

# HOUSE BILL REPORT

## HB 1816

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**As Reported by House Committee On:**  
Technology, Economic Development, & Veterans

**Title:** An act relating to civilian-staffed crisis response teams.

**Brief Description:** Concerning civilian-staffed crisis response teams.

**Sponsors:** Representatives Scott, Parshley, Farivar, Dufault, Fitzgibbon, Davis, Goodman, Obras, Taylor, Pollet, Nance, Ryu, Hill and Cortes.

**Brief History:**

**Committee Activity:**

Technology, Economic Development, & Veterans: 2/11/25, 2/18/25 [DPS].

**Brief Summary of Substitute Bill**

- Allows certain political subdivisions to create and maintain a civilian-staffed crisis response team (CRT) to respond to certain emergencies and events.
- Requires the executive head to consult with certain entities for the CRT's services, staff qualifications, training, types of response calls, deployable areas, and hours.
- Requires a political subdivision that creates a CRT to comply with existing collective bargaining requirements.
- Creates a public records exemption for personal information about individuals receiving services from a nonlaw enforcement agency.

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**HOUSE COMMITTEE ON TECHNOLOGY, ECONOMIC DEVELOPMENT, & VETERANS**

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Ryu, Chair; Kloba, Vice Chair; Cortes, Donaghy,

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*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.*

Paul, Shavers, Simmons and Thomas.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Barnard, Ranking Minority Member; Keaton, Penner, Volz and Waters.

**Staff:** Martha Wehling (786-7067).

**Background:**

General Authority Law Enforcement Agency.

A general authority law enforcement agency is any agency, department, or division of local or state government whose primary function is to detect and apprehend persons committing infractions, violating traffic laws, or violating criminal laws. The Washington State Patrol and the Washington Department of Fish and Wildlife are general authority law enforcement agencies.

General authority peace officers who meet certification requirements may enforce the traffic or criminal laws in the following circumstances:

- with written consent of the jurisdiction's sheriff or chief of police;
- in response to an emergency involving an immediate threat to human life or property;
- in response to a request for assistance;
- when transporting a prisoner;
- in execution of an arrest or search warrant; or
- when the officer is in "fresh pursuit."

Collective Bargaining.

Under the Public Employees' Collective Bargaining Act (PECBA), local governments and certain other public employees, including uniformed personnel and the Washington State Patrol, have the right to organize and designate collective bargaining representatives to bargain their wages and working conditions. "Uniformed personnel" includes law enforcement officers employed by a city or town with a population greater than 2,500, and officers employed by a county with a population greater than 10,000.

Under the PECBA, the employer and bargaining representative have a mutual obligation to negotiate in good faith over specified mandatory subjects of bargaining, including grievance procedures, personnel matters, wages, hours, and working conditions. Negotiations involving the Washington State Patrol and its officers include wage-related matters, but negotiations regarding rates of pay, wage levels, or matters relating to retirement benefits, health care, or other employee insurance benefits are prohibited. Bargaining disputes involving uniformed personnel require binding interest arbitration if negotiations reach an impasse and cannot be resolved through mediation.

Public Records.

The Public Records Act (PRA) requires state and local agencies to make all public records

available for public inspection and copying unless a record falls within an exemption in the PRA or another statute that exempts or prohibits disclosure of specific information or records. There is an exemption under the PRA for personal information in files maintained for students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients.

Definitions.

A "political subdivision" is any county, city, or town.

An "executive head" is the county executive in charter counties with an elective office or the county legislative authority. For a city or town, the executive head is the mayor where there is a mayor-council or commission form of government where the mayor is elected. Cities or towns with a council manager form of government have a city manager as the executive head. A city or town may designate an executive head by ordinance.

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**Summary of Substitute Bill:**

Civilian-Staffed Crisis Response Team.

A political subdivision with a population greater than 200,000 has the option to create and maintain a civilian-staffed crisis response team (CRT). The CRT will function as a primary response to 911 calls that do not report a weapon or active or imminent violence in the following situations:

- A person is in crisis but does not request law enforcement.
- A person needs a safety and welfare check.
- A person requests resources such as shelter, food, or transportation.

The CRT may initiate a field response when it observes an event in the field that meets the criteria for a 911 response.

A political subdivision's executive head may determine:

- whether the CRT will support law enforcement as a secondary response;
- which city department will house the CRT; and
- the number of staff for the CRT.

The executive head will consult with certain entities on:

- the minimum qualifications for crisis responders;
- services provided;
- training;
- the CRT's deployable areas and hours; and
- which 911 calls the CRT will respond to.

The minimum qualifications are required to include training in scene safety, de-escalation, and interacting with individuals in crisis. The consulted entities must be active within the

jurisdiction of the political subdivision and may include: the Washington Health Care Authority; the Behavioral Health Administrative Service Organization; the mobile crisis team operators administered by the Behavioral Health Administrative Service Organization; or the 988 call center hub for the region.

Collective Bargaining.

The wages, hours, and other working conditions of all first responder personnel, including the CRT, are subject to existing collective bargaining requirements.

Public Records Exemption.

A public records exemption for individuals receiving public safety or health services from a nonlaw enforcement agency is added to existing exemptions for personal information.

**Substitute Bill Compared to Original Bill:**

As compared to the original bill, the substitute bill:

- expands the entities eligible to create a crisis response team (CRT) to any political subdivision with more than 200,000 residents;
- authorizes the CRT to initiate a field response when it observes an event in the field that meets the criteria for a 911 response;
- requires the political subdivision's executive head to consult with the Washington Health Care Authority, the Behavioral Health Administrative Service Organization, the mobile crisis team operators administered by the Behavioral Health Administrative Service Organization, or the 988 call center hub for the region to set the CRT's services provided, minimum qualifications, training, appropriate types of 911 calls, deployable areas, and hours of operation;
- specifies the CRT is subject to existing collective bargaining requirements, including wages, hours, and other working conditions; and
- expands the public records exemption for personal information for individuals receiving public safety and health services to any nonlaw enforcement agency.

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**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on February 18, 2025.

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

**Staff Summary of Public Testimony:**

(In support) Big cities in Washington have big public safety challenges. SODO is the epicenter of Seattle's unsheltered crisis and the accompanying challenges to public safety and human health and safety. A civilian crisis response team (CRT) will help big cities

meet the challenges and obligations for everyday people. Voters already trust mayors with broad discretionary authority to entrust agencies and jurisdictions to provide health and human services to meet their needs. The CRTs are a proven alternative response that works, reducing the workload for taxed officers and the wait time for services that do not require a law enforcement response.

Old public safety policies led to a mutually assured disruption of forward-thinking solutions, leading to failures in public safety through broken windows policing and militarized responses to behavioral health crises. Officers do not like to go to social work calls, and officers are stretched so thin that it is a challenge to get them to priority one calls, which are imminent threat to life, in under 10 minutes. The CRTs are a way to move on from past failed public safety policies and use people trained in de-escalation and crisis management. This will allow law enforcement to focus on situations that require their expertise.

Many 911 calls are nonviolent behavioral health emergencies, but the people involved still need immediate assistance. Directing a compassionate 911-alternative response is another form of authority for civil life, including welfare, wellness, shelter, food, and connection to services. Unarmed teams responded last year to over 216,000 calls without incident, through the fire department, detox van, and other services. The risk for a CRT is no more than what fire departments, ambulances, mental health services, and parking enforcement face. In a recent one year period, the Seattle team was present at 918 events, 720 of which were requested by the Seattle Police Department. They facilitated 317 transports, and the average length of a call was 37 minutes with an 11-minute response time. This type of response is a significant missing piece of the crisis continuum. Some callers do not want intervention with law enforcement, but want the resources without police engagement.

The Public Records Act exemption is important because it shields information about the people assisted by CRTs. The public should not have easy access to someone's information because of a behavioral health crisis. This provision should be modified and extended to other jurisdictions.

(Opposed) The 6,000 members represented by 100 unions and guilds across the state are strongly opposed to the removal of bargaining rights of one faction of labor. Legislation that preempts collective bargaining rights sets a pattern for other communities who either do not want to complete the bargaining process or rush it through. Legislation should not dictate who can and cannot bargain with a representative, and it disenfranchises workers by dictating whether they join a union due to the restriction of bargaining topics. The restricted bargaining topics are substantial, like the number of staff and the type of calls they take. The legislation functionally carves out work and then prohibits the ability of an incumbent union from discussing the impact of that decision.

The civilian behavioral response concept should be reviewed, considered, and resolved at the bargaining table, not by the Legislature. The people who do the work are the subject

matter experts, not executives at the city. The process of bargaining is tried and true, and allowing members to work issues out at the local table will improve effectiveness and maintain bargaining rights, especially for those members who do not have the ability to strike.

Exploring and integrating behavioral health specialists to help people in need is supported, but for nontraditional responses, safety is imperative. A process is already in place to navigate decisions that impact workers. There is a pilot being bargained in Seattle right now, and it is unclear why the bill is stripping the parties' rights when they are engaged in the process. The bill legislates shortcuts to circumvent bargaining in favor of management.

(Other) The legislation does not address how a CRT will coexist and collaborate with the existing crisis response system. While many 911 calls do not require a traditional law enforcement response, designing and implementing the CRT model needs to identify how the existing system will be incorporated. If an individual in crisis needs follow up treatment or services to stabilize the situation in the long term, there needs to be clear referral protocols that are connected with a behavioral treatment provider.

**Persons Testifying:** (In support) Representative Shaun Scott, prime sponsor; Erin Goodman, SODO Business Improvement Area; Amy Barden, Chief, Seattle CARE Department; Kimberly Hendrickson, BHCore Center at University of Washington; Dan Nelson, Seattle Police Department; and Jennifer Clayton, Seattle Dispatchers' Guild.

(Opposed) Brenda Wiest, Teamsters 117; Jeff DeVere, WACOPS - Washington Council of Police and Sheriffs; and Joe Kendo.

(Other) Olivia Shangrow, Washington Council for Behavioral Health.

**Persons Signed In To Testify But Not Testifying:** None.