

WAC 139-06-040 Investigation, probable cause—Commencement of proceedings. (1) Upon request by a peace officer's employing agency, on its own initiative, or upon the filing of a complaint, on an approved form, by a law enforcement officer or duly authorized representative of a law enforcement agency, the commission may commence an investigation to determine whether there is probable cause to believe that a peace officer's certification should be denied or revoked under RCW 43.101.105.

(2) Upon a determination by commission staff that there is not probable cause to revoke or deny a peace officer's certification, a copy of the decision not to proceed, with a brief statement of the reasons for the decision, shall be furnished to the peace officer's employing agency, the complainant, if any. A peace officer's employing agency, or the complainant, if any, may request review by the chair of the commission or his or her designee, of a determination that there is not probable cause to revoke or deny a peace officer's certification, by making such request in writing within fourteen days of the mailing of notification of the decision not to proceed.

(3) Upon a determination by the commission that there is probable cause to believe that the peace officer's certification should be revoked or denied, the commission shall prepare a statement of charges and commence revocation proceedings under RCW 43.101.155.

(4) Any designee of the chair under this section must be a member of the commission.

[Statutory Authority: RCW 43.101.080. WSR 03-02-010, § 139-06-040, filed 12/20/02, effective 1/20/03.]