

RCW 43.101.455 Violence de-escalation and mental health training

—Adoption of rules—Training requirements. (1) Within six months after December 6, 2018, the commission must consult with law enforcement agencies and community stakeholders and adopt rules for carrying out the training requirements of RCW 43.101.450 and 43.101.452. Such rules must, at a minimum:

- (a) Adopt training hour requirements and curriculum for initial violence de-escalation trainings required by chapter 1, Laws of 2019;
- (b) Adopt training hour requirements and curriculum for initial mental health trainings required by chapter 1, Laws of 2019, which may include all or part of the mental health training curricula established under RCW 43.101.227 and 43.101.427;
- (c) Adopt annual training hour requirements and curricula for continuing trainings required by chapter 1, Laws of 2019;
- (d) Establish means by which law enforcement officers will receive trainings required by chapter 1, Laws of 2019; and
- (e) Require compliance with chapter 1, Laws of 2019 training requirements.

(2) In developing curricula, the commission shall consider inclusion of the following:

- (a) De-escalation in patrol tactics and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence;
- (b) Alternatives to jail booking, arrest, or citation in situations where appropriate;
- (c) Implicit and explicit bias, cultural competency, and the historical intersection of race and policing;
- (d) Skills including de-escalation techniques to effectively, safely, and respectfully interact with people with disabilities and/or behavioral health issues;
- (e) "Shoot/don't shoot" scenario training;
- (f) Alternatives to the use of physical or deadly force so that de-escalation tactics and less lethal alternatives are part of the decision-making process leading up to the consideration of deadly force;
- (g) Mental health and policing, including bias and stigma; and
- (h) Using public service, including rendering of first aid, to provide a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts.

(3) The initial violence de-escalation training must educate officers on the good faith standard for use of deadly force established by chapter 1, Laws of 2019 and how that standard advances violence de-escalation goals.

(4) The commission may provide trainings, alone or in partnership with private parties or law enforcement agencies, authorize private parties or law enforcement agencies to provide trainings, or any combination thereof. The entity providing the training may charge a reasonable fee. [2019 c 4 s 1. Prior: 2019 c 1 s 5 (Initiative Measure No. 940); (2018 c 11 s 5 (Initiative Measure No. 940) repealed by 2019 c 4 s 8); (2018 c 10 s 1 repealed by 2019 c 4 s 8).]

Effective date—2019 c 4: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [February 4, 2019]." [2019 c 4 s 10.]

Rule making—2019 c 4; 2019 c 1 (Initiative Measure No. 940):

"(1) Except where a different timeline is provided in chapter 1, Laws of 2019, the Washington state criminal justice training commission must adopt any rules necessary for carrying out the requirements of chapter 1, Laws of 2019 within one year after December 6, 2018. In carrying out all rule making under chapter 1, Laws of 2019, the commission shall seek input from the attorney general, law enforcement agencies, the Washington council of police and sheriffs, the Washington state fraternal order of police, the council of metropolitan police and sheriffs, the Washington state patrol troopers association, at least one association representing law enforcement who represent traditionally underrepresented communities including the black law enforcement association of Washington, tribes, and community stakeholders. The commission shall consider the use of negotiated rule making.

(2) Where chapter 1, Laws of 2019 requires involvement of community stakeholders, input must be sought from organizations advocating for: Persons with disabilities; members of the lesbian, gay, bisexual, transgender, and queer community; persons of color; immigrants; noncitizens; native Americans; youth; and formerly incarcerated persons." [2019 c 4 s 4; 2019 c 1 s 9 (Initiative Measure No. 940); (2018 c 11 s 9 (Initiative Measure No. 940) repealed by 2019 c 4 s 8); (2018 c 10 s 4 repealed by 2019 c 4 s 8).]

Short title—Intent—Liberal construction—Subject—2019 c 1 (Initiative Measure No. 940): See notes following RCW 43.101.450.