



Washington Association of

SHERIFFS & POLICE CHIEFS

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Greetings from your Executive Director:

The legislative session started January 12 for its 60-day session.

Qualifications/Accountability Bills - SB 2387, SB 5974, and the old SB 5364 (the former HB 1399)

Last session a bill that championed by the Washington Coalition for Police Accountability (WCPA) to (as they depicted it) "simply make the qualifications for Chiefs and Sheriffs the same" did not pass. There are a lot of elements of HB 1399 (which was SB 5364 in the Senate) that do effect all Chiefs and Sheriffs, but the portion of the bill that is most problematic is the provision that a CJTC decertification (which can occur under current law) would result in the removal from office of an elected Sheriff. While accountability and ensuring Sheriffs are qualified to run law enforcement agencies is something we have supported (including bringing forward a bill in [2020](#) that did not pass), this is distinctive in that it would allow the unelected CJTC Commission to remove an elected official. When the issue of taking away the rights of the voters has been raised, the answer from the WCPA has been "well, it's too hard to do a recall." This, despite the fact that the Benton County Sheriff was recalled by the voters in 2021. However, that occurred east of the Cascades so it does not really exist to many advocates (sarcasm alert).

There is a new version of the old HB 1399, somewhat updated, that is now [SB 5974](#). Again, the bill would allow the unelected CJTC board, appointed by the Governor, to remove from office an elected Sheriff if they are decertified. Although everyone acknowledges that if a Sheriff were decertified, they would not and should not be able to perform as a sworn law enforcement officer, it is a big jump to allow a state board to remove the person elected by voters. [Here](#) is the feedback sent by WSSA President Crider, WASPC President Nowels, and me as WASPC Executive Director in response to SB 5364. Most of the points still pertain to the latest version in SB 5974. The point is that we should not take away the voter's rights because we don't like what some elected officials say- that would seem to be undemocratic.

Although advocates for this bill want it to get swept up in the general intense opposition to the federal administration and the actions of ICE, this is not about partisanship. It's about respect for the voters. Let's view this by flipping the perspective: Philadelphia has an elected Sheriff, Rochelle Bilal, who has made strong statements opposing ICE actions in that area. Harris County (Ed Gonzalez) and Travis County (Sally Hernandez) in Texas have current elected Sheriffs who have expressed opposition to, or implemented policies, which limit their jails' cooperation with ICE. In all of these cases, their policies and opinions reflect

their communities, and go against the overall political direction of their state. Their elected status as Sheriffs gives them a more independent platform to express it, as long as it follows state law and the Constitution. How would we feel if the Governors and legislatures of Pennsylvania or Texas created unelected boards who could remove these Sheriffs despite the choice made by the voters of their counties? It's the exact same concept.

The Washington State Sheriffs Association (WSSA), with the support of WASPC, has worked with legislators on a bipartisan alternative that addresses concerns with accountability for Sheriffs while still retaining the rights of the voters, [HB 2387](#). This bill would provide for a more immediate recall process if a Sheriff were decertified, and it strikes a reasonable balance. While the CJTC could still decertify an elected sheriff, that would not immediately remove the sheriff from office. Instead, the sheriff would immediately face a recall vote which would allow the voters of that county to make the decision. This streamlined process respects the voters and answers those concerns about accountability. In fact, no other elected office in the state would be as accountable; that's appropriate because leading a law enforcement agency is a critical position.

SB 5974 will be heard this week in the Senate Law and Justice Committee.

Here are the links to the bills, with information on testifying and for input:

SB 5974 (Bill that allows CJTC to remove an elected Sheriff): [SB 5974 Washington State Legislature](#)

SB 2387 (Alternative supported by WSSA and WASPC that streamlines the recall process without removing the rights of voters): [HB 2387 Washington State Legislature](#)

HB 2015

The Criminal Justice Training Commission (CJTC) sent out an [updated](#) process for applying for HB 2015 funds and taxing authority. We do appreciate the CJTC and the Governor's Office being at our November conference to get feedback and the new process is somewhat more streamlined, while still reflecting the extensive and pretty onerous requirements contained in the bill.

I have given a few media interviews recently about this topic. Here are the main takeaways so far:

- The bill was not designed to provide prompt and substantive increases in sworn officer and deputy staffing; the intent was to further solidify state mandates for local agencies and to allow for anything but law enforcement to be the focus;
- The bill seems to reflect that the legislature felt forced into passing the bill because the Governor made it a priority. Although there are many problems with the bill, it would not exist at all if not for his leadership;
- We are not aware of any agency that has been approved for grants or taxing authority. Some are being told that approval is imminent;

- We had expressed concern that, as grant processes often do, this would disadvantage smaller agencies who do not have the resources and administrative capacity to complete lengthy applications, and that has been borne out. Smaller agencies have some of the greatest need, but may see fewer approved applications;
- My understanding is there are fewer than twenty agencies who have applied; and
- We do not think the legislature has any interest in revisiting or improving the process of the bill this session.

This is just FYI as far as what I have heard so far.

SB 5855

[SB 5855](#) pertains to face coverings for law enforcement. Under current law, officers must be reasonably identifiable, but this is another of many bills we will see that is focused mostly on federal agencies and ICE. [Here](#) is the hearing held Jan. 13 in the Law and Justice Committee for your information.

Legislative Webinars

If you have not already signed up for our Friday legislative webinars, those will start up again this Friday, Jan. 16.

Finally, one of our legislative priorities this session is funding for air support-- Snohomish County Sheriff Susanna Johnson and James McMahan, or Policy Director, helped to coordinate a number of legislators to see and hear about what these resources can do for our communities. Below is a photo and we appreciate the legislators who took the time to hear more about it.

Thanks for all you do and stay safe! Steve