

Agency: 227 Wa St Criminal Justice Train Comm
Decision Package Code/Title: BA BLEA Local Cost Share Increase
Budget Period: 2015-17
Budget Level: M2 - Inflation and Other Rate Changes

Recommendation Summary Text:

Increased expenditure authority is requested for increased local cost share to send a new peace officer to attend the mandated Basic Law Enforcement Academy (BLEA).

Fiscal Detail

Operating Expenditures	<u>FY 2016</u>	<u>FY 2017</u>	<u>Total</u>
001-7 General Fund - Basic Account-Private/Local	52,000	37,000	89,000
Total Cost	52,000	37,000	89,000

Revenue

<u>Fund</u>	<u>Source</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>Total</u>
001 General Fund	0541 Contributions Grants	52,000	37,000	89,000
Total Revenue		52,000	37,000	89,000

Package Description:

RCW 43.101.200 relating to the Basic Law Enforcement Academy (BLEA) states the employing county, city, or state law enforcement agency shall reimburse the commission for twenty five percent of the cost of training its personnel. In addition, local law enforcement agencies reimburse the Washington State Criminal Justice Training Commission (WSCJTC) the full cost of ammunition. The local cost share per student has increased \$124 from \$3,063 to \$3,187. The increase in expenses include items such as salary and benefit increases for employees and contract staff, and increased expense for the Emergency Vehicle Operator Course conducted by the Washington State Patrol.

The WSCJTC anticipates training 420 BLEA students in fiscal year 2016 and 300 BLEA students in fiscal year 2017. This represents a revenue increase of \$52,080 (420 students times \$124 increase per student) in fiscal year 2016 and \$37,200 (300 students times \$124 increase per student). An increase in expenditure authority will allow the WSCJTC to utilize collected funds for training expenses.

Narrative Justification and Impact Statement

What specific performance outcomes does the agency expect?

The agency expects sufficient expenditure authority to spend funds received from local law enforcement agencies to cover BLEA

training expenditures.

Performance Measure Detail

Activity:

Incremental Changes

No measures submitted for package

Is this decision package essential to implement a strategy identified in the agency's strategic plan?

This decision package supports the agency strategy to increase student capacity for BLEA and COA and reduce wait time for attendance.

Does this DP provide essential support to one or more of the Governor's Results Washington priorities?

This decision package provides support for the Governor's priority of Healthy and Safe Communities. This is accomplished by providing sufficient expenditure authority to allow the WSCJTC to utilize funds received from local law enforcement agencies to provide training to new peace officers. These new peace officers provide public safety services in communities throughout the state.

What are the other important connections or impacts related to this proposal?

The WSCJTC is mandated to provide BLEA training to all newly hired peace officers within 6 months of their hire date. In addition, local law enforcement agencies are required to reimburse the WSCJTC 25% of the cost for BLEA training.

What alternatives were explored by the agency, and why was this alternative chosen?

The alternative is to reduce the number of BLEA classes due to a lack of expenditure authority. This was not chosen in order to meet customer needs to train new peace officers.

What are the consequences of adopting or not adopting this package?

Not funding this package will result in the WSCJTC collecting revenue from law enforcement agencies but not being able to use these funds to provide BLEA training. This would cause the WSCJTC to reduce the amount of training classes in order to not exceed the current expenditure authority.

What is the relationship, if any, to the state's capital budget?

There is no relationship to the capital budget.

What changes would be required to existing statutes, rules, or contracts, in order to implement the change?

None.

Expenditure and revenue calculations and assumptions

The local 25% BLEA cost share plus ammunition charge per student has increase \$124 from \$3,063 to \$3,187. The WSCJTC is budgeted to train 420 students in 14 BLEA classes in fiscal year 2016 and 300 students in 10 BLEA classes in fiscal year 2017.

Fiscal year 2016 = \$124 increase per student times 420 students equals an increase in revenue of \$52,080.

Fiscal year 2017 = \$124 increase per student times 300 students equals an increase in revenue of \$37,200.

Rounding to the nearest thousand totals \$52,000 in fiscal year 2016 and \$37,000 in fiscal year 2017 for revenue and expenditure authority.

Which costs and functions are one-time? Which are ongoing? What are the budget impacts in future biennia?

Revenue and expenditures associated with this decision package are expected to be ongoing into future biennia .

<u>Object Detail</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>Total</u>
E Goods\Other Services	52,000	37,000	89,000

Agency: 227 Wa St Criminal Justice Train Comm
Decision Package Code/Title: BI Basic Law Enforcement Instructor
Budget Period: 2015-17
Budget Level: M2 - Inflation and Other Rate Changes

Recommendation Summary Text:

A shift of two contracted Basic Law Enforcement Academy staff from contract positions to a state FTE's. This decision package is cost neutral and expected to help reduce future expense increases since local law enforcement agencies provide salary and benefit increases based on union contracts outside of State control. This will also provide greater stability in the position, flexibility, and consistency in cross training the position to assist with training in other divisions or subject areas of the agency.

Fiscal Detail

Operating Expenditures				<u>Total</u>
Total Cost				
Staffing		<u>FY 2016</u>	<u>FY 2017</u>	<u>Annual Average</u>
FTEs		.0	2.0	1.0

Package Description:

This request is to shift two contract instructor positions to state employees.

The Criminal Justice Training Commission (CJTC) currently enters into contracts with cities and county law enforcement agencies to provide teaching instructors for the Basic Law Enforcement Academy (BLEA). These are generally three year contracts which the CJTC reimburses the employing agency the full employee salary and benefits monthly.

Cities and counties generally provide union negotiated salary increases to their employees which continue to increase the expense to the CJTC. The CJTC has no control over this additional expense and must absorb these expense increases with current funding resources.

This request will benefit the CJTC in a number of ways. 1. The shift of two contract instructor positions to state FTE's will allow the CJTC an increased ability to control expenses and avoid salary and benefit increases provided by cities and counties. 2. Having instructors who are state employees will provide stability to the position since personnel would not need to change every three years when the contract expires. 3. Agency would not be able to, by contract, have the employee return to their agency prior to the completion of the contract period. 4. The stability also will give the CJTC the ability to cross train the position, which will allow a BLEA instructor to assist with the training in other CJTC subjects/courses.

This request is cost neutral as the expense for a state FTE will be the same as what is currently paid to law enforcement agencies to reimburse them for the use of their employees. This request is expected to save funds in the future as local city and county law

enforcement agencies typically provide greater pay increases than is provided to state employees . The benefits of position stability and ability to utilize this position in other areas of the agency make this request very attractive and beneficial to the CJTC in managing resources.

Narrative Justification and Impact Statement

What specific performance outcomes does the agency expect?

It is expected that expenses for future salary and benefit increases for this position will be at state rates as opposed to the anticipated higher rates provided by local law enforcement agencies. It is also expected these positions will have more stability and provide additional flexibility as these state FTE's will be able to provide training in other areas of the agency .

Performance Measure Detail

Activity:

Incremental Changes

No measures submitted for package

Is this decision package essential to implement a strategy identified in the agency's strategic plan?

This decision package supports the agency practice of efficient use of resources and supports the strategy to build and maintain an effective budget planning and management process.

Does this DP provide essential support to one or more of the Governor's Results Washington priorities?

This decision package provides support for the Governor's Results Washington priority of Healthy and Safe Communities . This is accomplished by the CJTC delivering mandated training to law enforcement personnel throughout the state . This also will assist the agency in supporting the priority of Efficient, Effective and Accountable government. This will be accomplished by providing the agency control over the cost of this position.

What are the other important connections or impacts related to this proposal?

This decision package will benefit the CJTC in managing personnel and future expenses .

What alternatives were explored by the agency, and why was this alternative chosen?

The alternative is to continue to contract with local law enforcement agencies for Basic Law Enforcement Academy instructors . This past practice was not chosen in order to control future expenses and to provide stability and flexibility to the position .

What are the consequences of adopting or not adopting this package?

The CJTC will continue to have no cost control and less flexibility in assignment over this position .

What is the relationship, if any, to the state's capital budget?

There is no relationship to the capital budget.

What changes would be required to existing statutes, rules, or contracts, in order to implement the change?

There are no statutes or rules changes associated with this request .

Expenditure and revenue calculations and assumptions

This decision package is cost neutral with the salary and benefits currently paid for contracted instructors will now be used for two state FTE's.

Which costs and functions are one-time? Which are ongoing? What are the budget impacts in future biennia?

The decision package is cost neutral this biennium. The budget impact in future biennia is that salary and benefit increases will be at lower state-rates as opposed to higher rate increases provided by local law enforcement agencies .

Agency: 227 Wa St Criminal Justice Train Comm
Decision Package Code/Title: FA Firearms Certificate Program
Budget Period: 2015-17
Budget Level: M2 - Inflation and Other Rate Changes

Recommendation Summary Text:

Increased expenditure authority is requested for the Firearms Certificate Program to meet increased demand. The Firearms Certificate Program is a self-sustaining program which receives revenue through certificate fees for armed private security guards, bail bond recovery agents, and private investigators. Increased demand and revenue collected has exceeded the current expenditure authority by \$28,000. An additional 0.3 FTE is requested to meet the increased demand of the program.

Fiscal Detail

Operating Expenditures	<u>FY 2016</u>	<u>FY 2017</u>	<u>Total</u>
001-1 General Fund - Basic Account-State	28,000	28,000	56,000
Total Cost	28,000	28,000	56,000

Revenue

<u>Fund</u>	<u>Source</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>Total</u>
001 General Fund	0420 Charges for Services	28,000	28,000	56,000
Total Revenue		28,000	28,000	56,000

Package Description:

The firearms certificate program is a self funded program through certificate fees paid by armed security guards. The current annual expenditure authority of this program is \$54,000. In the 2013 - 2015 biennium, \$164,000 in revenue was collected from certificate fees. This averages \$82,000 in revenue per year. This represents \$28,000 per year in revenue that is collected from customers that was unable to be used for training and program administration. In order to meet the increased demand for training and administrative support, an increase in expenditure authority of \$28,000 is requested.

The certificate data for the program is as follows:

2013 biennium = 1,181 certificates
2015 biennium = 1,640 certificates

Not included in the counts are the required adding/changing firearms certificate, agency updates, training roster data input, and regular communication with the WA Dept. of Licensing (DOL) regarding guards, investigators, and recovery agents.

The firearms certificate program:

The WSCJTC provides initial armed certificates for Private Security, Private Investigators, and Bail Bond Recovery Agents via RCW's 18.165, 18.170, 18.185, 43.101.250, and 43.101.260. The WSCJTC charges a onetime fee of \$100 for each initial certificate.

Renewals are done in-house at individual companies and are reported to DOL with license renewal.

WSCJTC adds additional firearms to active certificates and updates contact information with no processing fee. Processing of certificates takes approximately 1-2 weeks depending on mail delivery and payment processing.

Stakeholders of the program include, but are not limited to:

- Washington State Patrol Fingerprint Identification Unit
- Dept. of Licensing Public Protection Unit
- Washington State Security Council
- ASIS International
- Law enforcement agencies
- Tacoma Police Department Firing Range
- Spokane Police Department Firing Range
- Monroe Police Department Firing Range
- Private Security companies
- Firearms Training Companies/Ranges
- Investigation agencies
- Bail bond companies

The WSCJTC is mandated to provide certified firearms instructors that are competent to teach the required 8 hour armed certificate training and annual 4 hour renewal training.

Currently 0.5 FTE is dedicated to administering the Firearms Certificate program at approximately \$30,060 per fiscal year. An additional FTE of 0.3 is requested to meet the increased demand. The additional salary and benefit expense for the additional 0.3 FTE is \$18,036.

Narrative Justification and Impact Statement

What specific performance outcomes does the agency expect?

The WSCJTC firearms certificate program was established in 1994 and has increased in magnitude significantly in the last few years. The program is looking to increase and further standardize training to instructors for the industries of Private Security, Private Investigation, and Bail Bond Recovery as those industries continue to expand. The instructors would provide training to these industries using the state of the art methods of instructor training.

Performance Measure Detail

Activity:

Incremental Changes

No measures submitted for package

Is this decision package essential to implement a strategy identified in the agency's strategic plan?

The WSCJTC is responsible for firearms certificates for private detectives (RCW 43.101.250), security guards (RCW 43.101.260), and bail bond recovery agents (RCW 18.185.260). The program supports agency goals number 1 "establish WSCJTC as a respected and innovative leader in criminal justice standards and training" and goal number 2 "Continuously review and improve training delivery, curriculum, and methods in all academies and ensure adequate training capacity to meet the needs of stakeholders."

Does this DP provide essential support to one or more of the Governor's Results Washington priorities?

This decision package provides support for the Governor's priority of Healthy and Safe Communities. This is accomplished by providing training and firearms certificates to private security guards, investigators, and recovery agents to carry firearms while

performing their duties.

What are the other important connections or impacts related to this proposal?

This proposal will provide for more efficiency between state agencies (WSCJTC and DOL), stakeholders, and the public . The firearms certificate program currently provides a standard of training and enforcement that ensures that the public is kept safe by providing high quality training on the proper and safe use of firearms . By increasing this program funding the WSCJTC will be able to increase the quality and quantity of training to instructors and customers .

What alternatives were explored by the agency, and why was this alternative chosen?

The alternative is to continue to run the program at the currently funded level and not meet the customer's needs .

What are the consequences of adopting or not adopting this package?

The program will continue to use the funding as currently granted in the agency budget . We will be unable to provide additional training and support for the program and meet customer demand .

What is the relationship, if any, to the state's capital budget?

There is no relationship to the capital budget .

What changes would be required to existing statutes, rules, or contracts, in order to implement the change?

None .

Expenditure and revenue calculations and assumptions

Average annual revenue received for firearms certificates over the last two years = \$82,000.
Current annual firearms certificate program expenditure authority = \$54,000.
Variance between annual revenue and expenditure authority = \$28,000.

A full time Administrative support = \$60,120
Currently the agency has 0.5 FTE to administer the Firearms Certificate program at \$30,060 per fiscal year.
Increasing the program FTE 0.3 from 0.5 to 0.8 will increase expenditure by \$18,036 (((\$60,120 full time FTE * .8) \$30,060 current expense).

Contracted instructor expense increase to provide training to firearms instructors is \$10,000.

Annual expenditure increase of \$28,036 rounded to nearest thousand = \$28,000

Which costs and functions are one-time? Which are ongoing? What are the budget impacts in future biennia?

Increased expenses and workload are expected to be ongoing into future biennia .

<u>Object Detail</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>Total</u>
A Salaries And Wages	12,625	12,625	25,250
B Employee Benefits	5,375	5,375	10,750
C Professional Svc Contracts	10,000	10,000	20,000
Total Objects	28,000	28,000	56,000

Agency: 227 Wa St Criminal Justice Train Comm
Decision Package Code/Title: PA Prosecuting Attorney Training
Budget Period: 2015-17
Budget Level: M2 - Inflation and Other Rate Changes

Recommendation Summary Text:

Funding is requested for prosecuting attorney training administered by the Washington Association of Prosecuting Attorneys.

Training funds have been reduced and training expenses have increased. This package will provide sufficient funds to maintain mandatory continuing legal education training to prosecuting attorneys statewide.

Fiscal Detail

Operating Expenditures	<u>FY 2016</u>	<u>FY 2017</u>	<u>Total</u>
001-1 General Fund - Basic Account-State	90,000	90,000	180,000
Total Cost	90,000	90,000	180,000

Package Description:

In 2008 the budget for prosecutor training was \$232,245. The current funding is \$208,113. This is an annual reduction of \$24,132. This reduced budget amount is the result of numerous across the board budget reductions through the past years during the recent economic downturn. The Washington Association of Prosecuting Attorneys (WAPA) was willing to help out in these tough times and provide adequate training despite the budget reductions. Unfortunately WAPA is no longer able to provide sufficient prosecutor training with the available resources without diminishing the training quality and quantity. Please reference the attached graph on contracted funding amounts.

As evidence of our efficiency and cost effectiveness, public defense receives roughly \$470,000 per year from the Office of Public Defense to contract for training, as well as additional funds from CJTC. The Superior Court Judges receive roughly \$800,000 per year from the Administrative Office of the Courts. Both of these entities are relevant comparables in assessing mandatory CLE training provided to prosecuting attorneys through the CJTC contract.

The State of Washington defines criminal behavior through the adoption of statutes. These statutes specify exactly what actions comprise a criminal act, see generally RCW Title 9A. All prosecution for those criminal acts is done in the name of and under the authority of the State of Washington Article IV, Section 27 of the Washington State Constitution. Thus, the training of prosecuting attorneys and deputy prosecuting attorneys to handle criminal prosecutions is provided by the Criminal Justice Training Commission through a contract with the Washington Association of Prosecuting Attorneys.

Currently offered prosecuting attorney training, which is also mandatorily required by the Washington State Supreme Court, will have

to be cut unless the contracted training amount is increased. During the last four years, the training contract for prosecuting attorneys has not increased with costs, and has in fact been decreased.

Due to these unaddressed cost increases, as well as contract budget cuts, our training of roughly one thousand attorneys for the minimum fifteen hours of continuing legal education (CLE) mandated by the Washington State Supreme Court runs into the red each year.

In order to handle budget cuts at the state and local level, WAPA eliminated our sole support staff position, going from four employees to three employees. This has hampered our ability to train and provide support to working criminal deputy prosecuting attorneys. It has also necessitated our borrowing of staff from county offices in order to put on training conferences, register participants and comply with court mandates on training documentation.

Prosecutor training does not receive inflationary increases or vendor rate increases and this leads to budget shortfalls. Printing costs and room rental fees have increased. WAPA partially reimburses student lodging up to \$60 per attendee. Due to rate increases, an additional \$10,000 is requested to increase the partial lodging reimbursement rate to \$70 per attendee.

Our contract and relationship with the CJTC is excellent. We provide quality continuing legal education (CLE) that complies with statutory requirements and exceeds the Supreme Court and WSBA standards for mandatory CLE training. Our joint success has engendered high turnout for our existing training. We currently supplement our training budget from the CJTC contract with voluntary county dues funding. We also rely upon the individual or counties to pay much of the attendee's costs (travel, meals, and partial lodging.)

We are a great example of public/private partnering to provide great benefit to public safety and the taxpayer.

Continuing our high quality, low cost training requires a budget adjustment. We will still require individuals or counties to supplement this budget for civil training topics, as well to cover meals and mileage for training.

The subject matter expert is Tom McBride, Executive Secretary of the Washington Association of Prosecuting Attorneys. His phone number is (360) 753 2175.

Narrative Justification and Impact Statement

What specific performance outcomes does the agency expect?

It is expected that sufficient funding will be provided in order to provide training to prosecuting attorneys.

We are losing ground each year (Contract amounts reduced training expenses increased). Occasionally, we can find supplemental funds locally or from the federal government which accounts for the varying shortfall amounts.

State Fiscal Year	Training Contract Budget	Actual Costs	Shortfall
2015	208,113	288,974.36	80,861.36
2014	209,245	272,129.12	62,884.12
2013	209,245	235,582.83	26,337.83
2012	209,245	252,104.34	42,859.34
2011	217,646	244,960.23	27,314.23
2010	232,245	278,724.11	46,478.61

We went from 4 FTEs at WAPA to 3 FTEs to survive overall budget problems.

We use almost entirely a volunteer lecture/training staff, with no reimbursement.

We do not feed or provide mileage for any attendees. Our lodging per diem is partial (\$60 a night if traveling over 50 miles and staying in commercial establishments two night maximum)

We already bill county prosecuting attorney offices independently based upon number of personnel.

We also bill counties for the costs of civil training (not tied to the mission of the CJTC)

Our goal is continued cost effective and relevant training of criminal deputy prosecuting attorneys. This requested increase in training funds is necessary for the criminal justice system to increase public safety and increased penetration into training all state's attorneys handling criminal cases titled "State of Washington versus". Attendees should be more effective in court, as evidenced by trial conviction of the defendant for the charged crimes. We hope to see a reduction in acquittals and declared mistrials. Additionally, the judiciary should be increasingly satisfied with the performance and professionalism of the state's criminal prosecutors, and a corresponding reduction in issues raised before the state's appellate courts should occur.

Within the last calendar year, we have seen several officer involved shooting reviews that demonstrate the need for well trained and competent prosecuting attorney review. We have also seen an increase in the court and public expectation as to how potential impeachment evidence is collected and disseminated (sometimes called Brady information). Well trained prosecuting attorneys improve practices and heighten public confidence in the criminal justice system.

The number of individuals trained to Supreme Court mandatory standards for legal education will increase. Ethics training for individuals will occur for 100% of attendees.

Performance Measure Detail

Activity:

Incremental Changes

No measures submitted for package

Is this decision package essential to implement a strategy identified in the agency's strategic plan?

This decision package supports the agency goal to ensure adequate training capacity to meet the needs of stakeholders.

Does this DP provide essential support to one or more of the Governor's Results Washington priorities?

Public safety is a high priority for the governor. This training will enhance the integrity and productivity of our criminal justice system. As a former city attorney, prosecuting misdemeanors, the Governor is well aware of the need for consistent quality training. This decision package supports the Governor's priority of Healthy and Safe Communities.

What are the other important connections or impacts related to this proposal?

Well trained attorneys can carry larger caseloads which increases cost effectiveness, productivity & performance, as well as eliminating turnover of county prosecuting attorneys & their deputies. Well trained attorneys will provide substantive justice to victims and the public, both in actual trials and in plea resolutions. Well trained attorneys will make fewer mistakes and reduce our costly and time consuming use of the court system to address error.

What alternatives were explored by the agency, and why was this alternative chosen?

For the last decade, WAPA training provide roughly 15,000 hours of mandatory continuing legal education to deputy prosecutors. The number of attendees has led to using a lecture format at most training in order to accommodate that attendance. WAPA cannot reduce the current offerings without denying training opportunities to current prosecutors. Until 2007, we accessed the National Advocacy Center (NAC) in South Carolina to provide intensive trial advocacy skills to Washington Prosecutors. For the last two years, the NAC has not been funded at a level that allows for Washington Prosecutors to attend.

What are the consequences of adopting or not adopting this package?

Efficient and successful prosecutions can avoid state supervision liability much more important given the new community custody violation policy adopted in 2012. Deputy Prosecuting Attorneys with competent level of courtroom skills will be more likely to resolve cases short of trial by effectively plea bargaining, and when in trial, likely consume less time and resources for more certain results. Poorly handled prosecutions can generate large costs to the state in remedial litigation. This package for training will assist in reducing remedial litigation. Individual victim and public confidence rests upon the competent performance of trial advocacy by the

state's criminal prosecutors.

What is the relationship, if any, to the state's capital budget?

This request has no relationship to the state's capital budget.

What changes would be required to existing statutes, rules, or contracts, in order to implement the change?

This request requires no changes to existing statutes, rules, or contracts.

Expenditure and revenue calculations and assumptions

\$90,000 is needed to cover current ongoing costs (addressing both past budget reductions and current shortfalls in reimbursement) and expected increased costs. This is documented by eligible but denied billings at fiscal yearend. The shortfall in fiscal year 2015 was \$80,861.36.

An increase of \$10,000 is also requested in order to increase the partial lodging reimbursement rate for training attendees from \$60 to \$70.

Which costs and functions are one-time? Which are ongoing? What are the budget impacts in future biennia?

The proposed increase is ongoing. It will address actual training needs for the foreseeable future.

<u>Object Detail</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>Total</u>
N Grants, Benefits & Client Services	90,000	90,000	180,000