
Public Safety Committee

HB 1262

Brief Description: Concerning background investigations of peace officers, reserve officers, and corrections officers.

Sponsors: Representatives Klippert and Chase.

Brief Summary of Bill

- Provides that law enforcement and corrections agencies may use an “eye-based truth verification test” as an alternative to, or in addition to, a polygraph in conducting a background investigation of a prospective officer.
- Adds the eye-based truth verification test to the list of background tests for which the candidate may be required to pay a portion of the testing fee, up to \$400.

Hearing Date: 2/5/21

Staff: Omeara Harrington (786-7136).

Background:

Any law enforcement or corrections agency that makes a conditional offer of employment to an applicant for a peace officer, reserve officer, or corrections officer position must administer a background investigation to determine the applicant's suitability for employment as an officer. A background investigation is required of all new applicants as well as applicants who are seeking reinstatement following a lapse in service. The background investigation must include a criminal history check, verification of citizenship or lawful permanent resident status, a psychological examination, and a polygraph or similar assessment.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

An employing agency may require that each prospective officer who undergoes the psychological examination and the polygraph or similar assessment pay a portion of the testing fee based on the actual cost of the test or \$400, whichever is less. The agency may establish a payment plan if the officer does not readily have the means to pay the testing fee.

Summary of Bill:

Law enforcement and corrections agencies may use an “eye-based truth verification test” as an alternative to a polygraph in conducting a background investigation of a prospective officer, or, if the agency chooses, it may use both the eye-based test and the polygraph. An “eye-based truth verification test” is a test that measures credibility through analysis of the physiological responses of the eyes, including, but not limited to, changes in pupil diameter, eye movement, reading behavior, blinks, and fixations. The eye-based truth verification test is included in the list of background tests for which the candidate may be required to pay a portion of the testing fee.

Appropriation: None.

Fiscal Note: Requested on January 26, 2021.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.