

HOUSE BILL REPORT

HB 2849

As Reported By House Committee On:

Commerce & Labor

Title: An act relating to state certification and training for liquor control board officers.

Brief Description: Providing for state certification and training for liquor control board officers.

Sponsors: Representatives Hurst, Clements, Rockefeller, DeBolt, Dunshee, Eickmeyer, Campbell, Conway, Stensen, Ericksen, Ruderman, Mitchell, McIntire and Haigh.

Brief History:

Committee Activity:

Commerce & Labor: 2/2/00, 2/3/00 [DPS].

Brief Summary of Substitute Bill

- Requires that liquor enforcement officers receive basic law enforcement training through the Criminal Justice Training Commission (CJTC).

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Clements, Republican Co-Chair; Conway, Democratic Co-Chair; B. Chandler, Republican Vice Chair; Wood, Democratic Vice Chair; Hurst; McIntire and McMorris.

Minority Report: Do not pass. Signed by 1 member: Representative Lisk.

Staff: Pam Madson (786-7166).

Background:

Along with city and county police officers, Liquor Control Board enforcement officers are authorized to enforce all liquor laws and criminal laws relating to the manufacture, possession, transportation, and sale of liquor and tax laws for cigarettes and tobacco products. Liquor enforcement officers may serve warrants and other

legal process relating to enforcement of the liquor laws and cigarette and tobacco tax laws and other relevant criminal laws and may arrest without a warrant persons who are found in the act of violating these laws.

A Citizen Review Panel looking at Liquor Control Board issues reported in December 1999, that expectations regarding the role of an enforcement officer are changing in society in general. With respect to liquor enforcement officers, they are expected to be more than just enforcers of detailed licensing regulations. They are expected to be involved in solving broader community problems and to join with other law enforcement and community agencies in doing so.

The board provides a total of five weeks of basic training, including self defense training for enforcement officers through the Criminal Justice Training Commission (CJTC) and additional training through the agency academy. Training in enforcement procedures is done by an agency regional field training officer. There is no requirement for periodic updates in training. For specialized training, individuals are sent to training and then become instructors for other regional enforcement personnel.

Based on its review, the citizen panel recommended that a policy be established and implemented to periodically retain and educate liquor enforcement officers based on current duties and responsibilities. It further recommended that the current training policy be evaluated for its effectiveness and that the board increase its level of involvement with the CJTC to provide for training needs.

Summary of Substitute Bill:

All newly hired liquor enforcement officers must take basic law enforcement training through the CJTC and be certified before engaging in any enforcement activities.

Current enforcement officers must successfully complete an equivalency basic law enforcement training program developed by the CJTC. The program must be no more than 160 hours and must reflect the types of experiences encountered by liquor enforcement officers and must take into consideration prior training. Their training will be phased in over time, and the board must establish a procedure for determining which officers will attend this training each year.

Once an enforcement officer is certified by the CJTC, the officer may serve and execute warrants and process to enforce all criminal laws of the state and may, without a warrant, arrest persons who violate criminal laws in the presence of the officer.

Substitute Bill Compared to Original Bill: The substitute bill deletes changes to the authority of Liquor Control Board agents that would have allowed arrest, service of

process, and execution of warrants for crimes other than liquor law or cigarette and tobacco law violations once the officer was certified by the CJTC.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Upon review of the Citizen Review Panel report, there is a need to look at the training of liquor enforcement officers and to improve the tools they have to do their job. There is a need for more exposure to community oriented training. There is also a benefit in evaluating new officers during the six months of training conducted at the CJTC. The cost of the training can be spread out over a period of five years. This level of training helps improve the professionalism of enforcement officers and supports the long-term goal of becoming an accredited law enforcement agency. Officers need to be trained to protect themselves. There is a concern that moving more toward enforcement of laws other than liquor or tobacco laws will cause a move away from the educational and prevention activities of liquor enforcement officers. Much of their activity involves checking liquor establishments for compliance and possible over service or underage consumption. There needs to be clear priorities and goals set for the enforcement division before incurring the expense of moving toward creating fully commissioned officers. The Citizen Review Panel recommended evaluating current training and increasing the agencies' involvement with the CJTC not necessarily going all the way to full basic enforcement training.

Testimony Against: None.

Testified: Representative Hurst, prime sponsor; Rick Phillips, Washington State Liquor Control Board; and Ike Ikerd, Washington Public Employees Association.

(With concerns) Michael Transue, Washington Restaurant Association; and Chris Clifford.