
HOUSE BILL 2220

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By Representatives Leavitt, Burnett, Richards, Abell, Reeves, and Davis

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1 AN ACT Relating to state oversight and accountability of the
2 criminal justice training commission; amending RCW 43.101.010,
3 43.101.080, and 43.101.380; and adding a new section to chapter
4 43.101 RCW.

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

6 **Sec. 1.** RCW 43.101.010 and 2025 c 349 s 1 are each amended to
7 read as follows:

8 When used in this chapter:

9 (1) "Applicant" means an individual who has received a
10 conditional offer of employment with a law enforcement or corrections
11 agency.

12 (2) "Certified" means the individual has met the background check
13 requirements under this chapter; completed the basic law enforcement
14 academy, the corrections officer academy, or other training as
15 determined by the commission; and fulfilled any other requirements
16 adopted by the commission in rule, and has been granted a license by
17 the commission to serve as an officer.

18 (3) "Chief for a day program" means a program in which
19 commissioners and staff partner with local, state, and federal law
20 enforcement agencies, hospitals, and the community to provide a day
21 of special attention to chronically ill children. Each child is

1 selected and sponsored by a law enforcement agency. The event, "chief
2 for a day," occurs on one day, annually or every other year and may
3 occur on the grounds and in the facilities of the commission. The
4 program may include any appropriate honoring of the child as a
5 "chief," such as a certificate swearing them in as a chief, a badge,
6 a uniform, and donated gifts such as games, puzzles, and art
7 supplies.

8 (4) "Commission" means the Washington state criminal justice
9 training commission.

10 (5) "Commissioned" means the appointing entity has granted
11 authority in accordance with local or state law, to act as a peace
12 officer or corrections officer. However, for railroad police officers
13 commissioned under RCW 81.60.010 through 81.60.060, "commissioned"
14 has the meaning provided in chapter 81.60 RCW.

15 (6) "Convicted" means at the time a plea of guilty, nolo
16 contendere, or deferred sentence has been accepted, or a verdict of
17 guilty or finding of guilt has been filed, notwithstanding the
18 pendency of any future proceedings, including but not limited to
19 sentencing, posttrial or postfact-finding motions and appeals.
20 "Conviction" includes all instances in which a plea of guilty or nolo
21 contendere is the basis for conviction, all proceedings in which
22 there is a case disposition agreement, and any equivalent disposition
23 by a court in a jurisdiction other than the state of Washington.

24 (7) "Correctional personnel" means any employee or volunteer who
25 by state, county, municipal, or combination thereof, statute has the
26 responsibility for the confinement, care, management, training,
27 treatment, education, supervision, or counseling of those individuals
28 whose civil rights have been limited in some way by legal sanction.

29 (8) "Corrections officer" means any corrections agency employee
30 whose primary job function is to provide for the custody, safety, and
31 security of adult persons in jails and detention facilities in the
32 state. "Corrections officer" does not include individuals employed by
33 state agencies.

34 (9) "Criminal justice personnel" means any person who serves as a
35 peace officer, reserve officer, or corrections officer.

36 (10) "Finding" means a determination based on clear and
37 convincing evidence for a revocation or suspension of certification,
38 or a preponderance of the evidence for a probation or retraining,
39 whether alleged misconduct occurred; did not occur; occurred, but was

1 consistent with law and policy; or could neither be proven or
2 disproven.

3 (11) "Law enforcement personnel" means any person elected,
4 appointed, or employed as a general authority Washington peace
5 officer as defined in RCW 10.93.020 or as a limited authority
6 Washington peace officer as defined in RCW 10.93.020 who as a normal
7 part of their duties has powers of arrest and carries a firearm. For
8 the purposes of this chapter, "law enforcement personnel" does not
9 include individuals employed by the department of corrections.

10 (12) "Limited authority Washington law enforcement agency" has
11 the same meaning as defined in RCW 10.93.020.

12 (13) "Peace officer" has the same meaning as a general authority
13 Washington peace officer as defined in RCW 10.93.020. Commissioned
14 officers of the Washington state patrol, whether they have been or
15 may be exempted by rule of the commission from the basic training
16 requirement of RCW 43.101.200, are included as peace officers for
17 purposes of this chapter. Fish and wildlife officers with enforcement
18 powers for all criminal laws under RCW 77.15.075 are peace officers
19 for purposes of this chapter. Limited authority Washington peace
20 officers as defined in RCW 10.93.020, who have powers of arrest and
21 carry a firearm as part of their normal duty, are peace officers for
22 purposes of this chapter. For the purposes of this chapter, "peace
23 officer" does not include reserve officers or individuals employed by
24 the department of corrections.

25 (14) "Probation," "probationary periods," or "probationary terms"
26 means a determination by a hearing panel that a certified officer may
27 work under supervision based on agreed-upon terms.

28 (15) "Reserve officer" has the same meaning as provided in RCW
29 10.93.020.

30 (~~(15)~~) (16) "Retraining" means the teaching or reteaching of
31 skills and conduct required to succeed as a certified officer and
32 imposed by the commission's hearings panel in a final order pursuant
33 to RCW 43.101.105.

34 (17) "Revocation" means to remove a certified officer's
35 certification in a final order pursuant to RCW 43.101.105.

36 (18) "Specially commissioned Washington peace officer" has the
37 same meaning as provided in RCW 10.93.020.

38 (~~(16)~~) (19) "Suspension" means a determination by a hearing
39 panel on agreed-upon terms in a final order pursuant to RCW
40 43.101.105 that a certified officer's certification will be withheld

1 and the officer will be temporarily prevented from performing the
2 duties of a certified officer during the determined period.

3 (20) "Tribal police officer" means any person employed and
4 commissioned by a tribal government to enforce the criminal laws of
5 that government.

6 **Sec. 2.** RCW 43.101.080 and 2021 c 323 s 6 are each amended to
7 read as follows:

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

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

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

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

18 (4) Related to its duties under subsections (2) and (3) of this
19 section, provide for the comprehensive and timely investigation of
20 complaints where necessary to ensure adherence to law and agency
21 policy, strengthen the integrity and accountability of peace officers
22 and corrections officers, and maintain public trust and confidence in
23 the criminal justice system in this state;

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

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

30 (7) Review and approve or reject standards for instructors of
31 training programs for criminal justice personnel, and employ
32 personnel from law enforcement agencies on a temporary basis as
33 instructors without any loss of employee benefits to those
34 instructors from those agencies;

35 (8) Direct the development of alternative, innovative, and
36 interdisciplinary training techniques;

37 (9) Review and approve or reject training programs conducted for
38 criminal justice personnel and rules establishing and prescribing

1 minimum training and education standards, including continuing
2 education;

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

5 (11) Purchase, lease, or otherwise acquire, subject to the
6 approval of the department of enterprise services, a training
7 facility or facilities and allocate training facility space among
8 training and education programs conducted by the commission;

9 (12) Prepare and make available any forms, registers, courses of
10 study, laws and rules for the training, management, and
11 administration of law enforcement agencies, and such other material
12 and resources as may be necessary for the discharge of the duties of
13 peace officers and officials charged with the administration of the
14 laws relating to the provision of public safety and law enforcement
15 services, and distribute the same to city and county officials,
16 police chiefs, and sheriffs;

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

20 (~~(13)~~) (14) Provide for the employment of such personnel as may
21 be practical to serve as temporary replacements for any person
22 engaged in a basic training program as defined by the commission;

23 (~~(14)~~) (15) Establish rules and regulations prescribing minimum
24 standards relating to physical, mental, and moral fitness which shall
25 govern the recruitment of criminal justice personnel where such
26 standards are not prescribed by statute or constitutional provision;

27 (~~(15)~~) (16) Require county, city, port, or state law
28 enforcement and corrections agencies that make a conditional offer of
29 employment to an applicant as a fully commissioned peace officer, a
30 reserve officer, or a corrections officer to administer a background
31 investigation in accordance with the requirements of RCW 43.101.095
32 to determine the applicant's suitability for employment as a fully
33 commissioned peace officer, reserve officer, or corrections officer;

34 (~~(16)~~) (17) Appoint members of a hearings panel as provided
35 under RCW 43.101.380;

36 (~~(17)~~) (18) Issue public recommendations to the governing body
37 of a law enforcement agency regarding the agency's command decisions,
38 inadequacy of policy or training, investigations or disciplinary
39 decisions regarding misconduct, potential systemic violations of law
40 or policy, unconstitutional policing, or other matters;

1 (~~(18)~~) (19) Promote positive relationships between law
2 enforcement and the residents of the state of Washington through
3 commissioners and staff participation in the "chief for a day
4 program." The executive director shall designate staff who may
5 participate. In furtherance of this purpose, the commission may
6 accept grants of funds and gifts and may use its public facilities
7 for such purpose. At all times, the participation of commissioners
8 and staff shall comply with chapter 42.52 RCW and chapter 292-110
9 WAC;

10 (~~(19)~~) (20) Adopt, amend, repeal, and administer rules and
11 regulations pursuant to the administrative procedure act, chapter
12 34.05 RCW, and the open public meetings act, chapter 42.30 RCW.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101
14 RCW to read as follows:

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

20 (a) The total number and date of certification of each peace
21 officer employed;

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

24 (i) Mandatory and required peace officer training requirements,
25 including the number of required hours of training for each required
26 subject; and

27 (ii) The aggregate total of peace officers required to complete
28 each training subject and number of officer trainings successfully
29 completed by each required subject; and

30 (c) The aggregate number of peace officers, managers, or
31 administration employees decertified, and the reasoning for
32 decertification.

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

37 **Sec. 4.** RCW 43.101.380 and 2025 c 349 s 6 are each amended to
38 read as follows:

1 (1) The procedures governing adjudicative proceedings before
2 agencies under chapter 34.05 RCW, the administrative procedure act,
3 govern hearings before the commission and govern all other actions
4 before the commission unless otherwise provided in this chapter. The
5 standard of proof in actions before the commission is clear and
6 convincing evidence for a revocation or suspension of certification,
7 or a preponderance of the evidence for a probation or retraining.

8 (2)(a) In all hearings requested under RCW 43.101.155, an
9 administrative law judge appointed under chapter 34.12 RCW shall be
10 the presiding officer and shall make all necessary rulings in the
11 course of the hearing, but is not entitled to vote. (~~In addition~~)

12 (b) For hearings in relation to a certification action of a
13 Washington peace officer or corrections officer, a ((five)) six-
14 member hearings panel shall hear the case and make the commission's
15 final administrative decision. A simple majority must be attained to
16 enable any action. For hearings in relation to a certification action
17 of a tribal police officer, a five-member hearings panel shall hear
18 the case and make the commission's final administrative decision.

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

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

33 (b) When a hearing is requested in relation to a certification
34 action of a Washington corrections officer, the commission shall
35 appoint to the panel: (i) A person who heads either a city or county
36 corrections agency or facility or of a Washington state department of
37 corrections facility; (ii) (~~one~~) two corrections officers who
38 (~~is~~) are at or below the level of first line supervisor and who
39 (~~has~~) have at least ten years' experience as a corrections officer;
40 (iii) one civilian member of the commission as appointed under RCW

1 43.101.030(1) (f) and (h) through (j); (iv) one member of the public
2 who is not a prosecutor, defense attorney, judge, or law enforcement
3 officer; and (v) one person with expertise and background in police
4 accountability who is not a current or former peace officer or
5 corrections officer.

6 (c) When a hearing is requested in relation to a certification
7 action of a tribal police officer, the commission shall appoint to
8 the panel (i) one tribal police chief; (ii) one tribal police officer
9 who is at or below the level of first line supervisor, and who has at
10 least ten years' experience as a peace officer; (iii) one civilian
11 member of the commission as appointed under RCW 43.101.030(1) (f) and
12 (h) through (j); (iv) one member of the public who is not a
13 prosecutor, defense attorney, judge, or law enforcement officer; and
14 (v) one person with expertise and background in police accountability
15 who is not a current or former peace officer or corrections officer.

16 (d) Persons appointed to hearings panels by the commission shall,
17 in relation to any certification action on which they sit, have the
18 powers, duties, and immunities, and are entitled to the emoluments,
19 including travel expenses in accordance with RCW 43.03.050 and
20 43.03.060, of regular commission members.

21 (4) In decertification matters where there was a due process
22 hearing or a disciplinary appeals hearing following an investigation
23 by a law enforcement agency, or a criminal hearing regarding the
24 alleged misconduct, the hearings panel need not redetermine the
25 underlying facts but may make its determination based solely on
26 review of the records and decision relating to those proceedings and
27 any investigative or summary materials from the administrative law
28 judge, legal counsel, and commission staff. However, the hearings
29 panel may, in its discretion, consider additional evidence to
30 determine whether misconduct occurred. The hearings panel shall, upon
31 written request by the subject peace officer or corrections officer,
32 allow the peace officer or corrections officer to present additional
33 evidence of extenuating circumstances.

34 (5) The commission is authorized to proceed regardless of whether
35 an arbitrator or other appellate decision maker overturns the
36 discipline imposed by the officer's employing agency or whether the
37 agency settles an appeal. No action or failure to act by a law
38 enforcement agency or corrections agency or decision resulting from
39 an appeal of that action precludes action by the commission to

1 suspend or revoke an officer's certificate, to place on probation, or
2 to require remedial training for the officer.

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

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

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

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