

SENATE BILL REPORT

SB 5974

As of January 15, 2026

Title: An act relating to modernizing and strengthening laws concerning sheriffs, police chiefs, town marshals, law enforcement agency volunteers, youth cadets, specially commissioned officers, and police matrons.

Brief Description: Modernizing and strengthening laws concerning sheriffs, police chiefs, town marshals, law enforcement agency volunteers, youth cadets, specially commissioned officers, and police matrons.

Sponsors: Senators Lovick, Dhingra, Chapman, Frame, Nobles, Pedersen, Salomon, Stanford, Trudeau, Valdez and Wellman.

Brief History:

Committee Activity: Law & Justice: 1/15/26.

Brief Summary of Bill

- Changes eligibility criteria for becoming a police chief, marshal, or sheriff.
- Places limits on the use of volunteers, youth cadets, and specially commissioned officers by police chiefs, marshals, and sheriffs.
- Creates new background investigation processes for police chief, marshal, and sheriff candidates.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Maya Itah (786-7087)

Background: Criminal Justice Training Commission. The Criminal Justice Training Commission (CJTC) establishes the standards and process for certifying peace officers and other law enforcement personnel. It also provides training and educational programs,

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including the Basic Law Enforcement Academy and specialized training.

Peace Officers. Law enforcement personnel include any general authority peace officers. A general authority peace officer is a fully compensated and elected, appointed, or employed officer of a general authority Washington law enforcement agency who is commissioned to enforce state criminal laws generally. For CJTC purposes, a peace officer has the same meaning as a general authority peace officer.

Police Chiefs and Marshals. A city or town may provide law enforcement protection in a number of different ways. The most common way is to establish a municipal police department under the direction of a locally appointed police chief or marshal. To be eligible for appointment to the office of chief of police or marshal of a city or town with a population of more than 1000, a person must:

- be a United States citizen;
- have a high school diploma or equivalent certificate;
- have not been convicted of a felony under Washington law, another state's law, or federal law;
- have not been convicted of a gross misdemeanor or crime involving moral turpitude within five years of application;
- have received at least a general discharge under honorable conditions for any military service;
- have at least two years of regular, full-time commissioned law enforcement employment; and
- have obtained peace officer certification.

Sheriffs. The sheriff is the chief executive officer and conservator of the peace of the county. Elected sheriffs must obtain certification from CJTC within 12 months of assuming office.

The duties of the sheriff and the sheriff's deputies are to:

- arrest and commit to prison all persons who break or attempt to break the peace, and all persons guilty of public offenses;
- defend the county against those who, by riot or otherwise, endanger the public peace or safety;
- execute the process and orders of the courts of justice or judicial officers; and
- execute all warrants delivered for that purpose by other public officers, when delivered for that purpose.

Use of Volunteers, Youth Cadets, and Specially Commissioned Officers. Law enforcement agencies have volunteer and youth cadet programs that often engage teenagers and young adults. Law enforcement agencies also use specially commissioned peace officers. A specially commissioned peace officer is any officer, compensated or not, who is commissioned by a general authority Washington law enforcement agency to enforce some or all of Washington's criminal laws, and who does not qualify as general authority

Washington peace officer for the commissioning agency. This group includes reserve peace officers and specially commissioned full-time, fully compensated peace officers commissioned by Oregon or Idaho.

Summary of Bill: Eligibility to Become Chief or Marshal. Chiefs and marshals in any city or town must meet additional eligibility requirements:

- be at least 25 years old;
- have not been convicted of a felony under Washington law, another state's law, federal law, or foreign law;
- have not been convicted of a gross misdemeanor under Washington law, another state's law, federal law, or foreign law;
- have no history of engaging in conduct requiring denial or revocation of certification;
- have at least five years of regular, uninterrupted, full-time law enforcement employment;
- obtain certification within nine months of taking office and maintain their certification;
- have never had their certification denied, revoked, or voluntarily surrendered, and not reinstated, by any other state; and
- pass a background investigation if they are not yet certified, or have a background investigation that confirms they have met the remainder of the eligibility criteria if they are certified.

Eligibility to Become Sheriff. Sheriffs must meet the following eligibility requirements:

- be a United States citizen;
- be at least 25 years old;
- have a high school diploma or equivalent certificate;
- have not been convicted of a felony under Washington law, another state's law, federal law, or foreign law;
- have not been convicted of a gross misdemeanor under Washington law, another state's law, federal law, or foreign law;
- have no history of engaging in conduct requiring denial or revocation of certification;
- have received at least a general discharge under honorable conditions for any military service;
- have at least five years of regular, uninterrupted, full-time law enforcement employment;
- obtain certification within nine months of taking office and maintain their certification;
- have never had their certification denied, revoked, or voluntarily surrendered, and not reinstated, by any other state; and
- pass a background investigation if they are not yet certified, or have a background investigation that confirms they have met the remainder of the eligibility criteria if they are certified.

A vacancy is created if the chief, marshal, or sheriff's certification is not maintained, if they

are decertified, or if they no longer meet the other eligibility criteria for appointment. In the case of a chief or marshal, the city or town must then appoint a replacement who meets the eligibility requirements. In the case of a sheriff, if the position is a partisan elected position or an appointed position, the county legislative authority must appoint a replacement; if it is a nonpartisan elected position, the county executive or the county legislative authority must appoint a replacement.

The background investigation requirements and the age requirement do not apply to any person already holding the office of chief of police, marshal, or sheriff, unless that person seeks appointment or election to a different office of chief of police or town marshal.

Duties of Sheriffs. Sheriffs are authorized to address all violations of the law and arrest persons who break the law, but they are not required to address all violations and commit all persons who break the law to prison. Sheriffs have an additional duty to uphold and enforce the Constitution and laws of the state of Washington, as interpreted and applied by the Washington Supreme Court. A sheriff also has a duty to uphold the United States Constitution.

Use of Volunteers and Youth Cadets by Chiefs, Marshals, and Sheriffs. Unless the volunteers or youth cadets are trained and certified, a law enforcement agency may not use them for the following tasks:

- enforcing criminal laws or civil immigration laws;
- engaging in pursuits;
- detaining or arresting people;
- using force;
- carrying or using firearms or other weapons;
- using surveillance technologies;
- sharing information from law enforcement databases;
- using dogs to track people or animals, other than for purposes of search and rescue; or
- using dogs to apprehend or bite people or animals.

Volunteers may assist with roles including, but not limited to, technical and administrative support, bicycle recovery, community crime prevention coordination, vehicle maintenance, search and rescue, faith leadership, transport, parking enforcement and traffic management, parks and recreation assistance, animal control and caring for domestic animals, and other public safety-related community service, education, and outreach work.

Volunteers, specially commissioned officers, and cadets must be clearly identifiable by the public as distinguishable from peace officers. If they are provided badges or other identifying insignia, such identification must be authorized in agency policy. Volunteers, specially commissioned officers, and cadets must only use such identification while on duty in their authorized roles. Agency policies must set forth limitations on authority, permissible roles, and supervision requirements for volunteers and youth cadets. Agency policies must also include limitations on the authority of and requirements for specially

commissioned officers, including the requirement that a specially commissioned officer be supervised by the law enforcement agency that commissioned them, unless the primary commissioning agency temporarily delegates supervision to another agency.

Special Deputy Sheriffs. A sheriff's use of special deputies is limited to functions and actions not involving use of law enforcement authority, or the carrying of firearms or other weapons, unless a special deputy is certified as a peace officer by CJTC.

Background Investigations. In the case of appointment to the office of chief of police, marshal, or sheriff, the background investigation must be completed no earlier than six months before the date of appointment. The appointing authority is responsible for any fees associated with the background investigation.

An electoral candidate for sheriff must, within six months of the deadline to file as a candidate, pass the background investigation required by CJTC. The Washington State Patrol (WSP) must conduct the background investigation. If CJTC determines additional background information must be gathered, CJTC must request that WSP conduct an additional investigation and WSP must resubmit the completed investigation to CJTC for verification. Once CJTC verifies the background investigation requirements have or have not been met, CJTC must notify WSP and the candidate. The county is required to reimburse WSP for all costs associated with the background investigation it conducts for any person seeking election to the office of sheriff.

By December 31, 2027, CJTC will issue guidelines for determining whether a person is suitable for employment. CJTC will seek input from individuals who have experience in conducting or reviewing law enforcement background investigations, misconduct or human resource complaints, investigations, or disciplinary decisions, as well as individuals who provide community perspective.

Appropriation: None.

Fiscal Note: Requested on January 7, 2026.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.