
**Criminal Justice & Corrections
Committee**

HB 2322

Brief Description: Requiring prehire screening for law enforcement applicants.

Sponsors: Representatives McDonald, Delvin, Kristiansen, Pearson, Lovick and Shabro.

Brief Summary of Bill

- Requires state and municipal law enforcement agencies to administer psychological examinations and polygraph tests to all persons applying for law enforcement personnel positions.

Hearing Date: 1/21/04

Staff: Yvonne Walker (786-7841).

Background:

The Criminal Justice Training Commission (CJTC) provides basic law enforcement training, corrections training, and educational programs for criminal justice personnel, including commissioned officers, corrections officers, fire marshals, and prosecuting attorneys.

CJTC Boards. The CJTC consists of two training standards and education boards: 1) the Board on Law Enforcement Training Standards and Education and 2) the Board on Correctional Training Standards and Education. The Board on Law Enforcement Training Standards and Education (Board) is a 13 member board in charge of advising and recommending minimum curriculum standards to the CJTC for all training and education programs conducted for criminal justice personnel within their specific purview. The CJTC may adopt any curriculum standards as recommended by the Board and may also establish any rules and regulations recommended by the Board relating to the physical, mental, and moral fitness which governs the recruitment of criminal justice personnel where such standards are not prescribed by statute or constitutional provisions.

Training. Basic law enforcement officer training is generally required of all law enforcement officers, with the exception of volunteers, and reserve officers employed in Washington. The training consists of a 720-hour program covering a wide variety of subjects, including constitutional and criminal law and procedures, criminal investigation, firearms training, and communication and writing skills. All law enforcement personnel hired, transferred, or

promoted, are required to complete the core training requirements within six months unless the employee receives a waiver from the CJTC.

Law Enforcement Certification. In addition to the basic training requirement, all Washington law enforcement officers must obtain and retain a certification as a peace officer. As a prerequisite to certification, a peace officer must release to the CJTC all personnel files, termination papers, criminal investigation files, or any other files, papers, or information that are directly related to the certification or decertification of the officer. The CJTC has the authority to grant, deny, or revoke the certification of peace officers.

Furthermore, although not statutorily required, the Washington State Patrol (WSP) and several local law enforcement agencies also require the successful completion of a psychological examination or polygraph test as a part of the hiring process for law enforcement officers.

Summary of Bill:

The CJTC is authorized to establish rules and regulations recommended by the training standards and education boards prescribing minimum standards for the recruitment of criminal justice personnel. The minimum standards must include, but is not limited to, the requirement that all county, city, and state agencies administer psychological examinations and polygraph tests to persons applying for full-time, part-time, or reserve law enforcement officer positions with the respective county, city, or state agency.

Any person applying for a position with the WSP must meet the minimum standards for employment with the WSP, including the successful completion of a psychological examination and polygraph examination administered by the WSP chief or his or her designee.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.