

SENATE BILL REPORT

SB 6404

As Reported By Senate Committee On:
Judiciary, January 31, 2006

Title: An act relating to the certification of tribal police officers.

Brief Description: Regarding the certification of tribal police officers.

Sponsors: Senators Johnson, Esser, Keiser, Delvin, Kline and Rasmussen; by request of Criminal Justice Training Commission.

Brief History:

Committee Activity: Judiciary: 1/24/06, 1/31/06 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Carrell, Esser, Hargrove, McCaslin, Rasmussen and Thibaudeau.

Staff: Cindy Fazio (786-7405)

Background: The Criminal Justice Training Commission (CJTC) provides basic law enforcement certification, training, corrections training, and educational programs for criminal justice personnel. Basic law enforcement officer training is generally required of all law enforcement officers, with the exception of volunteers, and reserve officers employed in Washington. All Washington law enforcement officers are required to obtain and retain certification as a condition of continuing employment as a peace officer. The CJTC is authorized to grant, deny, or revoke all peace officer certifications. There is an appeal and hearings process available when certification has been denied or revoked.

Washington does not have a statewide certification or re-certification process for tribal law enforcement officers. As a result, tribal police officer certification is not required of new police officers joining a tribal police agency or even returning tribal police officers who may have left full-time service and have later chosen to return to their careers with a police department.

Summary of Bill: The CJTC has the authority to grant, deny, or revoke the certification of tribal police officers employed by any tribal government that has voluntarily requested certification for their police officers.

A tribal government voluntarily requesting certification for their police officers must enter into a written agreement with the CJTC. The agreement must require the tribal law enforcement agency and its officers to comply with all of the requirements for granting, denying, and revoking certification as those requirements are applied to other peace officers certified in the state.

In addition, all officer's applying for certification as tribal police officers must meet the same CJTC requirements required for the certification of other peace officers employed in Washington. An application for certification as a tribal police officer must be accepted and processed in the same manner as those for certification of peace officers.

A "tribal police officer" is defined as any person employed and commissioned by a tribal government to enforce the criminal laws of that government.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a voluntary program that will greatly enhance the reputation of the tribal police officers. The tribal police officers already have authority to detain Washington citizens. This will provide critical professional standards. We had applied for this process but the current law did not allow it. We are anxious to step onto the scale. This program will be a recognition of the tribal officers' accountability and responsibility. There is no fiscal impact. It is a recognition of the professionalism of the tribes. There are five or six tribes currently interested in the program.

Testimony Against: None.

Who Testified: PRO: Senator Luke Esser, Sponsor; Chief Mike Lasnier, Suquamish Tribe/ Northwest Association of Tribal Enforcement Officers; Michael Parsons, Criminal Justice Training Commission.