted has  
17 increased 21 percent. Therefore, the legislature intends to support  
18 law enforcement officers and encourage more individuals to be law  
19 enforcement officers by restoring reasonable protections from civil  
20 liability when performing job duties in accordance with their  
21 training, experience, and agency policies, directing the Washington

1 traffic safety commission to coordinate a law enforcement  
2 appreciation media campaign, and authorizing law enforcement officers  
3 to receive honoraria when giving presentations before higher  
4 education classes on criminal justice or forensic science.

5 **Sec. 2.** RCW 4.24.420 and 2021 c 325 s 1 are each amended to read  
6 as follows:

7 ~~((1) Except in an action arising out of law enforcement~~  
8 ~~activities resulting in personal injury or death, it))~~ It is a  
9 complete defense to any action for damages for personal injury or  
10 wrongful death that the person injured or killed was engaged in the  
11 commission of a felony at the time of the occurrence causing the  
12 injury or death and the felony was a proximate cause of the injury or  
13 death.

14 ~~((2) In an action arising out of law enforcement activities~~  
15 ~~resulting in personal injury or death, it is a complete defense to~~  
16 ~~the action that the finder of fact has determined beyond a reasonable~~  
17 ~~doubt that the person injured or killed was engaged in the commission~~  
18 ~~of a felony at the time of the occurrence causing the injury or~~  
19 ~~death, the commission of which was a proximate cause of the injury or~~  
20 ~~death.~~

21 ~~(3) Nothing))~~ However, nothing in this section shall affect a  
22 right of action under 42 U.S.C. Sec. 1983.

23 **Sec. 3.** RCW 10.120.020 and 2022 c 80 s 3 and 2022 c 4 s 3 are  
24 each reenacted and amended to read as follows:

25 (1) PHYSICAL FORCE. Except as otherwise provided under this  
26 section, a peace officer may use physical force against a person to  
27 the extent necessary to:

28 (a) Protect against a criminal offense when there is probable  
29 cause that the person has committed, is committing, or is about to  
30 commit the offense;

31 (b) Effect an arrest;

32 (c) Prevent an escape as defined under chapter 9A.76 RCW;

33 (d) Take a person into custody, transport a person for evaluation  
34 or treatment, or provide other assistance under chapter 10.77, 71.05,  
35 or 71.34 RCW;

36 (e) Take a minor into protective custody when authorized or  
37 directed by statute;

1 (f) Execute or enforce a court order authorizing or directing a  
2 peace officer to take a person into custody;

3 (g) Execute a search warrant;

4 (h) Execute or enforce an oral directive issued by a judicial  
5 officer in the courtroom or a written order where the court expressly  
6 authorizes a peace officer to use physical force to execute or  
7 enforce the directive or order; ((~~or~~))

8 (i) Prevent a person from fleeing or stop a person who is  
9 actively fleeing a lawful temporary investigative detention, provided  
10 that the person has been given notice that he or she is being  
11 detained and is not free to leave;

12 (j) Take a person into custody when authorized or directed by  
13 statute; or

14 (k) Protect against an imminent threat of bodily injury to the  
15 peace officer, another person, or the person against whom force is  
16 being used.

17 (2) DEADLY FORCE. Except as otherwise provided under this  
18 section, a peace officer may use deadly force against another person  
19 only when necessary to protect against an immediate threat of serious  
20 physical injury or death to the officer or another person. For  
21 purposes of this subsection: "Immediate threat of serious physical  
22 injury or death" means that, based on the totality of the  
23 circumstances, it is objectively reasonable to believe that a person  
24 has the present and apparent ability, opportunity, and intent to  
25 immediately cause death or serious bodily injury to the peace officer  
26 or another person.

27 (3) REASONABLE CARE. A peace officer shall use reasonable care  
28 when determining whether to use physical force or deadly force and  
29 when using any physical force or deadly force against another person.  
30 To that end, a peace officer shall:

31 (a) When possible, use all de-escalation tactics that are  
32 available and appropriate under the circumstances before using  
33 physical force;

34 (b) When using physical force, use the least amount of physical  
35 force necessary to overcome resistance under the circumstances. This  
36 includes a consideration of the characteristics and conditions of a  
37 person for the purposes of determining whether to use force against  
38 that person and, if force is necessary, determining the appropriate  
39 and least amount of force possible to effect a lawful purpose. Such  
40 characteristics and conditions may include, for example, whether the

1 person: Is visibly pregnant, or states that they are pregnant; is  
2 known to be a minor, objectively appears to be a minor, or states  
3 that they are a minor; is known to be a vulnerable adult, or  
4 objectively appears to be a vulnerable adult as defined in RCW  
5 74.34.020; displays signs of mental, behavioral, or physical  
6 impairments or disabilities; is experiencing perceptual or cognitive  
7 impairments typically related to the use of alcohol, narcotics,  
8 hallucinogens, or other drugs; is suicidal; has limited English  
9 proficiency; or is in the presence of children;

10 (c) Terminate the use of physical force as soon as the necessity  
11 for such force ends;

12 (d) When possible, use less lethal alternatives that are  
13 available and appropriate under the circumstances before using deadly  
14 force; and

15 (e) Make less lethal alternatives issued to the officer  
16 reasonably available for his or her use.

17 (4) A peace officer may not use any force tactics prohibited by  
18 applicable departmental policy, this chapter, or otherwise by law,  
19 except to protect his or her life or the life of another person from  
20 an imminent threat.

21 (5) Nothing in this section:

22 (a) Limits or restricts a peace officer's authority or  
23 responsibility to perform lifesaving measures or perform community  
24 caretaking functions to ensure health and safety including, but not  
25 limited to, rendering medical assistance, performing welfare checks,  
26 or assisting other first responders and medical professionals;

27 (b) Prevents a peace officer from responding to requests for  
28 assistance or service from first responders, medical professionals,  
29 behavioral health professionals, social service providers, designated  
30 crisis responders, shelter or housing providers, or any member of the  
31 public;

32 (c) Permits a peace officer to use physical force or deadly force  
33 in a manner or under such circumstances that would violate the United  
34 States Constitution or state Constitution; or

35 (d) Prevents a law enforcement agency or political subdivision of  
36 this state from adopting policies or standards with additional  
37 requirements for de-escalation and greater restrictions on the use of  
38 physical and deadly force than provided in this section.

39 (6) The standards under this section shall be interpreted  
40 according to whether the officer's actions are objectively reasonable

1 in light of the totality of the circumstances, without regard to the  
2 officer's underlying intent or motivation, and the reasonableness of  
3 a particular use of force must be judged from the perspective of a  
4 reasonable officer on the scene, and its calculus must embody an  
5 allowance for the fact that police officers are often forced to make  
6 split second decisions about the amount of force necessary in a  
7 particular situation.

8 (7) For the purposes of this section, "appropriate," "necessary,"  
9 "possible," "reasonable," "available," and "imminent" must be  
10 interpreted according to an objective standard which considers all  
11 the facts, circumstances, and information known to the officer at the  
12 time to determine whether a similarly situated reasonable officer  
13 would have determined the action was appropriate, necessary,  
14 possible, reasonable, available, or imminent.

15 NEW SECTION. Sec. 4. A new section is added to chapter 43.59  
16 RCW to read as follows:

17 The traffic safety commission using funds appropriated for this  
18 specific purpose must develop and implement a law enforcement  
19 appreciation media campaign in coordination with a statewide  
20 association representing police officers and sheriffs and in  
21 consultation with the Washington state patrol. This media campaign is  
22 to educate and focus public attention on police officers that have  
23 been heroes in their communities, standing between violence and  
24 people that would harm others. The goal of the campaign is to let the  
25 public know more about how police officers keep people safe in their  
26 communities.

27 NEW SECTION. Sec. 5. A new section is added to chapter 28B.50  
28 RCW to read as follows:

29 (1) The legislature finds that involvement by certified law  
30 enforcement officers in college programs can help improve the image  
31 of law enforcement within the community, create positive interactions  
32 with potential recruits, and inspire individuals to consider a career  
33 in law enforcement. A law enforcement officer's duties do not include  
34 any obligation to interact with college programs in such a manner.

35 (2) An institution of higher education, as defined in RCW  
36 28B.10.016, may engage a general authority Washington peace officer,  
37 as defined in RCW 10.93.020, or an officer employed by the state  
38 parks and recreation commission, to do a presentation as part of a

1 criminal justice associate, law enforcement, police science,  
2 financial forensics and fraud, or forensic science and technology  
3 course and pay an honorarium. Such payment is only appropriate when  
4 the presentation occurs outside of his or her official duties.

5 NEW SECTION. **Sec. 6.** A new section is added to chapter 36.28  
6 RCW to read as follows:

7 Sheriffs and deputy sheriffs may make presentations and receive  
8 honorarium in accordance with section 5 of this act.

9 **Sec. 7.** RCW 43.43.112 and 2005 c 124 s 1 are each amended to  
10 read as follows:

11 (1) Washington state patrol officers may engage in private law  
12 enforcement off-duty employment, in uniform or in plainclothes for  
13 private benefit, subject to guidelines adopted by the chief of the  
14 Washington state patrol. These guidelines must ensure that the  
15 integrity and professionalism of the Washington state patrol is  
16 preserved. Use of Washington state patrol officer's uniforms shall be  
17 considered de minimis use of state property.

18 (2) Washington state patrol officers may make presentations and  
19 receive honorarium in accordance with section 5 of this act.

20 **Sec. 8.** RCW 79A.05.160 and 2016 c 185 s 1 are each amended to  
21 read as follows:

22 (1) Designated officers, employed by the commission, shall be  
23 vested with police powers to enforce the laws of this state:

24 (a) Within the boundaries of any state park, including lands  
25 owned, managed, or comanaged by the commission under lease or other  
26 agreement;

27 (b) In winter recreation facilities established and administered  
28 by the commission pursuant to RCW 79A.05.225(1)(a);

29 (c) On public roadways and public waterways bisecting the  
30 contiguous borders of any state park, including lands owned, managed,  
31 or comanaged by the commission under lease or other agreement;

32 (d) Upon the prior written consent of the sheriff or chief of  
33 police in whose primary territorial jurisdiction the exercise of the  
34 powers occur;

35 (e) In response to the request of a peace officer with  
36 enforcement authority; and

1 (f) When the officer is in fresh pursuit for an offense committed  
2 in the presence of the officer while the officer had police powers as  
3 specified in (a) through (e) of this subsection.

4 (2) The director may, under the provisions of RCW 7.84.140, enter  
5 into an agreement allowing officers of the department of natural  
6 resources, the department of fish and wildlife, and tribal law  
7 enforcement agencies on contiguous or comanaged property, to enforce  
8 certain civil infractions created under this title.

9 (3) Any officer employed by the commission may make presentations  
10 and receive honorarium in accordance with section 5 of this act.

11 **Sec. 9.** RCW 42.52.120 and 1997 c 318 s 1 are each amended to  
12 read as follows:

13 (1) No state officer or state employee may receive any thing of  
14 economic value under any contract or grant outside of his or her  
15 official duties. The prohibition in this subsection does not apply  
16 where the state officer or state employee has complied with RCW  
17 42.52.030(2) or each of the following conditions are met:

18 (a) The contract or grant is bona fide and actually performed;

19 (b) The performance or administration of the contract or grant is  
20 not within the course of the officer's or employee's official duties,  
21 or is not under the officer's or employee's official supervision;

22 (c) The performance of the contract or grant is not prohibited by  
23 RCW 42.52.040 or by applicable laws or rules governing outside  
24 employment for the officer or employee;

25 (d) The contract or grant is neither performed for nor  
26 compensated by any person from whom such officer or employee would be  
27 prohibited by RCW 42.52.150(4) from receiving a gift;

28 (e) The contract or grant is not one expressly created or  
29 authorized by the officer or employee in his or her official  
30 capacity;

31 (f) The contract or grant would not require unauthorized  
32 disclosure of confidential information.

33 (2) In addition to satisfying the requirements of subsection (1)  
34 of this section, a state officer or state employee may have a  
35 beneficial interest in a grant or contract or a series of  
36 substantially identical contracts or grants with a state agency only  
37 if:

1 (a) The contract or grant is awarded or issued as a result of an  
2 open and competitive bidding process in which more than one bid or  
3 grant application was received; or

4 (b) The contract or grant is awarded or issued as a result of an  
5 open and competitive bidding or selection process in which the  
6 officer's or employee's bid or proposal was the only bid or proposal  
7 received and the officer or employee has been advised by the  
8 appropriate ethics board, before execution of the contract or grant,  
9 that the contract or grant would not be in conflict with the proper  
10 discharge of the officer's or employee's official duties; or

11 (c) The process for awarding the contract or issuing the grant is  
12 not open and competitive, but the officer or employee has been  
13 advised by the appropriate ethics board that the contract or grant  
14 would not be in conflict with the proper discharge of the officer's  
15 or employee's official duties.

16 (3) A state officer or state employee awarded a contract or  
17 issued a grant in compliance with subsection (2) of this section  
18 shall file the contract or grant with the appropriate ethics board  
19 within thirty days after the date of execution; however, if  
20 proprietary formulae, designs, drawings, or research are included in  
21 the contract or grant, the proprietary formulae, designs, drawings,  
22 or research may be deleted from the contract or grant filed with the  
23 appropriate ethics board.

24 (4) This section does not prevent a state officer or state  
25 employee from receiving compensation contributed from the treasury of  
26 the United States, another state, county, or municipality if the  
27 compensation is received pursuant to arrangements entered into  
28 between such state, county, municipality, or the United States and  
29 the officer's or employee's agency. This section does not prohibit a  
30 state officer or state employee from serving or performing any duties  
31 under an employment contract with a governmental entity.

32 (5) As used in this section, "officer" and "employee" do not  
33 include officers and employees who, in accordance with the terms of  
34 their employment or appointment, are serving without compensation  
35 from the state of Washington or are receiving from the state only  
36 reimbursement of expenses incurred or a predetermined allowance for  
37 such expenses.



1       (6) This section does not prevent a state officer or state  
2 employee as identified in section 5(2) of this act from receiving an  
3 honorarium in accordance with section 5 of this act.

--- **END** ---