
SENATE BILL 5066

State of Washington

69th Legislature

2025 Regular Session

By Senators Hansen, Lovick, Wellman, Trudeau, Hasegawa, and Saldaña

Prefiled 12/16/24.

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; and creating a new
5 section.

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. The legislature recognizes that systemic
14 abuses of this power, such as repeated officer misconduct in using
15 excessive force; unlawful stops, searches, or arrests; discriminatory
16 practices that violate the rights of people in Washington; and the
17 provision of substandard conditions of confinement and inadequate
18 medical care to detainees and prisoners, harm public safety, hinder
19 effectiveness, and decrease trust in law enforcement and corrections
20 agencies.

1 It is the intent of the legislature to clarify existing authority
2 and authorize the attorney general's office to investigate and, if
3 necessary, bring suit against law enforcement agencies and local
4 corrections agencies to compel needed reforms where there are
5 violations of constitutional and civil rights, in order to promote
6 effective and constitutional policing, detention, and incarceration
7 practices across the state, provide significant, systemic relief and
8 transparency, increase community confidence in law enforcement and
9 corrections agencies, and improve officer and agency accountability
10 with respect to policing, detention, and incarceration practices.

11 This state level authority is not intended to address isolated
12 acts of misconduct or to hold individual officers liable for
13 misconduct. This state authority is necessary to promote a consistent
14 level of quality policing for all Washingtonians. This act does not
15 preempt, limit, diminish, or otherwise affect any other cause of
16 action or appropriate remedy authorized by state or federal law.

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

19 (1) "Local corrections agency" means any county, city, or local
20 agency providing or otherwise responsible for the custody, safety,
21 and security of adults or juveniles incarcerated in correctional,
22 jail, or detention facilities. "Local corrections agency" does not
23 include the Washington department of corrections or any other agency,
24 department, or division of state government.

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

29 (3) "Local law enforcement agency" means any agency, department,
30 or division of a municipal corporation, political subdivision, or
31 other unit of local government of this state, having as its primary
32 function the detection and apprehension of persons committing
33 infractions or violating the traffic or criminal laws in general, or
34 having as one of its functions the apprehension or detection of
35 persons committing infractions or violating the traffic or criminal
36 laws relating to limited subject areas. "Local law enforcement
37 agency" does not include the Washington state patrol or any other
38 agency, department, or division of state government.

1 (4) "Peace officer" includes any "general authority Washington
2 peace officer," "limited authority Washington peace officer," and
3 "specially commissioned Washington peace officer" of any county,
4 city, town, or municipal corporation as those terms are defined in
5 RCW 10.93.020.

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

8 (a) Investigate a local law enforcement agency or local
9 corrections agency, as defined in section 2 of this act, for a
10 violation of the Washington state Constitution or state law,
11 including where insufficient accountability systems, training, and
12 policies at the agency lead to such violations;

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

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

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

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

26 (c) Institute civil actions in the courts for injunctive or
27 declaratory relief, damages, costs, and reasonable attorneys' fees.

28 (3) At the initiation of a formal investigation, the attorney
29 general shall:

30 (a) Confer with the United States department of justice to ensure
31 that law enforcement resources are being used efficiently and that
32 there are no conflicts with any independent investigations by the
33 United States department of justice. In any investigation or action
34 brought under this section against a local law enforcement agency or
35 local corrections agency that is subject to an investigation by the
36 United States department of justice, the attorney general shall not
37 seek any relief or remedies that are in conflict with the federal
38 action. The attorney general may not bring a civil action against a
39 local law enforcement agency or local corrections agency under this

1 section concurrent to any civil actions by the United States
2 department of justice;

3 (b) Send a letter to the local law enforcement agency or local
4 corrections agency (i) explaining why the office seeks to conduct an
5 investigation, what information is being sought, and how the office
6 intends to investigate, and (ii) requesting to meet to discuss the
7 investigation.

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

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

12 (b) The office of independent investigations to ensure that any
13 investigation under this section will not interfere with or impede an
14 ongoing investigation being conducted by the office of independent
15 investigations.

16 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act must be
17 liberally construed so that their beneficial and remedial purposes
18 may be served. If any provision of this act conflicts with any other
19 statute, ordinance, rule, or regulation of any public employer, the
20 provisions of this chapter control.

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

1 county prosecutors, people impacted by police misconduct, policing
2 experts, and police accountability advocates.

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

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