

SENATE BILL REPORT

SB 5224

As Reported by Senate Committee On:
Law & Justice, January 23, 2025

Title: An act relating to officer certification definitions, processes, and commissioning.

Brief Description: Concerning officer certification definitions, processes, and commissioning.

Sponsors: Senators Lovick and Shewmake; by request of Criminal Justice Training Commission.

Brief History:

Committee Activity: Law & Justice: 1/21/25, 1/23/25 [DP, w/oRec].

Brief Summary of Bill

- Specifies that certified peace officers and certified corrections officers must undergo background checks when moving to new agencies and positions within Washington.
- Removes a requirement for an administrative law judge to issue a proposed recommendation to the the five-member panel in a certification revocation hearing for a certified peace officer or corrections officer.
- Makes technical language changes.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Holy, Ranking Member; Fortunato, Lovick, Salomon, Valdez and Wagoner.

Minority Report: That it be referred without recommendation.

Signed by Senator Torres.

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.

Staff: Kevin Black (786-7747)

Background: The Criminal Justice Training Commission (CJTC), created in 1974, establishes standards for and provides training to criminal justice professionals, including peace officers and local corrections officers. Certification by CJTC, a process which requires a background check, is a condition of employment for peace officers and local corrections officers.

CJTC may on its own initiative, or by request of an officer's employer, convene a hearing to deny, suspend, or revoke the certification of an officer, or require remedial training for the officer. Such a hearing is presided over by an administrative law judge who makes evidentiary rulings and issues a proposed recommendation. The findings and decision at the hearing is made by a five-member panel, consisting of:

- a police chief or sheriff from an agency which is neither a current or former employer of the officer;
- a peace officer or corrections officer below the level of first line supervisor with at least ten-years experience;
- a civilian member of the commission;
- 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.

Summary of Bill: An applicant for employment as a peace officer or reserve officer must submit to a background investigation when moving from one Washington law enforcement or corrections agency to another, or moving from a certified peace officer position to a certified corrections officer position, or vice versa.

A requirement for an administrative law judge to issue a proposed recommendation in a hearing for denial, suspension, or revocation of peace officer or corrections officer certification prior to the ruling of the five-member hearing panel is removed.

Language enabling the CJTC to appoint railroad police officers is removed; the extent of the CJTC's power is to commission these officers.

Technical language changes are made and definitions created for the following terms: certified, commissioned, and limited authority Washington law enforcement agency.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill ensures that officers stay certified and that the existing workforce is strong and unified. Officers will be able to maintain their certifications and do their good work in the community. The purpose of the bill is to provide technical fixes. The background check change is a clarification, not substantive—agencies are already doing this. The removal of the administrative law judge recommendation is a substantive change; individuals involved in the hearing process have provided feedback that the advisory ruling is unnecessary. Dropping it will make the proceedings move faster and reduce costs. A peace officer should be able to fill a shift at the local jail without a background check.

Persons Testifying: PRO: Senator John Lovick, Prime Sponsor; Kim Bliss, Washington State Criminal Justice Training Commission; James McMahan, Washington Association of Sheriffs & Police Chiefs.

Persons Signed In To Testify But Not Testifying: No one.