

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1387

Chapter 27, Laws of 2005

59th Legislature
2005 Regular Session

STATE PATROL--VEHICLE ACCIDENT INVESTIGATIONS

EFFECTIVE DATE: 4/13/05

Passed by the House March 11, 2005
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 6, 2005
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Approved April 13, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1387** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 13, 2005 - 3:06 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1387

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Nixon, Flannigan, Dickerson, Shabro, Wood, Springer, Appleton, Murray, Hudgins, Upthegrove, Schual-Berke, Moeller, Campbell, Hunter, Kagi, Clibborn and Darneille)

READ FIRST TIME 03/07/05.

1 AN ACT Relating to Washington state patrol vehicle accident
2 investigations and corrective action procedures; adding a new section
3 to chapter 43.43 RCW; creating new sections; and declaring an
4 emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature that
7 accidents involving Washington state patrol officers follow a process
8 that provides a high degree of integrity and credibility both within
9 the investigation of the accident and the perception of the
10 investigation from persons outside the investigation. It is the intent
11 of the legislature to have a communication process in place for the
12 Washington state patrol to communicate accident information to the
13 persons and their families who are involved in the vehicle accidents.
14 It is the intent of the legislature to have early detections in place
15 to reduce future vehicle accidents.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.43 RCW
17 to read as follows:

18 To ensure transparency, integrity, and credibility during

1 Washington state patrol vehicle accident investigations, the agency
2 will continue to review and reform the agency policies and procedures
3 regarding Washington state patrol officers that are involved in vehicle
4 accidents. The agency shall develop agency policies and include as
5 part of the terms of their collective bargaining agreements a
6 progressive corrective process addressing Washington state patrol
7 officer vehicle accidents that may include retraining in vehicle
8 handling, wage or benefit reductions, and termination of employment.
9 The agency shall develop a process for tracking accidents and an
10 accident review process. Annually, a collision data report must be
11 produced designating each accident during the year as minor or severe
12 and any resulting disciplinary actions and be available for review by
13 the legislature. The agency shall implement communication procedures
14 for the victims involved in the accidents from the time the accident
15 occurs until the investigative process has been concluded. The
16 policies must also provide for outside supervision of accident
17 investigations by a qualified independent agency under certain
18 circumstances.

19 Before the legislative committee assembly in September 2005, the
20 Washington state patrol shall have an outside entity that has a
21 reputation for and has proven experience in law enforcement management
22 and reviewing law enforcement and criminal justice policies and
23 procedures review the agency's proposed law enforcement vehicle
24 accident policies and procedures where a law enforcement officer is
25 involved. The agency will present the proposed policies and procedures
26 to the legislature and finalize the policies and procedures based on
27 input from the legislature. The Washington state patrol shall report
28 to the house and senate transportation committees by November 30, 2005,
29 on the updated policies, processes, and procedures. Once the policies
30 and procedures are completed, other law enforcement agencies may adopt
31 the policies and procedures for their agencies.

32 NEW SECTION. **Sec. 3.** This act may be known and cited as the
33 "Brock Loshbaugh Act."

34 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
35 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

Passed by the House March 11, 2005.

Passed by the Senate April 6, 2005.

Approved by the Governor April 13, 2005.

Filed in Office of Secretary of State April 13, 2005.