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**HOUSE BILL 2537**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Representatives Maycumber, Klippert, Chambers, Dent, Griffey, Barkis, Graham, Walsh, Mosbrucker, Blake, and Volz

AN ACT Relating to establishing the law enforcement training standards and education board for the purpose of improving the basic law enforcement education academy and other programs and curriculum hosted or designed by the criminal justice training commission; amending RCW 43.101.080; and adding new sections to chapter 43.101 RCW.

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

NEW SECTION. **Sec.**  (1) The law enforcement training standards and education board is established within the commission for the purpose of providing standards for the training and education of law enforcement personnel.

(2) The board consists of eleven members appointed by the governor. The membership must include:

(a) A police chief from a police department of a city having a population equal to or greater than one hundred twenty-five thousand;

(b) A police chief from a police department of a city having a population less than one hundred twenty-five thousand;

(c) An elected sheriff from a county having a population equal to or in excess of two hundred fifty thousand;

(d) An elected sheriff from a county having a population less than two hundred fifty thousand;

(e) A certified and employed peace officer with experience in law enforcement training who is a member of the Washington association of sheriffs and police chiefs, selected from a list of at least two candidates provided by the association;

(f) A certified peace officer with experience in law enforcement training who is employed with a police department or county sheriff and a member of the Washington council of police and sheriffs, selected from a list of at least two candidates provided by the council;

(g) A certified peace officer with experience in law enforcement training who is employed with a municipal police department or county sheriff and a member of the council of metropolitan police and sheriffs, selected from a list of at least two candidates provided by the council;

(h) A certified peace officer with experience in law enforcement training who is employed with a municipal police department or county sheriff and a member of the Washington state fraternal order of police, selected from a list of at least two candidates provided by the order;

(i) A certified peace officer currently working as a trainer at the commission;

(j) A representative of a four-year college or university; and

(k) A representative of community and technical colleges.

(3) Members must be appointed for terms of six years. Terms commence July 1st, and expire June 30th. However, of the members first appointed, three must serve for terms of two years, four must serve for terms of four years, and four must serve for terms of six years. A member selected to fill a vacancy created before an applicable term expires must be appointed for the unexpired term of the member he or she is to succeed. A member may be reappointed for additional terms.

(4) A member appointed as an incumbent official or because of his or her employment ceases to be a member of the board immediately upon the termination of his or her holding of the office or employment.

(5) Members serve without compensation, but are entitled to be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(6) The commission shall summon the board to its first meeting. The board shall elect a chair and vice chair from among its members. The board shall meet at least four times during each calendar year. A simple majority constitutes a quorum.

NEW SECTION. **Sec.**  The law enforcement training standards and education board established in section 1 of this act is empowered to:

(1) Meet at such times and places as necessary;

(2) Adopt policies and procedures and, where necessary, rules and regulations, as to the conduct of its business;

(3) Cooperate with and secure the cooperation of any department, agency, or instrumentality in state, county, or city government, and commissions affected by or concerned with the business of the commission;

(4) Conduct any and all things necessary or convenient to enable them fully and adequately to perform their duties and to exercise the power granted to them; and

(5) Create and consult with advisory groups comprising nonmembers. Advisory groups are not eligible for reimbursement under RCW 43.380.060.

NEW SECTION. **Sec.**  The law enforcement training standards and education board established in section 1 of this act shall:

(1) Review, on a regular basis, the commission's training and education programs for law enforcement personnel, including the curriculum for the basic law enforcement academy, the equivalency academy, and advanced training programs for certified peace officers. The review must include, among other appropriate items, an evaluation of the practices of in-service law enforcement personnel and application of training techniques;

(2) Assess, on a regular basis, whether the training and education programs provided by the commission meet national best practices established by the commission on accreditation for law enforcement agencies and other appropriate organizations;

(3) Recommend, when appropriate and necessary, modifications to the curriculum for training and education programs for law enforcement personnel to comply with national best practices and meet the needs of local law enforcement agencies;

(4) Establish minimum standards for the commission with respect to conducting training and education programs for law enforcement personnel;

(5) Recommend to the commission appropriate alternative, innovative, and interdisciplinary training and education techniques for law enforcement personnel;

(6) Recommend to the commission minimum standards relating to physical, mental, and moral fitness governing the recruitment and certification of law enforcement personnel; and

(7) Report to the commission on at least an annual basis.

NEW SECTION. **Sec.**  The law enforcement training standards and education board established in section 1 of this act shall submit a report to the appropriate committees of the legislature and the governor by December 1st of each year, which must include:

(1) An evaluation of the training and education programs for law enforcement personnel offered through the commission;

(2) An assessment of whether such programs comply with national best practices and meet the needs of local law enforcement agencies;

(3) A summary of recommendations to the commission; and

(4) Recommendations, where necessary, for state policy changes to improve training and education programs for law enforcement personnel.

NEW SECTION. **Sec.**  (1) The commission shall implement recommendations of the board for modifications to training and education programs for law enforcement personnel within an appropriate and reasonable time, unless such modifications conflict with federal or state law, or are otherwise not in compliance with national best practices.

(2) The commission shall respond to requests of the board for information, and provide such assistance as is necessary for the board to comply with its duties. The commission shall report to the board, upon request, with status updates as to the implementation of the board's recommendation or other updates as may be required by the board.

(3) The commission shall report to the appropriate committees of the legislature and the governor by December 1st of each year with a status update as to its compliance with the board's recommendations, including an explanation for possible lack of compliance.

(4) For the purposes of this section, "board" refers to the law enforcement training standards and education board established in section 1 of this act.

**Sec.**  RCW 43.101.080 and 2018 c 32 s 4 are each amended to read as follows:

The commission shall have all of the following powers:

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

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

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

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

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

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

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

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

(9) To own, establish, and operate, or to contract with other qualified institutions or organizations for the operation of, training and education programs for criminal justice personnel and to purchase, lease, or otherwise acquire, subject to the approval of the department of enterprise services, a training facility or facilities necessary to the conducting of such programs;

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

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

(12) To direct the development of alternative, innovative, and interdisciplinary training techniques;

(13) To review and approve or reject training programs conducted for criminal justice personnel and rules establishing and prescribing minimum training and education standards recommended by the training standards and education boards, except as otherwise required by section 5 of this act;

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

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

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

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

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

(19) To require county, city, or state law enforcement agencies that make a conditional offer of employment to an applicant as a fully commissioned peace officer or a reserve officer to administer a background investigation including a check of criminal history, verification of immigrant or citizenship status as either a citizen of the United States of America or a lawful permanent resident, a psychological examination, and a polygraph test or similar assessment to each applicant, the results of which shall be used by the employer to determine the applicant's suitability for employment as a fully commissioned peace officer or a reserve officer. The background investigation, psychological examination, and the polygraph examination shall be administered in accordance with the requirements of RCW 43.101.095(2). The employing county, city, or state law enforcement agency may require that each peace officer or reserve officer who is required to take a psychological examination and a polygraph or similar test pay a portion of the testing fee based on the actual cost of the test or four hundred dollars, whichever is less. County, city, and state law enforcement agencies may establish a payment plan if they determine that the peace officer or reserve officer does not readily have the means to pay for his or her portion of the testing fee;

(20) To promote positive relationships between law enforcement and the citizens of the state of Washington by allowing commissioners and staff to participate in the "chief for a day program." The executive director shall designate staff who may participate. In furtherance of this purpose, the commission may accept grants of funds and gifts and may use its public facilities for such purpose. At all times, the participation of commissioners and staff shall comply with chapter 42.52 RCW and chapter 292-110 WAC.

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

NEW SECTION. **Sec.**  Sections 1 through 5 of this act are each added to chapter 43.101 RCW.

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