

HOUSE BILL ANALYSIS

SB 5047

Title: An act relating to arming community corrections officers.

Brief Description: Arming community corrections officers.

Sponsors: Senators Benton and Zarelli.

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.

Community corrections officers are not eligible for membership in the Law Enforcement Officers' and Fire Fighters' (LEOFF) retirement system because they do not meet the statutory definition of law enforcement officer.—

Summary: Community corrections officers may carry firearms, at their discretion, while conducting their daily duties.

Community corrections officers who choose to be armed must arrange for and obtain any necessary training at their own expense. In addition, they must obtain the firearms and any associated supplies and equipment at their own expense.

The Department of Corrections is directed to implement the firearms policy by January 1, 1998, but not until the Criminal Justice Training Commission has set standards for training requirements and determined the types of firearms and ammunition that will be permitted.

The commission is directed to convene an advisory board by May 1, 1997, to make recommendations for the training standards and equipment requirements. The membership of the advisory board is specified and includes five members: two firearms instructors designated by the commission; two community corrections officers designated by their exclusive bargaining unit; and one department representative designated by the Secretary of the Department of Corrections.

The standards and requirements for implementing the act must be set by the commission no later than December 1, 1997.

The act is not intended to make community corrections officers eligible for membership in the LEOFF Retirement system.

Require the Exercise of Rule- Making Powers: No.

Fiscal Note: Available.

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