



WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

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June 1, 2009

TO: Staff, Commissioners, Board Members, and Stakeholders

FROM: Sonja Hirsch, Rules Coordinator

A handwritten signature in black ink, appearing to read "Sonja Hirsch".

SUBJECT: Public Hearing and Possible Permanent Adoption

The following amendments to Chapter 139-37 WAC are being proposed, which will reflect a fee, to be determined by the Washington State Criminal Justice Training Commission (WSCJTC), to be charged for firearms instructor certification; the inclusion of bail bond recovery agents; and simple language updates. In addition, the title of Chapter 139-37 WAC has been changed from "Firearms Certification – Instructors – Records" to "**Certified Firearms Instructors – Private Security, Private Investigators, and Bail Bond Recovery Agents.**"

If you would like to submit a written comment or change to the proposed amendments, send them to shirsch@cjtc.state.wa.us. All comments and changes must be received **by July 20, 2009**.

Public Hearing and Action by the Commission: The WSCJTC will hold a public hearing regarding the amendments on Wednesday, September 9, 2009, at 10 AM. The meeting will be held at the Burien campus located at 19010 1st Avenue South, Burien, WA, in room E-154. All are welcome to attend and provide oral comments.

Staff will request the Commission to adopt the proposed amendments to Chapter 139-37 WAC. If adopted, the amendments will be filed with the Code Reviser's Office and become effective 31 days after filing. Attachment: OTS-2106.4

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Mission: The Washington State Criminal Justice Training Commission enhances public safety by establishing standards and providing education and training.

Values: Professionalism • Integrity • Accountability

AMENDATORY SECTION (Amending WSR 92-02-042, filed 12/24/91, effective 1/24/92)

WAC 139-37-005 Certified firearms ((certification)) instructors--((Certified instructors)) Requirements. (1) For the purposes of chapters 139-30 and 139-35 WAC, "certified firearms instructor" means any individual who:

(a) Applies for certified firearms instructor certification to the commission on a form prescribed by the commission for such purpose; and

(b) Pays ~~((an administrative fee of twenty-five dollars))~~ a processing fee as set by the commission; and

(c) Satisfactorily completes an instructor orientation course regarding the requirements of instruction and testing for firearms certification of private security guards ~~((and))~~ private ((detectives)) investigators, and bail bond recovery agents; and

~~((i)) Documents satisfactory completion of a firearms instructor course approved by the commission; or~~

~~((ii)) Satisfactorily completes a firearms instructor course conducted by the commission; and~~

~~(d) Meets one of the following:~~

~~((i)) Is currently employed as a full-time commissioned law enforcement officer; or~~

~~((ii)) Is currently licensed as a private security guard or private detective; or~~

~~((iii)) Submits a set of fingerprints to the commission for the purposes of background investigation; and~~

~~((e))~~ (d) Has not been convicted of a gross misdemeanor or felony; and has not been convicted of a misdemeanor involving the use or threatened use of a firearm; and has not committed any act involving moral turpitude, dishonesty, or corruption, whether the act constitutes a crime or not.

(2) A certified firearms instructor is authorized to conduct an approved program of instruction and testing for firearms certification of private security guards ~~((and))~~ private ((detectives)) investigators, and bail bond recovery agents. The certified firearms instructor shall not be considered an employee, agent, contractor, or representative of the commission.

(3) The commission may monitor and review the program of instruction and testing conducted by a certified firearms instructor for the purpose of determining compliance with the commission's program materials and standards.

(4) Certified firearms instructor status may be revoked by the commission for cause, including, but not limited to:

(a) Misrepresentation of facts on the initial application for certified firearms instructor certification; or

(b) Conviction of a gross misdemeanor or felony; or conviction

of a misdemeanor involving the use or threatened use of a firearm; or the commission of any act involving moral turpitude, dishonesty, or corruption, whether the act constitutes a crime or not; or

(c) Failure to conduct the armed private guard ~~((or))~~, armed private ~~((detective))~~ investigator, or bail bond recovery agent firearms certification/recertification program as prescribed by the commission; or

(d) Falsification of any documentation or score relating to the firearms certification/recertification program; or

(e) Unsafe firearms handling during the firearms certification/recertification process.

(5) The commission may require periodic instructor update training at its discretion, but no more frequently than once a year.

AMENDATORY SECTION (Amending WSR 92-02-042, filed 12/24/91, effective 1/24/92)

WAC 139-37-010 Certified firearms ((certification)) instructors--Records. (1) A master record of firearms certificate issuances by the commission to private security guards ~~((and))~~, private ~~((detectives))~~ investigators, and bail bond recovery agents shall be maintained by the commission.

(2) A master record of certified firearms instructors for purposes of chapters 139-30 and 139-35 WAC shall be maintained by the commission.

(3) The aforementioned records shall be accessible by any individual, organization, private security company, ~~((or))~~ private ~~((detective))~~ investigation agency, or bail bond recovery/bail bond agency making written inquiry to the commission ~~((at its administrative offices, P.O. Box 0905, Olympia WA 98504-0905))~~ to WSCJTC, Public Records Officer, 19010 1st Ave. S., Burien, WA 98148.