
***Criminal Justice & Corrections
Committee***

HB 1558

Brief Description: *Creating a certification process and oversight mechanism for police service dog teams.*

Sponsors: *Representatives O'Brien, Ballasiotes, Lovick, Cooper, D. Schmidt, Carrell, Fisher, Keiser, Hurst, Murray, Ogden, Gombosky, Wood, Kagi, McIntire, Dickerson, Edwards and H. Sommers .*

Brief Summary of Bill

- *Requires the Criminal Justice Training Commission to develop a minimum performance standard for each category of police service dogs and handlers, implement a certification process for police service dogs and handlers, and create the canine training standards board.*
- *Requires that every police service dog be identified with a microchip or by superior technology.*
- *Requires the commission to develop and manage a centralized database of information pertaining to all police service dogs used by Washington and local governmental agencies.*

Hearing Date: *2/7/01*

Staff: *Katy Freeman (786-7386).*

Background:

Although there are no statutory minimum performance standards for police dogs or their handlers in Washington, there are some applicable rules in the Washington Administrative Code (WAC). The WAC requires police dog handlers to go through a specified course of training that corresponds with the type of dog they will be handling.

Under the WAC, however, there are no rules regarding the training a police dog must

complete. Additionally, there is no process through which police dogs and their handlers are certified.

The Criminal Justice Training Commission (commission) was established in 1974 for the primary purpose of providing basic law enforcement training, corrections training, and educational programs for criminal justice personnel. The commission created the board on law enforcement training standards and education to review and recommend to the commission programs and standards for the training and education of law enforcement personnel.

The Public Disclosure Act requires public agencies to make public records available for public inspection. When documents are determined to be within the scope of the act, disclosure is required unless a specific statutory exemption is applicable.

Summary of Bill:

With limited exceptions, after March 1, 2003, a police service dog handler may not use a police service dog for law enforcement purposes unless the handler and the dog are certified as a team.

The commission is required to: (1) develop a minimum performance standard for each category of police service dog and handler; and (2) implement a process through which police service dogs and their handlers will be tested for certification. The commission must also establish minimum training hours for police service dogs and their handlers that must be completed prior to testing for certification.

Additionally, the commission must create the canine training standards board. The board, in consultation with the board on law enforcement training standards and education, must: (1) set minimum performance standards; and (2) develop model training and performance standards for police service dogs and their handlers. The board must also review disputes related to the certification of police service dog teams and make recommendations to the commission.

The canine training standards board includes persons experienced with patrol, detector, and tracking police service dogs and consists of representatives from various backgrounds, including:

- representatives of law enforcement agencies;*
- representatives of nonprofit organizations;*
- master trainers;*
- a representative of the county legislative authority;*
- a representative of the association of Washington cities;*
- persons appointed by the association of Washington cities;*
- persons appointed by the association of Washington counties; and*
- a representative appointed by the Governor.*

Generally, members are not compensated and receive only the customary reimbursement or allowance for expenses. However, a member of the public appointed to the board is eligible to receive compensation not to exceed \$50 for each day during which the member

attends an official meeting of the group or performs statutorily prescribed duties approved by the chairperson of the group.

When a police service dog team is denied certification by the commission, a complaint may be filed by the handler against the commission. The complaint must be filed with the commission and referred to the commission's staff who will promptly investigate.

When the chairperson believes from the results of the investigation that a violation may have occurred which resulted in the denial of certification, a hearing may be held before an administrative law judge (ALJ). When the ALJ finds that the commission has wrongfully denied certification, he or she must require the commission to certify the police dog team. Moreover, when the ALJ finds that the commission correctly denied certification, he or she must dismiss the complaint. The parties may appeal a final order issued by the ALJ.

Every police service dog used by law enforcement or any other state or local governmental agency is required to be identified: (1) by a microchip; or (2) by superior technology as designated by the commission. Unless the dog is permanently retired from service, the microchip may only be removed for medical necessity.

Furthermore, the commission must develop and manage a centralized database of information pertaining to all police service dogs used by Washington and local governmental agencies. Specific information must be kept in the database with some exceptions, the commission must make this database available through a web page and accessible by entering a dog's identification number. Information pertaining to which police service dogs have bomb and cross-trained bomb training is exempt from public inspection and copying under the Public Disclosure Act.

Appropriation: *An appropriation is made for the fiscal year ending June 30, 2003, from the general fund to the criminal justice training commission for the purposes of this act.*

Fiscal Note: *Requested on February 2, 2001.*

Effective Date: *The bill takes effect on August 1, 2001.*