

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. 14B

Administrative Order No. _____

(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:

AMEND: WAC 139-14-010 REQUIREMENT OF BASIC LAW ENFORCEMENT TRAINING

(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 34.04.026¹ 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)

(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

FILED

JUN 25 1983

CODE REVISER'S OFFICE

WSR 83-04-014

By

James O. Smith

Executive Director

Title

2. ALTERNATIVE B.

This regulation effects application of this state's mandatory basic training requirement to newly elected sheriffs. As such, it implements the provisions of legislation enacted by the State Legislature in the 1982 session, but which for the first time applies to new sheriffs assuming office in January of 1983. It was the intention of the Commission to adopt this WAC at its regularly scheduled meeting on Dec. 16, 1982, but a quorum was not present and that meeting was cancelled. Consequently, it became necessary to adopt this regulation on an emergency basis as quickly as possible in January, since statutory basis was already in effect. This regulation is scheduled for permanent adoption by the Commission at its regularly scheduled meeting on March 10, 1983, and intent of such action has duly been filed with the Code Revisor's Office.

AMENDATORY SECTION (Amending Order 14A, filed 6/25/81)
WAC 139-14-010 REQUIREMENT OF BASIC LAW ENFORCEMENT TRAINING.

(1) All full-time commissioned law enforcement employees of a city, county, or political subdivision of the state of Washington, except officers of the Washington State Patrol, unless otherwise exempted by the Washington State Criminal Justice Training Commission, shall as a condition of continued employment successfully complete a 440-hour basic law enforcement academy sponsored or conducted by the Commission, or obtain a certificate of equivalent basic training from the commission. This requirement of basic law enforcement training shall be met within the initial 15-month period of law enforcement employment, unless otherwise extended by the commission.

(2) Law enforcement personnel exempted from the requirement of subsection (1) shall include:

(a) ~~((sheriff))~~ individuals holding the office of sheriff of any county on September 1, 1979

(b) auxiliary and reserve personnel

(c) commissioned personnel

(i) whose usual and regular function does not include and will not include the general line enforcement of traffic or criminal laws of the state of Washington or any political subdivision thereof(~~(?)~~): PROVIDED, That ~~((a-chief of-police-who-requests-exemption-under-this-subsection-may-be-exempted-only-upon-approval-of-the-Board-on-Law-Enforcement-Training-Standards-and-Education,-or))~~ any exemption under this subsection may be granted to a sheriff or police chief only with the approval of the Board on Law Enforcement Training Standards and Education and, in the instance of a police chief, based upon a written exemption request signed by the appointing authority, and provided further that no police chief or sheriff of any agency with ten or fewer full-time, commissioned personnel shall be granted an exemption solely upon the basis of this subsection; or

(ii) whose initial date of continuing, full-time, regular and commissioned law enforcement employment within the state of Washington precedes January 1, 1978, and such employment is without break or interruption in excess of 90 days, or

(iii) who have been certified in accordance with the requirement of subsection (1) above, and thereafter have engaged in regular and commissioned law enforcement employment without break or interruption in excess of 24-month duration.

(3) Each law enforcement agency of the state of Washington, or any political subdivision thereof, except the Washington State Patrol, shall immediately notify the commission by approved form of each instance wherein a commissioned officer begins continuing and regular employment with that agency on or after January 1, 1978. Such notification shall be maintained by the commission and shall be utilized by the commission for the subsequent scheduling, notification, and enrollment required for compliance with the basic law enforcement training requirement.

(4) Failure to comply with the above requirement of basic law enforcement training shall result in notification of non-compliance, by the commission, on approved form to:

(a) the individual in non-compliance,

(b) the head of his/her agency,

(c) the Civil Service Commission having jurisdiction of such agency,

- (d) the judges and clerks of the municipal, district, and superior courts in which said agency is located,
- (e) the state Auditor's Office, and
- (f) any other agency or individual, as determined by the commission.