

E2SSB 5051

PEACE OFFICERS AND CORRECTIONS OFFICERS—STATE OVERSIGHT AND ACCOUNTABILITY

MANDATORY REVOCATION/DENIAL OF CERTIFICATION IF OFFICER...	DISCRETIONARY ¹ TO DENY/REVOKE/SUSPEND/ISSUE REMEDIAL TRAINING IF THE OFFICER... ²
Has been convicted of a felony offense ³ .	Failed to timely meet all requirements for obtaining a certificate of BLEA/corrections cert/equivalency cert.
Has been convicted of a gross misdemeanor of Domestic Violence.	Was previously issued a certificate through administrative error on the part of the commission.
Has been convicted of an offense with sexual motivation as defined in RCW 9.94A.030.	Knowingly falsified or omitted material information on an application to the employer or for training or certification to the commission.
Has been convicted of an offense under Chapter 9A.44 RCW (Sex Offenses).	Interfered with an investigation or action for denial or revocation of certification by (1) knowingly making a materially false statement to the commission, (2) failing to timely and accurately report information to the commission as required by law/policy; or (3) in any matter under review or investigation by or otherwise before the commission, tampering with evidence or tampering with or intimidating any witness.
Has been convicted of a federal/out-of-state offense comparable to an offense listed above and the offense was not disclosed at the time of application or the officer was a certified peace officer/corrections officer at the time offense and the offense is not one for which the officer was granted a full and unconditional pardon and the offense was not adjudicated as a juvenile and the record sealed.	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.
Has been terminated by the employing agency or otherwise separated from employment after engaging in, or was found by a court to have been engaged in, the use of force which resulted in death or serious injury and the use of force violated the law.	Committed sexual harassment as defined by state law.
Has been terminated by the employing agency or otherwise separated from employment after witnessing, or found by a court to have witnessed, another officer's use of excessive force AND (1) was in a position to intervene to end the excessive use of force and failed to do so; or (2) failed to report the use of excessive force in accordance with agency policy or law.	Through fraud or misrepresentation, has used the position of peace officer or corrections officer for personal gain.
Has been terminated by the employing agency or otherwise separated from employment after knowingly making, or found by a court to have knowingly	Engaged in conduct including, but not limited to, verbal statements, writings, online posts, recordings, and gestures, involving prejudice or discrimination

¹ A person whose certification is denied or revoked for reasons in the discretionary column may, five years after the revocation or denial, petition the commission for reinstatement of the certificate or for eligibility for reinstatement.

² In addition to the penalties, the commission may require mandatory retraining or placement on probation for up to two years, or both. In determining the appropriate penalty/sanction, the commission shall consider: the findings and conclusions, and the basis for the findings/conclusions of any due process hearing or disciplinary appeals hearing following an investigation by a LEA 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.

³ 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.

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made, misleading, deceptive, untrue, or fraudulent representations in the practice of being a peace officer/corrections officer including, but not limited to, committing perjury, filing false reports, hiding evidence, or failing to report exonerating information. Does not apply to representations made in the course and for the purposes of an undercover investigation or other lawful LE purpose.	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.
Is prohibited from possessing weapons by state or federal law or by a permanent court order entered after a hearing.	Has affiliation with one or more extremist organizations.
	Whether occurring on/off duty has been found to have committed a felony, without regard to conviction.
	Whether occurring on/off duty has 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 (immigration and citizenship status).
	Whether occurring on/off duty has engaged in unsafe practices involving firearms, weapons, or vehicles which indicate either a willful or wanton disregard for the safety of persons or property.
	Whether occurring on/off duty has engaged in any conduct or pattern of conduct that fails to meet the ethical and professional standards required by a peace officer.
	Whether occurring on/off duty has engaged in any conduct or pattern of conduct that disrupts, diminishes, or otherwise jeopardizes public trust or confidence in the law enforcement profession and correctional system.
	Whether occurring on/off duty has engaged in any conduct or pattern of conduct that demonstrates an inability or unwillingness to uphold the officer's sworn oath to enforce the constitution and laws of the US or state of WA.
	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 above.
	Has voluntarily surrendered the person's certification as a peace officer or corrections officer.