

**WSR 25-07-084
PROPOSED RULES
CRIMINAL JUSTICE
TRAINING COMMISSION**

[Filed March 17, 2025, 2:07 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-01-140.

Title of Rule and Other Identifying Information: Conditional of-
fers of employment.

Hearing Location(s): On June 11, 2025, at 10:00 a.m., at the
Washington State Criminal Justice Training Commission, Commission
Room, 19010 1st Avenue South, Burien, WA 98148.

Date of Intended Adoption: June 11, 2025.

Submit Written Comments to: Lacey Ledford, 19010 1st Avenue
South, Burien, WA 98148, email lacey.ledford@cjtc.wa.gov, by June 11,
2025.

Assistance for Persons with Disabilities: Contact Lacey Ledford,
phone 206-670-5813, email lacey.ledford@cjtc.wa.gov, by June 11, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including
Any Changes in Existing Rules: Revising WAC 139-07-010 to clarify the
background requirements for law enforcement and corrections agencies.

Reasons Supporting Proposal: The rule change will add language
clarifying when a background check does not meet the certification re-
quirements of RCW 43.101.105.

Statutory Authority for Adoption: RCW 43.101.080.

Statute Being Implemented: RCW 43.101.080.

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

Name of Agency Personnel Responsible for Drafting, Implementa-
tion, and Enforcement: Kimberly Bliss, 19010 1st Avenue South, Burien,
WA 98148, 206-835-7305.

A school district fiscal impact statement is not required under
RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from
requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to in-
ternal governmental operations that are not subject to vio-
lation by a nongovernment party.

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

March 17, 2025
Lacey Ledford
Rules Coordinator

RDS-6158.1

AMENDATORY SECTION (Amending WSR 22-13-075, filed 6/9/22, effective 7/10/22)

WAC 139-07-010 Conditional offers of employment. (1) Any applicant who has been offered a conditional offer of employment as a certified officer must submit to a background investigation to determine suitability for employment.

(2) This includes certified officers whose certification has lapsed as a result of a break in service except those recalled to active military service.

(3) Hiring agencies may not make a nonconditional offer of employment prior to an applicant's completion of the background check.

(a) Hiring agencies shall verify in writing to the commission that they complied with all background check requirements prior to making any final offer of employment; and

(b) Responsibility for all background verification lies with the hiring agency.

(i) Upon completion of the background check, the hiring agency must certify that the background check has been satisfactorily completed and no disqualifying information has been found, including any conduct meeting the criteria requiring denial or revocation of certification set forth in RCW 43.101.105(2).

(ii) At its discretion, the commission may review and audit background checks for compliance with standards established by applicable statutes and rules.

(iii) The hiring agency has the duty to evaluate information obtained in a background check and assure that the applicant meets certification standards of RCW 43.101.105 (2) and (3).

(4) Reserve officers shall submit to the same background requirements as certified officers.