



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

COMMISSION MEETING

Wednesday, June 15, 2016
10 AM

COMMISSION MEMBERS PRESENT:

Jeff Myers (Chair), Chief, Hoquiam Police Department
Bill Elfo (Vice-Chair), Sheriff, Whatcom County
Julie Anderson, Auditor, Pierce County (telephonically)
Laura Wells, Citizen-at-Large
Joshua Kelsey, Officer, Lynnwood Police Department
Kenneth Hohenberg, Chief, Kennewick Police Department
John Turner, Sheriff, Walla Walla County
Darell Stidham, Deputy, Spokane County Sheriff's Office
John, Batiste, Chief, Washington State Patrol

GUESTS PRESENT:

John Hillman, Assistant Attorney General, Attorney General's Office
Gary Howell, Undersheriff, Wahkiakum County
Josh Scholten, Officer, Wahkiakum County
Logan Bahr, Policy Specialist, WACOPS
Sandra Zessin, Chief Civil Deputy, Walla Walla County Sheriff's Office
Carl Nelson, Executive Director, WACOPS
Sam Hovenden, Officer, Redmond Police Department
Shan Hānon, Officer, Bellingham Police Department

WSCJTC STAFF PRESENT:

Sue Rahr, Executive Director
Marisa O'Neill, Executive Assistant
David Bales, Manager, Instructional Services Division
Rex Caldwell, Manager, Operations Division
Brian Elliott, Manager, Fiscal Services Unit
Sonja Peterson, Manager, Human Resources Division
Ron Napenias, Manager, Information Technology Unit
Tisha Jones, Manager, Certification Unit
Patti Toth, Program Manager
Leanna Bidinger, Program Manager

OPENING

Jeff Myers, Commission Chair

The Chair called the meeting to order at 10:04 AM.

Marisa O'Neill conducted a roll call of the Commissioners. A quorum was present.

The Chair asked guests to sign in if they chose to be accounted for in the meeting minutes.

The Chair opened the meeting updating those present on Commander Bowen's health. A card was passed for those in attendance to wish him well.

The Chair advised this meeting was the last commission meeting for Julie Anderson. Chair Myers spoke of the pivotal role she's played on the Commission and thanked her for her service to the citizens of the state of Washington.

An interim director for the Department of Corrections is in place, but it is likely there will be no official appointment to the Commission until after the elections in November.

The replacement for the position of County Corrections representative is being vetted by the Governor's Office, but hasn't yet been appointed.

APPROVAL OF MEETING MINUTES

The Chair called for review and approval of the meeting minutes from March 9, 2016.

Commissioner Hohenberg moved to approve the minutes. **Commissioner Turner** seconded the motion. ***The motion passed unanimously.***

CHAIR'S REPORT

Jeff Myers, Commission Chair

The Chair advised he'd covered the majority of his report in opening remarks. He made mention of the fact the minutes of the March meeting are detailed. There was a lot of discussion that administration thought was important to capture. It's a little more back in forth than we typically do, but under the circumstances and the topics involved, is good for our stakeholders to see the process, discussion and direction we're headed.

EXECUTIVE DIRECTOR'S REPORT

Director Rahr, Executive Director

Staff Update

Director Rahr gave an update on Commander Bowen. He is expected to come home to Washington at the end of this week, which is earlier than anticipated. Everything is looking very good for what looked like a bad situation. He is recovering well and his expected return time will be sometime in August. In the meantime, this has presented an opportunity for our two Assistant Commanders. Brandon Rogel, Assistant Commander for COA and Mark Best, Assistant Commander for BLEA are both stepping in trying to cover some of Rick's responsibilities. Rex Caldwell, is the go-to, if help is needed.

Organizational Flattening

Director Rahr gave an update on the re-organization of divisions. Basic Training is run by Rick Bowen. Instructional Services by David Bales. Advanced Training is led by Samantha Daly. Rex Caldwell is leading Operations. Rex has a great deal of not only law enforcement, but also executive experience as a police chief and city manager.

What she indicated has been needed is a deep dive into our curriculum and planning strategically so BLEA transitions into field training. Having Dave move to Instruction Services has allowed us to do just that. Dave is currently taking his draft of 15 core competencies to the field training officers around the state to see if they agree with them. Based on his research of best practices and a number of field training programs these

seem to be the natural requirements. Once we get that feedback we will go back to the field to the stakeholders and talk about what level of mastery in each of the arenas an officer should have coming out of the academy and then coming out of the FTO program.

Firearms Program Summary

Director Rahr gave an update on the Firearms Program. Bob Bragg and Mike O'Neill collaborated to put together a white paper explaining the rationale behind CJTC's firearms training.

WASPC Conference Recap

Director Rahr gave an update on the WASPC Conference. She made a request of the Executive Board to clarify the role of the WASPC Training Committee. The Executive Board made the decision to ask she and Sheriff Knezovich to collaborate on amending the charter for the WASPC Training Committee so it would meet the needs of CJTC as well as itself.

IADLEST Conference Recap

Director Rahr gave an update on the conference. Since the President's Task Force recommendations have been disseminated, the influence of IADLEST has increased dramatically. It was very constructive session. Washington State was once again held up as probably the best training model in the country, due in no small part to the fact we have a single academy.

Sue was elected second Vice President of IADLEST. It will not be a big time commitment, but it will give the state of Washington additional influence on where the field of law enforcement is going.

Top three complaints about academy students across the country were recruits having trouble communicating verbally and in writing, and with decision making. There was a discussion about whether maybe this is a generational thing that we really have to recognize as such and our training methods may or may not have as much influence as we think they do.

Legislative Update & Budget

Director Rahr gave an update on the Legislative budget proposals. Governor Inslee will submit his second supplemental proposed budget in December of this year. Many discussions have been held with OFM about the necessity of us knowing now if he will propose the budget with our additional funds request, since we need to start scheduling classes right away. An email was received affirming that while it is unsure how much additional funding will be received, they will make sure we will be able to meet the needs of our stakeholders. With this in mind, 18 classes have been scheduled, so the queue is reduced. Currently we are about 3-4 months out. Hopefully with the increase we can get it down to a 2 month wait. If something goes wrong and we do not get the funding needed, then come January no new classes will be scheduled.

The Governor will be on campus July 7th for a campus tour if any Commissioners are interested in attending.

Director Rahr: An emergency appropriation has been made of \$500k in our budget to go to WASPC to continue the mapping program. Neither WASPC nor CJTC requested it. The vendor asked for the money. A letter we received asks CJTC and WASPC to perform an audit or assessment of the program. We are looking into this further.

Rex Caldwell: While we have money for additional classes, we need the staffing to support the additional classes as well. As we move forward we will be adding TAC staff. We just posted an advertisement for TAC Officers and received only one applicant.

Director Rahr discussed end of the year spending. We purchased additional tablet computers for BLEA and COA. We are adding and replacing some Mock City furniture. We are upgrading our lighting around the facility. Bob Sanchez has been a fabulous Facilities Manager. He has come through and come up with ideas for fixing things, saving money. He is anticipating we will save money by switching to LED lighting. For a future project, Bob is also going to be looking into what it would cost to refurbish the auditorium.

Our condemned Dorm 3 building would cost around \$85,000 to demolish. Bob came up with the idea of approaching the fire departments and letting them use the building as training for a control burn. We expect to do that within the next 6 months.

Project with Starbucks

Director Rahr gave an update on a series of documentaries that Starbucks is producing. Several documentaries will be created, each about 5 minutes long, regarding citizenship, leadership, and just being a better citizen in the United States. They would like to do a 5 minute documentary about what we're doing at here at the academy. Filming will start this summer and released sometime in the fall.

Task Force

Director Rahr gave an update on the next steps on the Task Force. They had their one year reconvening. Fifteen cities from across the nation have been selected to do demonstration projects of agencies that are effectively implementing some or the majority of the task force recommendations. Part of that project will require a number of consultants to come and assist with those implementations.

Sue was asked to be participate as a consultant for the DOJ in Tucson for that purpose. What that will entail, will probably be two days per month. If approved, she will use these days as vacation time and keep any correspondence related to this separate from CJTC by using personal email and not using CJTC staff for the project. She asked for the Commission's approval to perform this work as Off-duty Employment.

Approved. No objection from the Commissioner's.

Deadly Force Task Force

Director Rahr reminded the Commission that when the bill regarding changing the Deadly Force statute died, the compromise was to create a task force to look into police use of force issues in the state of Washington. There is a list of about 25 positions for that task force. The first meeting will be June 28th.

OLD BUSINESS

Warrant Officer Suggested Training Guidelines

David Bales passed out a draft of a document of suggested guidelines and recommendations for training of Warrant Officers.

Commissioner Elfo: From perspective this is a very ill-conceived legislation. One of the most hazardous duties an officer has is serving arrest warrants out in the field. This

is work that should be described as a general authority function. Even with the term Limited Commission Officer, they have to work for a General Authority Agency. Warrant Officer is not defined. Is it just a matter of reaching a concurrence? We don't issue any type of certificate license or authority, correct?

David Bales: Once we've reached a concurrence we sign off that we approve their training. We do not certify the position. **ACTION:** Implement and report back to the Commission in 12 months.

Basic Training Advisory Group

Director Rahr: Commander Bowen had launched the process prior to his medical emergency. Would like to hold on this until his return in August.

David Bales: Will continue to perform the outreach for the core competency piece.

K-9 Certification

Commissioner Turner: Since last meeting had opportunity to meet with the Pacific Northwest Detection Dog Association in Walla Walla. Approximately 50 handlers came with their detection dogs for a week of training. During that time, we had an opportunity to meet with several of their E-board members to continue the conversation. We've broken down the process moving forward into two pieces. I've become more of the process guy as to what the process would look like if we do a K-9 subpanel similar to a hearing subpanel like Tisha does. Because Commissioner Stidham has a K-9 background has become the contact person for the certification model. Everybody agrees and likes the idea of the WAC saying that it is recommended that dogs certify to CJTC policy best practice as opposed to having the actual standards listed in the WAC.

Commissioner Stidham: Standards are pretty much done. Group has come together on what each dog should do and will present in one package. We worked on language for the evaluator portion in Walla Walla and that's still being tweaked. Feedback we're receiving is the standards are not overly different from what we had before. They are just fine tuned and added the training dog. Hope to have completion of 1st review by the next commission meeting and final product by December meeting.

Open Comments:

Sam Hovenden requested the Commission state the workgroup commit to utilizing the original members. Organizations keep wanting to add people to the workgroup, which delays progress.

No objection by the Commission for the commissioners assigned to the workgroup use their authority to move process forward to ensure a first review by September.

Reserve Certification Workgroup Update

On hold. **ACTION:** item to remain as Old Business on the September agenda with the acknowledgement it will be addressed in December 2016.

NEW BUSINESS

WAC Rule Review

Sonja Peterson, HR Manager

WAC 139-50-300, Requirement for In-service Training. For discussion only. Changes establish clarification to the extension, provision, and gives the CJTC auditor the authority to make decisions regarding exceptions under extenuating circumstances when the employing agency has made every reasonable effort to meet compliance. This will assist stakeholder agencies obtaining compliance with the rule.

Director Rahr provided background for WAC rule. CJTC takes the 24 hours of in-service compliance requirement seriously. You have agencies who have less than 10 sworn and you have agencies that have over a thousand sworn. In a larger agency if one person is out sick or if something happens where they cannot get their 24 hours, the entire agency is out of compliance. So the purpose of this is for Leanna to make a reasonable judgement call that the agency is substantially in compliance with exception of this one person who could not do the training for whatever reason. Leanna has been doing this for quite a while and has a good feel for agencies who are trying to make this work vs. agencies who are trying to get out of the requirement.

Chair Myers: What do you do about someone who is deployed? They're on the books, but are not doing their in-service training. Is that covered?

Leanna Bidinger: We have a prorating process for anyone who goes out of service for military, injury, or personal leave. We pro-rate the number of hours needed from 24 to 2 hours per month of active duty, so the agency nor the certified police officer are penalized for inactive status. This added verbiage allows CJTC to grant a variance on a case-by-case basis.

Final action and public hearing will be held at the September 14th meeting.

Variance Requests

Tisha Jones, Certification Manager

Tisha Jones: A variance committee was put together comprised of Tisha Jones, Donna Rovick, and Commander Bowen or his designee. When an agency requests a variance, Tisha will work directly with the agency and put together a packet to bring before the variance committee. The committee looks for comparison between their basic, their experience, their college education, and/or any federal academy. It's a well-rounded approach to looking at their application. When something is brought before the Commission, it means the variance committee has reviewed, and agree with the request moving on to the next step of having the Commissioners make the final decision whether or not the person will be granted that variance.

The variance committee will deny some based on the initial review and the variance will not go to the Commissioners. However, there is a WAC that allows an agency to appeal that administrative decision allowing them to testify before the Commission.

Gary Howell, Wahkiakum County Sheriff, Undersheriff

Here on behalf of Sheriff Howie. Would like to hire Josh Scholten as a lateral for the department. Josh is currently working for Washington State Parks as a Law

Enforcement Officer for almost 5 years. Goes through continuing education through Washington State Parks and I believe even comes here to the academy for training. Completed a 740 hour FLETC through a community college in Northern Washington. He is certified in our BAC's, NSFT's, he does all the DV's the way any other law enforcement officer would. He's enforcing traffic laws on the beach. He is doing theft and vandalism calls in the parks. He does all law enforcement like any other Washington Law Enforcement Officer does. He's just been confined to the park borders, other than those times that he does go out and does some assists and backups for agencies outside the park county, mainly state patrol in some of their remote areas. My Sheriff and I both have looked into Josh's background and find no reason to say that he is not a qualified officer and should meet the requirements for equivalency. We would like your approval to say, "Yes, his training meets the requirements." So he send him up and do the two-week equivalency, to make sure we fine tune those last few things that we would need to get him used to being outside of that park border and that also will be covered in a FTO program once that is completed.

Commissioner Elfo: Is his offer of employment conditioned upon getting accepted into the equivalency academy?

Gary Howell: For this position, yes. Because he was being looked at as a lateral officer, not as a basic entry, so it would have been different testing process.

Tisha Jones: The Sheriff disclosed to me that a conditional offer was made.

Commissioner Batiste: So the question is whether or not he enters equivalency or basic.

Gary Howell: If we end up doing a basic, we will have to go a new testing process because he didn't test as an entry level, he tested as a lateral because the Sheriff and I wanted to recognize his background and his experience.

Commissioner Wells: How does the FLETC hours cross walk with BLEA curriculum?

Tisha Jones: We looked at it a couple of times and it's close but not close enough as far as the different procedures and things like that. When Donna looked at everything she explained to me they break their academy down differently than we break our academy down. Although it looks like it's exactly the same 720, it's not.

We have looked at Skagit Valley for years and it is not the same academy. It's the same hours, but it is not the same academy. Skagit's Valley Community College uses our reserves curriculum (aprox. 300 hours) during their reserve academy so that's the piece that is then taken and pushed into their 720 hour parks academy.

Chair Myers: What kind of higher education and background do you have?

Joshua Scholten: Associates degree obtained from Skagit Valley College in the area of Criminal Justice.

Commissioner Wells: When we grant variances, then these officers are certified peace officers in the State of Washington and they could go anywhere. So situations where the person we're discussing is a great fit for that community, if you look up a level, we're saying this is a person could go anywhere in the state and has met a certain level of training and it's consistent for the whole state.

Gary Howell: Yes, and I respect that. Part of what we look at is that he's already got 5 years of enforcing Washington State laws. So to me that gives more strength, because it's not like he has to go out and learn our stuff. He knows most of our laws and what we do. If you look at his continuing training he has a whole background of good continuing education for the last 5 years that the department has done with him. That probably exceeds standards with a lot of departments in the State of Washington for what they do. And he's currently enforcing state laws in the state of Washington, right down to traffic stops and DUI's on our state beaches which are considered state highways.

Chair Myers: Any action from the Commission?

No Motion. Request has been denied.

Chris Courchene, Kettle Falls PD, Chief

Request variance for Crystal Lofts based on her training experience. She completed the Reserve program and then FTO and has over 1000 hours of training. She has been part of the law enforcement community for 15 years and has been doing the jobs of full-time officer. Through no fault of her own, the previous administration hired Crystal as a provisional officer several times. She has had a take home car for years and covers shifts by herself unsupervised. She is always volunteering and willing to work. Would really like to see her come and work for the City of Kettle Falls as a full-time officer. She has a lot of training experience that can't be duplicated. She has been treated as a full-time officer for years and would just like to make it official where we can put her to work.

Commissioner Wells: Is there something in the WAC in related to reserve officers about full-time/part-time?

Tisha Jones: Yes. Our WACs are pretty clear that a Reserve Officer is not eligible for Peace Officer certification. What the issue Kettle Falls is facing and it's more of a civil service issue than a commission issue. They used her as a provisional officer for years and did not report that to us. We did not know that until they reported her to us that I found out she was in a predicament that she was in. So she wasn't eligible for equivalency right away since she had not been to BLEA. As the Chief explained, they placed her prior to his administration on provisional service full-time for those years.

Chair Myers: Any action from the Commission?

No Motion. Request has been denied.

GOOD OF THE ORDER

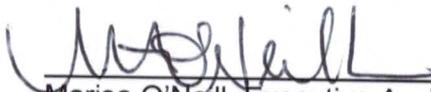
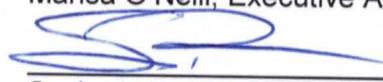
Chief for a Day Update

Sonja Peterson: I would encourage you all to attend our Chief for a Day event on August 18th. We have 33 agencies this year who are sponsoring children.

Chairman Myers noted a members of WACOPS attending the meeting and thanked them for their attendance.

Meeting was adjourned at 12:14.

Next Meeting: September 14, 2016, 10 AM, WSCJTC

Written by:	 _____ Marisa O'Neill, Executive Assistant	09.14.16 Date
Reviewed by:	 _____ Susan L. Rahr, Executive Director	9-14-16 Date
Approved by:	 _____ Jeff Myers, Commission Chair	9-14-16 Date