
SECOND SUBSTITUTE HOUSE BILL 2323

State of Washington

54th Legislature

1996 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Sterk, Chappell, Thompson, Dellwo, Buck, Hymes, Talcott, Cooke and McMahan)

Read first time 02/05/96.

1 AN ACT Relating to law enforcement training; amending RCW
2 43.101.010 and 43.101.080; adding new sections to chapter 43.101 RCW;
3 adding new sections to chapter 28B.80 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.101.010 and 1981 c 132 s 2 are each amended to read
6 as follows:

7 When used in this chapter:

8 (1) The term "commission" means the Washington state criminal
9 justice training commission.

10 (2) The term "boards" means the education and training standards
11 boards, the establishment of which are authorized by this chapter.

12 (3) The term "criminal justice personnel" means any person who
13 serves in a county, city, state, or port commission agency engaged in
14 crime prevention, crime reduction, or enforcement of the criminal law.

15 (4) The term "law enforcement personnel" means any public employee
16 or volunteer having as a primary function the enforcement of criminal
17 laws in general or any employee or volunteer of, or any individual
18 commissioned by, any municipal, county, state, or combination thereof,
19 agency having as its primary function the enforcement of criminal laws

1 in general as distinguished from an agency possessing peace officer
2 powers, the primary function of which is the implementation of
3 specialized subject matter areas. For the purposes of this subsection
4 "primary function" means that function to which the greater allocation
5 of resources is made.

6 (5) The term "correctional personnel" means any employee or
7 volunteer who by state, county, municipal, or combination thereof,
8 statute has the responsibility for the confinement, care, management,
9 training, treatment, education, supervision, or counseling of those
10 individuals whose civil rights have been limited in some way by legal
11 sanction.

12 (6) The term "law enforcement trainee" means any person who is in
13 his or her junior or senior year and who is progressing toward a
14 baccalaureate degree in criminal justice, or other related field, who
15 is also enrolled in the pilot program in accordance with section 3 of
16 this act.

17 **Sec. 2.** RCW 43.101.080 and 1982 c 124 s 1 are each amended to read
18 as follows:

19 The commission shall have all of the following powers:

20 (1) To meet at such times and places as it may deem proper;

21 (2) To adopt any rules and regulations as it may deem necessary;

22 (3) To contract for services as it deems necessary in order to
23 carry out its duties and responsibilities;

24 (4) To cooperate with and secure the cooperation of any department,
25 agency, or instrumentality in state, county, and city government, and
26 other commissions affected by or concerned with the business of the
27 commission;

28 (5) To do any and all things necessary or convenient to enable it
29 fully and adequately to perform its duties and to exercise the power
30 granted to it;

31 (6) To select and employ an executive director, and to empower him
32 to perform such duties and responsibilities as it may deem necessary;

33 (7) To assume legal, fiscal, and program responsibility for all
34 training conducted by the commission;

35 (8) To establish, by rule and regulation, standards for the
36 training of criminal justice personnel where such standards are not
37 prescribed by statute;

1 (9) To establish and operate, or to contract with other qualified
2 institutions or organizations for the operation of, training and
3 education programs for criminal justice personnel and to lease, subject
4 to the approval of the department of general administration, a training
5 facility or facilities necessary to the conducting of such programs:
6 PROVIDED, That the commission shall not have the power to invest any
7 moneys received by it from any source for the purchase of a training
8 facility without prior approval of the legislature;

9 (10) To establish, by rule and regulation, minimum curriculum
10 standards for all training programs conducted for employed criminal
11 justice personnel;

12 (11) To review and approve or reject standards for instructors of
13 training programs for criminal justice personnel, and to employ
14 personnel on a temporary basis as instructors without any loss of
15 employee benefits to those instructors;

16 (12) To direct the development of alternative, innovate, and
17 interdisciplinary training techniques;

18 (13) To review and approve or reject training programs conducted
19 for criminal justice personnel and rules establishing and prescribing
20 minimum training and education standards recommended by the training
21 standards and education boards;

22 (14) To allocate financial resources among training and education
23 programs conducted by the commission;

24 (15) To allocate training facility space among training and
25 education programs conducted by the commission;

26 (16) To issue diplomas certifying satisfactory completion of any
27 training or education program conducted or approved by the commission
28 to any person so completing such a program;

29 (17) To provide for the employment of such personnel as may be
30 practical to serve as temporary replacements for any person engaged in
31 a basic training program as defined by the commission;

32 (18) To establish rules and regulations recommended by the training
33 standards and education boards prescribing minimum standards relating
34 to physical, mental and moral fitness which shall govern the
35 recruitment of criminal justice personnel where such standards are not
36 prescribed by statute or constitutional provision;

37 (19) To establish and operate, or to contract with other qualified
38 institutions or organizations for the operation of, training and

1 education programs for law enforcement trainees under section 3 of this
2 act.

3 All rules and regulations adopted by the commission shall be
4 adopted and administered pursuant to the administrative procedure act,
5 chapter 34.05 RCW, and the open public meetings act, chapter 42.30 RCW.

6 NEW SECTION. Sec. 3. A new section is added to chapter 43.101 RCW
7 to read as follows:

8 (1) The future law enforcement officers training program is
9 created. The commission shall select law enforcement trainees from
10 applicants who are in their junior or senior year and enrolled in a
11 college or university criminal justice degree program, or other related
12 program of study.

13 (2) The program shall provide basic law enforcement training, which
14 complies with standards adopted by the commission under RCW 43.101.080,
15 to law enforcement trainees. The commission shall provide the training
16 together with necessary facilities, supplies, materials, and board and
17 room of noncommuting attendees for seven days per week.

18 (3) The commission shall charge law enforcement trainees the full
19 cost of their basic law enforcement training, including supplies,
20 materials, and board and room.

21 (4) In 1996 up to thirty full-time equivalent trainees must be
22 accepted into the program. Up to an additional thirty full-time
23 equivalent trainees must be accepted in 1997. Thereafter, the program
24 must continue at a level determined by the commission.

25 NEW SECTION. Sec. 4. A new section is added to chapter 43.101 RCW
26 to read as follows:

27 (1) The Washington association of sheriffs and police chiefs shall
28 assemble a study group to evaluate and make recommendations to the
29 legislature regarding the commission mission, duties, and
30 administration. The commissioners of the commission shall review the
31 study group recommendations for acceptance or modification. The study
32 group shall deliver its recommendations to the legislature by January
33 1, 1997.

34 (2) The study group shall:

35 (a) Review and evaluate the desirability and feasibility of
36 providing basic law enforcement training to preemployed law enforcement
37 officer applicants on a tuition or fee basis;

1 (b) Review and evaluate the adequacy of the commission's four-
2 hundred-forty-hour basic law enforcement academy training program,
3 including general curriculum requirements;

4 (c) Review and evaluate the status of supervisory, management, and
5 advanced training for incumbent law enforcement officers, and the
6 desirability and feasibility of providing the officers with advanced
7 training;

8 (d) Review the desirability and feasibility of certification or
9 licensing of law enforcement officers;

10 (e) Review and evaluate the adequacy of the capital and operating
11 investments made in law enforcement training, make recommendations
12 regarding improvements, and provide documentation of the cost of
13 implementing the improvements;

14 (f) Review and make recommendations regarding funding sources to
15 adequately support all recommendations; and

16 (g) Investigate other issues related to law enforcement training,
17 as desired by the study group.

18 (3) The Washington association of sheriffs and police chiefs shall
19 assemble the study group from names provided from the following
20 entities or groups: One sheriff; three police chiefs; four
21 representatives from the Washington state council of police officers;
22 two representatives employed by the Washington state patrol, one of
23 which is a regular officer of the patrol and one of which is a
24 representative of the Washington state patrol trooper's association;
25 two representatives employed by the criminal justice training
26 commission; one police psychologist; one representative from the
27 association of Washington cities; one representative from the
28 Washington association of county officials; one representative from the
29 Washington state association of counties; one representative from a
30 public university; one representative from a public community college;
31 and one legislator from each caucus of the senate and the house of
32 representatives, as appointed by the leaders of the caucuses.

33 (4) The Washington association of sheriffs and police chiefs shall
34 organize and administer the study group meetings and provide the
35 necessary staff resources to meet the requests of the study group
36 members.

37 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.80 RCW
38 to read as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout this section and sections 6 through 9 of
3 this act.

4 (1) "Conditional scholarship" means a loan that is forgiven in
5 whole or in part if the recipient renders service as a full-time
6 commissioned law enforcement officer in a local jurisdiction of this
7 state.

8 (2) "Eligible student" means a student in his or her junior or
9 senior year who is accepted to the future law enforcement officers
10 training program, and registered for criminal justice training through
11 the program, and is a resident student as defined in RCW 28B.15.012 and
12 28B.15.013. However, a resident student as defined in RCW
13 28B.15.012(2)(e) is not an eligible student under this chapter.

14 (3) "Forgiven," "to forgive," or "forgiveness" means to render loan
15 debt null and void due to fulfillment of service requirements.

16 (4) "Participant" means an eligible student who has received a
17 conditional scholarship under this chapter.

18 (5) "Satisfied" means paid in full.

19 (6) "Targeted ethnic minority" means a group of Americans with a
20 common ethnic or racial heritage selected by the board for program
21 consideration due to societal concerns such as high dropout rates or
22 low rates of college participation by members of the group.

23 NEW SECTION. **Sec. 6.** A new section is added to chapter 28B.80 RCW
24 to read as follows:

25 The future law enforcement officers conditional scholarship program
26 is established. The board shall administer the program. In
27 administering the program, the board shall:

28 (1) Adopt necessary rules and guidelines;

29 (2) Select students to receive conditional scholarships, with the
30 assistance of a screening committee composed of law enforcement
31 representatives and leaders in government, business, and education;

32 (3) Collect and manage repayments from students who do not meet
33 their law enforcement obligations under this chapter; and

34 (4) Solicit and accept grants and donations from public and private
35 sources for the program.

36 NEW SECTION. **Sec. 7.** A new section is added to chapter 28B.80 RCW
37 to read as follows:

1 The board shall establish a planning committee to develop criteria
2 for the screening and selection of recipients of the conditional
3 scholarships. These criteria must emphasize factors demonstrating
4 excellence including but not limited to superior scholastic
5 achievement, leadership ability, community contributions, and an
6 ability to act as a role model for targeted ethnic minority students.

7 NEW SECTION. **Sec. 8.** A new section is added to chapter 28B.80 RCW
8 to read as follows:

9 The board may award conditional scholarships to eligible students
10 from the funds appropriated to the board for this purpose, or from any
11 private donations, or other funds given or repaid to the board for the
12 program established in section 6 of this act. The amount of the
13 conditional scholarship awarded an individual may not exceed the full
14 cost of the basic training criminal justice training session.

15 NEW SECTION. **Sec. 9.** A new section is added to chapter 28B.80 RCW
16 to read as follows:

17 (1) A participant in the conditional scholarship program incurs an
18 obligation to repay the conditional scholarship, with interest, unless
19 the participant serves as a full-time commissioned law enforcement
20 officer for four years in a local jurisdiction of the state of
21 Washington, under rules adopted by the board.

22 (2) The board shall determine the interest rate. The rate must be
23 comparable to other types of student loans.

24 (3) The period for repayment must be four years, with payments of
25 principal and interest accruing quarterly commencing six months from
26 the date the participant completes or discontinues the course of study.
27 The board shall determine provisions for deferral of payment.

28 (4) The entire principal and interest of each payment must be
29 forgiven for each payment period in which the participant is employed
30 as a full-time commissioned law enforcement officer until the entire
31 repayment obligation is satisfied or the borrower ceases to serve as a
32 full-time commissioned law enforcement officer in any jurisdiction in
33 this state. Should the participant cease the service in this state
34 before the participant's repayment obligation is completed, payments on
35 the unsatisfied portion of the principal and interest must begin the
36 next payment period and continue until the remainder of the
37 participant's repayment obligation is satisfied.

1 (5) The board is responsible for collection of repayments made
2 under this section and shall exercise due diligence in the collection,
3 maintaining all necessary records to insure that maximum repayments are
4 made. Collection and servicing of repayments under this section must
5 be pursued using the full extent of the law, including wage garnishment
6 if necessary. The board is responsible to forgive all or parts of the
7 repayments under the criteria established in this section and shall
8 maintain all necessary records of forgiven payments.

9 (6) The board shall determine appropriate criteria for the
10 deferment of repayment obligations.

11 (7) Receipts from the payment of principal or interest or any other
12 subsidies to which the board as administrator is entitled, that are
13 paid by or on behalf of participants under this section, must be
14 deposited with the board and must be used to cover the costs of
15 granting the conditional scholarships, maintaining necessary records,
16 and making collections under subsection (5) of this section. The board
17 shall maintain accurate records of these costs, and all receipts beyond
18 those necessary to pay the costs must be used to grant conditional
19 scholarships to eligible students.

20 (8) The board shall temporarily or, in special circumstances,
21 permanently defer the requirements of this section for eligible
22 students as defined in RCW 28B.10.017.

23 NEW SECTION. **Sec. 10.** If specific funding for the purposes of
24 this act, referencing this act by bill or chapter number, is not
25 provided by June 30, 1996, in the supplemental omnibus appropriations
26 act, this act is null and void.

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