

SUPERIOR COURT

- *Upcoming changes*

SUBSTITUTE HOUSE BILL 1132

EFFECTIVE, JULY 23, 2023

Limited Authority Peace Officers and Agencies -- Oversight and Training

- All law enforcement personnel shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. Further, as a condition of employment, certification must be maintained as required by the rules of the commission.

HOW SHB 1132 RELATES TO SUPERIOR COURT BAILIFFS

- While nothing in the bailiff job description states they will serve as peace officers, saying instead they serve as courtroom security, the Benton County Sheriff's Office, who has granted bailiffs limited commissions (i.e., special commissions), has categorized the Bailiffs as Peace Officers.
- Pursuant to RCW 43.101.095(1), all peace officers must be certified by the Washington Criminal Justice Training Center (CJTC) as a condition of their employment. Certification requires attending basic law enforcement training.
- Not only must specially commissioned peace officers, such as bailiffs, obtain CJTC certification, but they must also make certain their certification does not lapse or expire.
- CJTC certification lapses when there is a break in service for 24 to 60 months. For any bailiffs whose certification has lapsed, they are required to attend the Basic Law Enforcement Equivalency Academy (BLEEA).

WHAT DOES THIS MEAN FOR SUPERIOR COURT?

- As of December 1, 2023, the Benton County Sheriff will be pulling his commission from the bailiffs.
- Without a limited commission, the bailiffs would no longer have peace officer powers, such that they would not be able carry a firearm or taser, while working in the Benton and Franklin County courtrooms. Without the ability to perform these functions, the “Bailiff” position would no longer exist.
- Superior Court Courtrooms will have no security, leaving the judicial officers and courtroom staff vulnerable.