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1997 Regular Session

By Representatives Sterk, Costa, Ballasiotes, Delvin, O'Brien, K. Schmidt, Cooke and Conway; by request of Criminal Justice Training Commission

Read first time 02/18/97. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to criminal justice training; reenacting and
2 amending RCW 43.101.200; and adding new sections to chapter 43.101 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.101 RCW
5 to read as follows:

6 (1) The commission shall charge revenue recovery fees to all law
7 enforcement personnel who are subject to the mandatory basic law
8 enforcement training requirement of RCW 43.101.200 and who begin
9 training on or after July 1, 1998, in an amount equal to all or a
10 portion of the commission's pro rata cost of providing basic law
11 enforcement training at the time and place provided.

12 (2) The commission may charge revenue recovery fees to all law
13 enforcement personnel for training other than that addressed in
14 subsection (1) of this section in an amount equal to all or a portion
15 of the commission's pro rata cost of providing the training at the time
16 and place provided.

17 (3) Revenue recovery fees authorized under subsections (1) and (2)
18 of this section may be charged only as prescribed by rule adopted by
19 the commission under chapter 34.05 RCW. In any such rule, the

1 commission shall, in its sole discretion, establish the percentage of
2 the pro rata cost to be charged, up to and including the full pro rata
3 cost.

4 (4) The commission shall establish standards for waiver of all or
5 a portion of the pro rata training fees assessed in this section. The
6 standards for waiver must be based on a showing of low income or other
7 showing of need by an individual officer.

8 (5) Payment in full of all fees assessed by the commission under
9 this section is a prerequisite to the commission's approval or
10 certification of successful completion of the training for which the
11 fees have been assessed.

12 (6) All fee payments received by the commission are deemed to be
13 revenue recoveries by the commission.

14 (7) All recoveries of revenue under this section must be deposited
15 in the public safety and education account created under RCW 43.08.250
16 and are subject to appropriation under that section.

17 **Sec. 2.** RCW 43.101.200 and 1993 sp.s. c 24 s 920 and 1993 sp.s. c
18 21 s 5 are each reenacted and amended to read as follows:

19 (1) All law enforcement personnel, except volunteers, and reserve
20 officers whether paid or unpaid, initially employed on or after January
21 1, 1978, shall engage in basic law enforcement training which complies
22 with standards adopted by the commission pursuant to RCW 43.101.080.
23 For personnel initially employed before January 1, 1990, such training
24 shall be successfully completed during the first fifteen months of
25 employment of such personnel unless otherwise extended or waived by the
26 commission and shall be requisite to the continuation of such
27 employment. Personnel initially employed on or after January 1, 1990,
28 shall commence basic training during the first six months of employment
29 unless the basic training requirement is otherwise waived or extended
30 by the commission. Successful completion of basic training is
31 requisite to the continuation of employment of such personnel initially
32 employed on or after January 1, 1990.

33 (2) Except as otherwise provided in this chapter, the commission
34 shall provide the aforementioned training together with necessary
35 facilities, supplies, materials, and the board and room of noncommuting
36 attendees for seven days per week. Additionally, to the extent funds
37 are provided for this purpose, the commission shall reimburse to
38 participating law enforcement agencies with ten or less full-time

1 commissioned patrol officers the cost of temporary replacement of each
2 officer who is enrolled in basic law enforcement training: PROVIDED,
3 That such reimbursement shall include only the actual cost of temporary
4 replacement not to exceed the total amount of salary and benefits
5 received by the replaced officer during his or her training period.

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

8 (1) Two separate training standards and education boards are
9 created and established, to be known and designated as (a) the board on
10 law enforcement training standards and education and (b) the board on
11 correctional training standards and education.

12 (2) The purpose of the board on law enforcement training standards
13 and education is to review and recommend to the commission programs and
14 standards for the training and education of law enforcement personnel.

15 (3) The purpose of the board on correctional training standards and
16 education is to review and recommend to the commission programs and
17 standards for the training and education of correctional personnel.

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

20 (1) The board on law enforcement training standards and education
21 consists of thirteen members, recommended by the commission and
22 appointed by the governor. Members must be selected as follows: Three
23 must represent county law enforcement agencies, at least two of whom
24 must be incumbent sheriffs; three must represent city police agencies,
25 at least two of whom must be incumbent police chiefs; one must
26 represent community colleges; one must represent the four-year colleges
27 and universities; four must represent the council of police officers,
28 two of whom must be training officers; and one must represent tribal
29 law enforcement in Washington.

30 (2) The board on correctional training standards and education
31 consists of fourteen members, recommended by the commission and
32 appointed by the governor. Members must be selected as follows: Three
33 must be employed in the state correctional system; three must be
34 employed in county correctional systems; two must be employed in
35 juvenile corrections or probation, one at the local level and the other
36 at the state level; two must be employed in community corrections; one
37 must represent community colleges; one must represent four-year

1 colleges and universities; and two must be additional persons with
2 experience and interest in correctional training standards and
3 education.

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

6 All members of each of the training standards and education boards
7 must be appointed for terms of six years, commencing on July 1st, and
8 expiring on June 30th. However, of the members first appointed three
9 will serve for terms of two years, four will serve for terms of four
10 years, and four will serve for terms of six years. A member chosen to
11 fill a vacancy that has been created other than by expiration of a term
12 must be appointed for the unexpired term of the member to be succeeded.
13 A member may be reappointed for additional terms.

14 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.101 RCW
15 to read as follows:

16 A member of either board appointed under section 4 of this act as
17 an incumbent official or because of employment status, ceases to be a
18 member of the board immediately upon the termination of the holding of
19 the qualifying office or employment.

20 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.101 RCW
21 to read as follows:

22 Each training standards and education board shall elect a chair and
23 vice-chair from among its members. A simple majority of the members of
24 a training standards and education board constitutes a quorum. The
25 commission shall summon each of the training standards and education
26 boards to its first meeting.

27 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.101 RCW
28 to read as follows:

29 Members of the training standards and education boards may be paid
30 their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

31 NEW SECTION. **Sec. 9.** A new section is added to chapter 43.101 RCW
32 to read as follows:

33 The training standards and education boards have the following
34 powers:

- 1 (1) To meet at such times and places as they may deem proper;
- 2 (2) To adopt bylaws for the conduct of their business as deemed
3 necessary by each board;
- 4 (3) To cooperate with and secure the cooperation of any department,
5 agency, or instrumentality in state, county, or city government, and
6 commissions affected by or concerned with the business of the
7 commission;
- 8 (4) To do any and all things necessary or convenient to enable them
9 fully and adequately to perform their duties and to exercise the powers
10 granted to them;
- 11 (5) To advise the commission of the training and education needs of
12 criminal justice personnel within their specific purview;
- 13 (6) To recommend to the commission standards for the training and
14 education of criminal justice personnel within their specific purview;
- 15 (7) To recommend to the commission minimum curriculum standards for
16 all training and education programs conducted for criminal justice
17 personnel within their specific purview;
- 18 (8) To recommend to the commission standards for instructors of
19 training and education programs for criminal justice personnel within
20 their specific purview;
- 21 (9) To recommend to the commission alternative, innovative, and
22 interdisciplinary training and education techniques for criminal
23 justice personnel within their specific purview;
- 24 (10) To review and recommend to the commission the approval of
25 training and education programs for criminal justice personnel within
26 their specific purview;
- 27 (11) To monitor and evaluate training and education programs for
28 criminal justice personnel with their specific purview.

29 Each training standards and education board shall report to the
30 commission at the end of each fiscal year on the effectiveness of
31 training and education programs for criminal justice personnel within
32 its specific purview.

33 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.101
34 RCW to read as follows:

35 For the purpose of raising the level of competence of criminal
36 justice personnel, the commission shall review the recommendations of
37 training standards and education boards made under section 9 of this
38 act.

1 NEW SECTION. **Sec. 11.** A new section is added to chapter 43.101
2 RCW to read as follows:

3 (1) All law enforcement personnel initially hired to, transferred
4 to, or promoted to a supervisory or management position on or after
5 July 1, 1998, shall, within the first six months of entry into the
6 position, successfully complete the core training requirements
7 prescribed by rule of the commission for the position, or obtain a
8 waiver or extension of the core training requirements from the
9 commission.

10 (2) Within one year after completion of the core training
11 requirements of this section, all law enforcement personnel shall
12 successfully complete all remaining requirements for career level
13 certification prescribed by rule of the commission applicable to their
14 position or rank, or obtain a waiver or extension of the career level
15 training requirements from the commission.

16 (3) The commission shall provide the training required in this
17 section, together with facilities, supplies, materials, and the room
18 and board for noncommuting attendees.

19 (4) Nothing in this section affects or impairs the employment
20 status of an employee whose employer does not provide the opportunity
21 to engage in the required training.

22 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.101
23 RCW to read as follows:

24 By January 1st of every odd-numbered year, the commission shall
25 provide a written report to the legislature addressing the following
26 items: (1) Status and satisfaction of service to its clients; (2)
27 detailed analysis of how it will maintain and update adequate
28 state-of-the-art training models and their delivery in the most
29 cost-effective and efficient manner; and (3) fiscal data projecting its
30 current and future funding requirements.

31 NEW SECTION. **Sec. 13.** If any provision of this act or its
32 application to any person or circumstance is held invalid, the
33 remainder of the act or the application of the provision to other
34 persons or circumstances is not affected.

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