

# SENATE BILL REPORT

## SB 5047

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As Passed Senate, March 7, 1997

**Title:** An act relating to arming community corrections officers.

**Brief Description:** Arming community corrections officers.

**Sponsors:** Senators Benton and Zarelli.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/18/97, 2/26/97 [DP].  
Passed Senate, 3/7/97, 40-8.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass.

Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Schow and Stevens.

**Staff:** Andrea McNamara (786-7483)

**Background:** The Division of Community Corrections within the Department of Corrections operates several community-based programs, including community placement and supervision, work/training release, and victim/witness notification. Community corrections officers (CCOs) are the primary staff of this division.

CCOs are responsible for supervising and monitoring offenders in the community who are under the jurisdiction of the department as a part of their sentences. Offenders supervised by CCOs include individuals with a wide variety of criminal backgrounds, from misdemeanors to serious violent felonies, and who pose greatly varying levels of risk to the community and their CCOs.

The type and amount of contact a CCO has with an offender varies depending on a number of factors, and may include visits to an offender's home or work as well as visits with an offender in the community corrections office.

Current law neither prohibits, nor does it expressly authorize, CCOs to carry firearms while conducting their professional duties.

The department's current policy enables a CCO to make a request to carry a firearm for protection in narrowly-defined situations in which a direct threat has been made against the CCO. Under the policy, CCOs who request to carry a firearm on the job must meet several prerequisites and standards relating to training, equipment specifications, and conduct.

The Criminal Justice Training Commission provides training for law enforcement personnel and correctional officers, including basic training and firearms training. CCOs who are

armed under current DOC policy may obtain training from commission-certified department firearms officers at no cost.

**Summary of Bill:** Community corrections officers are authorized, under certain circumstances, to carry firearms during the course of their official field duties. Community corrections officers who choose to be armed on the job must provide or pay for their own firearms, materials, and equipment. They must also pay for, arrange, and complete training requirements that are developed pursuant to this act.

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 clarifies that the authorization to carry firearms contained in this act does not make community corrections officers eligible for membership in the Law Enforcement Officers' and Fire Fighters' retirement system.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Community corrections officers are required to deal with increasingly violent offenders and situations. Law enforcement back up is not always available when needed, and CCOs often are increasing backing up law enforcement in community oriented policing projects. The department's current weapons policy is insufficient because CCOs are too often denied permission to carry when it is appropriate for them to be able to. The department's solution of telling CCOs to stay away from dangerous areas and to retreat from dangerous situations is unrealistic and precludes CCOs from doing the job they are supposed to do. Many other state agencies authorize their employees to carry firearms, including gambling officers, fish and game officers, state parks officers, and campus police.

**Testimony Against:** There is no indication that this bill will enhance the safety of community corrections officers or the public. The only scientific study that has been done on the issue indicates that armed community corrections officers are two and one half more times likely to be assaulted in the line of duty. If the Legislature believes CCOs should be armed, there are better ways to go about it than this bill. CCOs should not be required to

pay for their own equipment and training if they are given the authority to carry weapons on the job.

**Testified:** Senator Don Benton, prime sponsor; Dave Savage, Director of the Division of Community Corrections, Department of Corrections (con); Melanie Wolf, citizen (pro); Scott Shapiro, Community Corrections Officer (pro); Randy Parr, Washington Federation of State Employees (pro); Scott Wilcox, Community Corrections Officer (pro); Scott Helper, Community Corrections Officer (pro); Stuart Kilby, Community Corrections Officer (pro).