WAC 139-06-060 Hearing panels. (1) The commission shall cultivate a list of qualified individuals to be appointed as members of hearing panels in certification actions.

(a) Names of qualified individuals interested in serving as panel members under RCW 43.101.380 may be submitted by any person for consideration by the commission. The commission will establish desired qualifications in policy.

(b) Commissioners will be appointed to hearing panels by the commission's governing body.

(c) Other qualified and interested individuals will submit:

(i) Hearing panel member application;

(ii) Cover letter;

(iii) Resume;

(iv) The names and contact information for three references; and

(v) Letter of support from their agency supervisor or administrator. Members of the public may submit a letter of recommendation in lieu of a letter of support.

(d) Materials shall be submitted to the commission's hearing coordinator at the following address: 19010 1st Avenue South, Burien, Washington 98148. Materials may also be submitted via email, as identified on the commission website.

(2) The commission shall review applications and submit a list of qualified individuals to the commission. The commission shall have sole discretion over the selection of panel members.

(3) Prior to the hearings panel being selected for a hearing, the commission will confirm with panelists that they have no conflicts of interest as outlined in the hearing panel member handbook. Examples of conflicts of interest include, but are not limited to, the below situations:

(a) Personal, working, and financial relationships, past or present; and

(b) Shared affiliations in groups, organizations, and activities.

(4) If a panel member is concerned that they have a conflict of interest, including a relationship with a party or a witness that would prevent the panel member from judging the case fairly, they must notify the commission as soon as possible. If the petitioner or respondent has any motion for disqualification of a panel member, the motion must be filed prior to or at the first prehearing conference.

(5) If there is a panel member replacement prior to the hearing, parties must file a motion for disqualification within 10 days of service of notice of the replacement.

(6) A five-member hearings panel shall hear the case and will make the commission's final administrative decision based on a majority of the vote.

(7) When a hearing is requested in relation to a certification action of a Washington peace officer, the commission shall appoint to the panel:

(a) One police chief or sheriff from an agency, who is not a current or past employer of the certified officer;

(b) One certified Washington officer who is at or below the level of first line supervisor and who has at least 10 years' experience as an officer;

(c) One civilian member of the commission as appointed under RCW 43.101.030 (1)(f) and (h) through (j);

(d) One member of the public who is not a prosecutor, defense attorney, judge, or officer; and

(e) One person with expertise and background in police accountability who is not a current or former certified officer.

(8) When a hearing is requested in relation to a certification action of a Washington corrections officer, the commission shall appoint to the panel:

(a) A person who heads either a city or county corrections agency or facility or of a Washington state department of corrections facility;

(b) One corrections officer who is at or below the level of first line supervisor and who has at least 10 years' experience as a corrections officer;

(c) One civilian member of the commission as appointed under RCW 43.101.030 (1)(f) and (h) through (j);

(d) One member of the public who is not a prosecutor, defense attorney, judge, or officer; and

(e) One person with expertise and background in police accountability who is not a current or former certified officer.

(9) When a hearing is requested in relation to a certification action of a tribal police officer, the commission shall appoint to the panel:

(a) One tribal police chief;

(b) One tribal police officer who is at or below the level of first line supervisor, and who has at least 10 years' experience as an officer;

(c) One civilian member of the commission as appointed under RCW 43.101.030 (1)(f) and (h) through (j);

(d) One member of the public who is not a prosecutor, defense attorney, judge, or officer; and

(e) One person with expertise and background in police accountability who is not a current or former certified officer.

[Statutory Authority: RCW 43.101.080. WSR 25-19-056, s 139-06-060, filed 9/11/25, effective 10/12/25. Statutory Authority: RCW 43.101.080 and 43.101.801. WSR 22-13-075, § 139-06-060, filed 6/9/22, effective 7/10/22. Statutory Authority: RCW 43.101.080. WSR 03-02-010, § 139-06-060, filed 12/20/02, effective 1/20/03.]