

HOUSE BILL REPORT

HB 2705

As Reported by House Committee On:
Public Safety

Title: An act relating to reserve peace officers.

Brief Description: Concerning reserve peace officers.

Sponsors: Representatives Moscoso, Ryu and Goodman.

Brief History:

Committee Activity:

Public Safety: 2/4/14, 2/5/14 [DPS].

Brief Summary of Substitute Bill

- Requires the Criminal Justice Training Commission (CJTC) to collect data relating to all reserve officers who are employed, volunteering, or otherwise representing local law enforcement agencies.
- Requires local law enforcement agencies to provide the CJTC with a list of all reserve officers that are working, volunteering, or representing the agency as well as those that have left, resigned, or transferred to another law enforcement agency.
- Prohibits any reserve peace officer who is not on record as maintained by the CJTC from working, volunteering, or otherwise representing a law enforcement agency.

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; Klippert, Ranking Minority Member; Appleton, Holy, Hope, Moscoso, Pettigrew, Ross and Takko.

Staff: Yvonne Walker (786-7841).

Background:

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.

A reserve peace officer is an individual who is an officer of a Washington law enforcement agency who does not serve such agency on a full-time basis but who, when called by the agency into active service, is fully commissioned on the same basis as full-time peace officers to enforce the criminal laws of the state.

Prior to enforcing any criminal laws of the state, a reserve officer must successfully complete a Criminal Justice Training Commission (CJTC) approved Basic Reserve Officer Academy that consists of a minimum of 230 hours of training. Reserve officer academies are operated by local agencies and are not funded by the CJTC or the State of Washington. However, the CJTC is responsible for overseeing the programs and provides the curriculum for each academy. A reserve officer is not required to be certified by the CJTC. A certified peace officer who has had his or her certification revoked by the CJTC may still be a reserve officer if a local law enforcement agency chooses to hire the person.

A local law enforcement agency is not required by statute to inform the CJTC of the status of any reserve officer or when a reserve officer is employed or volunteers for such local law enforcement agency or when an officer leaves, resigns, or transfers to another law enforcement agency.

Summary of Substitute Bill:

The CJTC, if funded to do so, must develop criteria for collecting the data related to the number of reserve officers who are employed, volunteering, or otherwise representing local law enforcement agencies each year. The information at a minimum must include a complete list that shows: (1) all reserve peace officers employed, volunteering, or otherwise representing the agency as of June 30, 2014; (2) whether each officer is or has ever been certified as a peace officer; (3) all new reserve officers that have been hired or started volunteering or otherwise representing the agency within the previous six months; and (4) a list of separation of reserve officers that have left the agency within the previous six months.

Beginning July 1, 2014, each local law enforcement agency must:

- immediately notify the CJTC, on a CJTC-approved form, of each instance where a reserve peace officer begins employment, volunteering, or otherwise representing the law enforcement agency;
- notify the CJTC of the termination or resignation of a reserve officer within 15 days of such termination (on a personnel action form provided by the CJTC); and
- report all reserve officers to the CJTC, as a condition of those officers continuing employment, volunteering, or otherwise representing the law enforcement agency.

A reserve peace officer who is not on record as maintained by the CJTC by July 1, 2014, is prohibited from working, volunteering, or otherwise representing a law enforcement agency.

Beginning on December 31, 2014, and annually thereafter, the CJTC, if funded, must collect and report to the Legislature on the number of reserve peace officers who are employed at each local law enforcement agency in Washington.

Substitute Bill Compared to Original Bill:

A provision is added that requires that the Criminal Justice Training Commission must develop criteria for, collect, and report on the number of reserve officers employed, volunteering, or otherwise representing local law enforcement agencies but only if they are funded to do so.

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) This bill is a managing and auditing tool. The state, the CJTC, and law enforcement agencies need to know the number, status, and training of officers protecting the public's safety. The cost of training cannot be fully ascertained without such information. The creation of this database and a review on an annual basis will give the state information important to providing sufficient training for all law enforcement agencies throughout the state.

Reserve officers are very beneficial to the state, but there is no way of figuring out how many reserve officers the state has or where they are located. Law enforcement officers are already reporting on their commissioned full-time officers so they should be able to use the same mechanism to report on their reserve officers. This bill will create some additional workload for the CJTC and an amendment should be made to the bill to only require the CJTC to implement the statutory provisions if sufficiently funded to do so.

(Opposed) None.

Persons Testifying: Representative Moscoso, prime sponsor; and Don Pierce, Washington Sheriffs and Police Chiefs and Criminal Justice Training Commission.

Persons Signed In To Testify But Not Testifying: None.