

WSR 09-12-046
EXPEDITED RULES
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed May 28, 2009, 8:04 a.m.]

Title of Rule and Other Identifying Information: WAC 139-05-300 Requirement for in-service training.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Sonja Hirsch, Rules Coordinator, Criminal Justice Training Commission, 19010 1st Avenue South, Burien, WA 98148, AND RECEIVED BY Monday, August 3, 2009, at 4 p.m.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Subsection (1)(b) sites [cites] an incorrect WAC 139-05-202; therefore, the correct WAC 139-03-030 is being inserted.

Reasons Supporting Proposal: Users will be able to find the information they are searching for.

Statutory Authority for Adoption: RCW 43.101.080.

Rule is not necessitated by federal law, federal or state court decision.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sonja Hirsch, Burien, Washington, (206) 835-7372.

May 27, 2009
 Sonja Hirsch
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 05-20-029, filed 9/28/05, effective 10/29/05)

WAC 139-05-300 Requirement for in-service training. The commission recognizes that continuing education and training is the cornerstone for a successful career as a peace officer in providing competent public safety services to the communities of Washington state.

(1) Effective January 1, 2006, every peace officer certified under RCW 43.101.095 will complete a minimum of twenty-four hours of in-service training annually.

(a) This requirement is effective January 1, 2006, for incumbent officers.

(b) The in-service training requirement for each newly hired officer must begin on January 1 of the calendar year following their certification as a result of successful completion of the basic law enforcement academy, equivalency academy, or approved waiver as provided by WAC ((~~139-05-205~~) 139-03-030).

(c) Training may be developed and provided by the employer or other training resources.

(d) The commission will publish guidelines for approved in-service training.

(2) All records for training required for this rule must be maintained by the employing agency and be available for review upon request by an authorized commission representative.

(a) The commission will maintain records of successfully completed commission-registered courses.

(b) Upon request, the commission will furnish a record-keeping template for use by agencies to track training.

(3) The sheriff or chief of an agency may approve an extension of three months for certified officers in their employ by notification in writing to the commission, identifying those specific officers.

(a) A sheriff or chief may request a three-month personal extension of the requirement by doing so in writing to the commission.

(b) Written requests submitted under the provision of this subsection must be received by December 1 of the calendar year in question.

WSR 09-12-079
EXPEDITED RULES
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed June 1, 2009, 7:37 a.m.]

Title of Rule and Other Identifying Information: WAC 139-10-210 Requirement of basic corrections training, 139-10-236 Work release academy curriculum, and 139-10-540 Basic institutional corrections counselor academy curriculum.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Sonja Hirsch, Rules Coordinator, Criminal Justice Training Commission, 19010 1st Avenue South, Burien, WA 98148, AND RECEIVED BY Monday, August 3, 2009, at 4 p.m.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The requirement to obtain basic corrections officer training through the Washington state criminal justice training commission (WSCJTC) does not apply to department of corrections (DOC) employees who work for the prisons division. The DOC is responsible for identifying training standards, designing training programs, and providing training for those employees. The secretary of the DOC must consult with experts and corrections professionals and solicit input from labor organizations in designing its training requirements.

The WSCJTC and the DOC share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the DOC.

Reasons Supporting Proposal: Request by the DOC through SSB 5987.

Statutory Authority for Adoption: SSB 5987.

Rule is necessary because of state court decision, SSB 5987.

Name of Proponent: Washington state department of corrections, governmental.

Name of Agency Personnel Responsible for Drafting: Doug Blair, Burien, Washington, (206) 835-7332; Implementation and Enforcement: Michael D. Parsons, Burien, Washington, (206) 835-7347.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This change will save the DOC approximately \$100,000.

June 1, 2009

Sonja Hirsch

Rules Coordinator

AMENDATORY SECTION (Amending WSR 05-20-027, filed 9/28/05, effective 10/29/05)

WAC 139-10-210 Requirement of basic corrections training. As provided in RCW 43.101.220, all full-time corrections employees ~~((f))~~ in the state of Washington with the exception of the Washington state department of corrections prison division or of any city, county, or political subdivision of the state of Washington must, as a condition of continued employment, successfully complete a basic corrections academy as prescribed, sponsored, or conducted by the commission. The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections. This requirement to complete basic training must be fulfilled within the initial six months of corrections employment unless otherwise extended or waived by the commission. Requests for extension or waiver of the basic training requirement must be submitted to the commission in writing as designated by its policies.

(1) Corrections personnel must attend basic academy training according to job function as described below:

(a) Corrections officers academy. All employees whose primary job function is to provide for the custody, safety, and security of adult prisoners in jails ~~((-penal institutions-))~~ and detention facilities. Representative job classifications include, but are not limited to, custody and corrections officers.

(b) Misdemeanant probation/classification academy. All employees whose primary job function is the case management of offenders under county/city supervision, to include: Assessment, case planning, counseling, supervision, and monitoring. Representative job classes include, but are not limited to, adult probation officers, jail classification counselors, and work crew supervisors.

(c) Community corrections officers academy and basic arrest, search, and seizure academy. All employees whose primary job function is the case management in the community of adult offenders under state department of corrections supervision, to include: Monitoring adjustment of offenders involved with in/outpatient treatment programs, counseling offenders and/or referring them for counseling or other resource/treatment programs, and making home/field visits pursuant to offender classification standards. Representative job classifications include, but are not limited to, community corrections officers, community risk management specialists, hearings officers, and victim advocates.

~~((d)) Institutional corrections counselors academy. All employees whose primary job function is to provide classification and program services to adult felony offenders housed in a state institutional setting: Parole planning, work/training release and prerelease referrals, academic/vocational/work program reviews, disciplinary and living unit program reviews, and risk management identification. Representative job classes include, but are not limited to, corrections counselors, classification counselors, institution risk management specialists, and corrections mental health counselors.~~

~~((e))~~ (d) Juvenile services academy. All employees working with juveniles whose primary job function is the case management of offenders, to include: Assessment, case planning, counseling, supervision, and monitoring. Representative job classes include, but are not limited to, juvenile probation and parole counselors, case aides/assistants, trackers, juvenile rehabilitation community counselors, juvenile drug court counselors, and community surveillance officers.

~~((f))~~ (e) Juvenile corrections officers academy. All employees responsible for the care, custody, and safety of youth in county and state juvenile custody facilities. Representative job class includes, but are not limited to, juvenile detention workers, juvenile corrections officers, and juvenile supervision officers.

~~((g))~~ (f) Juvenile residential counselors academy. All employees responsible for the case management, custody, counseling, supervision, and application of researched based treatment to youth in state institutions. Representative job classes include, but are not limited to, juvenile residential rehabilitation counselors, juvenile residential rehabilitation counselor assistants, and juvenile rehabilitation supervisors.

~~((h)) Work release academy. All employees responsible for the safety, custody, and care of adult offenders in a work release facility. Representative job classes include, but are not limited to, work release officers, work release counselors, and work release program monitors.)~~

(2) It is the responsibility of the employing agency to determine the most appropriate basic academy for an employee to attend within the guidelines set by the commission.

An agency may elect to decline basic academy training if such employee occupies a middle management or an executive position, as defined in WAC 139-10-410, 139-10-510, and 139-25-110.

(3) Failure to comply with the above requirements will result in a notification of noncompliance from the commission directed to the individual employee and, as appropriate, the employing agency director, chief or sheriff, the chief

executive of the local unit of government, and any other agency or individual determined by the commission.

(4) Each agency employing personnel covered by RCW 43.101.220 is responsible for full and complete compliance with the above training requirements. Additionally, each such agency must provide the commission with employment information necessary for the establishment and maintenance of complete and accurate training records on all affected employees.

REPEALER

The following sections of the Washington Administrative Code are repealed:

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|----------------|---|
| WAC 139-10-236 | Work release academy curriculum. |
| WAC 139-10-540 | Basic institutional corrections counselor academy curriculum. |