Chapter 43.101 RCW
CRIMINAL JUSTICE TRAINING COMMISSION—EDUCATION AND TRAINING STANDARDS BOARDS

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RCW 43.101.010 Definitions. When used in this chapter:

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

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

(3) "Chief for a day program" means a program in which commissioners and staff partner with local, state, and federal law enforcement agencies, hospitals, and the community to provide a day of special attention to chronically ill children. Each child is selected and sponsored by a law enforcement agency. The event, "chief for a day," occurs on one day, annually or every other year and may occur on the grounds and in the facilities of the commission. The program may include any appropriate honoring of the child as a "chief," such as a certificate swearing them in as a chief, a badge, a uniform, and donated gifts such as games, puzzles, and art supplies.

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

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

(6) "Convicted" means at the time a plea of guilty, nolo contendere, or deferred sentence has been accepted, or a verdict of guilty or finding of guilt has been filed, notwithstanding the pendency of any future proceedings, including but not limited to sentencing, posttrial or postfact-finding motions and appeals. "Conviction" includes all instances in which a plea of guilty or nolo

contendere is the basis for conviction, all proceedings in which there is a case disposition agreement, and any equivalent disposition by a court in a jurisdiction other than the state of Washington.

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

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

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

(10) "Finding" means a determination based on a preponderance of the evidence whether alleged misconduct occurred; did not occur; occurred, but was consistent with law and policy; or could neither be proven or disproven.

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

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

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

(14) "Reserve officer" has the same meaning as provided in RCW 10.93.020.

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

(16) "Tribal police officer" means any person employed and commissioned by a tribal government to enforce the criminal laws of that government. [2025 c 349 s 1; 2024 c 319 s 5; 2023 c 168 s 1. Prior: 2021 c 323 s 1; 2020 c 119 s 2; 2008 c 69 s 2; 2003 c 39 s 27; 2001 c 167 s 1; 1981 c 132 s 2; 1977 ex.s. c 212 s 1; 1974 ex.s. c 94 s 1.]

Finding—2008 c 69: "The legislature finds that the Washington state criminal justice commission's participation in charitable work, such as the "chief for a day" program that provides special attention to chronically ill children through recognition by various law

enforcement agencies within the state, advances the overall purposes of the commission by promoting positive relationships between law enforcement and the citizens of the state of Washington." [2008 c 69 s 1.]

Civil rights
loss of: State Constitution Art. 6 s 3, RCW 29A.08.520.
restoration of: RCW 9.92.066, 9.94A.637, 9.94A.885, 9.95.260, chapter 9.96 RCW.

RCW 43.101.020 Commission created—Purpose. (1) There is hereby created and established a state commission to be known and designated as the Washington state criminal justice training commission.

(2) The purpose of the commission shall be to establish and administer standards and processes for certification, suspension, and decertification of peace officers and corrections officers. The commission shall provide programs and training that enhance the integrity, effectiveness, and professionalism of peace officers and corrections officers while helping to ensure that law enforcement and correctional services are delivered to the people of Washington in a manner that fully complies with the Constitutions and laws of this state and United States. In carrying out its duties, the commission shall strive to promote public trust and confidence in every aspect of the criminal justice system. [2021 c 323 s 2; 1974 ex.s. c 94 s 2.]

RCW 43.101.021 Policy. It is the policy of the state of Washington that all commissioned, appointed, and elected law enforcement personnel comply with their oath of office and agency policies regarding the duty to be truthful and honest in the conduct of their official business. [2010 c 294 s 1.]

RCW 43.101.030 Membership. The commission shall consist of 21 members as follows:

(1) The governor shall appoint:

(a) One incumbent sheriff and one incumbent chief of police. The governor shall additionally appoint an alternate incumbent chief of police who may perform commission duties in place of the appointed incumbent chief if that person is unavailable;

(b) Two officers at or below the level of first line supervisor who:

(i) Have at least ten years' experience as law enforcement officers;

(ii) Are from two different law enforcement agencies that each have at least 15 officers and are different than the agencies with which the members in (a) of this subsection are affiliated; and

(iii) Are affiliated with different labor organizations;

(c) One tribal police officer at or below the level of first line supervisor who has at least 10 years' experience as a law enforcement officer;

(d) One person employed in a state or county corrections agency;

(e) One incumbent county prosecuting attorney or municipal attorney and one public defender;

(f) One licensed attorney with background in investigating, advocating, teaching, training, or presiding over matters related to enhancing law enforcement practices and accountability, who has not been employed in law enforcement;

(g) One elected official of a local government who is not a sheriff or police chief and has not been employed in the last 10 years as a peace officer or prosecutor in any jurisdiction;

(h) One person with civilian oversight or auditing experience over law enforcement agencies;

(i) Seven community members who are not employed in law enforcement, including at least two who reside east of the crest of the Cascade mountains and at least three who are from a historically underrepresented community or communities; and

(j) One tribal chair, board member, councilmember, or enrolled member from a federally recognized tribe with an active certification agreement under RCW 43.101.157 who is not a sheriff and has not been employed in the last 10 years as a peace officer or prosecutor in any jurisdiction;

(2) The attorney general or the attorney general's designee;

(3) The chief of the state patrol or the chief's designee. [2021 c 323 s 3; 2020 c 44 s 1; 1999 c 97 s 1; 1981 c 132 s 3; 1979 ex.s. c 55 s 1; 1974 ex.s. c 94 s 3.]

RCW 43.101.040 Terms of members—Vacancies. All members appointed to the commission by the governor shall be appointed for terms of six years, such terms to commence on July first, and expire on June thirtieth. However, for members first appointed as a result of chapter 323, Laws of 2021, the governor shall appoint members to terms ranging from two years to six years in order to stagger future appointments. Any member chosen to fill a vacancy created otherwise than by expiration of term shall be appointed for the unexpired term of the member the appointee is to succeed. Any member may be reappointed for additional terms. [2021 c 323 s 4; 2009 c 549 s 5167; 1974 ex.s. c 94 s 4.]

RCW 43.101.050 Cessation of membership upon termination of office or employment. Any member of the commission appointed pursuant to RCW 43.101.030 as an incumbent official or as an employee in a correctional system, as the case may be, shall immediately upon the termination of his or her holding of said office or employment, cease to be a member of the commission. [2009 c 549 s 5168; 1974 ex.s. c 94 s 5.]

RCW 43.101.060 Chair and vice chair—Quorum—Meetings. The commission shall elect a chair and a vice chair from among its members. Nine members of the commission shall constitute a quorum.

The commission shall meet at least quarterly. Additional meetings may be called by the chair and shall be called by the chair upon the written request of six members. [2021 c 323 s 5; 1999 c 97 s 2; 1974 ex.s. c 94 s 6.]

RCW 43.101.070 Compensation—Reimbursement of travel expenses. Members of the commission shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for their travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060. Attendance at meetings of the commission shall be deemed performance by a member of the duties of his or her employment. [2009 c 549 s 5169; 1984 c 287 s 85; 1975-'76 2nd ex.s. c 34 s 126; 1974 ex.s. c 94 s 7.]

Legislative findings—Severability—Effective date—1984 c 287: See notes following RCW 43.03.220.

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 43.101.080 Commission powers and duties—Rules and regulations. The commission shall have all of the following powers:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(16) Appoint members of a hearings panel as provided under RCW 43.101.380;

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

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

(19) Adopt, amend, repeal, and administer rules and regulations pursuant to the administrative procedure act, chapter 34.05 RCW, and the open public meetings act, chapter 42.30 RCW. [2021 c 323 s 6; 2020 c 119 s 13; 2018 c 32 s 4; 2015 c 225 s 90; 2011 c 234 s 1; 2008 c 69 s 3; 2005 c 434 s 1; 2001 c 166 s 1; 1982 c 124 s 1; 1975-'76 2nd ex.s. c 17 s 3. Prior: 1975 1st ex.s. c 103 s 1; 1975 1st ex.s. c 82 s 1; 1974 ex.s. c 94 s 8.]

Finding—2008 c 69: See note following RCW 43.101.010.

RCW 43.101.085 Additional powers and duties. In addition to its other powers granted under this chapter, the commission has authority and power to:

(1) Contract for services as it deems necessary in order to carry out its duties and responsibilities;

(2) Cooperate with and secure the cooperation of any department, agency, or instrumentality in state, county, and city government, and other commissions affected by or concerned with the business of the commission;

(3) Select and employ an executive director, and empower the director to perform such duties and responsibilities as the commission may deem necessary;

(4) Issue subpoenas and statements of charges, and administer oaths in connection with investigations, hearings, or other proceedings held under this chapter, or designate individuals to do so;

(5) Employ such staff as necessary for the implementation and enforcement of this chapter;

(6) Take or cause to be taken depositions and other discovery procedures as needed in investigations, hearings, and other proceedings held under this chapter;

(7) Enter into contracts for professional services determined by the commission to be necessary for adequate enforcement of this chapter; and

(8) Exercise lawful actions necessary to enable the commission to fully and adequately perform its duties and to exercise the lawful powers granted to the commission. [2021 c 323 s 7; 2020 c 119 s 1; 2006 c 22 s 1; 2001 c 167 s 7.]

Effective date—2006 c 22: "This act takes effect January 1, 2007." [2006 c 22 s 4.]

Severability—2006 c 22: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [2006 c 22 s 5.]

RCW 43.101.095 Peace and corrections officer certification—Background investigation. (1)(a) As a condition of employment, or of holding office, all peace officers and all corrections officers are required to obtain certification and maintain certification as required by this chapter and the rules of the commission.

(b) To ensure that sheriffs, police chiefs, and town marshals meet the requirements in RCW 35.21.333 and 36.28.025 to obtain certification within nine months of assuming office, the commission must prioritize their access to any commission training required for certification.

(2)(a) Any person being considered for appointment as a sheriff, police chief, or marshal, or seeking employment as a peace officer, reserve officer, corrections officer, or as a limited authority Washington peace officer who if hired would qualify as a peace officer as defined in RCW 43.101.010, must submit to a background investigation to determine that they meet eligibility requirements and to determine the person's suitability for employment. This requirement does not apply to any person whose certification has lapsed as a result of a break of more than 24 consecutive months in the officer's service as a result of being recalled into military service. Employing agencies and appointing authorities may only make a conditional offer of employment pending completion of the background investigation and shall attest in writing to the commission that they have complied with all background investigation requirements prior to making any nonconditional offer of employment.

(b) The background investigation must have been completed within the prior six months, and include:

(i) A check of criminal history, any national decertification index, commission records, and all disciplinary records by any previous law enforcement or correctional employer, including

complaints or investigations of misconduct and the reason for separation from employment. Law enforcement or correctional agencies that previously employed or received an application from the person shall retain application records and disclose employment or application information within 30 days of receiving a written request from the employing agency conducting the background investigation, including the reason for the person's separation from the agency, any information regarding the person's application to that agency, and any other information obtained during the background investigation conducted as part of the application process. Complaints or investigations of misconduct must be disclosed regardless of the result of the investigation or whether the complaint was unfounded;

(ii) Inquiry to the local prosecuting authority in any jurisdiction in which the person has served as to whether the person is on any potential impeachment disclosure list;

(iii) Inquiry into whether the person has any past or present affiliations with extremist organizations, as defined by the commission;

(iv) A review of the person's social media accounts;

(v)(A) For peace officers, verification of immigrant or citizenship status as either a citizen of the United States of America, lawful permanent resident, or deferred action for childhood arrivals recipient.

(B) For corrections officers, verification of immigrant or citizenship status as a citizen of the United States or a person who is legally authorized to work in the United States under federal law. This subsection shall be interpreted and applied consistent with federal law and regulations. This subsection shall not be construed to permit an employer to override or bypass work authorization requirements stated in section 274a.2 of Title 8 of the Code of Federal Regulations;

(vi) A psychological examination administered by a psychiatrist licensed in the state of Washington pursuant to chapter 18.71 RCW or a psychologist licensed in the state of Washington pursuant to chapter 18.83 RCW, in compliance with standards established in rules of the commission;

(vii) A polygraph or similar assessment administered by an experienced professional with appropriate training and in compliance with standards established in rules of the commission; and

(viii) Except as otherwise provided in this section, any test or assessment to be administered as part of the background investigation shall be administered in compliance with standards established in rules of the commission.

(c) The commission shall establish standards for the background investigation requirements in this section and any other preemployment background investigation requirement that may be imposed by an employing agency or the commission.

(3)(a) The commission shall allow a peace officer or corrections officer to retain status as a certified officer as long as the officer: (i) Timely meets the basic training requirements, or is exempted therefrom, in whole or in part, under RCW 43.101.200 or under rule of the commission; (ii) timely meets or is exempted from any other requirements under this chapter as administered under the rules adopted by the commission; (iii) is not denied certification by the commission under this chapter; and (iv) has not had certification suspended or revoked by the commission.

(b) The commission shall certify peace officers who are limited authority Washington peace officers employed on or before July 1, 2023. Thereafter, the commission may revoke certification pursuant to this chapter.

(4) As a condition of certification and of a background investigation, a peace officer or corrections officer must:

(a) On a form devised or adopted by the commission, authorize the release to the employing county, city, or agency and to the commission of the officer's personnel files, including disciplinary, termination, civil or criminal investigation, or other records or information that are directly related to a certification matter or decertification matter before the commission;

(b) Consent to and facilitate a review of the officer's social media accounts, however, consistent with RCW 49.44.200, the officer is not required to provide login information. The release of information may not be delayed, limited, or precluded by any agreement or contract between the officer, or the officer's union, and the entity responsible for the records or information; and

(c) Indicate, on a form provided by the hiring agency, any prior application materials, including any background investigation conducted while seeking employment with any other law enforcement agency, including where the person began but did not complete a full background investigation.

(5) The employing county, city, or agency and the commission are authorized to receive criminal history record information that includes nonconviction data for any purpose associated with employment or certification under this chapter. Dissemination or use of nonconviction data for purposes other than that authorized in this section is prohibited.

(6) For a national criminal history records check, the commission shall require fingerprints be submitted and searched through the Washington state patrol identification and criminal history section. The Washington state patrol shall forward the fingerprints to the federal bureau of investigation.

(7) Prior to certification or appointment of a sheriff, police chief, or marshal, the employing agency or appointing authority shall attest to the commission that the agency or appointing authority has received or conducted a completed background investigation, that no information has been found that would disqualify the person from certification, and that the person was determined by the background investigation and under commission rules to have met eligibility requirements and to be suitable for employment as a peace officer or corrections officer, or appointment as a sheriff, chief, or marshal. Persons determined by the background investigation to have engaged in conduct meeting the criteria set forth in RCW 43.101.105(2) shall be considered unsuitable for employment as a peace officer.

(8) All files, papers, and other information obtained as part of the background investigation are confidential and exempt from public disclosure under chapter 42.56 RCW. The verification by the commission that the background investigation has been completed, and whether it has been passed or failed, is a public record. The commission must retain background investigation files it receives.

(9) The requirements of this section apply to persons applying to serve as a new officer, a lateral transfer within the state or from another state from a law enforcement or corrections agency to a different law enforcement or corrections agency, or an officer moving from a corrections division to a law enforcement division or vice

versa within the same agency unless exempted by the commission, or a person appointed or elected as a sheriff, chief, or marshal.

(10) Every individual, legal entity, and agency of federal, state, or local government is immune from civil liability, whether direct or derivative, for providing information to the commission, employing agencies, potential employing agencies, or appointing authorities in good faith. [2026 c 258 s 13; 2026 c 103 s 5; 2025 c 349 s 2; 2024 c 330 s 10; 2023 c 168 s 3; 2021 c 323 s 8; 2018 c 32 s 5; 2011 c 234 s 2; 2009 c 139 s 1; 2008 c 74 s 8; 2005 c 434 s 2; 2001 c 167 s 2.]

Reviser's note: This section was amended by 2026 c 103 s 5 and by 2026 c 258 s 13, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Findings—Intent—Effective date—2026 c 258: See notes following RCW 35.21.333.

Effective date—2026 c 103: See note following RCW 10.93.167.

Finding—2008 c 74: See note following RCW 51.04.024.

RCW 43.101.098 Corrections officers—Work authorization. A corrections officer must be a citizen of the United States or a person who is legally authorized to work in the United States under federal law.

This section shall be interpreted and applied consistent with federal law and regulations. This section shall not be construed to permit an employer to override or bypass work authorization requirements stated in section 274a.2 of Title 8 of the Code of Federal Regulations. [2026 c 103 s 6.]

Retroactive application—2026 c 103 ss 2, 4, and 6: See note following RCW 10.93.167.

Effective date—2026 c 103: See note following RCW 10.93.167.

RCW 43.101.105 Denial, suspension, or revocation of peace and corrections officer certification. (1) To help prevent misconduct, enhance peace officer and corrections officer accountability through the imposition of sanctions commensurate to the wrongdoing when misconduct occurs, and enhance public trust and confidence in the criminal justice system, upon request by an officer's employer or on its own initiative, the commission may deny, suspend, or revoke certification of, or require remedial training for, an officer as provided in this section. The commission shall provide the officer with written notice and a hearing, if a hearing is timely requested by the officer under RCW 43.101.155. Notice and hearing are not required when a peace officer voluntarily surrenders certification.

(2) The commission must deny or revoke the certification of an applicant or officer if the applicant or officer:

(a)(i) Has been convicted of:

(A) A felony offense;

(B) A gross misdemeanor domestic violence offense;

(C) An offense with sexual motivation as defined in RCW 9.94A.030;

(D) An offense under chapter 9A.44 RCW; or

(E) A federal or out-of-state offense comparable to an offense listed in (a)(i)(A) through (D) of this subsection (2); and

(ii)(A) The offense was not disclosed at the time of application for initial certification; or

(B) The officer was a certified peace officer or corrections officer at the time of the offense; and

(iii) The offense is not one for which the officer was granted a full and unconditional pardon; and

(iv) The offense was not adjudicated as a juvenile and the record sealed;

(b) Has been terminated by the employing agency or otherwise separated from the employing agency after engaging in, or was found by a court to have engaged in, the use of force which resulted in death or serious injury and the use of force violated the law;

(c) Has been terminated by the employing agency or otherwise separated from the employing agency after witnessing, or found by a court to have witnessed, another officer's use of excessive force and:

(i) Was in a position to intervene to end the excessive use of force and failed to do so; or

(ii) Failed to report the use of excessive force in accordance with agency policy or law;

(d) Has been terminated by the employing agency or otherwise separated from the employing agency after knowingly making, or found by a court to have knowingly made, misleading, deceptive, untrue, or fraudulent representations in the practice of being a peace officer or corrections officer including, but not limited to, committing perjury, filing false reports, hiding evidence, or failing to report exonerating information. This subsection (2)(d) does not apply to representations made in the course and for the purposes of an undercover investigation or other lawful law enforcement purpose; or

(e) Is prohibited from possessing weapons by state or federal law or by a permanent court order entered after a hearing, provided that this subsection shall not be interpreted to require or permit the denial or revocation based solely on an applicant's or officer's prohibition from possessing weapons under federal law if the prohibition is solely based on the applicant's or officer's immigration status and the applicant or officer would otherwise lawfully possess weapons in their capacity as a peace officer or corrections officer under federal law pursuant to 18 U.S.C. Sec. 925(a)(1) or other applicable federal law after being hired as a peace officer or corrections officer.

(3) The commission may deny, suspend, or revoke certification or require remedial training of an applicant or officer if the applicant or officer:

(a) Failed to timely meet all requirements for obtaining a certificate of basic law enforcement or corrections training, a certificate of basic law enforcement or corrections training equivalency, or a certificate of exemption from the training;

(b) Was previously issued a certificate through administrative error on the part of the commission;

(c) Knowingly falsified or omitted material information on an application to the employer or for training or certification to the commission;

(d) Interfered with an investigation or action for denial or revocation of certification by:

(i) Knowingly making a materially false statement to the commission;

(ii) Failing to timely and accurately report information to the commission as required by law or policy; or

(iii) In any matter under review or investigation by or otherwise before the commission, tampering with evidence or tampering with or intimidating any witness;

(e) Engaged in a use of force that could reasonably be expected to cause physical injury, and the use of force violated the law or policy of the officer's employer;

(f) Committed sexual harassment as defined by state law;

(g) Through fraud or misrepresentation, has used the position of peace officer or corrections officer for personal gain;

(h) Engaged in conduct including, but not limited to, verbal statements, writings, online posts, recordings, and gestures, involving prejudice or discrimination against a person on the basis of race, religion, creed, color, national origin, immigration status, disability, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status;

(i) Has affiliation with one or more extremist organizations;

(j) Whether occurring on or off duty, has:

(i) Been found to have committed a felony, without regard to conviction;

(ii) Engaged in a pattern of acts showing an intentional or reckless disregard for the rights of others, including but not limited to violation of an individual's constitutional rights under the state or federal Constitution or a violation of RCW 10.93.160;

(iii) Engaged in unsafe practices involving firearms, weapons, or vehicles which indicate either a willful or wanton disregard for the safety of persons or property; or

(iv) Engaged in any conduct or pattern of conduct that: Fails to meet the ethical and professional standards required of a peace officer or corrections officer; disrupts, diminishes, or otherwise jeopardizes public trust or confidence in the law enforcement profession and correctional system; or demonstrates an inability or unwillingness to uphold the officer's sworn oath to enforce the Constitution and laws of the United States and the state of Washington;

(k) Has been suspended or discharged, has resigned or retired in lieu of discharge, or has separated from the agency after the alleged misconduct occurred, for any conduct listed in this section; or

(l) Has voluntarily surrendered the person's certification as a peace officer or corrections officer.

(4) In addition to the penalties set forth in subsection (3) of this section, the commission may require mandatory retraining or placement on probation for up to two years, or both. In determining the appropriate penalty or sanction, the commission shall consider: The findings and conclusions, and the basis for the findings and conclusions, of any due process hearing or disciplinary appeals hearing following an investigation by a law enforcement agency regarding the alleged misconduct, if such hearing has occurred prior to the commission's action; any sanctions or training ordered by the employing agency regarding the alleged misconduct; and whether the employing agency bears any responsibility for the situation.

(5) The commission shall deny certification to any applicant who lost certification as a result of a break in service of more than 24 consecutive months if that applicant failed to comply with the requirements set forth in RCW 43.101.080(15) and 43.101.095(2).

(6) The fact that the commission has suspended an officer's certification is not, in and of itself, a bar to the employing agency's maintenance of the officer's health and retirement benefits.

(7) Any suspension or period of probation imposed by the commission shall run concurrently to any leave or discipline imposed by the employing agency for the same incident.

(8) A law enforcement agency may not terminate a peace officer based solely on imposition of suspension or probation by the commission. This subsection does not prohibit a law enforcement agency from terminating a peace officer based on the underlying acts or omissions for which the commission took such action.

(9) Any of the misconduct listed in subsections (2) and (3) of this section is grounds for denial, suspension, or revocation of certification of a reserve officer to the same extent as applied to a peace officer, if the reserve officer is certified pursuant to RCW 43.101.095. [2026 c 103 s 7; 2021 c 323 s 9; 2011 c 234 s 3; 2005 c 434 s 3; 2001 c 167 s 3.]

Effective date—2026 c 103: See note following RCW 10.93.167.

RCW 43.101.115 Denial or revocation of peace or corrections officer certification—Readmission to academy—Reinstatement. (1) A person denied a certification based upon dismissal or withdrawal from a basic law enforcement academy or basic corrections academy under RCW 43.101.105(3)(a) is eligible for readmission and certification upon meeting standards established in rules of the commission, which rules may provide for probationary terms on readmission.

(2) A person whose certification is denied or revoked based upon prior administrative error of issuance, failure to cooperate, or interference with an investigation is eligible for certification upon meeting standards established in rules of the commission, which rules shall provide for a probationary period of certification in the event of reinstatement of eligibility.

(3) A person whose certification is mandatorily denied or revoked pursuant to RCW 43.101.105(2) is not eligible for certification at any time.

(4) Any officer who is required to obtain and maintain certification and who has had their certification denied, revoked, or voluntarily surrendered and not reinstated in this state or any other state may not serve in any role as a peace officer, corrections officer, limited authority Washington peace officer, specially commissioned officer, or reserve officer.

(5) A person whose certification is denied or revoked for reasons other than provided in subsections (1) through (3) of this section may, five years after the revocation or denial, petition the commission for reinstatement of the certificate or for eligibility for reinstatement. The commission may hold a hearing on the petition to consider reinstatement, and the commission may allow reinstatement based upon standards established in rules of the commission. If the certificate is reinstated or eligibility for certification is

determined, the commission shall establish a probationary period of certification.

(6) A person whose certification is revoked based solely upon a criminal conviction may petition the commission for reinstatement immediately upon a final judicial reversal of the conviction. The commission shall hold a hearing on request to consider reinstatement, and the commission may allow reinstatement based on standards established in rules of the commission. If the certificate is reinstated or if eligibility for certification is determined, the commission shall establish a probationary period of certification.

(7) The commission's rules and decisions regarding reinstatement shall align with its responsibilities to enhance public trust and confidence in the law enforcement profession and correctional system. [2026 c 258 s 14; 2021 c 323 s 10; 2001 c 167 s 4.]

Findings—Intent—Effective date—2026 c 258: See notes following RCW 35.21.333.

RCW 43.101.121 Denial or revocation of certification—Subsequent certification as corrections officer or peace officer. An individual whose peace officer certification is denied or revoked pursuant to this chapter may not thereafter be certified as a corrections officer without first satisfying the requirements of eligibility for certification or reinstatement of certification. A corrections officer whose corrections officer certification is denied or revoked pursuant to this chapter may not thereafter be certified as a peace officer without first satisfying the requirements of eligibility for certification or reinstatement of certification. [2020 c 119 s 11.]

RCW 43.101.125 Lapsed peace officer certification—Reinstatement—Rules. A peace officer's certification lapses automatically when there is a break of more than 24 consecutive months in the officer's service as a law enforcement officer. A break in law enforcement service which is due solely to the pendency of direct review or appeal from a disciplinary discharge, or to the pendency of a work-related injury, does not cause a lapse in certification. The officer may petition the commission for reinstatement of certification. Upon receipt of a petition for reinstatement of a lapsed certificate, the commission shall determine under this chapter and any applicable rules of the commission if the peace officer's certification status is to be reinstated, and the commission shall also determine any requirements which the officer must meet for reinstatement. The commission may adopt rules establishing requirements for reinstatement. [2025 c 349 s 3; 2001 c 167 s 5.]

RCW 43.101.126 Lapsed corrections officer certification—Reinstatement—Rules. A corrections officer's certification lapses automatically when there is a break of more than 24 consecutive months in the officer's service as a corrections officer. A break in corrections service which is due solely to the pendency of direct review or appeal from a disciplinary discharge, or to the pendency of a work-related injury, does not cause a lapse in certification. The officer may petition the commission for reinstatement of

certification. Upon receipt of a petition for reinstatement of a lapsed certificate, the commission shall determine under this chapter and any applicable rules of the commission if the corrections officer's certification status is to be reinstated, and the commission shall also determine any requirements which the officer must meet for reinstatement. The commission may adopt rules establishing requirements for reinstatement. [2025 c 349 s 4; 2020 c 119 s 6.]

RCW 43.101.135 Separation of peace or corrections officer—Notification to commission—Investigation—Civil penalty. (1)(a) Upon separation of a peace officer or corrections officer from an employing agency for any reason, including termination, resignation, or retirement, the agency shall notify the commission within 15 days of the separation date on a personnel action report form provided by the commission.

(b) If the employer accepts an officer's resignation or retirement in lieu of termination, the employing agency shall report the reasons and rationale in the information provided to the commission, including the findings from any internal or external investigations into alleged misconduct.

(2) In addition to those circumstances under subsection (1) of this section and whether or not disciplinary proceedings have been concluded, the employing agency shall:

(a) Notify the commission within 15 days of learning of the occurrence of any death or serious injury caused by the use of force by an officer or any time an officer has been charged with a crime. Employing agencies must have a policy requiring officers to report any pending criminal charges and any conviction, plea, or other case disposition immediately to their agency; and

(b) Notify the commission within 15 days of an initial disciplinary decision by an employing agency for alleged behavior or conduct by an officer that is noncriminal and may result in revocation of certification pursuant to RCW 43.101.105.

(3) To better enable the commission to act swiftly and comprehensively when misconduct has occurred that may undermine public trust and confidence in law enforcement or the correctional system, if the totality of the circumstances support a conclusion that the officer resigned or retired in anticipation of discipline, whether or not the misconduct was discovered at the time, and when such discipline, if carried forward, would more likely than not have led to discharge, or if the officer was laid off when disciplinary investigation or action was imminent or pending which could have resulted in the officer's suspension or discharge, the employing agency shall conduct and complete the investigation and provide all relevant information to the commission as if the officer were still employed by the agency.

(4) Upon request of the commission, the employing agency shall provide such additional documentation or information as the commission deems necessary to determine whether the separation or event provides grounds for suspension or revocation.

(5) At its discretion, the commission may:

(a) Initiate decertification proceedings upon conclusion of any investigation or disciplinary proceedings initiated by the employing agency;

(b) Separately pursue action against the officer's certification under RCW 43.101.105; or

(c) Wait to proceed until any investigation, disciplinary proceedings, or appeals through the employing agency are final before taking action. Where a decertification decision requires a finding that the officer's conduct violated policy and the employing agency has begun its investigation into the underlying event, the commission shall await notification of a finding by the employing agency before beginning the decertification process.

(6) No action or failure to act by an employing agency or decision resulting from an appeal of that action precludes action by the commission to suspend or revoke an officer's certification.

(7) An employing agency may not enter into any agreement or contract with an officer, or union:

(a) Not to report conduct, delay reporting, or preclude disclosure of any relevant information, including a promise not to check the box on a commission notice that indicates the officer may have committed misconduct, in exchange for allowing an officer to resign or retire or for any other reason; or

(b) That allows the agency to destroy or remove any personnel record while the officer is employed and for 10 years thereafter. Such records must include all misconduct and equal employment opportunity complaints, progressive discipline imposed including written reprimands, supervisor coaching, suspensions, involuntary transfers, investigatory files, and other disciplinary appeals and litigation records.

(8) The commission shall maintain all information provided pursuant to this section in a permanent file.

(9) In addition to disciplinary action authorized in RCW 43.101.105, the commission may impose a civil penalty not to exceed $10,000 for the failure by an officer or an employing agency to timely and accurately report information pursuant to this section. [2021 c 323 s 11; 2001 c 167 s 6.]

RCW 43.101.145 Written complaint to deny, suspend, or revoke peace or corrections officer certification—Immunity of complainant. (1) Any individual may submit a written complaint to the commission stating that an officer's certificate should be denied, suspended, or revoked, and specifying the grounds for the complaint. Filing a complaint does not make a complainant a party to the commission's action.

(2) The commission has sole discretion whether to investigate a complaint, and the commission has sole discretion whether to investigate matters relating to certification, denial of certification, or revocation of certification on any other basis, without restriction as to the source or the existence of a complaint. All complaints must be resolved with a written determination, regardless of the decision to investigate.

(3) The commission may initiate an investigation in any instance where there is a pattern of complaints or other actions that may not have resulted in a formal adjudication of wrongdoing, but when considered together demonstrate conduct that would constitute a violation of RCW 43.101.105 (2) or (3). The commission must consider the agency's policies and procedures and the officer's job duties and assignment in determining what constitutes a pattern.

(4) A person who files a complaint in good faith under this section is immune from suit or any civil action related to the filing or the contents of the complaint. [2021 c 323 s 12; 2001 c 167 s 8.]

RCW 43.101.155 Denial, suspension, or revocation of peace or corrections officer certification—Statement of charges—Notice—Hearing. (1) If the commission determines, upon investigation, that there is cause to believe that a peace officer's or corrections officer's certification should be denied, suspended, or revoked under RCW 43.101.105, the commission must prepare and serve upon the officer a statement of charges. Service on the officer must be by mail or by personal service on the officer unless the officer has consented to service in some other manner, including electronic notification. Notice of the charges must also be mailed to or otherwise served upon the officer's agency of separation and any current agency employer. The statement of charges must be accompanied by a notice that to receive a hearing on the denial or revocation, the officer must, within 60 days of the statement of charges, request a hearing before the hearings panel appointed under RCW 43.101.380. Failure of the officer to request a hearing within the 60-day period constitutes a default, whereupon the commission may enter an order under RCW 34.05.440.

(2) If a hearing is requested, the officer is required to provide an email address that constitutes the officer's legal address for purposes of any subsequent communication from the commission. Unless otherwise agreed to by the mutual agreement of the parties or for good cause, within two weeks of receipt of the officer's request for a hearing, the commission shall set a date for the hearing, which must be held within 90 days thereafter. On the date the hearing is set, the commission shall transmit electronic and written notice of the hearing to the officer, and provide public notice on the commission website, specifying the time, date, and place of hearing. [2021 c 323 s 13; 2001 c 167 s 9.]

RCW 43.101.157 Tribal police officer certification. (1) Tribal governments may voluntarily request certification for their police officers. Tribal governments requesting certification for their police officers must enter into a written agreement with the commission. The agreement must require the tribal law enforcement agency and its officers to comply with all of the requirements for granting, denying, and revoking certification as those requirements are applied to peace officers certified under this chapter and the rules of the commission. To ensure clarity regarding the requirements with which the tribal government and its police officers must comply should the tribal government request certification, a tribal government may first request consultation with the commission.

(2) Officers making application for certification as tribal police officers shall meet the requirements of this chapter and the rules of the commission as those requirements are applied to certification of peace officers. Application for certification as a tribal police officer shall be accepted and processed in the same manner as those for certification of peace officers. [2021 c 323 s 14; 2006 c 22 s 2.]

Effective date—Severability—2006 c 22: See notes following RCW 43.101.085.

RCW 43.101.170 Training and education obtained at approved existing institutions. In establishing standards for training and education, the commission may, so far as consistent with the purposes of *RCW 43.101.160, permit required training and education of any criminal justice personnel to be obtained at existing institutions approved for such training by the commission. [1974 ex.s. c 94 s 17.]

***Reviser's note:** RCW 43.101.160 was repealed by 1983 c 197 s 55, effective June 30, 1987.

RCW 43.101.190 Grants, funds, or gifts—Administration—Utilization of federal funds. (1) The commission, or the executive director acting on its behalf, is authorized to accept any money or property donated, devised, or bequeathed to the commission, and accept, receive, disburse, and administer grants or other funds or gifts from any source, including private individuals or agencies, the federal government, and other public agencies, for the purpose of carrying out the provisions of this chapter.

(2) The commission is prohibited from considering any input on the commission's policy decisions or curricula from any person who has donated, devised, or bequeathed property under this section. The commission may determine the value of any property donated, devised, or bequeathed for the purpose of recognizing donations under this section. To the extent feasible, the commission shall coordinate any money or property donated, devised, or bequeathed to the commission with any grant applications or any other sources of funding or gifts.

(3) The services provided by the state through the establishment and maintenance of the programs of the commission are primarily intended for the benefit of the criminal justice agencies of the counties, cities, and towns of this state. To the extent that funds available to the state under the Crime Control Act of 1973 are utilized by the commission, it is the determination of the legislature that, to the maximum extent permitted by federal law, such funds as are so utilized shall be charged against that portion of United States law enforcement assistance administration funds which the state is required to make available to units of local government pursuant to section 303(a)(2) of Part C of the Crime Control Act of 1973. [2024 c 335 s 1; 1974 ex.s. c 94 s 19.]

RCW 43.101.200 Law enforcement personnel—Basic law enforcement training required—Commission to provide. (1) Except as provided in subsection (2) of this section, all law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. For personnel initially employed before January 1, 1990, such training shall be successfully completed during the first 15 months of employment of such personnel unless otherwise extended or waived by the commission and shall be requisite to the continuation of such employment. Personnel initially employed on or after January 1, 1990, shall commence basic training

during the first six months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after January 1, 1990.

(2)(a) All law enforcement personnel who are limited authority Washington peace officers and whose employment commences on or after July 1, 2023, shall commence basic training during the first 12 months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after July 1, 2023.

(b)(i) The commission shall review the training files of all law enforcement personnel who are limited authority Washington peace officers, whose employment commenced prior to July 1, 2023, and who have not successfully completed training that complies with standards adopted by the commission, to determine what, if any, supplemental training is required to appropriately carry out the officers' duties and responsibilities.

(ii) Nothing in this section may be interpreted to require law enforcement personnel who are limited authority Washington peace officers, whose employment commenced prior to July 1, 2023, to complete the basic law enforcement training academy as a condition of continuing employment as a limited authority Washington peace officer.

(iii) Law enforcement personnel who are limited authority Washington peace officers are not required to complete the basic law enforcement academy or an equivalent basic academy upon transferring to a general authority Washington law enforcement agency or limited authority Washington law enforcement agency, as defined in RCW 10.93.020, if they have:

(A) Been employed as a special agent with the Washington state gambling commission, been a natural resource investigator with the department of natural resources, been a liquor enforcement officer with the liquor and cannabis board, been an investigator with the office of the insurance commissioner, or been a park ranger with the Washington state parks and recreation commission, before or after July 1, 2023; and

(B) Received a certificate of successful completion from the basic law enforcement academy or the basic law enforcement equivalency academy and thereafter engaged in regular and commissioned law enforcement employment with an agency listed in (b)(iii)(A) of this subsection without a break or interruption in excess of 24 months; and

(C) Remained current with the in-service training requirements as adopted by the commission by rule.

(3) Except as provided in RCW 43.101.170, the commission shall provide the aforementioned training and shall have the sole authority to do so. The commission shall provide necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week, except during fiscal year 2024 and during the 2025-2027 fiscal biennium, when the employing, county, city, or state law enforcement agency shall reimburse the commission for 25 percent of the cost of training its personnel. Additionally, to the extent funds are provided for this purpose, the commission shall reimburse to participating law enforcement agencies with 10 or less full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of

temporary replacement not to exceed the total amount of salary and benefits received by the replaced officer during the training period:

PROVIDED FURTHER, That limited authority Washington law enforcement agencies as defined in RCW 10.93.020 shall reimburse the commission for the full cost of training their personnel. [2025 c 424 s 954; 2025 c 349 s 5; 2024 c 376 s 908. Prior: 2023 c 475 s 931; 2023 c 168 s 2; prior: 2021 c 334 s 977; 2021 c 323 s 31; 2019 c 415 s 969; 2017 3rd sp.s. c 1 s 973; 2015 3rd sp.s. c 4 s 957; 2013 2nd sp.s. c 4 s 982; 2011 1st sp.s. c 50 s 949; 1997 c 351 s 13; prior: 1993 sp.s. c 24 s 920; 1993 sp.s. c 21 s 5; 1989 c 299 s 2; 1977 ex.s. c 212 s 2.]

Reviser's note: This section was amended by 2025 c 349 s 5 and by 2025 c 424 s 954, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2025 c 424: See note following RCW 9.46.100.

Effective date—2024 c 376: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 29, 2024]." [2024 c 376 s 914.]

Effective date—2023 c 475: See note following RCW 16.76.030.

Conflict with federal requirements—Effective date—2021 c 334: See notes following RCW 43.79.555.

Effective date—2019 c 415: See note following RCW 28B.20.476.

Effective date—2017 3rd sp.s. c 1: See note following RCW 43.41.455.

Effective dates—2015 3rd sp.s. c 4: See note following RCW 28B.15.069.

Effective dates—2013 2nd sp.s. c 4: See note following RCW 2.68.020.

Effective dates—2011 1st sp.s. c 50: See note following RCW 15.76.115.

Severability—1997 c 351: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1997 c 351 s 14.]

Effective date—1997 c 351: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 13, 1997]." [1997 c 351 s 15.]

Severability—Effective dates—1993 sp.s. c 24: See notes following RCW 28A.310.020.

Effective dates—1993 sp.s. c 21: See note following RCW 82.14.310.

RCW 43.101.205 Training on interaction with persons with substance use disorders. (1) Beginning July 1, 2022, all law enforcement personnel required to complete basic law enforcement training under RCW 43.101.200 must receive training on law enforcement interaction with persons with substance use disorders, including persons with co-occurring substance use disorders and mental health conditions, and referral to treatment and recovery services and the unique referral processes for youth, as part of the basic law enforcement training. The training must be developed by the commission in collaboration with the University of Washington behavioral health institute and agencies that have expertise in the area of working with persons with substance use disorders, including law enforcement diversion of such individuals to community-based care. In developing the training, the commission must also examine existing courses certified by the commission that relate to persons with a substance use disorder, and should draw on existing training partnerships with the Washington association of sheriffs and police chiefs.

(2) The training must consist of classroom instruction or internet instruction and shall replicate likely field situations to the maximum extent possible. The training should include, at a minimum, core instruction in all of the following:

(a) Proper procedures for referring persons to the recovery navigator program in accordance with RCW 71.24.115;

(b) The etiology of substance use disorders, including the role of trauma;

(c) Barriers to treatment engagement experienced by many with such disorders who have contact with the legal system;

(d) How to identify indicators of substance use disorder and how to respond appropriately in a variety of common situations;

(e) Conflict resolution and de-escalation techniques for potentially dangerous situations involving persons with a substance use disorder;

(f) Appropriate language usage when interacting with persons with a substance use disorder;

(g) Alternatives to lethal force when interacting with potentially dangerous persons with a substance use disorder;

(h) The principles of recovery and the multiple pathways to recovery; and

(i) Community and state resources available to serve persons with substance use disorders and how these resources can be best used by law enforcement to support persons with a substance use disorder in their communities.

(3) In addition to incorporation into the basic law enforcement training under RCW 43.101.200, training must be made available to law enforcement agencies, through electronic means, for use during in-service training. [2021 c 311 s 7.]

Effective date—2021 c 311 ss 1-11 and 13-21: See note following RCW 71.24.115.

RCW 43.101.220 Training for corrections personnel. (1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The standards adopted must provide for basic corrections training of at least ten weeks in length for any corrections officers subject to the certification requirement under RCW 43.101.095 who are hired on or after July 1, 2021, or on an earlier date set by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during fiscal year 2025 and during the 2025-2027 fiscal biennium, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3)(a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections. [2025 c 424 s 955; 2024 c 376 s 909; 2021 c 334 s 978; 2020 c 119 s 14; 2019 c 415 s 970; 2017 3rd sp.s. c 1 s 972; 2015 3rd sp.s. c 4 s 958; 2014 c 221 s 918; 2009 c 146 s 2; 2007 c 382 s 1; 1981 c 136 s 26.]

Effective date—2025 c 424: See note following RCW 9.46.100.

Effective date—2024 c 376: See note following RCW 43.101.200.

Conflict with federal requirements—Effective date—2021 c 334: See notes following RCW 43.79.555.

Effective date—2019 c 415: See note following RCW 28B.20.476.

Effective date—2017 3rd sp.s. c 1: See note following RCW 43.41.455.

Effective dates—2015 3rd sp.s. c 4: See note following RCW 28B.15.069.

Effective date—2014 c 221: See note following RCW 28A.710.260.

Intent—2009 c 146: "The intent of the legislature is that all corrections personnel employed by the Washington department of corrections are prepared to carry out the demands of their position

that they are likely to encounter during their daily duties. The protection of the public, department employees, and inmates are a primary reason to ensure that everyone is adequately trained and knowledgeable in routine and emergency procedures.

To best carry out this mission it is necessary for the Washington state department of corrections to have the authority, discretion, and ability to design and conduct mandatory training that best meets the needs of its changing offender population." [2009 c 146 s 1.]

Effective date—1981 c 136: See RCW 72.09.900.

RCW 43.101.221 Training for corrections personnel—Core training requirements. (1) All new corrections personnel employed by the Washington state department of corrections shall, within a period to be determined by the secretary of the department of corrections, successfully complete core training requirements prescribed or obtain a waiver or extension of the core training requirements from the secretary.

(2) Within a period to be determined by the secretary of the Washington state department of corrections after completion of the core training requirements of this section, corrections personnel employed by the department shall successfully complete all remaining requirements for career level certification prescribed by the secretary applicable to their position or rank, or obtain a waiver or extension of the career level training requirements from the secretary.

(3) The secretary of the department of corrections is responsible for assuring that the training needs of the corrections personnel are met by the department's training program. Once a year, the secretary is responsible for conducting an assessment of the training programs for the corrections personnel employed by the department. [2009 c 146 s 3.]

RCW 43.101.222 Training for students enrolled at institutions of higher education. The commission may provide basic law enforcement training to students who are enrolled in criminal justice courses of study at four-year institutions of higher education, if the training is provided during the summers following the students' junior and senior years and so long as the students bear the full cost of the training. [1996 c 203 s 3.]

Effective date—1996 c 203: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately [March 28, 1996]." [1996 c 203 s 4.]

RCW 43.101.224 Training for persons investigating child sexual abuse. (1) Ongoing specialized training shall be provided for persons responsible for investigating child sexual abuse. Training participants shall have the opportunity to practice interview skills and receive feedback from instructors.

(2) The commission, the department of social and health services, the Washington association of sheriffs and police chiefs, and the

Washington association of prosecuting attorneys shall design and implement statewide training that contains consistent elements for persons engaged in the interviewing of children for child sexual abuse cases, including law enforcement, prosecution, and child protective services.

(3) The training shall: (a) Be based on research-based practices and standards; (b) minimize the trauma of all persons who are interviewed during abuse investigations; (c) provide methods of reducing the number of investigative interviews necessary whenever possible; (d) assure, to the extent possible, that investigative interviews are thorough, objective, and complete; (e) recognize needs of special populations, such as persons with developmental disabilities; (f) recognize the nature and consequences of victimization; (g) require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; (h) address record retention and retrieval; and (i) documentation of investigative interviews. [1999 c 389 s 2.]

RCW 43.101.225 Training on vehicular pursuits. (1) By June 30, 2006, every new full-time law enforcement officer employed, after July 27, 2003, by a state, county, or municipal law enforcement agency shall be trained on vehicular pursuits.

(2) Beginning July 1, 2006, every new full-time law enforcement officer employed by a state, county, or municipal law enforcement agency shall be trained on vehicular pursuits, within six months of employment.

(3) Nothing in chapter 37, Laws of 2003 requires training on vehicular pursuit of any law enforcement officer who is employed in a state, county, or city law enforcement agency on July 27, 2003, beyond that which he or she has received prior to July 27, 2003. [2003 c 37 s 3.]

Intent—2003 c 37: "The legislature intends to improve the safety of law enforcement officers and the public by providing consistent education and training for officers in the matter of vehicle pursuit. The legislature recognizes there are a multitude of factors which enter into the determination of pursuit and intends that the criminal justice training commission be given the responsibility of identifying those factors and developing appropriate standards for training of law enforcement officers in this area." [2003 c 37 s 1.]

RCW 43.101.227 Training for interaction with persons with a developmental disability or mental illness. (1) The commission must offer a training session on law enforcement interaction with persons with a developmental disability or mental illness. The training must be developed by the commission in consultation with appropriate self advocate and family advocate groups and with appropriate community, local, and state organizations and agencies that have expertise in the area of working with persons with a developmental disability or mental illness. In developing the course, the commission must also examine existing courses certified by the commission that relate to persons with a developmental disability or mental illness.

(2) The training must consist of classroom instruction or internet instruction and shall replicate likely field situations to the maximum extent possible. The training should include, at a minimum, core instruction in all of the following:

(a) The cause and nature of mental illnesses and developmental disabilities;

(b) How to identify indicators of mental illness and developmental disability and how to respond appropriately in a variety of common situations;

(c) Conflict resolution and de-escalation techniques for potentially dangerous situations involving persons with a developmental disability or mental illness;

(d) Appropriate language usage when interacting with persons with a developmental disability or mental illness;

(e) Alternatives to lethal force when interacting with potentially dangerous persons with a developmental disability or mental illness; and

(f) Community and state resources available to serve persons with a developmental disability or mental illness and how these resources can be best used by law enforcement to benefit persons with a developmental disability or mental illness in their communities.

(3) The training shall be made available to law enforcement agencies, through electronic means, for use at their convenience and determined by the internal training needs and resources of each agency.

(4) The commission shall make all reasonable efforts to secure private and nonstate public funds to implement this section. [2003 c 270 s 1.]

RCW 43.101.230 Training for tribal police officers and employees authorized—Conditions. Tribal police officers and employees who are engaged in law enforcement activities and who do not qualify as "criminal justice personnel" or "law enforcement personnel" under RCW 43.101.010 shall be provided training under this chapter if: (1) The tribe is recognized by the federal government, and (2) except during fiscal year 2025, tribal agencies with tribal officer certification agreements with the commission under RCW 43.101.157 shall reimburse the commission for 25 percent of the cost of training its personnel. Tribes without current written tribal officer certification agreements with the commission shall pay to the commission the full cost of providing such training. The commission shall place all money received under this section into the criminal justice training account. [2024 c 376 s 910; 2023 c 72 s 1; 2021 c 323 s 15; 1981 c 134 s 1.]

Effective date—2024 c 376: See note following RCW 43.101.200.

RCW 43.101.240 Community-police partnership. (1) The criminal justice training commission in cooperation with the United States department of justice department of community relations (region X) shall conduct an assessment of successful community-police partnerships throughout the United States. The commission shall develop training for local law enforcement agencies targeted toward those communities where there has been a substantial increase in drug crimes. The purpose of the training is to facilitate cooperative

community-police efforts and enhanced community protection to reduce drug abuse and related crimes. The training shall include but not be limited to conflict management, ethnic sensitivity, cultural awareness, and effective community policing.

(2) Local law enforcement agencies are encouraged to form community-police partnerships in all neighborhoods and particularly areas with high rates of criminal activity. These partnerships are encouraged to organize citizen-police task forces which meet on a regular basis to promote greater citizen involvement in combatting drug abuse and to reduce tension between police and citizens. Partnerships that are formed are encouraged to report to the criminal justice training commission of their formation and progress. [1994 sp.s. c 7 s 311; 1989 c 271 s 423.]

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.

Captions not law—1989 c 271: "Part, subpart, and section headings and the index as used in this act do not constitute any part of the law." [1989 c 271 s 605.]

Severability—1989 c 271: See note following RCW 9.94A.510.

RCW 43.101.250 Firearms certificate program for *private detectives. The commission shall establish a program for issuing firearms certificates to *private detectives for the purposes of obtaining armed *private detective licenses. The commission shall adopt rules establishing the fees, training requirements, and procedures for obtaining and annually renewing firearms certificates. The fees charged by the commission shall recover the costs incurred by the commission in administering the firearms certificate program.

(1) Firearms training must be provided by an organization or trainer approved by the commission and must consist of at least eight hours of classes and proficiency training.

(2) Applications for firearms certificates shall be filed with the commission on a form provided by the commission. The commission may require any information and documentation that reasonably relates to the need to determine whether the applicant qualifies for a firearms certificate. Applicants must:

(a) Be at least twenty-one years of age;

(b) Possess a current *private detective license; and

(c) Present a written request from the owner or qualifying agent of a licensed *private detective agency that the applicant be issued a firearms certificate.

(3) The commission shall consult with the private security industry and law enforcement before adopting or amending the training requirements of this section.

(4) The commission may adopt rules that are reasonable and necessary for the effective implementation and administration of this section consistent with chapter 34.05 RCW. [1991 c 328 s 28.]

***Reviser's note:** "Private detective" redesignated "private investigator" by 1995 c 277.

RCW 43.101.260 Firearms certificate program for security guards. The commission shall establish a program for issuing firearms certificates to security guards for the purposes of obtaining armed security guard licenses. The commission shall adopt rules establishing the fees, training requirements, and procedures for obtaining and annually renewing firearms certificates. The fees charged by the commission shall recover the costs incurred by the commission in administering the firearms certificate program.

(1) Firearms training must be provided by an organization or trainer approved by the commission and must consist of at least eight hours of classes and proficiency training.

(2) Applications for firearms certificates shall be filed with the commission on a form provided by the commission. The commission may require any information and documentation that reasonably relates to the need to determine whether the applicant qualifies for a firearms certificate. Applicants must:

(a) Be at least twenty-one years of age;

(b) Possess a current private security guard license; and

(c) Present a written request from the owner or qualifying agent of a licensed private security company that the applicant be issued a firearms certificate.

(3) The commission shall consult with the private security industry and law enforcement before adopting or amending the training requirements of this section.

(4) The commission may adopt rules that are reasonable and necessary for the effective implementation and administration of this section consistent with chapter 34.05 RCW. [1991 c 334 s 29.]

RCW 43.101.270 Sexual assault—Training for investigating and prosecuting. (1) Each year the criminal justice training commission shall offer an intensive, integrated training session on investigating and prosecuting sexual assault cases. The training shall place particular emphasis on the development of professionalism and sensitivity towards the victim and the victim's family.

(2) The commission shall seek advice from the Washington association of prosecuting attorneys, the Washington defender association, the Washington association of sheriffs and police chiefs, the Washington coalition of sexual assault programs, and the student achievement council.

(3) The training shall be an integrated approach to sexual assault cases so that prosecutors, law enforcement, defenders, Title IX investigators that serve institutions of higher education, and victim advocates can all benefit from the training.

(4) The training shall be self-supporting through fees charged to the participants of the training.

(5) The training shall include a reference to the possibility that a court may allow children under the age of 18 to testify in a room outside the presence of the defendant and the jury pursuant to RCW 9A.44.150. [2025 c 125 s 1; 2015 c 286 s 2; 1991 c 267 s 2.]

Effective date—2025 c 125: "This act takes effect July 1, 2026." [2025 c 125 s 5.]

Findings—Intent—2015 c 286: "(1) The legislature finds that RCW 9A.44.150, which allows testimony of child victims by closed-circuit

television in certain cases, helps protect certain child witnesses. During the prosecution of many child abuse cases, child victims may suffer serious emotional and mental trauma from exposure to the abuser. Some of these child victims are unable to testify at all in the presence of the abuser. For these reasons, the legislature found it a compelling state interest to allow for remote testimony in certain cases to enhance the truth-seeking process and to shield child victims from trauma.

(2) The legislature further finds that while there is a possibility for certain child victims to testify remotely in some cases, this procedure is rarely used. The legislature intends to raise awareness regarding this procedure by including it in training materials for investigating and prosecuting sexual assault cases." [2015 c 286 s 1.]

Findings—1991 c 267: "The safety of all children is enhanced when sexual assault cases are properly investigated and prosecuted. The victim of the sexual assault and the victim's family have a right to be treated with sensitivity and professionalism, which also increases the likelihood of their continued cooperation with the investigation and prosecution of the case. The legislature finds the sexual assault cases, particularly those involving victims who are children, are difficult to prosecute successfully. The cooperation of a victim and the victim's family through the investigation and prosecution of the sexual assault case is enhanced and the trauma associated with the investigation and prosecution is reduced when trained victim advocates assist the victim and the victim's family through the investigation and prosecution of the case. Trained victim advocates also assist law enforcement, prosecutors, and defense attorneys, by relieving some of the burden of explaining the investigation and prosecution process and possible delays to the victim and accompanying the victim during interviews by the police, prosecutor, and defense attorney, and accompanying the victim during hearings and the trial.

The legislature finds that counties should give priority to the successful prosecution of sexual assault cases, especially those that involve children, by ensuring that prosecutors, investigators, defense attorneys, and victim advocates are properly trained and available. Therefore, the legislature intends to establish a mechanism to provide the necessary training of prosecutors, law enforcement investigators, defense attorneys, and victim advocates and ensure the availability of victim advocates for victims of sexual assault and their families." [1991 c 267 s 1.]

Effective date—1991 c 267: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1991." [1991 c 267 s 7.]

RCW 43.101.272 Sexual assault and gender-based violence—Training for persons investigating. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall provide ongoing specialized, intensive, and integrative training for persons responsible for investigating sexual assault and other gender-based violence involving adult victims, including persons

responsible for regularly investigating prohibited conduct at institutions of higher education under Title IX of the education amendments of 1972, 20 U.S.C. Sec. [Secs.] 1681—1683, and as thereafter amended, and the highest ranking supervisors and commanders overseeing sexual assault and other gender-based violence investigations. The training must be based on a victim-centered, trauma-informed approach to responding to sexual assault. Among other subjects, the training must include content on the neurobiology of trauma and trauma-informed interviewing, counseling, and investigative techniques.

(2) The training must: Be based on research-based practices and standards; offer participants an opportunity to practice interview skills and receive feedback from instructors; minimize the trauma of all persons who are interviewed during abuse investigations; provide methods of reducing the number of investigative interviews necessary whenever possible; assure, to the extent possible, that investigative interviews are thorough, objective, and complete; recognize needs of special populations; recognize the nature and consequences of victimization; require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; address record retention and retrieval; address documentation of investigative interviews; and educate investigators on the best practices for notifying victims of the results of forensic analysis of sexual assault kits and other significant events in the investigative process, including for active investigations and cold cases.

(3) In developing the training, the commission shall seek advice from the Washington association of sheriffs and police chiefs, the Washington coalition of sexual assault programs, and experts on sexual assault, gender-based violence, and the neurobiology of trauma. The commission shall consult with the Washington association of prosecuting attorneys and the student achievement council in an effort to design training containing consistent elements for all professionals engaged in interviewing and interacting with sexual assault victims in the criminal justice system.

(4) Officers assigned to regularly investigate sexual assault and other gender-based violence involving adult victims and the highest ranking supervisors and commanders overseeing those investigations shall complete the training within one year of being assigned. [2025 c 125 s 2; 2023 c 197 s 3; 2019 c 93 s 5; 2017 c 290 s 3.]

Effective date—2025 c 125: See note following RCW 43.101.270.

RCW 43.101.273 Sexual assault—Training for persons prosecuting. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall, in partnership with the special resource prosecutor under RCW 43.101.279, develop and conduct specialized, intensive, and integrative training for persons responsible for prosecuting sexual assault cases involving adult and minor victims.

(2) The training must:

(a) Use a victim-centered, trauma-informed approach to prosecuting sexual assaults including, but not limited to, the following goals: Recognizing the nature and consequences of

victimization; prioritizing the safety and well-being of victims; and recognizing the needs of special populations;

(b) Include content on the neurobiology of trauma and trauma-informed interviewing, counseling, investigative, and prosecution techniques;

(c) Offer participants an opportunity to practice interview and trial skills, including receiving feedback from instructors;

(d) Share best practices for communicating with victims throughout the criminal justice process;

(e) Include additional content relevant to and informed by best practices for improving outcomes in sexual assault prosecutions, as deemed appropriate by the commission;

(f) Take into account the training under RCW 43.101.272 in order to provide consistent and complementary training for investigators and prosecutors;

(g) Be designed to qualify for some continuing legal education credits through the Washington state bar association; and

(h) Be offered at least once per calendar year and be deployed in different locations across the state, or through some other broadly accessible means, in order to improve access to the training for prosecutors serving in small offices or rural areas. [2025 c 125 s 3; 2023 c 197 s 6.]

Effective date—2025 c 125: See note following RCW 43.101.270.

RCW 43.101.274 Sexual assault—Training curriculum modification. Subject to the availability of amounts appropriated for this specific purpose, the commission shall incorporate victim-centered, trauma-informed approaches to policing in the basic law enforcement training curriculum. In modifying the curriculum, the commission shall seek advice from the Washington coalition of sexual assault programs and other experts on sexual assault and the neurobiology of trauma. [2017 c 290 s 4.]

RCW 43.101.276 Sexual and gender-based violence—Training curriculum requirements. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall develop two curricula for peace officer training as follows:

(a) Training for peace officers working on patrol on a victim-centered, trauma-informed approach to interacting with victims and responding to calls involving sexual violence; and

(b) Training for peace officers on a victim-centered, trauma-informed approach to interacting with victims and responding to calls involving gender-based violence.

(2) The curriculum for both subsection (1)(a) and (b) of this section must: Be designed for deployment and use within individual law enforcement agencies; include features allowing for it to be used in different environments, which may include multimedia or video components; and allow for law enforcement agencies to host it in small segments at different times over several days or weeks, including roll calls. The training must include components on available resources for victims including, but not limited to, material on and references to community-based victim advocates.

(3)(a) In developing the training for interacting with victims and responding to calls involving sexual violence, the commission shall seek advice from the Washington association of sheriffs and police chiefs, the Washington coalition of sexual assault programs, and experts on sexual assault and the neurobiology of trauma.

(b) All peace officers working on patrol shall complete the training under subsection (1)(a) of this section within one year of patrol assignment and at least once every three years thereafter.

(4)(a) In developing the training for interacting with victims and responding to calls involving gender-based violence, the commission shall seek advice from the Washington association of sheriffs and police chiefs and experts on gender-based violence and the neurobiology of trauma.

(b) All peace officers shall complete the training under subsection (1)(b) of this section at least once every three years.

(5) With the exception of the state parks and recreation commission, the training requirements under this section do not apply to limited authority Washington law enforcement agencies as defined in RCW 10.93.020 whose authority does not include the investigation of sexual assaults or gender-based violence. [2025 c 125 s 4. Prior: 2023 c 197 s 4; 2023 c 168 s 4; 2017 c 290 s 5.]

Effective date—2025 c 125: See note following RCW 43.101.270.

Effective date—2023 c 197 s 4: "Section 4 of this act takes effect July 1, 2024." [2023 c 197 s 12.]

RCW 43.101.278 Sexual assault—Development of proposal for case review program. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall conduct an annual case review program. The program must review case files from law enforcement agencies and prosecuting attorneys selected by the commission in order to identify changes to training and investigatory practices necessary to optimize outcomes in sexual assault investigations and prosecutions involving adult victims. The program must include:

(a) An evaluation of whether current training and practices foster a trauma-informed, victim-centered approach to victim interviews and that identifies best practices and current gaps in training and assesses the integration of the community resiliency model;

(b) A comparison of cases involving investigators and interviewers who have participated in training to cases involving investigators and interviewers who have not participated in training;

(c) A comparison of cases involving prosecutors who have participated in the training described in RCW 43.101.273 to cases involving prosecutors who have not participated in such training;

(d) Randomly selected cases for a systematic review to assess whether current practices conform to national best practices for a multidisciplinary approach to investigating and prosecuting sexual assault cases and interacting with survivors; and

(e) An analysis of the impact that race and ethnicity have on sexual assault case outcomes.

(2) The case review program may review and access files, including all reports and recordings, pertaining to closed cases

involving allegations of adult sexual assault only. Any law enforcement agency or prosecuting attorney selected for the program by the commission shall make requested case files and other documents available to the commission, provided that the case files are not linked to ongoing, open investigations and that redactions may be made where appropriate and necessary. Agencies and prosecuting attorneys shall include available information on the race and ethnicity of all sexual assault victims in the relevant case files provided to the commission. Case files and other documents must be made available to the commission according to appropriate deadlines established by the commission in consultation with the agency or prosecuting attorney.

(3) If a law enforcement agency has not participated in the training under RCW 43.101.272 or 43.101.276 within the previous 24 months, the commission may prioritize the agency for selection to participate in the program under this section.

(4) In designing and conducting the program, the commission shall consult and collaborate with experts in trauma-informed and victim-centered training, experts in sexual assault investigations and prosecutions, victim advocates, and other stakeholders identified by the commission. The commission may form a multidisciplinary working group for the purpose of carrying out the requirements of this section.

(5) The program participation requirements under this section do not apply to limited authority Washington law enforcement agencies as defined in RCW 10.93.020 whose authority does not include the investigation of sexual assaults.

(6) The commission shall submit a report with a summary of its work to the governor and the appropriate committees of the legislature by December 1st of each year. [2023 c 197 s 5; 2023 c 168 s 5; 2021 c 118 s 3; 2020 c 26 s 8.]

Reviser's note: This section was amended by 2023 c 168 s 5 and by 2023 c 197 s 5, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2021 c 118: See note following RCW 5.70.060.

Intent—2020 c 26: See note following RCW 63.21.090.

RCW 43.101.279 Sexual assault—Statewide resource prosecutor grant program. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall administer a grant program for establishing a statewide resource prosecutor for sexual assault cases.

(2) The grant recipient must be a statewide organization or association representing prosecuting attorneys. The grant recipient shall hire a resource prosecutor for the following purposes:

(a) To provide technical assistance and research to prosecutors for prosecuting sexual assault cases;

(b) To provide additional training and resources to prosecutors to support a trauma-informed, victim-centered approach to prosecuting sexual assault cases;

(c) To meet regularly with law enforcement agencies and prosecutors to explain legal issues and prosecutorial approaches to

sexual assault cases and provide and receive feedback to improve case outcomes;

(d) To consult with the commission, the office of the attorney general, and the sexual assault forensic examination best practices advisory group under *RCW 43.10.801 with respect to developing and implementing best practices for prosecuting sexual assault cases across the state; and

(e) To comply with other requirements established by the commission under this section.

(3) The commission may, in consultation with the sexual assault forensic examination best practices advisory group under *RCW 43.10.801, establish additional appropriate conditions for any grant awarded under this section. The commission may adopt necessary policies and procedures to implement and administer the grant program, including monitoring the use of grant funds and compliance with the grant requirements. [2023 c 197 s 2.]

***Reviser's note:** RCW 43.10.801 expired July 1, 2026.

RCW 43.101.280 Ethnic and cultural diversity—Development of curriculum for understanding—Training. The criminal justice training commission shall develop, in consultation with the administrative office of the courts and the commissions established under chapters 43.113, 43.115, and 43.117 RCW, a curriculum for a general understanding of ethnic and cultural diversity and its implications for working with youth of color and their families. The curriculum shall be developed by October 1, 1993. The commission shall ensure that ethnic and diversity training becomes an integral part of the training of law enforcement personnel so as to incorporate cultural sensitivity and awareness into the daily activities of law enforcement personnel. [2005 c 282 s 46; 1993 c 415 s 4.]

Intent—1993 c 415: See note following RCW 2.56.030.

Ethnic and cultural diversity—Development of curriculum for understanding: RCW 2.56.030.

RCW 43.101.290 Training regarding hate crime offenses. The criminal justice training commission shall provide training for law enforcement officers in identifying, responding to, and reporting all violations of RCW 9A.36.080 and any other crimes of bigotry or bias. [1993 c 127 s 5.]

Severability—1993 c 127: See note following RCW 9A.36.078.

RCW 43.101.300 Juvenile runaways—Policy manual. The criminal justice training commission shall ensure that every law enforcement agency in the state has an accurate and up-to-date policy manual describing the statutes relating to juvenile runaways. [1994 sp.s. c 7 s 509.]

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.

RCW 43.101.350 Core training requirements. (1) All law enforcement personnel initially hired to, transferred to, or promoted to a supervisory or management position on or after January 1, 1999, and all corrections personnel of the state and all counties and municipal corporations transferred or promoted to a supervisory or management position on or after January 1, 1982, shall, within the first six months of entry into the position, successfully complete the core training requirements prescribed by rule of the commission for the position, or obtain a waiver or extension of the core training requirements from the commission.

(2) Within one year after completion of the core training requirements of this section, all law enforcement personnel and corrections personnel shall successfully complete all remaining requirements for career level certification prescribed by rule of the commission applicable to their position or rank, or obtain a waiver or extension of the career level training requirements from the commission.

(3) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for attendees who do not live within fifty miles of the training center. The training shall be delivered in the least disruptive manner to local law enforcement or corrections agencies, and will include but not be limited to regional on-site training, interactive training, and credit for training given by the home department.

(4) Nothing in this section affects or impairs the employment status of an employee whose employer does not provide the opportunity to engage in the required training. [2007 c 382 s 2; 1997 c 351 s 10.]

Severability—Effective date—1997 c 351: See notes following RCW 43.101.200.

RCW 43.101.360 Report to the legislature. By January 1st of every odd-numbered year, the commission shall provide a written report to the legislature addressing the following items: (1) Status and satisfaction of service to its clients; (2) detailed analysis of how it will maintain and update adequate state-of-the-art training models and their delivery in the most cost-effective and efficient manner; and (3) fiscal data projecting its current and future funding requirements. [1997 c 351 s 11.]

Severability—Effective date—1997 c 351: See notes following RCW 43.101.200.

RCW 43.101.365 Child abuse and neglect—Development of curriculum. (1) The commission, in consultation with the department of social and health services, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys, shall develop a curriculum related to child abuse and neglect to be included in the basic law enforcement training that must be successfully completed within the first fifteen months of employment of all law enforcement personnel.

(2) The curriculum must be incorporated into the basic law enforcement training program by July 1, 2008. [2007 c 410 s 4.]

Short title—2007 c 410: See note following RCW 13.34.138.

RCW 43.101.370 Child abuse and neglect—Intensive training. Each year the criminal justice training commission shall offer an intensive training session on investigation of child abuse and neglect. The training shall focus on the investigative duties of law enforcement established under chapter 26.44 RCW with particular emphasis placed on child interview techniques to increase the accuracy of statements taken from children and decrease the need for additional interviews. [1997 c 351 s 12.]

Severability—Effective date—1997 c 351: See notes following RCW 43.101.200.

RCW 43.101.380 Hearings—Panel membership—Standard of proof—Appeals—Judicial review. (1) The procedures governing adjudicative proceedings before agencies under chapter 34.05 RCW, the administrative procedure act, govern hearings before the commission and govern all other actions before the commission unless otherwise provided in this chapter. The standard of proof in actions before the commission is a preponderance of the evidence.

(2) In all hearings requested under RCW 43.101.155, an administrative law judge appointed under chapter 34.12 RCW shall be the presiding officer and shall make all necessary rulings in the course of the hearing, but is not entitled to vote. In addition, a five-member hearings panel shall hear the case and make the commission's final administrative decision.

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

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

(b) When a hearing is requested in relation to a certification action of a Washington corrections officer, the commission shall appoint to the panel: (i) A person who heads either a city or county corrections agency or facility or of a Washington state department of corrections facility; (ii) one corrections officer who is at or below the level of first line supervisor and who has at least ten years' experience as a corrections officer; (iii) one civilian member of the commission as appointed under RCW 43.101.030(1) (f) and (h) through (j); (iv) one member of the public who is not a prosecutor, defense attorney, judge, or law enforcement officer; and (v) one person with

expertise and background in police accountability who is not a current or former peace officer or corrections officer.

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

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

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

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

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

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

(8) The commission's final administrative decision is subject to judicial review under RCW 34.05.510 through 34.05.598. [2025 c 349 s 6; 2021 c 323 s 20; 2020 c 119 s 10; 2010 1st sp.s. c 7 s 14; 2009 c 25 s 1; 2006 c 22 s 3; 2001 c 167 s 10.]

Effective date—2010 1st sp.s. c 26; 2010 1st sp.s. c 7: See note following RCW 43.03.027.

Effective date—Severability—2006 c 22: See notes following RCW 43.101.085.

RCW 43.101.390 Immunity of commission. (1) The commission and individuals acting on behalf of the commission are immune from suit in any civil or criminal action contesting or based upon proceedings or other official acts performed in the course of their duties in the administration and enforcement of this chapter.

(2) Without limiting the generality of the foregoing, the commission and individuals acting on behalf of the commission are immune from suit in any civil action based on the certification, denial of certification, suspension, or other action regarding decertification of peace officers, reserve officers, or corrections officers. [2021 c 323 s 16; 2001 c 167 s 11.]

RCW 43.101.400 Confidentiality of records—Public database. (1) Except as provided under subsection (2) of this section, all files, papers, and other information obtained by the commission as part of a background investigation pursuant to RCW 43.101.095, 36.28.025, and 35.21.333 are confidential and exempt from public disclosure. Such records are not subject to public disclosure, subpoena, or discovery proceedings in any civil action, except as provided in RCW 43.101.380(6) or which become part of the record in a suspension or decertification hearing.

(2) Records which are otherwise confidential and exempt from public disclosure under subsection (1) of this section may be reviewed and copied: (a) By the officer involved or the officer's counsel or authorized representative, who may review the officer's file and may submit any additional exculpatory or explanatory evidence, statements, or other information, any of which must be included in the file; (b) by a duly authorized representative of (i) the agency of termination, or (ii) a current employing law enforcement or corrections agency, which may review and copy its employee-officer's file; or (c) by a representative of or investigator for the commission.

(3) Records which are otherwise confidential and exempt from public disclosure under subsection (1) of this section may also be inspected at the offices of the commission by a duly authorized representative of a law enforcement or corrections agency considering an application for employment by a person who is the subject of a record. A copy of records which are otherwise confidential and exempt under subsection (1) of this section may later be obtained by an agency after it hires the person. In all other cases under this subsection, the agency may not obtain a copy of the record.

(4) The commission shall maintain a database that is publicly searchable, machine readable, and exportable, and accompanied by a complete, plain-language data dictionary describing the names of officers and employing agencies, all conduct investigated, certifications denied, notices and accompanying information provided by law enforcement or correctional agencies, including the reasons for separation from the agency, decertification or suspension actions pursued, and final disposition and the reasons therefor for at least 30 years after final disposition of each incident. The dates for each material step of the process must be included. Any decertification must be reported to the national decertification index.

(5) Every individual, legal entity, and agency of federal, state, or local government is immune from civil liability, whether direct or derivative, for providing information to the commission in good faith. [2026 c 258 s 17; 2021 c 323 s 21; 2020 c 119 s 12; 2001 c 167 s 12.]

Findings—Intent—Effective date—2026 c 258: See notes following RCW 35.21.333.

RCW 43.101.410 Racial profiling—Policies—Training—Complaint review process—Data collection and reporting. (1) Local law enforcement agencies shall comply with the recommendations of the Washington association of sheriffs and police chiefs regarding racial profiling, as set forth under (a) through (f) of this subsection. Local law enforcement agencies shall:

(a) Adopt a written policy designed to condemn and prevent racial profiling;

(b) Review and audit their existing procedures, practices, and training to ensure that they do not enable or foster the practice of racial profiling;

(c) Continue training to address the issues related to racial profiling. Officers should be trained in how to better interact with persons they stop so that legitimate police actions are not misperceived as racial profiling;

(d) Ensure that they have in place a citizen complaint review process that can adequately address instances of racial profiling. The process must be accessible to citizens and must be fair. Officers found to be engaged in racial profiling must be held accountable through the appropriate disciplinary procedures within each department;

(e) Work with the minority groups in their community to appropriately address the issue of racial profiling; and

(f) Within fiscal constraints, collect demographic data on traffic stops and analyze that data to ensure that racial profiling is not occurring.

(2) The Washington association of sheriffs and police chiefs shall coordinate with the criminal justice training commission to ensure that issues related to racial profiling are addressed in basic law enforcement training and offered in regional training for in-service law enforcement officers at all levels.

(3) Local law enforcement agencies shall report all information required under this section to the Washington association of sheriffs and police chiefs. [2002 c 14 s 2.]

Declaration—Findings—2002 c 14: "(1) The legislature declares that racial profiling is the illegal use of race or ethnicity as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle with or without a legal basis under the United States Constitution or Washington state Constitution.

(2) The legislature recognizes that the president of the United States has issued an executive order stating that stopping or searching individuals on the basis of race is not an effective law enforcement policy, that it is inconsistent with democratic ideals, especially the commitment to equal protection under the law for all persons, and that it is neither legitimate nor defensible as a strategy for public protection. The order also instructs the law enforcement agencies within the departments of justice, treasury, and interior to collect race, ethnicity, and gender data on the people they stop or arrest.

(3) The legislature finds that the Washington state patrol has been in the process of collecting data on traffic stops and analyzing

the data to determine if the patrol has any areas in its enforcement of traffic laws where minorities are being treated in a discriminatory manner. The legislature further finds that the Washington association of sheriffs and police chiefs has recently passed a resolution condemning racial profiling and has reaffirmed local law enforcement agencies' commitment to ensuring the public safety and the protection of civil liberties for all persons. The association also restated its goal of implementing policing procedures that are fair, equitable, and constitutional." [2002 c 14 s 1.]

RCW 43.101.415 Racial profiling—Reports to the legislature. The Washington association of sheriffs and police chiefs, in cooperation with the criminal justice training commission, shall report to the legislature by December 31, 2002, and each December 31st thereafter, on the progress and accomplishments of each local law enforcement agency in the state in meeting the requirements and goals set forth in RCW 43.101.410. [2002 c 14 s 3.]

Declaration—Findings—2002 c 14: See note following RCW 43.101.410.

RCW 43.101.419 Motorcycle profiling. (1) The criminal justice training commission shall ensure that issues related to motorcycle profiling are addressed in basic law enforcement training and offered to in-service law enforcement officers in conjunction with existing training regarding profiling.

(2) Local law enforcement agencies shall add a statement condemning motorcycle profiling to existing policies regarding profiling.

(3) For the purposes of this section, "motorcycle profiling" means the illegal use of the fact that a person rides a motorcycle or wears motorcycle-related paraphernalia as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle with or without a legal basis under the United States Constitution or Washington state Constitution. [2011 c 49 s 1.]

RCW 43.101.420 Personal crisis recognition and crisis intervention services—Training. (1) The commission shall offer a training session on personal crisis recognition and crisis intervention services to criminal justice, corrections, and other public safety employees. The training shall be implemented by the commission in consultation with appropriate public and private organizations that have expertise in crisis referral services and in the underlying conditions leading to the need for crisis referral.

(2) The training shall consist of a minimum of one hour of classroom or internet instruction, and shall include instruction on the following subjects:

(a) The description and underlying causes of problems that may have an impact on the personal and professional lives of public safety employees, including mental health issues, chemical dependency, domestic violence, financial problems, and other personal crises;

(b) Techniques by which public safety employees may recognize the conditions listed in (a) of this subsection and understand the need to

seek assistance and obtain a referral for consultation and possible treatment; and

(c) A listing of examples of public and private crisis referral agencies available to public safety employees.

(3) The training developed by the commission shall be made available by the commission to all employees of state and local agencies that perform public safety duties. The commission may charge a reasonable fee to defer the cost of making the training available. [2021 c 323 s 17; 2009 c 19 s 1.]

RCW 43.101.425 Communications to crisis referral services—Confidentiality of communications and records. (1) All communications to crisis referral services by employees and volunteers of law enforcement, correctional, firefighting, and emergency services agencies, and all records related to the communications, shall be confidential. Crisis referral services include all public or private organizations that advise employees and volunteers of such agencies about sources of consultation and treatment for personal problems including mental health issues, chemical dependency, domestic violence, gambling, financial problems, and other personal crises.

(2) A crisis referral service may reveal information related to crisis referral services to prevent reasonably certain death, substantial bodily harm, or commission of a crime. [2009 c 19 s 2.]

RCW 43.101.427 Crisis intervention training—Rules. (1) The commission shall provide crisis intervention training to every new full-time law enforcement officer employed after July 1, 2017, by a general authority Washington law enforcement agency. The training shall consist of not less than eight hours and shall be incorporated into the basic training academy as provided in RCW 43.101.200.

(2) The commission must ensure that:

(a) All full-time, general authority Washington peace officers who are certified after July 1, 2017, complete a two-hour online crisis intervention course as part of the annual training required by the commission for all full-time, general authority Washington peace officers employed by a general authority Washington law enforcement agency.

(b) Each full-time general authority Washington peace officer certified before July 1, 2017, receives crisis intervention training by July 1, 2021. The training shall consist of not less than eight hours and shall be substantially similar in hours and content to the training offered through the basic training academy. Each attendee of the program shall be required to obtain written proof of completion of the program as provided by rules of the commission.

(3) The commission shall make efforts to provide enhanced crisis intervention training for at least twenty-five percent of all full-time, general authority Washington peace officers assigned to patrol duties. The enhanced training may be (a) comprised of forty hours of commission-certified training and (b) accomplished within any funds remaining after appropriation is made for purposes of this section.

(4) By July 1, 2017, the commission shall establish by rule:

(a) A program and standards to certify organizations, other than the commission, that may provide crisis intervention training as required under this section. Certified organizations must use a

commission-certified training or curriculum to facilitate the training. The commission shall consider geographic training needs when considering programs and standards. The commission shall provide grants to general authority Washington law enforcement agencies to reimburse those law enforcement agencies for the cost of sending officers to crisis intervention training;

(b) Standards for successful completion of the annual two hours of crisis intervention training as provided in subsection (2) of this section. The standards shall include, at a minimum, the requirement of successful completion of a written exam.

(5) For the purposes of this section, "crisis intervention training" means training designed to provide tools and resources to full-time, general authority Washington peace officers in order to respond effectively to individuals who may be experiencing an emotional, mental, physical, behavioral, or chemical dependency crisis, distress, or problem and that are designed to increase the safety of both law enforcement and individuals in crisis.

(6) This section is subject to the availability of amounts appropriated for this specific purpose. [2015 c 87 s 1.]

Short title—2015 c 87: "This act may be known and cited as the Douglas M. Ostling act." [2015 c 87 s 2.]

RCW 43.101.428 Domestic violence investigation training. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission must provide ongoing specialized, intensive, and integrative training for persons responsible for investigating domestic violence cases involving intimate partners. The training must be based on a victim-centered, trauma-informed approach to responding to domestic violence. Among other subjects, the training must include content on the neurobiology of trauma and trauma-informed interviewing, counseling, and investigative techniques.

(2) The training must: Be based on research-based practices and standards; offer participants an opportunity to practice interview skills and receive feedback from instructors; minimize the trauma of all persons who are interviewed during investigations; provide methods of reducing the number of investigative interviews necessary whenever possible; assure, to the extent possible, that investigative interviews are thorough, objective, and complete; recognize needs of special populations; recognize the nature and consequences of domestic violence victimization; require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; address record retention and retrieval; address documentation of investigative interviews; and educate investigators on the best practices for notifying victims of significant events in the investigative process.

(3) In developing the training, the commission must seek advice from the Washington association of sheriffs and police chiefs, organizations representing victims of domestic violence, survivors of domestic violence, and experts on domestic violence and the neurobiology of trauma. The commission must consult with the Washington association of prosecuting attorneys in an effort to design training containing consistent elements for all professionals engaged in interviewing and interacting with domestic violence victims in the criminal legal system.

(4) The commission must develop the training and begin offering it by January 1, 2025. Officers assigned to regularly investigate domestic violence must complete the training within one year of being assigned or by July 1, 2027, whichever is later. [2023 c 462 s 701.]

RCW 43.101.430 Criminal justice training commission firing range maintenance account. The criminal justice training commission firing range maintenance account is created in the custody of the state treasurer. All moneys generated by the rental of the commission's firing range facilities, property, and equipment must be deposited into the account. The sources of the moneys generated and deposited under this section may include federal, state, local, or private grants, consistent with RCW 43.101.190. Expenditures from the account may be used only for cost related to rental, maintenance, or development of the commission's firing range facilities, property, and equipment. Only the executive director, acting on behalf of the criminal justice training commission, or the executive director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2013 c 265 s 1.]

RCW 43.101.435 Washington internet crimes against children account. The Washington internet crimes against children account is created in the custody of the state treasurer. All receipts from legislative appropriations, donations, gifts, grants, and funds from federal or private sources must be deposited into the account. Expenditures from the account must be used exclusively by the Washington internet crimes against children task force and its affiliate agencies for combating internet-facilitated crimes against children, promoting education on internet safety to the public and to minors, and rescuing child victims from abuse and exploitation. Only the criminal justice training commission or the commission's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. The commission may enter into agreements with the Washington association of sheriffs and police chiefs to administer grants and other activities funded by the account and be paid an administrative fee not to exceed three percent of expenditures. During the 2019-2021 and 2021-2023 fiscal biennia, moneys in the account may be used by the Washington state patrol for activities related to the missing and exploited children task force. [2022 c 297 s 958; 2019 c 415 s 971; 2015 c 84 s 2.]

Effective date—2022 c 297: See note following RCW 43.79.565.

Effective date—2019 c 415: See note following RCW 28B.20.476.

Findings—Intent—2015 c 84: "(1) The legislature finds that the internet crimes against children task force program, through the United States department of justice, helps state and local law enforcement agencies develop an effective response to technology-facilitated child sexual exploitation and internet crimes against children. This help encompasses forensic and investigative components, training and technical assistance, victim services, and community

education. The program is a national network of sixty-one coordinated task forces representing over three thousand five hundred federal, state, and local law enforcement and prosecutorial agencies. In 2013, the program's investigations contributed to the arrests of more than seven thousand four hundred individuals and task forces conducted over sixty thousand forensic examinations. Additionally, the program trained over thirty thousand law enforcement personnel, over three thousand five hundred prosecutors, and more than five thousand three hundred other professionals working in the program's field.

(2) The legislature finds that there is a lack of dedicated state resources to combat internet-facilitated crimes against children. As a result, many of the cases involving internet-facilitated crimes are not adequately investigated. The legislature further finds that a minimum of fifteen full-time affiliate investigators and three forensic examiners are currently needed to just investigate the very worst of these cases in Washington. It is the intent of the legislature to create an account dedicated to combating internet-facilitated crimes against children, promoting education on internet safety to the public and to minors, and rescuing child victims from abuse and exploitation." [2015 c 84 s 1.]

RCW 43.101.440 Testimony of children under age fourteen—Remote testimony—Number of child sexual abuse cases referred for prosecution and number prosecuted—Annual survey—Reports to the legislature. The criminal justice training commission shall annually survey law enforcement and prosecuting agencies regarding, with respect to the preceding year: (1) The frequency of cases where children under the age of fourteen have elected not to testify, including the reasons for the election not to testify; (2) the number of cases where remote testimony pursuant to RCW 9A.44.150 was used and whether those cases resulted in conviction; and (3) the total number of child sexual abuse cases referred for prosecution and the number of those cases that were prosecuted. The results of the survey described in this section must be reported every other year to the appropriate committees of the legislature with an initial reporting date of December 1, 2015. [2015 c 286 s 3.]

Findings—Intent—2015 c 286: See note following RCW 43.101.270.

RCW 43.101.450 Violence de-escalation training. (1) Beginning one year after December 6, 2018, all law enforcement officers in the state of Washington must receive violence de-escalation training. Law enforcement officers beginning employment after December 6, 2018, must successfully complete such training within the first 15 months of employment. The commission shall set the date by which other law enforcement officers must successfully complete such training.

(2) All law enforcement officers shall periodically receive continuing violence de-escalation training to practice their skills, update their knowledge and training, and learn about new legal requirements and violence de-escalation strategies.

(3) The commission shall set training requirements through the procedures in RCW 43.101.455.

(4) Violence de-escalation training provided under this section must be consistent with RCW 10.120.020 and the model policies established by the attorney general under RCW 10.120.030.

(5) The commission shall submit a report to the legislature and the governor by January 1st and July 1st of each year on the implementation of and compliance with subsections (1) and (2) of this section. The report must include data on compliance by agencies and officers. The report may also include recommendations for any changes to laws and policies necessary to improve compliance with subsections (1) and (2) of this section. [2021 c 324 s 6; 2019 c 1 s 3 (Initiative Measure No. 940); (2018 c 11 s 3 (Initiative Measure No. 940) repealed by 2019 c 4 s 8).]

Intent—2021 c 324: See note following RCW 10.120.010.

Short title—2019 c 1 (Initiative Measure No. 940): "This act may be known and cited as the law enforcement training and community safety act." [2019 c 1 s 1 (Initiative Measure No. 940); (2018 c 11 s 1 (Initiative Measure No. 940) repealed by 2019 c 4 s 8).]

Intent—2019 c 1 (Initiative Measure No. 940): "The intent of the people in enacting this act is to make our communities safer. This is accomplished by requiring law enforcement officers to obtain violence de-escalation and mental health training, so that officers will have greater skills to resolve conflicts without the use of physical or deadly force. Law enforcement officers will receive first aid training and be required to render first aid, which will save lives and be a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts. Finally, the initiative adopts a "good faith" standard for officer criminal liability in those exceptional circumstances where deadly force is used, so that officers using deadly force in carrying out their duties in good faith will not face prosecution." [2019 c 1 s 2 (Initiative Measure No. 940); (2018 c 11 s 2 (Initiative Measure No. 940) repealed by 2019 c 4 s 8).]

Liberal construction—2019 c 1 (Initiative Measure No. 940): "The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act. Nothing in this act precludes local jurisdictions or law enforcement agencies from enacting additional training requirements or requiring law enforcement officers to provide first aid in more circumstances than required by this act or guidelines adopted under this act." [2019 c 1 s 8 (Initiative Measure No. 940); (2018 c 11 s 8 (Initiative Measure No. 940) repealed by 2019 c 4 s 8).]

Subject—2019 c 1 (Initiative Measure No. 940): "For constitutional purposes, the subject of this act is "law enforcement."" [2019 c 1 s 11 (Initiative Measure No. 940); (2018 c 11 s 11 (Initiative Measure No. 940) repealed by 2019 c 4 s 8).]

Rule making—2019 c 4; 2019 c 1 (Initiative Measure No. 940): See note following RCW 43.101.455.

RCW 43.101.452 Mental health training. (1) Beginning one year after *December 6, 2018, all law enforcement officers in the state of Washington must receive mental health training. Law enforcement officers beginning employment after *December 6, 2018, must successfully complete such training within the first fifteen months of employment. The commission shall set the date by which other law enforcement officers must successfully complete such training.

(2) All law enforcement officers shall periodically receive continuing mental health training to update their knowledge about mental health issues and associated legal requirements, and to update and practice skills for interacting with people with mental health issues.

(3) The commission shall set training requirements through the procedures in RCW 43.101.455. [2019 c 1 s 4 (Initiative Measure No. 940); (2018 c 11 s 4 (Initiative Measure No. 940) repealed by 2019 c 4 s 8).]

***Reviser's note:** "December 6, 2018" has been substituted for "the effective date of this section." The effective date of 2018 c 11 was June 7, 2018, and the effective date of 2019 c 1 was December 6, 2018. See *Eyman v. Wyman*, 191 Wn.2d 581, 424 P.3d 1183 (2018).

Short title—Intent—Liberal construction—Subject—2019 c 1 (Initiative Measure No. 940): See notes following RCW 43.101.450.

Rule making—2019 c 4; 2019 c 1 (Initiative Measure No. 940): See note following RCW 43.101.455.

RCW 43.101.455 Violence de-escalation and mental health training—Adoption of rules—Training requirements. (1) Within six months after December 6, 2018, the commission must consult with law enforcement agencies and community stakeholders and adopt rules for carrying out the training requirements of RCW 43.101.450 and 43.101.452. Such rules must, at a minimum:

(a) Adopt training hour requirements and curriculum for initial violence de-escalation trainings required by chapter 1, Laws of 2019;

(b) Adopt training hour requirements and curriculum for initial mental health trainings required by chapter 1, Laws of 2019, which may include all or part of the mental health training curricula established under RCW 43.101.227 and 43.101.427;

(c) Adopt annual training hour requirements and curricula for continuing trainings required by chapter 1, Laws of 2019;

(d) Establish means by which law enforcement officers will receive trainings required by chapter 1, Laws of 2019; and

(e) Require compliance with chapter 1, Laws of 2019 training requirements.

(2) In developing curricula, the commission shall consider inclusion of the following:

(a) De-escalation in patrol tactics and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence;

(b) Alternatives to jail booking, arrest, or citation in situations where appropriate;

(c) Implicit and explicit bias, cultural competency, and the historical intersection of race and policing;

(d) Skills including de-escalation techniques to effectively, safely, and respectfully interact with people with disabilities and/or behavioral health issues;

(e) "Shoot/don't shoot" scenario training;

(f) Alternatives to the use of physical or deadly force so that de-escalation tactics and less lethal alternatives are part of the decision-making process leading up to the consideration of deadly force;

(g) Mental health and policing, including bias and stigma; and

(h) Using public service, including rendering of first aid, to provide a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts.

(3) The initial violence de-escalation training must educate officers on the good faith standard for use of deadly force established by chapter 1, Laws of 2019 and how that standard advances violence de-escalation goals.

(4) The commission may provide trainings, alone or in partnership with private parties or law enforcement agencies, authorize private parties or law enforcement agencies to provide trainings, or any combination thereof. The entity providing the training may charge a reasonable fee. [2019 c 4 s 1. Prior: 2019 c 1 s 5 (Initiative Measure No. 940); (2018 c 11 s 5 (Initiative Measure No. 940) repealed by 2019 c 4 s 8); (2018 c 10 s 1 repealed by 2019 c 4 s 8).]

Effective date—2019 c 4: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [February 4, 2019]." [2019 c 4 s 10.]

Rule making—2019 c 4; 2019 c 1 (Initiative Measure No. 940): "(1) Except where a different timeline is provided in chapter 1, Laws of 2019, the Washington state criminal justice training commission must adopt any rules necessary for carrying out the requirements of chapter 1, Laws of 2019 within one year after December 6, 2018. In carrying out all rule making under chapter 1, Laws of 2019, the commission shall seek input from the attorney general, law enforcement agencies, the Washington council of police and sheriffs, the Washington state fraternal order of police, the council of metropolitan police and sheriffs, the Washington state patrol troopers association, at least one association representing law enforcement who represent traditionally underrepresented communities including the black law enforcement association of Washington, tribes, and community stakeholders. The commission shall consider the use of negotiated rule making.

(2) Where chapter 1, Laws of 2019 requires involvement of community stakeholders, input must be sought from organizations advocating for: Persons with disabilities; members of the lesbian, gay, bisexual, transgender, and queer community; persons of color; immigrants; noncitizens; native Americans; youth; and formerly incarcerated persons." [2019 c 4 s 4; 2019 c 1 s 9 (Initiative Measure No. 940); (2018 c 11 s 9 (Initiative Measure No. 940) repealed by 2019 c 4 s 8); (2018 c 10 s 4 repealed by 2019 c 4 s 8).]

Short title—Intent—Liberal construction—Subject—2019 c 1 (Initiative Measure No. 940): See notes following RCW 43.101.450.

RCW 43.101.460 Audits—Deadly force investigations. (1) The office of the Washington state auditor is authorized to conduct a process compliance audit procedure and review of any deadly force investigation conducted pursuant to RCW 10.114.011. At the conclusion of every deadly force investigation, the state auditor shall determine whether the actions of the involved law enforcement agency, investigative body, and prosecutor's office are in compliance with RCW 10.114.011, chapter 43.102 RCW, and all rules adopted pursuant to these provisions for the investigation and reporting of incidents involving the use of deadly force. A deadly force investigation is concluded once the involved prosecutor's office makes a charging decision and any resulting criminal case reaches disposition. Audit procedures under this section shall be conducted in cooperation with the commission.

(2) The state auditor is authorized to access records of arrest, charges, or allegations of criminal conduct or other nonconviction data for the purposes of conducting reviews of any deadly force investigation authorized by this section.

(3) The state auditor may not conduct an audit under this section until adequately staffed with subject matter expertise regarding law enforcement and investigative audits. Until that time, the state auditor shall contract with persons with the appropriate subject matter expertise and shall issue a request for proposal for contracting with a person or entity to provide adequate subject matter expertise. [2023 c 26 s 2; 2021 c 319 s 1.]

RCW 43.101.465 Audits—Law enforcement agency training and certification requirements. Upon the request of the commission, the office of the Washington state auditor is authorized to conduct an audit procedure on any law enforcement agency to ensure the agency is in compliance with all laws, policies, and procedures governing the training and certification of peace officers employed by the agency. A copy of any completed audit must be sent to the commission, law enforcement agency, city or county council, county prosecutor, and relevant committees of the legislature. [2021 c 319 s 2.]

RCW 43.101.470 Audits—Costs and fees. A law enforcement agency shall not pay any costs or fees for an audit conducted pursuant to RCW 43.101.460 or 43.101.465. [2021 c 319 s 3.]

RCW 43.101.480 Medicolegal forensic investigation training required for coroners and medical examiners—Exceptions. (1)(a) All elected coroners, appointed coroners, persons serving as coroners, medical examiners, and all other full-time medicolegal investigative personnel employed by a county coroner's or medical examiner's office must successfully complete medicolegal forensic investigation training through the medicolegal training academy program within 12 months of being elected, appointed, or employed unless otherwise exempted by the commission. This section does not apply to elected prosecutors who are coroners in their counties.

(b) All part-time medicolegal investigative personnel employed by a county coroner's or medical examiner's office must successfully complete medicolegal forensic investigation training through the

medicolegal training academy program within 18 months of being employed unless otherwise exempted by the commission.

(2) The commission, in conjunction with the Washington association of coroners and medical examiners and a practicing physician selected by the commission, shall develop the medicolegal forensic investigation training curriculum and adopt the standards for the medicolegal training academy and any exemption from the requirement to complete the medicolegal forensic investigation training. The commission shall exempt from this requirement any coroner, medical examiner, or medicolegal investigative personnel who has obtained training comparable to the medicolegal forensic investigation training by virtue of educational or professional training or experience.

(3) The commission must certify successful completion of the medicolegal forensic investigation training or exemption from the medicolegal training requirement within 60 days from the receipt of proof of completion or request for exemption.

(4) The medicolegal forensic investigation training required under this section must:

(a) Meet the recommendations of the national commission on forensic science for certification and accreditation; and

(b) Satisfy the requirements for training on the subject of sudden, unexplained child death including, but not limited to, sudden infant death syndrome developed pursuant to RCW 43.103.100 and missing persons protocols pursuant to RCW 43.103.110.

(5) Certification under this section is a condition of continued employment in a coroner's or medical examiner's office.

(6) A county in which a coroner, person serving as coroner, medical examiner, or other medicolegal investigative employee, who has not otherwise been exempted by the commission, is not certified within 12 months of being elected, appointed, or employed as required by this section, may have its reimbursement from the death investigations account reduced as provided under RCW 68.50.104 until the office is in compliance with all requirements under this section. [2021 c 127 s 3.]

RCW 43.101.490 Basic training. The basic training provided to criminal justice personnel by the commission must be consistent with the standards in RCW 10.120.020 and the model policies established by the attorney general under RCW 10.120.030. [2021 c 324 s 5.]

Intent—2021 c 324: See note following RCW 10.120.010.

RCW 43.101.495 Written model policy—Duty to intervene. (1) By December 1, 2021, the Washington state criminal justice training commission, in consultation with the Washington state patrol, the Washington association of sheriffs and police chiefs, and organizations representing state and local law enforcement officers, shall develop a written model policy on the duty to intervene, consistent with the provisions of RCW 10.93.190.

(2) By June 1, 2022, every state, county, and municipal law enforcement agency shall adopt and implement a written duty to intervene policy. The policy adopted may be the model policy developed under subsection (1) of this section. However, any policy adopted

must, at a minimum, be consistent with the provisions of RCW 10.93.190.

(3) By January 31, 2022, the commission shall incorporate training on the duty to intervene in the basic law enforcement training curriculum. Peace officers who completed basic law enforcement training prior to January 31, 2022, must receive training on the duty to intervene by December 31, 2023. [2021 c 321 s 2.]

RCW 43.101.500 Trial skills training for prosecutors. Subject to the availability of amounts appropriated for this specific purpose, the criminal justice training commission shall provide trial skills training for practitioners who are new to prosecution, or contract with an entity that serves prosecuting attorneys in Washington to provide that training. The program must include and prioritize training for practitioners in underserved areas and rural areas of the state. The program must offer intensive trial skill development, incorporate prosecution best practices, provide training related to ethical duties of prosecutors, and offer networking opportunities. Trainings may incorporate in-person, remote, and recorded resources. By June 30, 2026, the criminal justice training commission, or its grantee who serves prosecuting attorneys in Washington, shall expand a trial skills program to include advanced trial skills training. [2024 c 293 s 4.]

Finding—Intent—2024 c 293: See note following RCW 2.70.120.

RCW 43.101.505 Law student rural public prosecution program. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall administer a law student rural public prosecution program, or contract with a statewide entity which represents prosecuting attorneys to run the program. The program shall coordinate with one or more law schools to place law students who are eligible to practice as a licensed legal intern under Washington state admission and practice rule 9 and/or recent law school graduates as legal interns with prosecuting attorneys located in underserved areas and rural areas of the state. The program must allow the intern to gain real-world prosecution experience under the mentorship of the experienced prosecuting attorney or their deputy, including active litigation opportunities, with the purpose of encouraging the intern to consider, or not be deterred from pursuing, employment opportunities in prosecution in underserved areas and rural areas of Washington state. The internship may be structured to correspond with time periods relevant to the academic calendar.

(2) Contracts established under this section shall include monthly compensation and housing stipends for program participants. Contracts may include partial reimbursement for the supervising attorney. [2024 c 293 s 5.]

Finding—Intent—2024 c 293: See note following RCW 2.70.120.

RCW 43.101.515 Training program—First responder peer supporters. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an

organization with expertise in peer emotional support and peer workforce development to develop and administer a 40-hour training program for first responder peer supporters. The contracting organization must have prior experience developing peer support training for first responders in the state.

(2) The contracting organization must engage in in-depth consultation with law enforcement officers, corrections officers, firefighters, emergency services dispatchers or recordkeepers, and emergency medical personnel when developing the training program, and compensate the first responders for their consultation.

(3) A portion of the training program's curriculum must be relevant to all first responder professions, and a portion must be specifically curated to address the unique needs of each first responder profession.

(4) The contracting organization must complete development of the training program and begin administering it by August 1, 2025.

(5) The contracting organization must utilize current or retired first responders as cotrainers to deliver the training program.

(6) For the purposes of this section:

(a) "First responder" has the same meaning as defined in RCW 5.60.060; and

(b) "Peer supporter" has the same meaning as defined in RCW 5.60.060. [2024 c 295 s 2.]

RCW 43.101.520 Training program—Mental health and substance use disorder professionals treating first responders. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization with expertise in mental health and substance use disorder counseling and treatment of first responders to develop and administer training for mental health and substance use disorder professionals to engender familiarity and cultural competency in the treatment of first responder clients.

(2) The contracting organization must consult with mental health professionals, substance use disorder professionals, law enforcement officers, corrections officers, firefighters, emergency services dispatchers or recordkeepers, and emergency medical personnel when developing the training.

(3) The contracting organization may develop the training to have in-person, virtual, and hybrid participation options to expand availability and accessibility of the training.

(4) The commission must direct the contracting organization to offer a set number of training opportunities annually as determined by the commission, provided free of charge, to mental health and substance use disorder professionals who are interested in treating first responder clients.

(5) For the purposes of this section, "first responder" has the same meaning as defined in RCW 5.60.060. [2024 c 295 s 3.]

RCW 43.101.525 First responder peer support network—Professional directory. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization that provides free and confidential crisis response and referral services for Washington state active and retired first responders and their families, to develop and maintain:

(a) A first responder peer support network, which may include individual and group support options to help first responder peer supporters address the vicarious trauma and secondary traumatic stress incurred by performing their peer support duties; and

(b) A directory of licensed mental health and substance use disorder professionals who have cultural competency, experience, and training with treating first responders, which must indicate whether such professionals have completed the training established under RCW 43.101.520.

(2) The commission may also contract with an organization with expertise in peer emotional support and peer workforce development to provide technical assistance in developing the first responder peer support network described in subsection (1)(a) of this section.

(3) For the purposes of this section:

(a) "First responder" has the same meaning as defined in RCW 5.60.060; and

(b) "Peer supporters" has the same meaning as defined in RCW 5.60.060. [2024 c 295 s 4.]

RCW 43.101.530 First responder peer support services programs—Grants. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall establish and administer a grant program to provide funding to first responder entities and agencies for the implementation or expansion of peer support services programs.

(2) Any first responder entity or agency that receives funding through the grant program must:

(a) Ensure that every peer supporter designated by the entity or agency enrolls in and completes the 40-hour training program established under RCW 43.101.515 after it is made available;

(b) Compensate every peer supporter designated by the entity or agency for their services in that role; and

(c) Provide information to every peer supporter designated by the entity or agency about the first responder peer support network established under RCW 43.101.525(1)(a).

(3) For the purposes of this section:

(a) "First responder" has the same meaning as defined in RCW 5.60.060; and

(b) "Peer supporter" has the same meaning as defined in RCW 5.60.060. [2024 c 295 s 5.]

RCW 43.101.540 Local law enforcement grant program. ***(Expires June 30, 2028.)*** (1) Subject to the availability of amounts appropriated for this specific purpose, including amounts appropriated from the supplemental criminal justice account created in RCW 43.101.542, the commission shall develop and implement a local law enforcement grant program for the purpose of providing direct support to local and tribal law enforcement agencies in hiring, retaining, and training law enforcement officers, peer counselors, and behavioral health personnel working in co-response to increase community policing and public safety.

(2) Under this section, the commission shall:

(a) Establish the policies for applications and publish them on the commission's website;

(b) Establish the procedures for submitting the grant applications and publish them on the commission's website;

(c) Establish and publish on the commission's website the criteria for evaluating and selecting grant recipients; and

(d) Create a grant application form that local and tribal law enforcement agencies must use to apply for grant funding.

(3) The grants under the local law enforcement grant program must be awarded to local and tribal law enforcement agencies based on their submittals to the commission. To qualify for a grant pursuant to this section, a law enforcement agency must have:

(a) Issued and implemented policies and practices consistent with RCW 43.17.425 and 10.93.160, and the office of the attorney general's keep Washington working act guide, model policies, and training recommendations for state and local law enforcement agencies;

(b) Participated in commission training as required by RCW 43.101.455 and 36.28A.445;

(c) Issued and implemented policies and practices regarding use of force and de-escalation tactics consistent with RCW 10.120.030 and the office of the attorney general's model policies, and all other commission and attorney general model policies regarding use of force for law enforcement including, but not limited to, duty to intervene and training and use of canine teams;

(d) Implemented use of force data collection and reporting consistent with chapters 10.118 and 10.120 RCW when the program is operational, as confirmed by a notice from the attorney general's office to all police chiefs and sheriffs;

(e) Issued and implemented policies and practices consistent with chapters 7.105 and 9.41 RCW and the commission model policies and training addressing firearm relinquishment pursuant to court orders;

(f) A 25 percent officer completion rate with the commission's 40-hour crisis intervention team training;

(g) A 100 percent officer compliance rate for those officers required to complete trauma-informed, gender-based violence interviewing, investigation, response, and case review training developed or approved by the commission pursuant to RCW 43.101.272 and 43.101.276, and if requested by the commission, participated in agency case reviews;

(h) Except as it applies to tribal law enforcement agencies, received funding from a sales and use tax authorized pursuant to RCW 82.14.340 or 82.14.450, or authorized pursuant to RCW 82.14.345 before the awarding of the grant;

(i) A chief of police, marshal, or sheriff who is certified by the criminal justice training commission pursuant to this chapter and who has not:

(i) Been convicted of a felony anywhere in the United States or under foreign law; or

(ii) Been convicted of a gross misdemeanor involving moral turpitude, dishonesty, fraud, or corruption; and

(j) Issued and implemented policies and practices that prohibit volunteers who assist with agency work from enforcing criminal laws, other than for assistance with special event traffic and parking, including engaging in pursuits, detention, arrests, the use of force, or the use of deadly force; carrying or the use of firearms or other weapons; or the use of dogs to track people or animals other than for purposes of search and rescue; and that set forth the required supervision of volunteers, including that they must be clearly identifiable by the public as distinguishable from peace officers and

any identifying insignia must be officially issued by the agency and used only when on duty.

(4) In verifying the applicant's compliance with subsection (3) of this section, the commission shall assess the qualifications of the applicant agency under subsection (3)(a) and (c) of this section in consultation with the office of the attorney general.

(5) In addition to the requirements of subsection (3) of this section, in order to qualify for a grant pursuant to this section, a law enforcement agency must provide the commission, at time of application for grant moneys, a detailed staffing plan specifying the following:

(a) The total number of commissioned officers currently employed by the agency;

(b) The total number of specially commissioned officers currently employed by the agency;

(c) The total number of co-response teams established within the agency and what staffing are included in each co-response team;

(d) The total number of administrative staff currently employed by the agency;

(e) The number of officers on flexible work schedules;

(f) The average 911 response rate of the agency over the 12-month period immediately preceding the month in which the agency is applying for the grant; and

(g) The average case closure rate of the agency over the 12-month period immediately preceding the month in which the agency is applying for the grant.

(6) The commission may provide an advance on grant funding to a law enforcement agency that does not qualify under subsection (3)(b), (f), or (g) of this section, but who otherwise meets the grant application criteria established by the commission in subsection (2) of this section. Funds advanced under this subsection must be used by the agency to cover the costs of sending officers to the trainings required under subsection (3) of this section, including any overtime costs.

(7) Grant funding awarded to local and tribal law enforcement agencies may only be used for the purposes of:

(a) Recruiting, funding, and retaining new law enforcement officers from the community in which the officer will be working, and recruiting, funding, and retaining new county corrections officers, peer counselors, and behavioral health personnel working in co-response in Washington state. Grants may provide up to 75 percent of the entry-level salaries and fringe benefits of full-time local or tribal law enforcement officers for a maximum of 36 months, with a minimum 25 percent local cash match requirement and a maximum state share of $125,000 per position. Any additional costs for salaries and benefits higher than entry level are the responsibility of the grant recipient agency. Recruiting lateral hires is not a permissible use of funds under this section;

(b) Funding use of force, de-escalation, crisis intervention, and trauma-informed trainings for officers to remain in compliance with the commission's required trainings; and

(c) Funding broader law enforcement and public safety efforts including, but not limited to, emergency management planning, environmental hazard mitigations, security personnel, community outreach and assistance programs, alternative response programs, and mental health crisis response.

(8) In selecting grant recipients, the commission shall prioritize those law enforcement agency applicants in the following order:

(a) Those who are seeking grants to establish co-response teams or community immersion law enforcement programs;

(b) Those who currently maintain co-response teams and are seeking grants to hire additional law enforcement officers;

(c) All other applicants.

(9) This section expires June 30, 2028. [2025 c 350 s 101.]

RCW 43.101.541 Local law enforcement grant program—Reports. *(Expires December 31, 2029.)* (1) Effective July 21, 2026, and annually thereafter on July 31st, the criminal justice training commission must report to the fiscal committees of the legislature on:

(a) The total count of law enforcement grant applications received by the commission by fiscal year;

(b) The total count of law enforcement officer positions applied for by fiscal year;

(c) The total count of grant funding requested by fiscal year;

(d) The name of each law enforcement entity that applied for the grant, how many officers they requested funding for, and how much state funding they requested by fiscal year; and

(e) The count of grants awarded, to include the name of each law enforcement entity that was an award recipient for the grant, how many officers they received funding for, and how much state funding they were awarded by fiscal year.

(2) This section expires December 31, 2029. [2025 c 350 s 102.]

RCW 43.101.542 Supplemental criminal justice account. *(Expires June 30, 2028.)* (1) The supplemental criminal justice account is created in the state treasury. All receipts from legislative appropriations, donations, gifts, grants, and funds from federal or private sources must be deposited into the account. Expenditures from the account must be used exclusively for local law enforcement grants authorized in RCW 43.101.540 for the purpose of providing direct support to local and tribal law enforcement agencies in hiring, retaining, and training law enforcement officers, peer counselors, and behavioral health personnel working in co-response to increase community policing and public safety. Only the criminal justice training commission or the commission's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW. Moneys in the account may be spent only after appropriation. Moneys may not be used to supplant general fund appropriations.

(2) This section expires June 30, 2028. [2025 c 350 s 104.]

RCW 43.101.801 Development of policies, procedures, and rules—2021 c 323. The commission must develop policies, procedures, and rules to ensure that the goals of chapter 323, Laws of 2021 are fully implemented as intended and in a timely manner, and to provide appropriate clarity to affected persons and entities as to how the commission will process complaints, investigations, and hearings, and impose sanctions, related to officer decertification. The commission

must work in collaboration with interested parties and entities in developing the policies, procedures, and rules, and must take into account issues regarding when and how the commission may appropriately exercise authority in relation to simultaneous investigations and disciplinary processes, and how the commission may exercise available remedies in a manner that is appropriate to case circumstances and consistent with the goals of chapter 323, Laws of 2021. The policies, procedures, and rules must be completed by June 30, 2022. [2021 c 323 s 22.]

RCW 43.101.802 Task force on first responder wellness. *(Expires December 31, 2028.)* (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall convene a task force on first responder wellness in Washington state. To the extent possible, the membership of the task force should include representatives that reflect the diversity of the first responder professions, including diversity in geography, gender, sexuality, and race.

(2) The first responder wellness task force shall be cochaired by the executive director of the commission, or the executive director's designee, and a representative of the fire service, and consist of the following additional membership:

(a) Two members from each of the following professions:

(i) Emergency medical services frontline providers;

(ii) Emergency dispatchers; and

(iii) Jail corrections officers;

(b) One member from each of the following entities:

(i) The Washington council of police and sheriffs;

(ii) The Washington state fraternal order of police;

(iii) The Washington state patrol troopers association;

(iv) The Washington state patrol lieutenants and captains association;

(v) The Washington association of sheriffs and police chiefs;

(vi) The Washington state council of firefighters;

(vii) The Washington fire chiefs association;

(viii) The Washington state firefighters' association;

(ix) The department of labor and industries;

(x) The state board for volunteer firefighters and reserve officers;

(xi) The state chapter of the association of public safety communications officials;

(xii) The state chapter of the national emergency number association; and

(xiii) International brotherhood of teamsters local 117;

(c) Two members representing the interests of tribal law enforcement officers and agencies;

(d) Two members representing the interests of tribal first responders;

(e) Two members from the Washington association of coroners and medical examiners;

(f) One member from the University of Washington department of psychiatry and behavioral sciences, who has implemented a regional state-funded law enforcement officer wellness program;

(g) One member from the Washington federation of state employees, representing the interests of the department of corrections' community corrections officers;

(h) The chief of the Washington state patrol, or the chief's designee;

(i) The secretary of the department of corrections, or the secretary's designee; and

(j) Any other members that the commission determines should participate in the task force to represent the interests of first responders.

(3) The commission shall convene the initial meeting of the task force no later than December 1, 2024.

(4) At a minimum, the task force shall meet quarterly.

(5) The task force shall:

(a) Monitor the implementation of chapter 295, Laws of 2024;

(b) Evaluate the findings and recommendations of the task force on law enforcement officer mental health and wellness in Washington state as established under chapter 327, Laws of 2020 (SSB 6570), and determine ways in which the task force on first responder wellness may continue developing upon the recommendations of the task force on law enforcement officer mental health and wellness; and

(c) Make recommendations to improve first responder wellness across the first responder professions in the state.

(6)(a) The task force shall also develop and publish model policies for first responder peer support services tailored to the following first responder professions:

(i) Law enforcement officers;

(ii) Firefighters;

(iii) Emergency medical services frontline providers;

(iv) Emergency dispatchers;

(v) Corrections officers; and

(vi) Coroners and medical examiners.

(b) The task force must design the model policies to support efforts to establish and expand peer support services opportunities and networks for the professions specified under (a) of this subsection, and to develop best practices and resources for peer supporters from those professions.

(c) In developing the model policies, the task force must obtain the services of an organization with expertise in peer emotional support and peer workforce development to provide technical assistance.

(d) The task force must publish the model policies by December 31, 2025.

(7) Beginning December 1, 2025, the task force shall submit an annual report to the legislature on the status of its work.

(8) This section expires December 31, 2028. [2024 c 295 s 1.]

RCW 43.101.803 Model standards for canine fentanyl detection. By July 1, 2025, the commission shall develop model standards for the training and certification of canine teams to detect fentanyl. When developing the model standards, the commission shall consult with:

(1) Experts including public and private organizations that train canines to imprint on controlled substances;

(2) Law enforcement or correctional agencies that use canines to detect controlled substances;

(3) Experts on the training of canines for use by law enforcement; and

(4) Licensed medical professionals and veterinarians, to the extent reasonably available, with expertise in: (a) Developing and

implementing protocols to minimize exposure of canines and their handlers to opioids and their derivatives, including fentanyl and its derivatives; (b) detecting clinical signs of such exposure; and (c) intervening with timely and appropriate medical and veterinary medical treatment in the field, during stabilization and transport, and in-hospital following exposure to opioids and their derivatives, including fentanyl and its derivatives. [2024 c 305 s 1.]

RCW 43.101.901 Transfer of conference center. The legislature authorizes the *department of general administration to transfer the Washington state training and conference center located at 19010 First Avenue, Burien, Washington, 98148, to the criminal justice training commission. [2001 c 166 s 2.]

***Reviser's note:** The "department of general administration" was renamed the "department of enterprise services" by 2011 1st sp.s. c 43 s 107.

RCW 43.101.902 Effective date—2001 c 167. This act takes effect January 1, 2002. [2001 c 167 s 14.]