
Community Safety Committee

HB 2220

Brief Description: Concerning state oversight and accountability of the criminal justice training commission.

Sponsors: Representatives Leavitt, Burnett, Richards, Abell, Reeves and Davis.

Brief Summary of Bill

- Modifies the standard of proof in a hearing related to the revocation or suspension of a peace officer or corrections officer's certification from preponderance of the evidence to clear and convincing evidence.
- Increases the size of the hearing panel from five to six members for hearings related to a certification action of a peace officer or corrections officer.
- Requires law enforcement agencies to biennially report to the Criminal Justice Training Commission (CJTC) and requires the CJTC to submit summarizing reports to the Legislature and the Governor.

Hearing Date: 1/15/26

Staff: Lena Langer (786-7192).

Background:

Criminal Justice Training Commission.

The Criminal Justice Training Commission (CJTC) establishes the standards and process to certify peace officers and other law enforcement personnel. It also provides training and educational programs, including the Basic Law Enforcement Academy and specialized training. The CJTC may grant, deny, suspend, or revoke certification of, or require remedial training or probation for peace officers, certified limited authority officers, and corrections officers.

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.

Law Enforcement Personnel and Peace Officers.

Law enforcement personnel include general authority Washington peace officers. A general authority Washington peace officer is a fully compensated and elected, appointed, or employed officer of a general authority Washington law enforcement agency who is commissioned to enforce state criminal laws generally. For CJTC purposes, a peace officer refers to both a general authority Washington peace officer and a limited authority Washington peace officer who has powers of arrest and carries a firearm as part of the officer's normal duties. For CJTC purposes, peace officer includes Washington State Patrol commissioned officers and Washington Department of Fish and Wildlife officers with enforcement powers for criminal laws. A corrections officer is a corrections agency employee who provides for the custody, safety, and security of adult persons in jails and detention facilities.

Certification Action Hearings.

The CJTC may on its own initiative, or by request of an officer's employer, serve a statement of charges which may lead to the officer's request for a hearing on whether to deny, suspend, or revoke an officer's certification, or require remedial training or probation for the officer. The hearing is presided over by an administrative law judge who makes evidentiary rulings but is not entitled to vote. The final administrative decision at the hearing is made by a five-member panel.

For hearings related to a certification action of a peace officer, the panel consists of:

- a police chief or sheriff from an agency which is neither a current or former employer of the officer;
- a peace officer at or below the level of first line supervisor with at least 10 years' experience;
- a civilian member of the CJTC;
- a member of the public who is not a prosecutor, defense attorney, judge, or law enforcement officer; and
- a person with expertise and background in police accountability who is not a current or former peace officer or corrections officer.

For hearings related to a certification action of a corrections officer, the panel consists of:

- a person who heads a corrections agency or facility;
- a corrections officer at or below the level of first line supervisor with at least 10 years' experience;
- a civilian member of the CJTC;
- a member of the public who is not a prosecutor, defense attorney, judge, or law enforcement officer; and
- a person with expertise and background in police accountability who is not a current or former peace officer or corrections officer.

The standard of proof in actions before the CJTC is a preponderance of the evidence.

Summary of Bill:

The standard of proof for a certification action hearing is clear and convincing evidence for a revocation or suspension of certification, and preponderance of the evidence for a probation or retraining. For hearings in relation to a certification action of a peace officer or corrections officer, a six-member hearings panel will hear the case and make the final administrative decision. A simple majority is required for any action. For hearings in relation to a certification action of a tribal police officer, a five-member hearings panel will hear the case and make the final administrative decision.

The new member on the six-member hearings panel must be an additional peace officer or corrections officer at or below the level of first line supervisor with at least 10 years' experience, respective of whether the hearing is related to a certification action of a peace officer or corrections officer.

Beginning July 1, 2027, the chief, administrator, or sheriff of every law enforcement agency and police department must submit biennial reports to the CJTC with the following:

- the total number and date of certification of each peace officer employed;
- peace officer training records, including the number of required hours of training for each required subject, the number of peace officers required to complete each training subject, and the number of trainings successfully completed by each required subject; and
- the number of peace officers, managers, or administration employees decertified, and the reasoning for decertification.

Beginning July 1, 2028, the CJTC must submit biennial reports to the Governor and the Legislature summarizing the reports submitted by law enforcement agencies and police departments.

The CJTC must prepare and make available materials and resources necessary for peace officers and officials who administer public safety laws and law enforcement services. These materials must also be distributed to city and county officials, police chiefs, and sheriffs.

Definitions of probation, retraining, revocation, and suspension are added.

Appropriation: None.

Fiscal Note: Requested on January 6, 2026.

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