

# HOUSE BILL ANALYSIS

## HB 1265

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**Title:** An act relating to training for community corrections officers.

**Brief Description:** Regulating training for community corrections officers.

**Sponsors:** Representatives Sterk and O'Brien.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

**Staff:** Yvonne Walker (786-7841)

**Background:** The Division of Community Corrections, within the Department of Corrections, supervises offenders in the community and operates work release and pre-release programs. Community corrections officers are the main staff agents of the Division of Community Corrections. Offenders, under supervision of these community corrections officers, are monitored for compliance with court ordered sentence requirements and are often referred to any needed community-based rehabilitation services.

The level of supervision provided and the resulting amount of contact the community corrections officer has with an offender varies and depends primarily on the sentencing conditions imposed by the court. The Sentencing Reform Act (SRA) requires courts to sentence all violent offenders to a period of community placement following their terms in total confinement. In addition, the SRA authorizes judges to impose community supervision for first-time offenders and offenders with sentences of confinement of one year or less.

The current law does not expressly authorize community corrections officers to carry firearms while conducting their duties. In situations when an officer needs to make an arrest, the department requires the officer to obtain the assistance of local law enforcement authorities. However, an officer may ask the department for permission to carry a firearm for protection in unusual situations if someone has made a direct threat against the officer.

Under this policy, officers who request to carry a firearm must meet several prerequisites, including completion of a division-approved firearms class and certification by a division-approved firing range instructor. Officers can meet both of these requirements through the Criminal Justice Training Commission. The classes are free of charge.

**Summary:**

Community corrections officers who have completed the necessary training requirements may carry firearms, at their discretion, while conducting their daily duties.

Firearm Policies & Training Requirements. The Criminal Justice Training Commission, in consultation with the advisory board, must establish standards for firearm training for community corrections officers. The advisory board, established by the Criminal Justice Training Commission, consists of four members: two firearm instructors chosen by the commission and two community correction officers selected by their bargaining unit.

The commission must convene the advisory board within thirty days of the effective date of this bill. At that time, the board must determine training standards, requirements, and types of firearms and ammunition that each officer can carry. Following the establishment and adoption of these requirements by the Criminal Justice Training Commission, the Department of Corrections may adopt a policy

that is consistent and effectively implements these new required policies. These new standards and requirements only apply to officers authorized to carry a firearm after to January 1, 1997.

The Department of Corrections must arrange for and fund any necessary training for all community correction officers who choose to be armed under this act. In addition, the department must, at its expense, provide the firearms and any associated supplies and equipment that officers may carry. Community corrections officers must commence carrying firearms as soon as possible, but no later than thirty days after the completion of the firearms training.

Defensive Tactics Training. All community correction officers, whether carrying firearms or not, must complete forty hours of defensive tactics training and any updated defensive tactics training periodically. The Department of Corrections is responsible for funding the mandated defensive tactics training. Follow-up defensive tactics training can not exceed eight hours of training.

**Note:** It is unclear, however, when a fully trained officer must actually begin to carry a firearm. First the bill states that community corrections officers are authorized, but not required, to carry firearms during the course of their official duties.– Next the bill states that upon completion of firearms training community corrections officers may commence carrying firearms as soon as practical, but no later than thirty days after the completion of the firearms training.– This portion of the bill may be inconsistent.

**Require the Exercise of Rule - Making Powers:** Yes

**Fiscal Note:** Requested January 22, 1997.

**Effective Date:** An emergency clause is included, stipulating that the act take effect

immediately.