

Chapter 10.114 RCW
USE OF DEADLY FORCE BY PEACE OFFICER

Sections

- 10.114.011 Independent investigation—Adoption of rules.
10.114.021 Death of member of recognized Indian tribe—Notice.

RCW 10.114.011 Independent investigation—Adoption of rules.

Except as required by federal consent decree, federal settlement agreement, or federal court order, where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm, an independent investigation must be completed to inform any determination of whether the use of deadly force met the good faith standard established in RCW 9A.16.040 and satisfied other applicable laws and policies. The investigation must be completely independent of the agency whose officer was involved in the use of deadly force and conducted in accordance with chapter 43.102 RCW. Any rules adopted by the criminal justice training commission must be consistent with chapter 43.102 RCW. [2021 c 318 § 401; 2019 c 4 § 5.]

Finding—Intent—2021 c 318: See note following RCW 43.102.020.

Effective date—2019 c 4: See note following RCW 43.101.455.

RCW 10.114.021 Death of member of recognized Indian tribe—

Notice. Whenever a law enforcement officer's application of force results in the death of a person who is an enrolled member of a federally recognized Indian tribe, the law enforcement agency must notify the governor's office of Indian affairs. Notice by the law enforcement agency to the governor's office of Indian affairs must be made within a reasonable period of time, but not more than twenty-four hours after the law enforcement agency has good reason to believe that the person was an enrolled member of a federally recognized Indian tribe. Notice provided under this section must include sufficient information for the governor's office of Indian affairs to attempt to identify the deceased person and his or her tribal affiliation. Nothing in this section requires a law enforcement agency to disclose any information that could compromise the integrity of any criminal investigation. The governor's office of Indian affairs must establish a means to receive the notice required under this section, including outside of regular business hours, and must immediately notify the tribe of which the person was enrolled. [2019 c 4 § 6.]

Effective date—2019 c 4: See note following RCW 43.101.455.