

2022

WASHINGTON BACKGROUND CHECK ADVISORY BOARD ANNUAL REPORT

Developed by: Washington Background Check (WBC) Advisory Board

December 15, 2022

BACKGROUND

In the 2020 Legislative Session, the Washington State Legislature passed Engrossed Second Substitute House Bill 2467 (E2SHB 2467) to create a centralized point-of-contact firearms background check program within the Washington State Patrol (WSP).

As a function of E2SHB 2467, the Washington Background Check (WBC) Advisory Board was established. The duties of the WBC Advisory Board (Board) are as follows:

The WSP must consult with the Board in carrying out its duties. The Board shall consist of the following members, appointed by the Governor:

- The Chief of the WSP or the Chief's designee;
- The Executive Director of the Washington Association of Sheriffs and Police Chiefs (WASPC) or the Executive Director's designee;
- One sheriff;
- One police chief;
- One licensed firearms dealer [under 18 U.S.C. Sec. 923(a)]; and
- One member of the general public.

The Board shall convene within 90 days of the effective date of the bill, from its members elect a chairperson, and must meet no less than monthly until the WSP deems the background check unit is operational, at which time the Board shall meet quarterly. The Board shall:

- Provide input and feedback regarding the establishment and operation of the firearms background check unit;
- Provide input on the development of the firearms background check (FBC) unit budget prior to its formal submission to the Office of Financial Management (OFM);
- Be consulted prior to proposing or adopting any rule relating to the firearms background check unit;
- Require reports from the WSP on matters pertaining to the firearms background check unit; and
- Report to the Governor and appropriate committees of the Legislature each year on activities of the Board and the firearms background check unit.

Board member reappointments were completed by the Governor's Office on May 25, 2022. The members are as follows:

- Assistant Chief Marc Lamoreaux, Washington State Patrol
- Executive Director Steve Strachan, Washington Association of Sheriffs and Police Chiefs
- Sheriff Tony Hawley, Okanogan County Sheriff's Office
- Chief Keith Siebert, Quincy City Police Department
- Ms. Tina Browning, Farwest Sports/Sportco - (Licensed Firearms Dealer/Retail)
- Mr. Brian Moreno, Moreno & Moreno LLC - (General Public Member)

EXECUTIVE SUMMARY

The Board met 11 out of 12 months in 2022, and convened on the dates listed below:

- January 11, 2022
- February 9, 2022
- March 9, 2022
- April 13, 2022
- June 8, 2022
- July 13, 2022
- August 10, 2022
- September 14, 2022
- October 12, 2022
- November 9, 2022
- December 14, 2022

See Addenda A for status and budget reports from the meetings. ¹

ACCOMPLISHMENTS FOR 2022

In January 2022, the board nominated a chairperson to formalize the board. The person named was Assistant Chief Lamoreaux, Washington State Patrol.

The Washington State Patrol (WSP) project manager and Catalyst Consulting Group (CCG) established a timeline for the project. A risk matrix was developed for the project and was reviewed every three months to identify any new risks or remove ones no longer needed. Workflows were built by the WSP team and presented to CCG for finalization and to establish user stories for building the Secure Automated Firearms E-Check (SAFE) system. User interface design was worked on by both CCG and WSP staff.

The WSP and CCG were able to complete the required Security Design review for submission to the Washington State Office of Cyber Security (OCS) and received approval to continue with the project. This was a significant accomplishment since it took several meetings to ensure what was going to be produced was documented correctly.

The network foundation was built for SAFE to function. This included two separate Virtual Private Network (VPN) connections, one to the Federal Bureau of Investigation (FBI) and one to Washington Technology Solutions (WaTech – the state’s consolidated Information Technology agency) to allow SAFE to connect to other state agency systems necessary for the background check process. The Federal Firearms Licensee (FFL) portal was built and tested by CCG and WSP staff and development has progressed to the beginning stages of the staff portal, where WSP employees will perform the actual work of conducting background checks.

Individual external stakeholder meetings were held (and continue to be held) twice a month each with the Washington State Department of Licensing (DOL), the Administrative Office of the Courts (AOC), and the Health Care Authority (HCA) to ensure testing and development of the connections between SAFE and their systems. Progress was steady and the project is still on track for an anticipated soft launch in July 2023.

The location of where the Firearms Background Division (FBD) would be housed was

¹ Addenda A, Firearms Background Check Program – Status and Budget Reports; January – December 2022

established at the Helen Sommers Building (HSB). The space was previously occupied by Office of Financial Management (OFM) and was vacated during October. WSP took over the lease on November 1, 2022 and began renovations shortly thereafter, with the hopes of occupying the space in January 2024.

Staffing for FBD is on track with the staffing plan. WSP has hired an Administrative Assistant 4, two Quality Assurance trainers (trainers for the entire division), the supervisor over the Quality Assurance Training Unit, and two SAFE System Information Technology Administrators.

REQUEST OF THE BOARD

The WSP FBD submitted a Decision Package for the 2023-2025 budget cycle. The legislature provided funding for the 2021-2023 biennium, based upon assumptions and calculations from a fiscal note for Engrossed Second Substitute House Bill 2467 (E2SHB 2467), not the Implementation Plan (which was completed after the Governor's budget submission for the pending legislative session). The plan, being more comprehensive in its evaluation of requirements than the fiscal note allowed, discovered additional requirements that would require the moving of the "go-live" date from January 2023 to January 2024. Because of the needed date move, anticipated revenue from the program would be deferred by a year. The WSP FBD requested funding to cover the cost of that additional year of program development and implementation prior to fee-based collections to begin. Failure to fund this request by the legislature will stop the project.

CONCLUSION

The Firearms Background Check Program is on target and progressing effectively. Essential steps for 2022 and requisite communications/consultation with the Board were achieved. Budget reports reflect sound business practices, OFM authorized the allocation of funding through the remainder of the biennium, and phases transitioning into 2023 are correctly identified by the WSP.