

Hagens Berman Sobol Shapiro LLP
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HAGENS BERMAN

Retired First Responders Sue Washington State over Rights to \$3.3B Pension Funds Threatened by Lawmakers

Seattle-based law firm representing retired firefighters and law enforcement says Wash. lawmakers lack legal standing to syphon retirement funds to solve budget shortfall

SEATTLE – Attorneys at Seattle-based Hagens Berman represent a proposed class of thousands of retired police officers and firefighters in a [class-action lawsuit filed against the state of Washington](#) to halt allegedly unlawful transfer of \$3.3 billion or more in retirement funds established for first responders.

The lawsuit was filed April 30, 2026, in the U.S. District Court for the Western District of Washington and accuses Washington state, its Department of Retirement Systems and its Director, Kathryn Leathers, of violations of the Contract Clause of both the state and federal constitutions in its plan to terminate a retirement plan for the exclusive benefit of all law enforcement officers and firefighters in the state, known as LEOFF Plan 1 to cover a shortfall in other areas of the state budget.

The enacted law, Engrossed Second Substitute House Bill 2034, is set to terminate the plan on June 30, 2029.

Nine named plaintiffs represent pension beneficiaries in the class action, of which there were approximately 5,945 receiving benefits, according to 2024 House Bill Report.

“an elaborate plan... to stave off a very serious budget shortfall”

According to the lawsuit, in 1969, Washington state passed the Washington Law Enforcement Officers’ and Fire Fighters’ Retirement System Act which created the LEOFF 1 fund to “to provide for an actuarial reserve system for the payment of death, disability, and retirement benefits to law enforcement officers and firefighters, and to beneficiaries of such employees, thereby enabling such employees to provide for themselves, and their dependents, in case of disability or death, and effecting a system of retirement from active duty.”

All money in the LEOFF 1 Fund must be used for the exclusive benefit of the members and beneficiaries. RCW 41.26.040(3) states that “[a]ll funds held by any firefighters’ or police officers’ relief and pension fund shall remain in that fund for the purpose of paying the obligations of the fund.”

The lawsuit states, “E2SHB 2034’s transfer of money out of LEOFF Plan 1 and into other programs is part of an elaborate plan by the State of Washington to stave off a very serious budget shortfall. To cover budget shortfalls, E2SHB 2034 violates RCW 41.26.040(3) by requiring the transfer of at least \$2.5 billion (and likely billions more) out of the LEOFF Plan 1, after which the money may be transferred to the general fund during the 2027-2029 fiscal biennium.”

“Our state lawmakers are flirting with a very dangerous move that jeopardizes the futures and securities of Washington’s first responders and retired law enforcement officers, members of our community who have rightly earned these funds through risking their lives for our safety,” said Steve W. Berman, managing partner and co-founder of Hagens Berman.

“We believe this law is entirely against the state and federal constitutions and that our clients are absolutely entitled to the funds legally established for their benefit. To use them for other purposes would be a gross miscarriage of justice,” Berman added.

“...battling PTSD and other job-related disabilities.”

One of the lawsuit’s named plaintiffs, Dave Reichert, currently serves as the secretary for the LEOFF 1 coalition and was hired under the LEOFF 1 pension and benefits plan, of which he has paid into since 1972 when hired. Mr. Reichert served as a patrol cop, detective, patrol sergeant, lieutenant, SWAT team commander, captain, precinct commander and finally as King County Sheriff.

“These are cops that put their lives on the line for years and some for decades, working in life-or-death situations, some still battling PTSD and other job-related disabilities,” he said of the enacted law. “The remaining members are in their 70s and 80s, and we are taking this personally. The state should do what’s right and honor this contract.”

Another named plaintiff, John Nordlund, is the current president of the Retired Seattle Police Officers' Association (RSPOA), which boasts more than 700 members. He served with the Seattle Police Department for over 30 years, retiring in 2001.

Michael Duchemin is a named plaintiff, retired firefighter and member of LEOFF 1, as well as the president of the Retired Firefighters of Washington, which represents the interests of thousands of retired firefighters and law enforcement officers across the state of Washington.

[Find out more about the firm’s lawsuit fighting for the rights of retired law enforcement and firefighters in Washington state to their justly earned retirement fund, LEOFF 1.](#)

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About Hagens Berman

Hagens Berman is a global plaintiffs’ rights complex litigation law firm with a tenacious drive for achieving real results for those harmed by corporate negligence and fraud. Since its founding in 1993, the firm’s determination has earned it numerous national accolades, awards and titles of “Most Feared Plaintiff’s Firm,” MVPs and Trailblazers of class-action law. More about the law firm and its successes can be found at hbsslaw.com. Follow the firm for updates and news at [@ClassActionLaw](https://twitter.com/ClassActionLaw).

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