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SENATE BILL 6402

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State of Washington

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By Senators Haugen, Smith, Fairley, Long, Schow, Sellar, Deccio, Winsley, Roach, McAuliffe and Strannigan

Read first time 01/15/96. Referred to Committee on Law & Justice.

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 progressing  
13 toward a baccalaureate degree in criminal justice, or other related  
14 field, who is also enrolled in the pilot program in accordance with  
15 section 3 of this act.

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

18 The commission shall have all of the following powers:

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

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

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

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

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

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

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

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

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

1 education programs for criminal justice personnel and to lease, subject  
2 to the approval of the department of general administration, a training  
3 facility or facilities necessary to the conducting of such programs:  
4 PROVIDED, That the commission shall not have the power to invest any  
5 moneys received by it from any source for the purchase of a training  
6 facility without prior approval of the legislature;

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

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

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

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

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

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

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

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

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

35 (19) To establish and operate, or to contract with other qualified  
36 institutions or organizations for the operation of, training and  
37 education programs for law enforcement trainees under section 3 of this  
38 act.

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

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101 RCW  
5 to read as follows:

6 (1) The future law enforcement officers training program is  
7 created. The commission shall select law enforcement trainees from  
8 applicants who are enrolled in a college or university criminal justice  
9 degree program, or other related program of study.

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

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

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

22 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.101 RCW  
23 to read as follows:

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

31 (2) The study group shall:

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

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

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

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

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

11 (f) Review and make recommendations regarding funding sources to  
12 adequately support all recommendations; and

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

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

27 (4) The Washington association of sheriffs and police chiefs shall  
28 organize and administer the study group meetings and provide the  
29 necessary staff resources to meet the requests of the study group  
30 members.

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

33 Unless the context clearly requires otherwise, the definitions in  
34 this section apply throughout this section and sections 6 through 9 of  
35 this act.

36 (1) "Conditional scholarship" means a loan that is forgiven in  
37 whole or in part if the recipient renders service as a full-time

1 commissioned law enforcement officer in a local jurisdiction of this  
2 state.

3 (2) "Eligible student" means a student who is accepted to the  
4 future law enforcement officers training program, and registered for  
5 criminal justice training through the program, and is a resident  
6 student as defined in RCW 28B.15.012 and 28B.15.013. However, a  
7 resident student as defined in RCW 28B.15.012(2)(e) is not an eligible  
8 student under this chapter.

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

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

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

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

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

20 The future law enforcement officers conditional scholarship program  
21 is established. The board shall administer the program. In  
22 administering the program, the board shall:

23 (1) Adopt necessary rules and guidelines;

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

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

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

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

33 The board shall establish a planning committee to develop criteria  
34 for the screening and selection of recipients of the conditional  
35 scholarships. These criteria must emphasize factors demonstrating  
36 excellence including but not limited to superior scholastic

1 achievement, leadership ability, community contributions, and an  
2 ability to act as a role model for targeted ethnic minority students.

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

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

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

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

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

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

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

34 (5) The board is responsible for collection of repayments made  
35 under this section and shall exercise due diligence in the collection,  
36 maintaining all necessary records to insure that maximum repayments are  
37 made. Collection and servicing of repayments under this section must

1 be pursued using the full extent of the law, including wage garnishment  
2 if necessary, and must be performed by entities approved for the  
3 servicing by the Washington student loan guaranty association or its  
4 successor agency. The board is responsible to forgive all or parts of  
5 the repayments under the criteria established in this section and shall  
6 maintain all necessary records of forgiven payments.

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

16 (7) The board shall temporarily or, in special circumstances,  
17 permanently defer the requirements of this section for eligible  
18 students as defined in RCW 28B.10.017.

19 NEW SECTION. **Sec. 10.** If specific funding for section 4 of this  
20 act, referencing section 4 of this act by bill and section number or  
21 chapter and section number, is not provided by June 30, 1996, in the  
22 omnibus appropriations act, section 4 of this act is null and void.

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