



CRIMINAL JUSTICE TRAINING COMMISSION POLICY MANUAL



Standard:	Chapter 7 Policy 04 Prioritization of Certification Investigations	Revised: 06/22/2022
Authorizing Source: RCW 43.101, WAC 139-06-040		Applies to: Certification Staff

I. PURPOSE:

The Commission recognizes that timely, thorough, and efficient handling of certification investigations is essential to promoting public trust and confidence in law enforcement, and that appropriate allocation of agency resources is necessary to further these objectives. The Commission will investigate certification matters within its regulatory purview and will prioritize handling of such investigations in accordance with this policy.

II. DEFINITIONS:

Certification investigation – Any investigation to determine if the preponderance of the evidence supports disciplinary action against an officer's certification. Investigations may commence on the Commission's own initiative under RCW 43.101.105, or upon receiving a complaint or request from any member of the public including law enforcement or corrections agencies and certified officers. WAC 139-06-040.

Officer and Certified Officer - Any full-time, general authority peace officer, tribal police officer with a recognized certified tribe, reserve officer whose peace officer certification has not lapsed, and corrections officer as defined in RCW 43.101.010 (6), (10), (12), and as applicable in RCW 43.101.105 (9).

III. POLICY:

A. The standards and process under RCW 43.101.105, regarding probation, remedial training, suspension, denial, and revocation apply to conduct during both before and after July 25, 2021, and specifically to the conduct that the officer knew or should have known violated law or policy and that impacts suitability to serve and or where there is a pattern of misconduct that continues after July 25, 2021.

In conducting certification investigations, investigators will prioritize those matters, which implicate one or more of the below factors. These include but are not limited to uses of force that violate law or policy and that could be expected to cause physical injury, affiliation with extremist organizations, sexual harassment, acts of prejudice or discrimination against protected groups, conduct falling short of professional and ethical standards that undermines public trust, or shows an unwillingness to uphold their sworn oath.

- The allegation(s) fall under one or more of the mandatory denial or revocation categories contained in RCW 43.101.105(2).
- The allegation(s), if true, indicate the officer poses a danger of causing injury to members of the public.



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- Whether occurring on or off-duty, the officer is alleged to have committed conduct that constitutes a felony, without regard to conviction per RCW 43.101.105(3)(j)(i).
- Whether occurring on or off-duty, the officer is alleged to have engaged in a pattern of acts showing an intention 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 or RCW 43.101.105(3)(j)(ii).
- The officer is alleged to have engaged in unsafe practices involving firearms, weapons, or vehicles which indicate either a willful or wanton disregard for the safety of persons or property per RCW 43.101.105(3)(j)(iii).
- The officer is alleged to have 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; RCW 43.101.105(3)(e).
- The officer is alleged to have 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; RCW 43.101.105(3)(h).
- The officer is alleged to have had affiliation with one or more extremist organizations; RCW 43.101.105(3)(i).
- The officer is alleged to have committed sexual harassment as defined by state law; RCW 43.101.105(3)(f).

Unless otherwise directed, certification investigations for which any of the above criteria are not present shall be prioritized for handling in the assigned investigator's discretion, so as to ensure timely, thorough, and efficient disposition of all matters. Complaints alleging serious misconduct under RCW 43.101.105(3) should not go uninvestigated merely because they fall outside the categories above.