
SUBSTITUTE HOUSE BILL 2220

State of Washington

69th Legislature

2026 Regular Session

By House Community Safety (originally sponsored by Representatives Leavitt, Burnett, Richards, Abell, Reeves, and Davis)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to state oversight and accountability of the
2 criminal justice training commission; amending RCW 43.101.080 and
3 43.101.380; and adding a new section to chapter 43.101 RCW.

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

5 **Sec. 1.** RCW 43.101.080 and 2021 c 323 s 6 are each amended to
6 read as follows:

7 The commission shall have all of the following powers and duties:

8 (1) Conduct training, including the basic law enforcement academy
9 and in-service training, and assume legal, fiscal, and program
10 responsibility for all training conducted by the commission;

11 (2) Grant, deny, suspend, or revoke certification of, or require
12 remedial training for, peace officers and corrections officers under
13 the provisions of this chapter;

14 (3) Grant, deny, suspend, or revoke certification of tribal
15 police officers whose tribal governments have agreed to participate
16 in the tribal police officer certification process;

17 (4) Related to its duties under subsections (2) and (3) of this
18 section, provide for the comprehensive and timely investigation of
19 complaints where necessary to ensure adherence to law and agency
20 policy, strengthen the integrity and accountability of peace officers

1 and corrections officers, and maintain public trust and confidence in
2 the criminal justice system in this state;

3 (5) Establish, by rule and regulation, curricula and standards
4 for the training of criminal justice personnel where such curricula
5 and standards are not prescribed by statute;

6 (6) Own, establish, and operate, or contract with other qualified
7 institutions or organizations for the operation of, training and
8 education programs for criminal justice personnel;

9 (7) Review and approve or reject standards for instructors of
10 training programs for criminal justice personnel, and employ
11 personnel from law enforcement agencies on a temporary basis as
12 instructors without any loss of employee benefits to those
13 instructors from those agencies;

14 (8) Direct the development of alternative, innovative, and
15 interdisciplinary training techniques;

16 (9) Review and approve or reject training programs conducted for
17 criminal justice personnel and rules establishing and prescribing
18 minimum training and education standards, including continuing
19 education;

20 (10) Allocate financial resources among training and education
21 programs conducted by the commission;

22 (11) Purchase, lease, or otherwise acquire, subject to the
23 approval of the department of enterprise services, a training
24 facility or facilities and allocate training facility space among
25 training and education programs conducted by the commission;

26 (12) Prepare and make available any forms, registers, courses of
27 study, laws and rules for the training, management, and
28 administration of law enforcement agencies, and such other material
29 and resources as may be necessary for the discharge of the duties of
30 peace officers and officials charged with the administration of the
31 laws relating to the provision of public safety and law enforcement
32 services, and distribute the same to city and county officials,
33 police chiefs, and sheriffs;

34 (13) Issue diplomas certifying satisfactory completion of any
35 training or education program conducted or approved by the commission
36 to any person so completing such a program;

37 ((13)) (14) Provide for the employment of such personnel as may
38 be practical to serve as temporary replacements for any person
39 engaged in a basic training program as defined by the commission;

1 ~~((14))~~ (15) Establish rules and regulations prescribing minimum
2 standards relating to physical, mental, and moral fitness which shall
3 govern the recruitment of criminal justice personnel where such
4 standards are not prescribed by statute or constitutional provision;

5 ~~((15))~~ (16) Require county, city, port, or state law
6 enforcement and corrections agencies that make a conditional offer of
7 employment to an applicant as a fully commissioned peace officer, a
8 reserve officer, or a corrections officer to administer a background
9 investigation in accordance with the requirements of RCW 43.101.095
10 to determine the applicant's suitability for employment as a fully
11 commissioned peace officer, reserve officer, or corrections officer;

12 ~~((16))~~ (17) Appoint members of a hearings panel as provided
13 under RCW 43.101.380;

14 ~~((17))~~ (18) Issue public recommendations to the governing body
15 of a law enforcement agency regarding the agency's command decisions,
16 inadequacy of policy or training, investigations or disciplinary
17 decisions regarding misconduct, potential systemic violations of law
18 or policy, unconstitutional policing, or other matters;

19 ~~((18))~~ (19) Promote positive relationships between law
20 enforcement and the residents of the state of Washington through
21 commissioners and staff participation in the "chief for a day
22 program." The executive director shall designate staff who may
23 participate. In furtherance of this purpose, the commission may
24 accept grants of funds and gifts and may use its public facilities
25 for such purpose. At all times, the participation of commissioners
26 and staff shall comply with chapter 42.52 RCW and chapter 292-110
27 WAC;

28 ~~((19))~~ (20) Adopt, amend, repeal, and administer rules and
29 regulations pursuant to the administrative procedure act, chapter
30 34.05 RCW, and the open public meetings act, chapter 42.30 RCW.

31 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101
32 RCW to read as follows:

33 (1) By July 1, 2027, and July 1st of every odd-numbered year
34 thereafter, the chief, administrator, or sheriff of every law
35 enforcement agency and police department shall submit a report to the
36 criminal justice training commission. The biennial reports must
37 include:

38 (a) The total number and date of certification of each peace
39 officer employed;

1 (b) An aggregate of police department or agency peace officer
2 training records which must include:

3 (i) Mandatory and required peace officer training requirements,
4 including the number of required hours of training for each required
5 subject; and

6 (ii) The aggregate total of peace officers required to complete
7 each training subject and number of officer trainings successfully
8 completed by each required subject; and

9 (c) The aggregate number of peace officers, managers, or
10 administration employees decertified, and the reasoning for
11 decertification.

12 (2) By July 1, 2028, and July 1st of every even-numbered year
13 thereafter, and in compliance with RCW 43.01.036, the commission
14 shall submit a report to the governor and the legislature with a
15 summary of the reports required under subsection (1) of this section.

16 **Sec. 3.** RCW 43.101.380 and 2025 c 349 s 6 are each amended to
17 read as follows:

18 (1) The procedures governing adjudicative proceedings before
19 agencies under chapter 34.05 RCW, the administrative procedure act,
20 govern hearings before the commission and govern all other actions
21 before the commission unless otherwise provided in this chapter. The
22 standard of proof in actions before the commission is a preponderance
23 of the evidence.

24 (2) (a) In all hearings requested under RCW 43.101.155, an
25 administrative law judge appointed under chapter 34.12 RCW shall be
26 the presiding officer and shall make all necessary rulings in the
27 course of the hearing, but is not entitled to vote, except as
28 provided in (b) of this subsection. In addition, a ~~((five))~~ six-
29 member hearings panel shall hear the case and make the commission's
30 final administrative decision. A simple majority must be attained to
31 enable any action.

32 (b) If the hearings panel is unable to reach a decision by a
33 simple majority, the administrative law judge presiding over the
34 hearing shall enter an initial order under RCW 34.05.461.

35 (3) The commission shall appoint a panel to hear certification
36 actions as follows:

37 (a) When a hearing is requested in relation to a certification
38 action of a Washington peace officer, the commission shall appoint to
39 the panel: (i) One police chief or sheriff from an agency not a

1 current or past employer of the peace officer; (ii) ~~((one))~~ two
2 certified Washington peace officers who ~~((is))~~ are at or below the
3 level of first line supervisor and who ~~((has))~~ have at least ten
4 years' experience as a peace officer; (iii) one civilian member of
5 the commission as appointed under RCW 43.101.030(1) (f) and (h)
6 through (j); (iv) one member of the public who is not a prosecutor,
7 defense attorney, judge, or law enforcement officer; and (v) one
8 person with expertise and background in police accountability who is
9 not a current or former peace officer or corrections officer.

10 (b) When a hearing is requested in relation to a certification
11 action of a Washington corrections officer, the commission shall
12 appoint to the panel: (i) A person who heads either a city or county
13 corrections agency or facility or of a Washington state department of
14 corrections facility; (ii) ~~((one))~~ two corrections officers who
15 ~~((is))~~ are at or below the level of first line supervisor and who
16 ~~((has))~~ have at least ten years' experience as a corrections officer;
17 (iii) one civilian member of the commission as appointed under RCW
18 43.101.030(1) (f) and (h) through (j); (iv) one member of the public
19 who is not a prosecutor, defense attorney, judge, or law enforcement
20 officer; and (v) one person with expertise and background in police
21 accountability who is not a current or former peace officer or
22 corrections officer.

23 (c) When a hearing is requested in relation to a certification
24 action of a tribal police officer, the commission shall appoint to
25 the panel (i) one tribal police chief; (ii) ~~((one))~~ two tribal police
26 ~~((officer))~~ officers who ~~((is))~~ are at or below the level of first
27 line supervisor, and who ~~((has))~~ have at least ten years' experience
28 as a peace officer; (iii) one civilian member of the commission as
29 appointed under RCW 43.101.030(1) (f) and (h) through (j); (iv) one
30 member of the public who is not a prosecutor, defense attorney,
31 judge, or law enforcement officer; and (v) one person with expertise
32 and background in police accountability who is not a current or
33 former peace officer or corrections officer.

34 (d) Persons appointed to hearings panels by the commission shall,
35 in relation to any certification action on which they sit, have the
36 powers, duties, and immunities, and are entitled to the emoluments,
37 including travel expenses in accordance with RCW 43.03.050 and
38 43.03.060, of regular commission members.

39 (4) In decertification matters where there was a due process
40 hearing or a disciplinary appeals hearing following an investigation

1 by a law enforcement agency, or a criminal hearing regarding the
2 alleged misconduct, the hearings panel need not redetermine the
3 underlying facts but may make its determination based solely on
4 review of the records and decision relating to those proceedings and
5 any investigative or summary materials from the administrative law
6 judge, legal counsel, and commission staff. However, the hearings
7 panel may, in its discretion, consider additional evidence to
8 determine whether misconduct occurred. The hearings panel shall, upon
9 written request by the subject peace officer or corrections officer,
10 allow the peace officer or corrections officer to present additional
11 evidence of extenuating circumstances.

12 (5) The commission is authorized to proceed regardless of whether
13 an arbitrator or other appellate decision maker overturns the
14 discipline imposed by the officer's employing agency or whether the
15 agency settles an appeal. No action or failure to act by a law
16 enforcement agency or corrections agency or decision resulting from
17 an appeal of that action precludes action by the commission to
18 suspend or revoke an officer's certificate, to place on probation, or
19 to require remedial training for the officer.

20 (6) The hearings, but not the deliberations of the hearings
21 panel, are open to the public. The transcripts, admitted evidence,
22 and written decisions of the hearings panel on behalf of the
23 commission are not confidential or exempt from public disclosure, and
24 are subject to subpoena and discovery proceedings in civil actions.

25 (7) Summary records of hearing dispositions must be made
26 available on an annual basis on a public website.

27 (8) The commission's final administrative decision is subject to
28 judicial review under RCW 34.05.510 through 34.05.598.

29 (9) The commission must adopt rules to implement this section.

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