

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1088**

67th Legislature  
2021 Regular Session

Passed by the House April 13, 2021  
Yeas 63 Nays 35

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**Speaker of the House of  
Representatives**

Passed by the Senate March 9, 2021  
Yeas 46 Nays 3

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1088** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**



1 attorneys in Washington to provide, online training for potential  
2 impeachment disclosures.

3 (d) Local protocols under this section shall be adopted and in  
4 place no later than July 1, 2022. Local protocols must be reviewed  
5 every two years to determine whether modifications are needed.

6 (2)(a) A law enforcement agency shall report the following  
7 information to the prosecuting authority of any jurisdiction in which  
8 the officer may testify as a witness:

9 (i) Any act by the officer that may be potentially exculpatory to  
10 a criminal defendant; and

11 (ii) Misconduct that the officer has engaged in that affects his  
12 or her credibility.

13 (b) The law enforcement agency shall report the information  
14 within 10 days of the discovery of the act under (a)(i) of this  
15 subsection or the misconduct under (a)(ii) of this subsection.

16 (3)(a) Prior to hiring any peace officer with previous law  
17 enforcement experience, a law enforcement agency must inquire as to  
18 whether the officer has ever been subject to potential impeachment  
19 disclosure. The agency shall verify the officer's response with the  
20 prosecuting authorities in the jurisdictions of the officer's  
21 previous employment. Prosecuting authorities shall respond within 10  
22 days of receiving a request from a law enforcement agency for  
23 verification. The fact that an officer has been subject to  
24 impeachment disclosure is not, in and of itself, a bar to employment.  
25 Any prehiring process or hiring decision by an agency does not  
26 constitute a personnel action under RCW 10.93.150.

27 (b) Within 10 days of hiring an officer with a prior potential  
28 impeachment disclosure, the law enforcement agency shall forward that  
29 information to the prosecuting authority of any jurisdiction in which  
30 the officer may testify as a witness.

31 (4) An appointed or elected public official, public employee, or  
32 public agency as defined in RCW 4.24.470 is immune from civil  
33 liability for sharing impeachment information about a peace officer  
34 with the peace officer's employer, potential employer, or prosecuting  
35 authority unless it is shown that the official, employee, or agency  
36 acted with gross negligence or in bad faith.

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