

HOUSE BILL REPORT

E2SHB 1423

As Amended by the Senate

Title: An act relating to criminal justice training.

Brief Description: Strengthening the criminal justice training commission.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Sterk, Costa, Sheahan, McDonald, Koster, Robertson, Carrell, Sherstad, Hickel, Delvin, L. Thomas, O'Brien and Conway).

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/14/97, 2/19/97 [DPS];
Appropriations: 3/6/97 [DP2S(w/o sub CJC)].

Floor Activity:

Passed House: 3/14/97, 94-0.
Senate Amended.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Blalock; Cairnes; Delvin; Dickerson; Hickel; Mitchell; Robertson and Sullivan.

Staff: Yvonne Walker (786-7841).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Criminal Justice & Corrections. Signed by 30 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Benson; Carlson; Chopp; Cody; Cooke; Crouse; Dyer; Grant; Keiser; Kenney; Kessler; Linville; Lisk; Mastin;

McMorris; Parlette; Poulsen; Regala; D. Schmidt; Sehlin; Sheahan; Talcott and Tokuda.

Staff: Dave Johnson (786-7154).

Background: The Criminal Justice Training Commission was established in 1974 for the primary purpose of providing basic law enforcement training, corrections training, and educational programs for criminal justice personnel, including commissioned officers, corrections officers, fire marshals, and prosecuting attorneys.

Membership. The commission consists of twelve members who are selected as follows:

- (1) The Governor appoints two incumbent sheriffs and two incumbent chiefs of police.
- (2) The Governor appoints one person employed in a county correctional system and one person employed in the state correctional system.
- (3) The Governor appoints one incumbent county prosecuting attorney or municipal attorney.
- (4) The Governor appoints one elected official of a local government.
- (5) The Governor appoints one private citizen.
- (6) The three remaining members are (a) the attorney general, (b) the special agent in charge of the Seattle office of the Federal Bureau of Investigation, and (c) the chief of the state patrol.

Training. Basic law enforcement officer training is generally required of all full-time commissioned law enforcement employees of the state. The training consists of a 440 hour program covering a wide variety of subjects, including constitutional and criminal law and procedures, criminal investigation, firearms training, and communication and writing skills. The law enforcement training is available only to persons employed as commissioned law enforcement officers and must be commenced within the first six months of employment of each law enforcement officer.

Course Fees. Although the commission is funded by appropriations from the public safety and education account, it provides training to criminal justice personnel at no cost.

Training Evaluation. In 1996 the Legislature directed the Washington Association of Sheriffs and Police Chiefs to review the commission along with its duties and administration. The intent of this study was to review the current fiscal costs associated with providing training while raising the standards of quality law enforcement training.

Investigation Training on Cases Involving Children. The commission does not provide an intensive training session on the investigation of child abuse and neglect cases.

Summary of Bill: Membership. The membership of the commission is increased by two positions for a total of fourteen members. The two members are appointed by the Governor and must be peace officers representing local law enforcement agencies. The appointments must be from a list submitted by the Washington State Council of Police Officers.

Training. All law enforcement personnel hired, transferred or promoted effective January 1, 1999 are required to complete the core training requirements within six months unless the employee receives a waiver from the commission. All other position-related training must be completed within one year after the core training.

Course Fees. Effective July 1, 1997, the Criminal Justice Training Commission must begin charging course fees to all local law enforcement officers participating in the mandatory basic law enforcement training. The commission has the discretion to charge law enforcement personnel for training other than the mandatory basic law enforcement courses. Course fees must be equal to all or a portion of the costs associated with providing the training courses.

The commission is authorized to waive fees or establish monthly payment schedules with interest rates not to exceed 8 percent to enable officers to pay for their basic training. Fees must be paid in full in order for an officer to receive a certification of completion for a training course unless that officer has signed a note to participate in a monthly payment schedule. All revenue received from the training fees will be deposited in the public safety and education account.

The commission must provide room and board for attendees who do not live within 50 miles of the training center.

Training Evaluation. Two separate boards are established to make recommendations to the commission regarding law enforcement training: the Board on Law Enforcement Training Standards and Education, and the Board on Correctional Training Standards and Education.

The law enforcement board will consist of 13 members:

- three members, recommended by the Washington Association of Sheriffs and Police Chiefs, must be from a county law enforcement agency;
- three members, recommended by the Washington Association of Sheriffs and Police Chiefs, must be from city police agencies;

- one member representing community colleges and one member representing four-year colleges;
- one member representing tribal law enforcement in Washington; and
- four members representing and recommended by the council of police officers.

The correctional board will consist of 14 members:

- three members from the state correctional system of whom one must be employed as a front line correctional officer;
- three members from the county correctional system of whom one must be employed as a front line correctional officer;
- two members from the juvenile corrections or probation system (one at the state level and one at the county level);
- two members who are employed in community corrections;
- one member representing community colleges and one member representing four-year colleges; and
- two members with experience and interest in correctional training standards and education.

Each board must report to the commission at the end of each fiscal year regarding the effectiveness of training and education programs for criminal justice personnel. The members of both boards are appointed for six year term limits. Members participating on these boards are eligible to receive reimbursement for their travel expenses to attend board meetings.

Every two years the commission must submit an evaluation of its training program to the Legislature.

Investigation Training on Cases Involving Children. The commission must provide an intensive training session on the investigation of child abuse and neglect cases.

EFFECT OF SENATE AMENDMENT(S): The Senate amendment increases the number of peace officers on the Criminal Justice Training Commission from two to four. The amendment further removes the language requiring that the peace officer appointments must be from a list submitted by the Washington State Council of Police Officers and in turn requires that the peace officers have a rank of sergeant or below and are currently serving as a training officer.

An amendment is also added striking an entire section of the bill which allows the commission to impose fees on new recruits for the cost of their mandatory basic law enforcement training.

Appropriation: None.

Fiscal Note: Available.

Effective Date The bill contains an emergency clause and takes effect immediately.

Testimony For: (Criminal Justice & Corrections) It takes a person 1,600 hours to become a hairdresser, however it only takes a person 440 hours to become a police officer and carry a firearm. This core training to be provided by the Criminal Justice Training Commission is needed to ensure all training is universal across the state and as a result will also reduce liability issues. In addition, by requiring officers to fund their own training, the state may be able draw higher quality candidates. Officers that are forced to pay for their own training are more willing to make the law enforcement profession as a career. Only in this profession is a person able to not only receive a well paying job but to also receive the associated training at full cost to the state.

(Appropriations) It takes a person 1,600 hours to become a hairdresser; however, it only takes a person 440 hours to become a police officer and carry a firearm. The training is important and this bill helps that. Funds are not always available in the Public Safety and Education Account and this is one way to pay for needed improvements in training. Line correctional officers, not just managers, should be represented on the training board.

Testimony Against: (Criminal Justice & Corrections) None.

(Appropriations) None.

Testified: (Criminal Justice & Corrections) Representative Mark Sterk, prime sponsor (pro); John Turner, study group (pro); Doug Blair, Washington Association of Sheriffs and Police Chiefs (pro); Garry Wegner, Training Commission (pro); Mike Patrick, Council of Police (pro); and Kathy Gerke, Association of Washington Cities (pro).

(Appropriations) Representative Sterk, prime sponsor; Larry Erickson, Washington Association of Sheriffs and Police Chiefs; Garry Wegner, Criminal Justice Training Commission; Jim Mattheis, Washington State Police Officers; Dale Brandlond, Whatcom County Sheriffs; and Eugene St. John and Jerry Keen, Washington Public Employees Association (all pro).