
SUBSTITUTE SENATE BILL 5066

State of Washington

69th Legislature

2025 Regular Session

By Senate Law & Justice (originally sponsored by Senators Hansen, Lovick, Wellman, Trudeau, Hasegawa, Saldaña, Frame, Nobles, Pedersen, Salomon, and Valdez)

READ FIRST TIME 02/07/25.

1 AN ACT Relating to strengthening and clarifying the authority of
2 the attorney general to address local law enforcement and local
3 corrections agency misconduct through investigations and legal
4 actions; adding new sections to chapter 43.10 RCW; creating a new
5 section; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** The state of Washington and its
8 subdivisions undertake to protect the safety of individuals and to
9 preserve public peace by employing peace officers who are entrusted
10 with the power to arrest, detain, and use force against individuals
11 suspected of violating criminal statutes, and local corrections
12 officers who are responsible for the custody, safety, and security of
13 incarcerated individuals.

14 It is the intent of the legislature to clarify existing authority
15 and authorize the attorney general's office to investigate and, if
16 necessary, bring suit against law enforcement agencies and local
17 corrections agencies to compel needed reforms where there are
18 violations of constitutional and civil rights, in order to promote
19 effective and constitutional policing, detention, and incarceration
20 practices across the state, provide significant, systemic relief and
21 transparency, increase community confidence in law enforcement and

1 corrections agencies, and improve agency accountability with respect
2 to policing, detention, and incarceration practices.

3 This state authority is necessary to promote a consistent level
4 of quality policing for all Washingtonians. This act does not
5 preempt, limit, diminish, or otherwise affect any other cause of
6 action or appropriate remedy authorized by state or federal law.

7 NEW SECTION. **Sec. 2.** The definitions in this section apply
8 throughout this act unless the context clearly requires otherwise.

9 (1) "Local corrections agency" means any county, city, or local
10 agency providing or otherwise responsible for the custody, safety,
11 and security of adults or juveniles incarcerated in correctional,
12 jail, or detention facilities. "Local corrections agency" does not
13 include the Washington department of corrections or any other agency,
14 department, or division of state government.

15 (2) "Local corrections officer" means any employee, whether part
16 time or full time, of a county, city, or local jail, correctional, or
17 detention facility who is responsible for the custody, safety, and
18 security of adult or juvenile persons confined in the facility.

19 (3) "Local law enforcement agency" means any agency, department,
20 or division of a municipal corporation, political subdivision, or
21 other unit of local government of this state, having as its primary
22 function the detection and apprehension of persons committing
23 infractions or violating the traffic or criminal laws in general, or
24 having as one of its functions the apprehension or detection of
25 persons committing infractions or violating the traffic or criminal
26 laws relating to limited subject areas. "Local law enforcement
27 agency" does not include the Washington state patrol or any other
28 agency, department, or division of state government.

29 (4) "Peace officer" includes any "general authority Washington
30 peace officer," "limited authority Washington peace officer," and
31 "specially commissioned Washington peace officer" of any county,
32 city, town, or municipal corporation as those terms are defined in
33 RCW 10.93.020.

34 NEW SECTION. **Sec. 3.** (1) As a matter of state interest and
35 public concern under RCW 43.10.030(1), the attorney general may:

36 (a) Investigate a local law enforcement agency or local
37 corrections agency, as defined in section 2 of this act, for a
38 violation of the Washington state Constitution or state law,

1 including where insufficient accountability systems, training, and
2 policies at the agency lead to such violations;

3 (b) Bring an action against a local law enforcement agency or
4 local corrections agency, as defined in section 2 of this act, for
5 violations of the Washington state Constitution or state law pursuant
6 to an investigation. In the discretion of the court, the attorney
7 general may recover the costs of the action including reasonable
8 attorneys' fees if the attorney general prevails in the action.

9 (2) The attorney general's power under this section includes the
10 authority to:

11 (a) Investigate violations under subsection (1) of this section
12 on its own initiative or in response to investigations or reports
13 from independent oversight bodies;

14 (b) Issue written civil investigative demands for documents and
15 oral testimony, and answers to written interrogatories; and

16 (c) Institute civil actions in the courts for injunctive or
17 declaratory relief, damages, costs, and reasonable attorneys' fees,
18 including damages for failure to reach compliance within any
19 timelines as required under subsection (5) of this section.

20 (3) At the initiation of a formal investigation, the attorney
21 general shall:

22 (a) Confer with the United States department of justice to ensure
23 that law enforcement resources are being used efficiently and that
24 there are no conflicts with any independent investigations by the
25 United States department of justice. In any investigation or action
26 brought under this section against a local law enforcement agency or
27 local corrections agency that is subject to an active investigation
28 by the United States department of justice, the attorney general
29 shall not seek any relief or remedies that are in conflict with the
30 federal action. The attorney general may not bring a civil action
31 against a local law enforcement agency or local corrections agency
32 under this section concurrent to any civil actions by the United
33 States department of justice;

34 (b) Send a letter to the local law enforcement agency or local
35 corrections agency (i) explaining why the attorney general seeks to
36 conduct an investigation, what information is being sought, and how
37 the attorney general intends to investigate, and (ii) requesting to
38 meet to discuss the investigation.

39 (4) If an investigation is initiated, the attorney general shall
40 confer with:

1 (a) The local law enforcement agency or local corrections agency
2 in an attempt to clarify and remedy the alleged violations;

3 (b) The office of independent investigations to ensure that any
4 investigation under this section will not interfere with or impede an
5 ongoing investigation being conducted by the office of independent
6 investigations.

7 (5) All remedies and resolutions under this section must include
8 timelines for their completion and the local law enforcement agency
9 or local corrections agency must come into compliance within that
10 time period.

11 (6) This state-level authority is not intended to hold individual
12 officers liable for misconduct.

13 NEW SECTION. **Sec. 4.** This act must be liberally construed so
14 that its beneficial and remedial purposes may be served, while not
15 limiting due process rights. After the effective date of this
16 section, public employers subject to this act may not enter into or
17 renew collective bargaining agreements that conflict with this act,
18 nor may any local or state laws, rules, or regulations conflict with
19 this act except to the extent that they are to effectuate a
20 previously adopted collective bargaining agreement for the duration
21 of its term.

22 NEW SECTION. **Sec. 5.** By September 1, 2026, the attorney general
23 shall develop and publish a model policy for law enforcement agency
24 accountability systems, specifying model practices for receiving
25 complaints of serious misconduct, conducting investigations of
26 serious misconduct, imposing discipline for serious misconduct, and
27 addressing disciplinary appeals. The model policy must promote
28 transparent and effective accountability systems that: Mete out fair,
29 impartial, and swift discipline commensurate to wrongdoing; reduce
30 officer misconduct; reduce barriers to accountability; and uphold the
31 civil and constitutional rights of members of the public. The model
32 policy shall be consistent with standards adopted in other attorney
33 general published model policies at the specific request of the
34 legislature addressing policing practices, including policies
35 governing use of force, and use of force data collection and
36 reporting practices. In developing this policy, the attorney general
37 shall consult with the criminal justice training commission, the
38 office of independent investigations, the state auditor's office, law

1 enforcement agencies, the Washington state fraternal order of police,
2 the Washington council of police and sheriffs, the Washington state
3 patrol troopers association, the Washington association of sheriffs
4 and police chiefs, independent oversight bodies, city attorneys and
5 county prosecutors, people impacted by police misconduct, policing
6 experts, and police accountability advocates.

7 NEW SECTION. **Sec. 6.** Sections 2 through 5 of this act are each
8 added to chapter 43.10 RCW.

9 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
10 preservation of the public peace, health, or safety, or support of
11 the state government and its existing public institutions, and takes
12 effect immediately.

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