



# BILL BRIEF

## SB 5051 – Peace & Corrections Officer Accountability

### Key provisions

- Modifies the provisions and composition of the Criminal Justice Training Commission (CJTC).
- Expands the background investigation requirements for persons applying for peace officer, reserve officer, and corrections officer position.
- Makes changes to the certification and decertification processes for peace officers and corrections officers.

### Background

The Criminal Justice Training Commission (CJTC) provides training and educational programs to law enforcement, corrections officers, and other public safety professionals in Washington. This includes hosting the Basic Law Enforcement Academy and the Corrections Officer Academy, as well as advanced training. The CJTC also certifies and, when necessary, decertifies peace officers and corrections officers.

The CJTC is currently only able to decertify officers who have already been discharged by a law enforcement agency for disqualifying misconduct.

### What this legislation does

- It increases the membership of the CJTC from 16 to 21, adding civilian members, including historically underrepresented community members, bringing law enforcement membership on the commission below a 50% majority.
- It changes primary responsibility of CJTC to establishing and administering standards and processes for certification, suspension, and decertification of peace and corrections officers.
- It gives the CJTC the ability to unilaterally suspend and decertify officers.
- It broadly expands reasons for an officer's mandatory and discretionary suspension or decertification.
- It changes the standard for decertification from clear and convincing evidence, to a preponderance of evidence. This is a lower burden of proof.
- It requires law enforcement agencies and the Department of Corrections (DOC) to retain retention personnel records for 10 years after a peace officer's employment.
- It prohibits a police agency from terminating an officer based solely on an officer being suspended by the CJTC.
- It requires the CJTC to develop policies, procedures, and rules to ensure that the goals of the bill are fully implemented.

### Key messages

We already have policing shortages. This bill will further disincentivize people from becoming police officers.

We can improve police accountability without motivating good officers to leave the profession out of fear for their safety.

Our police are already held to a very high standard. We cannot make that standard an impossible one.

**Bill Status as of April 25, 2021: Passed Legislature.**

## Arguments in opposition

- The decertification panels are made up of a majority of non-law enforcement individuals. That means most of the decisionmakers will never have attended the CJTC, never have held a job as an officer, and are not subject to the same standards they are reviewing.
- The bill prohibits a law enforcement agency from terminating an officer based on an action taken by the CJTC. CJTC can suspend an officer and the local law enforcement entity will be required to continue paying their salary.
- We have strong concerns that the CJTC will become a political entity used by activists to circumvent due process.

## Key Stakeholders

- PRO: Association of Washington Cities, Seattle First Baptist Church, Black Lives Matter, Seattle Community Police Commission, Washington Coalition for Police Accountability, Seattle City Attorney's Office; Deputy Consent Decree Monitor; WA State Labor Council, Lincoln Network, Law Enforcement Action Partnership
- CON: WASPC, WSP, WACOPS,
- OTHER: WFSE, CJTC, Stillguamish Tribe, Fraternal Order of Police, Teamsters (DOC), Wa State Council of Fire Fighters.

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