



WASHINGTON STATE
CRIMINAL JUSTICE TRAINING COMMISSION
19010 1ST AVENUE SOUTH, BURIEN, WA 98148

SPECIAL COMMISSION MEETING

Held telephonically

Wednesday, August 12, 2009

2 PM

COMMISSION MEMBERS PRESENT:

Bill Boyce, Citizen at Large

Craig Thayer (Chair), Sheriff, Stevens County Sheriff's Office

Eldon Vail, Secretary, Washington Department of Corrections

Jeff Myers, Chief, Hoquiam Police Department

Laura Laughlin, Special Agent in Charge, Federal Bureau of Investigation

Ned Newlin, Chief of Corrections, Kitsap County Sheriff's Office

Shon Small, Detective, Benton County Sheriff's Office

Thomas Metzger, Prosecuting Attorney, Pend Oreille County

William Elfo, Sheriff, Whatcom County Sheriff's Office

WSCJTC STAFF PRESENT:

Al Isaac, Special Projects Manager

Debbie Mealy, Deputy Director

Doug Blair, Certification Manager

Jean E. Meyn, Assistant Attorney General, Attorney General's Office

Michael D. Parsons, Executive Director

Sonja Hirsch, Executive Assistant

INTRODUCTION

The Chair called the telephonic meeting to order at 2:04 PM with a quorum present. Roll call was done to identify the Commissioners. Guests and WSCJTC staff were not identified on the record.

PURPOSE

The Special Commission Meeting was held to discuss and possibly take action on legislation to change the membership of the Commission (RCW 43.101.030) and to amend the quorum to “majority” and the number of members required to call a meeting (RCW 43.101.060).

Per RCW 43.101.060, seven members of the Commission shall constitute a quorum and meetings may be called by the Chair and shall be called by him or her upon the written request of six members.

At the Commission Meeting in June, a Membership Committee was formed, which included Commissioners Kirkpatrick (Chair), Elfo, Newlin, and Small.

On Chief Kirkpatrick’s behalf, Commissioner Elfo gave the Committee’s report. He informed the attendees that, on June 29, the Committee Chair sent an email to the Commissioners in regard to the lack of attendance and the difficulty with or inability to establish a quorum at the Commission Meetings. The email addressed the following issues in regard to voting:

1. Should the Commission remain at 14 members and replace the members who do not attend?
2. Should the Commission remain at 14 members, but replace some representatives with more influential stakeholders? For example, the Washington Department of Corrections (DOC) is no longer under the Commission’s purview in regard to training personnel employed by prisons. Therefore, does it make sense to retain the position?
3. Should the Commission reduce the number of positions on the Commission, which would reduce the requirements for establishing a quorum?

Only 10 of the 14 Commissioners responded to the June 29 email, and the results were:

1. Six out of 10 would make cuts to the size of the quorum.
2. Two out of 10 had reservations about making the cuts.
3. One would clearly exercise option 2 from above.

If positions were to be cut, those recommended were:

1. Attorney General (five votes)
2. Department of Corrections (six votes)
3. Federal Bureau of Investigation (six votes)
4. Elected Official (one vote)

The Director suggested adding a Commission position to represent juvenile corrections.

The Commission Chair asked Commissioner Elfo if adding a representative from juvenile corrections was ever discussed.

Commissioner Elfo stated the idea was not discussed.

The Commission Chair asked for the Commission's desire on how to proceed.

Commissioner Laughlin confessed that she has missed a number of meetings due to her travel schedule; therefore, she would support an adjustment to lower the quorum.

Commissioner Metzger stated that due to difficulty in reaching a quorum, something needs to be changed. Commissioners Elfo, Small, and Newlin agreed.

The Chair suggested a motion to amend the RCW for the majority of the membership to constitute a quorum.

Commissioner Newlin made a motion to submit legislation for a majority of the members of the Commission should constitute a quorum. In addition, he added that meetings may be called by the Chair and shall be called by him or her upon the written request of one-third of the members. The motion was seconded by Commissioner Elfo.

The Director stated the proposed legislative change would mean a "majority" of the filled positions, not the vacant positions.

A roll call vote was conducted as follows:

In favor of motion (8):

Commissioners Elfo, Laughlin, Metzger, Myers, Newlin, Small, Thayer, and Vail.

In opposition of motion:

None.

Commissioner Boyce joined the meeting at 2:19 PM.

The Chair asked Commissioner Boyce if he was present during the discussion and motion.

Commissioner Boyce stated he joined as the vote was being conducted.

The Chair briefed Commissioner Boyce on the motion, and Commissioner Boyce voted in favor of the motion.

The Chair opened the discussion for the elimination, addition, or substitution of positions on the Commission.

Commissioner Myers stated that in addition to the juvenile corrections, there have been discussions at the Washington Association of Sheriffs and Police Chiefs Conferences to incorporate and facilitate representation on committees and boards by those other than sheriff or police agencies. This would allow the inclusion of the Department of Fish and Wildlife, ports, college policing, and other academy attendees that are not currently represented by the Commission.

Commissioner Elfo reminded the attendees that; during a previous meeting, because of the DOC no longer being under the purview of the Commission, the DOC was going to include that the DOC representative be removed from the Commission membership. He asked for DOC Secretary Vail's position and whether or not there is an importance to retain DOC representation when they are currently operating their own training program.

Commissioner Vail did not recall mentioning the idea introducing a legislative request to have the DOC position removed from the Commission membership. It was not contained in any legislation, and, therefore, did not happen.

He stated the DOC will still have 1,200 to 1,500 community corrections officers to be trained through the Adult Services Academies; therefore, it makes sense for the DOC to be involved with the WSCJTC. He believes it is important for the DOC to continue to be a part of the WSCJTC.

Commissioner Newlin stated that it was apparent that only six of the 14 Commissioners had a desire to make a change to the membership. Given that, he is not certain there is enough support to make a decision on the membership.

Participation from some of the members has been one of the biggest challenges; therefore, it was recommended to take a step back and see what happens.

Commissioner Elfo concurred and stated the Commission should proceed with the legislation regarding the quorum and revisit the other issues at another time. Commissioner Laughlin agreed.

Commissioner Myers said that although he is new to the Commission he understood there was an interest or non interest from the Attorney General to relinquish or have another representative from the Attorney General's office.

Commissioner Elfo stated that Attorney General McKenna, during his conversation with Commissioner Kirkpatrick, stated it would be acceptable for

the Attorney General position to be eliminated; however, he was not advocating one way or another.

The Chair asked if there was any additional input regarding the discussions. The consensus of status quo is to not proceed with any other any legislative changes other than those regarding the majority for a quorum.

Commissioner Myers clarified that “status quo” means status quo for the next 12 months.

The Chair concurred.

The meeting was adjourned at 2:27 PM.

Next Meeting: September 9, 2009, at 10 AM
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Written by: _____
Sonja Hirsch, Executive Assistant _____ Date

Reviewed by: _____
Michael D. Parsons, Executive Director _____ Date

Approved by: _____
Sheriff Craig Thayer, Commission Chair _____ Date