

2023

WASHINGTON BACKGROUND CHECK ADVISORY BOARD ANNUAL REPORT

Developed by: Washington Background Check (WBC) Advisory Board

December 15, 2023

BACKGROUND

In the 2020 Legislative Session, the Washington State Legislature enacted Revised Code of Washington (RCW) 43.43.580 directing the Washington State Patrol (WSP) to create a firearms background check unit to serve as a centralized single point of contact for dealers to conduct background checks for firearms sales or transfers required under chapter 9.41 RCW and the federal Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.).

Concurrently enacted at that time, was RCW 43.43.585 establishing the Washington Background Check (WBC) Advisory Board. The primary purpose of the board is to ensure that the Washington state patrol firearms background check unit established in RCW 43.43.580 is administered efficiently and effectively, and in a manner that honors individual firearms rights while preventing prohibited persons from obtaining firearms.

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)]
- 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.
- Report to the Governor and appropriate committees of the Legislature each year on activities of the Board and the firearms background check unit.

The Board saw movement this last year due to retirement and not being re-elected to the position. The following members were removed:

- Sheriff Tony Hawley, Okanogan County Sheriff's Office, resigned January 2023
- Chief Keith Siebert, Quincy City Police Department, retired February 2023

The Boards and Commissions Office replaced the two outgoing members with the following:

- Sheriff Ricky Felici, Island County Sheriff's Office, appointed August 2023

- Chief Jeffrey Beazizo, Lake Stevens Police Department, appointed August 2023

The Board now consists of the following members:

- Assistant Chief Marc Lamoreaux, Washington State Patrol (Chair)
- Executive Director Steve Strachan, Washington Association of Sheriffs and Police Chiefs
- Sheriff Ricky Felici, Island County Sheriff's Office
- Chief Jeffrey Beazizo, Lake Stevens 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 2023, and convened on the dates listed below:

- January 11, 2023
- February 8, 2023
- March 8, 2023
- April 12, 2023
- May meeting cancelled due to low Board participation. Those who could join participated in the monthly Steering Committee meeting.
- June 14, 2023
- July 12, 2023
- August 9, 2023
- September 13, 2023
- October 11, 2023
- November 8, 2023
- December 13, 2023

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

ACCOMPLISHMENTS FOR 2023

The Washington State Patrol (WSP) project manager and Catalyst Consulting Group (CCG) followed the timeline for the project that was established in 2022. Early in the year, it was discovered that the project was falling behind. Several efforts by the project manager and CCG brought the project back on track. 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. User Stories were built by the WSP team and presented to CCG in order to develop the Secure Automated Firearms E-Check (SAFE) system.

All external agency connections to SAFE were developed and tested. Individual external stakeholder meetings were 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.

¹ Addenda A, Firearms Background Check Program – Status and Budget Reports; January – December 2023

All of the connections were established and are working with the SAFE interface. Secure Access Washington (SAW) integration for the Federal Firearm Licensees (FFLs) to sign into SAFE for authentication was established and is working as designed.

CCG developed the portal for FFLs to use to submit firearm background checks. CCG built the Staff portal where WSP perform the actual work of conducting the background checks. CCG developed a portal through an existing application already within the WSP called the Personal Identifiable Information Exchange System (PIIES), for the local law enforcement agencies to use to submit their HCA checks. They are still responsible to process concealed pistol licenses which requires an HCA check. That same portal was used to build an interface for the WSP evidence officers to use to submit their disposition of firearm (return from evidence) checks.

CCG developed the following online training modules, available from the WSP public website, for each user group in 2023:

- FFL Business Owner
- FFL User
- WSP Staff
- LEA PIIES Users
- WSP Evidence Officers

The Firearms Background Division (FBD) moved into the Helen Sommers Building Suite 2200 in April 2023. The space that was acquired was previously occupied by the Office of Financial Management (OFM). The space was well suited for the need of the division and only needed some minor upgrades. To accomplish this, the Department of Enterprise Services, WSP Property Management Division, WSP Electronic Services Division, WSP Budget and Fiscal Services (contracts), and Correctional Industries worked together and were able to complete the upgrades within four months. The staff to fill the space was hired in 2023. Staffing for FBD is on track with the staffing plan. To date, five Program Specialist 5 (supervisor) positions, five Program Specialist 3 (lead) positions, and 27 Program Specialist 2 (line staff) positions have been hired.

Organizational Change Management (OCM) was developed and deployed throughout 2023. A monthly communication was sent to all of the FFLs. Several surveys were conducted with both the FFLs and LEAs to get feedback about the development and/or enhancements of SAFE. Early adopters of SAFE were brought on to get feedback of the SAFE system and usability. We received positive feedback.

CCG developed an Application Programming Interface (API) for use with SAFE. There are several third-party software vendors that FFLs already have in place, and the API allows them to connect directly with SAFE for the background check, eliminate duplicate data entry, and increase efficiency. There is only one vendor that has taken advantage of the API to date and the company is ORCHID.

All testing for the SAFE system was conducted by Mr. Kevin Baird (Assistant Division Commander), the SAFE system administrators, Mr. Scott Came (Technical Architect), and CCG personnel. Functional testing was conducted throughout the development of the SAFE system. User acceptance testing took place in June. The SAFE application was made available to the FFLs in one-month increments, starting on August 8 at 8 a.m. Physical letters were sent to each FFL that was represented on the Department of Licensing FFL business license list. The letter contained a "SAFE code" to be used for onboarding to the new system. By mid-October, over 800+ letters were sent out.

Quality Assurance oversight has been a part of the project since the beginning. All of 2023 mostly received a “green” status. There were two months that the schedule and overall health of the project turned “yellow”. The project did not see a red status throughout the project.

CONCLUSION

The Firearms Background Check Program is on target and progressing effectively. Essential steps for 2023 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 2024 are correctly identified by the WSP.