

# HOUSE BILL REPORT

## HB 1802

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**As Reported by House Committee On:**  
Public Safety

**Title:** An act relating to responsibility for compensation paid to peace officers while enrolled in basic law enforcement training.

**Brief Description:** Addressing compensation paid to peace officers while enrolled in basic law enforcement training.

**Sponsors:** Representatives Orcutt, Clibborn and Hargrove.

**Brief History:**

**Committee Activity:**

Public Safety: 2/19/13, 2/21/13 [DPS].

**Brief Summary of Substitute Bill**

- Requires a law enforcement agency to reimburse a peace officer's training agency for specific costs, if that law enforcement agency hires the respective peace officer within five years of the peace officer's completion of the law enforcement academy.

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### HOUSE COMMITTEE ON PUBLIC SAFETY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Goodman, Chair; Roberts, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton, Holy, Hope, Moscoso, Pettigrew, Ross and Takko.

**Minority Report:** Do not pass. Signed by 1 member: Representative Klippert, Ranking Minority Member.

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

**Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Criminal Justice Training Commission (CJTC) provides basic law enforcement training and educational programs for law enforcement, corrections, and other public safety professionals in Washington.

Basic law enforcement officer training is generally required of all law enforcement officers, with the exception of volunteers and reserve officers employed in Washington. The training consists of a 720-hour program covering a wide variety of subjects including: criminal law and procedures, traffic enforcement, cultural awareness, communication and writing skills, emergency vehicle operations, firearms, crisis intervention, patrol procedures, and criminal investigation and defensive tactics. All law enforcement personnel hired, transferred, or promoted are required to complete the core training requirements within six months, unless the employee receives a waiver from the CJTC.

The CJTC generally provides all the necessary training, facilities, supplies, materials, and room and board (for noncommuting attendees) at no cost to the Basic Law Enforcement Academy (BLEA) attendees or the attendee's employer. However, during the 2011-13 biennium only, local law enforcement agencies that employ a new law enforcement officer during that time period must reimburse the CJTC for 25 percent of the training costs.

The salary and benefits provided to the BLEA attendees are paid by each officer's respective employer (law enforcement agency).

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### **Summary of Substitute Bill:**

A law enforcement agency must reimburse a peace officer's training agency for any salary, training, and benefits received by the peace officer while he or she was enrolled in basic law enforcement training, if the law enforcement agency hires the respective peace officer within five years of the peace officer's completion of basic law enforcement training.

The hiring general authority law enforcement agency must reimburse the training agency within 90 days of the peace officer's first day of employment. The reimbursement owed to the training agency must be based on the following reimbursement amounts:

- 100 percent – if the peace officer was hired by the law enforcement agency within one year or less of the peace officer's completion of the basic law enforcement training;
- 80 percent – if the peace officer was hired by the law enforcement agency after one year but no more than two years of the peace officer's completion of the basic law enforcement training;
- 60 percent – if the peace officer was hired by the law enforcement agency after two years but no more than three years of the peace officer's completion of the basic law enforcement training;
- 40 percent – if the peace officer was hired by the law enforcement agency after three years but no more than four years of the peace officer's completion of the basic law enforcement training;
- 20 percent – if the peace officer was hired by the law enforcement agency after four years but no more than five years of the peace officer's completion of the basic law enforcement training; and

- no reimbursement is required if the peace officer was hired by the law enforcement agency five years or more after the peace officer's completion of training at the BLEA.

A "training agency" is a law enforcement agency that: (1) pays salary and any benefits to a peace officer while he or she is enrolled in basic law enforcement training; (2) pays any percentage of training for a peace officer including any necessary facilities, supplies, materials, and room and board of noncommuting attendees; (3) has 10 or less full-time commissioned peace officers; or (4) pays a salary of \$150 or less per month than the hiring law enforcement agency that has employed the respective peace officer. A training agency does not include the CJTC.

### **Substitute Bill Compared to Original Bill:**

Two technical amendments are made to clarify the bill: (1) the CJTC is excluded from the definition of a training agency; and (2) a law enforcement agency, must be designated as a "general law enforcement agency" in order to be required to reimburse a peace officer's training agency for specific costs.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

### **Staff Summary of Public Testimony:**

(In support) A number of small cities and the Washington State Patrol (WSP) have expressed concern about some of their officers being hired directly from the BLEA. Across the state, there is a disparity in pay for officers in county government versus what the WSP pays. There are 280 cities, 39 counties, and approximately 70 towns. When looking at the disparities in wages between the different entities, one will notice that the WSP ranks 118th on the list. The difference between the WSP starting pay and the starting pay of an entity at the top of the list is about \$1,800 per month. Some of the larger cities and those entities that are paying more have that wage differential to attract people to move to their jurisdiction. The problem is that local governments and the WSP have gone to the expense of paying for these officers' wages and training but now they do not get any benefit out of that officer because they have been hired away.

This bill tries to discourage that practice from occurring by saying if you hire an officer away during the first couple of years then you have to reimburse that other agency for any training or salary costs that they may have paid out. This gives smaller cities and those agencies that pay lower salaries the opportunity to retain employees and not be in perpetual training because they cannot retain their officers.

**Persons Testifying:** Representative Orcutt, prime sponsor.

**Persons Signed In To Testify But Not Testifying:** None.