

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

Wn State Criminal Justice Training Commission

(name of governing body)

(agency name, if applicable)

Resolution No. _____

Administrative Order No. 4D

(1) Be it resolved by the Wn State Criminal Justice Training Commission acting at Seattle, Washington (place)

that it does adopt the annexed rules relating to:

NEW SECTION WAC 139-20-020 BASIC LAW ENFORCEMENT EQUIVALENCY CERTIFICATION

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. _____ filed with the code reviser on _____. These rules shall take effect: [] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [] at a later date, such date being _____.

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, Wn State Criminal Justice Training Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is: Please see reverse side.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

- [] (a) This rule is promulgated pursuant to RCW _____ and is intended to administratively implement that statute.
[] (b) This rule is promulgated pursuant to RCW _____ which directs that the

_____ (agency) has authority to implement the provisions of _____ (name of act or RCW citation)

[X] (c) This rule is promulgated under the general rule-making authority of the Wn State Criminal Justice Training Commission (agency) as authorized in RCW 43.101.080

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this governing body, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED January 20, 1983

STATE OF WASHINGTON FILED JAN 25 1983 CODE REVISER'S OFFICE WSR 83-04-013

By James C. Scott Executive Director Title

(2) Alternative B.

Adoption of this regulation, which necessarily requires concurrent repealer of WAC 139-20-010, was necessarily adopted on an emergency basis because there are policies and procedures which implement it and are already in place. This was done in consideration and full anticipation of a meeting of the Training Commission in December, which ultimately was cancelled due to lack of a quorum. Emergency adoption was required in order to bring both regulation and its policies and procedures into timely and operational accord.

NEW SECTION

WAC 139-20-020 BASIC LAW ENFORCEMENT EQUIVALENCY CERTIFICATION.

(1) A certificate of equivalent basic law enforcement training shall be issued only to applicants who successfully complete the equivalency process as required by the Washington State Criminal Justice Training Commission, and shall be recognized in the same manner as the certificate of completion of the Training Commission's basic law enforcement academy.

(2) Eligibility for participation in the basic equivalency process shall be limited to regular, full-time, commissioned officers of general law enforcement agencies within this state, and who have obtained basic certification through successful completion of a basic training program in this or another state. For this purpose, the term "basic training program" shall not include any military or reserve training program, or federal program not otherwise approved by the Board on Law Enforcement Training Standards and Education.

(3) The decision to request an officer's participation within the equivalency process shall be discretionary with the sheriff or chief of the employing agency. Such request shall be made to the Training Commission on approved form which shall be signed by the sheriff or chief of the requesting agency, or in the instance of a one-member department, the appointing authority.

(4) Upon approval of such request, the applicant shall submit to the Training Commission the following documentation as a precondition of participation within the equivalency process:

- (a) copy of his/her Washington State driver's license,
- (b) copy of his/her current and valid basic first aid card,
- (c) statement of his/her health and physical condition by an examining physician, on approved form, and
- (d) documentation of firearms proficiency, on approved form.

(5) Following receipt and acceptance of the above by the Training Commission, the applicant will participate in the equivalency process which shall include written examinations, practical exercises, and basic driver's training if such training has not been successfully completed previously by the applicant. The administration of such examinations, exercises, and training shall be determined by the Training Commission in accordance with applicable policies and procedures approved by the Board on Law Enforcement Training Standards and Education.

(6) Upon completion of the above examination process and review and evaluation of an applicant's performances therein, the Training Commission shall:

- (a) issue a certificate of equivalent basic training;
- (b) issue a certificate of equivalent basic training upon applicant's successful completion of additional training as the Training Commission may require; or
- (c) require completion of the basic law enforcement academy program.

(7) Any waiver of, or variance in, any above requirement for equivalency participation and/or certification may be granted by the Board on Law Enforcement Training Standards and Education if it determines that sufficient justification exists for such action. Additionally, any action or determination by commission staff regarding a requestor or applicant for equivalency certification shall, upon written request of the involved individual or agency, be made appealable to that board.