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7 **BEFORE THE CRIMINAL JUSTICE TRAINING COMMISSION**
8 **IN AND FOR THE STATE OF WASHINGTON**

9 In re the Certification of:

NO. 19-730

10 CODY S. MCCOY

FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER REVOKING
PEACE OFFICER CERTIFICATION

11 Respondent.

12 An administrative hearing in this matter was held on March 29, 2021 via Zoom, before the
13 Washington State Criminal Justice Training Commission Hearing Panel (Hearing Panel) to
14 determine whether Respondent Cody S. McCoy's peace officer certification should be revoked.
15 The Hearing Panel consisted of Presiding Member Officer Kerry Zieger of the Seattle Police
16 Department, Sheriff Wade Magers of the Lincoln County Sheriff's Office, Chief Kieth Siebert of
17 the Quincy Police Department, Sergeant Shawn Hayes of the Normandy Park Police Department,
18 and Professor Peter Collins of Seattle University and was advised by Assistant Attorney General
19 Justin Kato. The Petitioner was represented by Assistant Attorney General Susie Giles-Klein.
20 Mr. McCoy appeared *pro se*.

21 **I. PROCEDURAL HISTORY**

22 1.1 Mr. McCoy resigned in lieu of termination from the Snohomish County Sheriff's
23 Office (Sheriff's Office) on or about March 8, 2019. Prior to his termination, Mr. McCoy had been
24 employed as a peace officer with the Sherriff's Office.

25 1.2 On or about September 16, 2020, the Criminal Justice Training Commission
26 (Commission) filed a Statement of Charges seeking to revoke Mr. McCoy's peace officer

1 certification on the grounds that he was discharged from the Sheriff's Office for disqualifying
2 misconduct as defined by RCW 43.101.010(8)(b).¹ The Statement of Charges alleged that
3 Mr. McCoy was discharged for engaging in conduct constituting a crime committed under color
4 of authority as a peace officer, to wit: Failure of Duty and/or Official Misconduct.
5 RCW 42.20.100, RCW 9A.80.010.

6 1.3 Mr. McCoy timely requested a hearing.

7 II. HEARING

8 2.1 A hearing was held on March 29, 2021, via the Zoom teleconferencing
9 application, before the Hearing Panel.

10 2.2 Prior to the hearing, the parties entered into a Joint Stipulation of Fact agreement,
11 which was accepted and signed by the Presiding Member on or about March 4, 2021. Because
12 the facts of this case are not in dispute, the Petitioner did not provide any witness testimony.
13 Mr. McCoy testified on his own behalf.

14 2.3 The Petitioner offered the following exhibits, which were admitted by the
15 Presiding Member at the Second Telephonic Prehearing Conference on March 9, 2021:

- 16 1. Statement of Charges, *In re the Certification of Cody S. McCoy*, dated
September 16, 2020 (5 pages);
- 17 2. Request for Hearing, dated November 18, 2020 (1 page);
- 18 3. Peace Officer Certification Application for Cody S. McCoy, dated
February 17, 2016 (1 page);
- 19 4. Notice of Peace Officer Separation for Cody S. McCoy, dated
20 March 18, 2019 (1 page);
- 21 5. Snohomish County Sheriff's Office Personnel Complaint Form, dated
December 23, 2018 (1 page);
- 22 6. Emails concerning Jonathan Sato Complaint, dated December 23-26, 2018
(5 pages);
- 23 7. Witness Statement of Jonathan Sato, dated December 24, 2018 (1 page);
- 24 8. Memorandum from Lieutenant A.J. Bryant to Sergeant Tom Morris, dated
December 30, 2018 (6 pages);

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26 ¹ RCW 43.101 was updated in 2020 to include the certification of corrections officers. Thus, RCW 43.101.010(8)(b)
as cited in the Statement of Charges is now found under RCW 43.101.010(8)(a)(i)(B). The language is identical.

- 1 9. Order for Internal Investigation 18-002 IA, dated January 2, 2019 and
January 3, 2019 (4 pages);
- 2 10. Notice of Internal Investigation, dated January 6, 2019 (3 pages);
- 3 11. Emails between Sergeant Tom Morris and Kristy Keitges, dated January 9, 2019
(5 pages);
- 4 12. Interview Transcript for Jonathan Sato, occurring on January 9, 2019 (11 pages);
- 5 13. Facebook Message and Emails between Sergeant Tom Morris and Amy McCoy,
dated January 10 and January 15, 2019, respectively (3 pages);
- 6 14. Notice of Internal Investigation, dated January 15, 2019 (3 pages);
- 7 15. Paid Administrative Leave Order, dated January 15, 2019 (1 page);
- 8 16. Email from Gabriel Rees, dated April 10, 2018 (1 page);
- 9 17. Facebook message from Sergeant Tom Morris to Ashley Garinger, and profile
screenshot dated January 10, 2019 (2 pages);
- 10 18. Interview Transcript for Ashley Garinger, occurring on January 18, 2019
(10 pages);
- 11 19. Roommate Addendum, dated November 30, 2018 (1 page);
- 12 20. Emails between Sergeant Tom Morris, Kurt Mills, and Karl Christian, dated
January 23, 2019 (2 pages);
- 13 21. Interview Transcript for Cody McCoy, occurring on January 22, 2019 (18 pages);
- 14 22. Timeline of visits to 5518 – 75th Ave NE referenced during McCoy Interview
(3 pages);
- 15 23. Timeline of visits to Keitges residence referenced during McCoy Interview
(2 pages);
- 16 24. Snohomish County Precinct Map, undated (1 page);
- 17 25. Google Maps Route from C1 Precinct to 5518 – 75th Ave NE, undated (1 page);
- 18 26. Log of Cody McCoy’s trips to 5518 – 75th Ave NE (Garinger Residence) with
maps, undated (36 pages);
- 19 27. Log of Cody McCoy’s Response to Suicide Call on October 3, 2018 with maps,
undated (35 pages);
- 20 28. Log of Cody McCoy’s trips to 5916 – 164th St SE (Keitges Residence) with
maps, undated (14 pages);
- 21 29. Log of Cody McCoy’s whereabouts on December 9, 2018 with maps, undated
(11 pages);
- 22 30. Timesheets of Cody McCoy, dated June through December, 2018 (10 pages);
- 23 31. Memorandum from Sergeant Tom Morris to Sheriff Ty Trenary regarding
Internal Investigation 18-002 IAC/Deputy Cody McCoy, dated January 28, 2019
(66 pages);
- 24 32. Office of Professional Accountability Checklist, various dates (5 pages);
- 25 33. Pre-disciplinary Hearing Notice from Undersheriff Rob Beidler to Deputy Cody
McCoy, dated February 28, 2019 (6 pages);
- 26

- 1 34. Results of Pre-disciplinary Hearing from Sheriff Ty Trenary to Deputy Cody
2 McCoy, dated February 28, 2019 (though likely created in March 2019)
3 (10 pages);
4 35. Emails between Undersheriff Rob Beidler and Marcus Dill, dated March 8, 2019
5 (1 page);
6 36. Resignation of Cody McCoy via email, dated March 8, 2019 (1 page);
7 37. Sheriff Ty Trenary's notification to the Snohomish County Sheriff's Office of
8 Cody McCoy's separation from employment, dated March 8, 2019 (1 page);
9 38. Letter from Sergeant Tom Morris to Jonathan Sato regarding Complaint Finding
10 in 18-002 IA Cody McCoy, dated March 12, 2019 (1 page).

11 2.4 Mr. McCoy did not offer any exhibits.

12 2.5 The parties made their respective arguments, which were considered by the
13 Hearing Panel.

14 Based on the evidence presented at the hearing, the Hearing Panel enters the following
15 Findings of Fact and Conclusions of Law.

16 III. FINDINGS OF FACT

17 3.1 Mr. McCoy was hired as a deputy by the Sheriff's Office on or about
18 September 1, 2015, and was employed in that capacity until on or about March 8, 2019.

19 3.2 At all times relevant to this matter, Mr. McCoy was employed as a peace officer
20 with the Sheriff's Office.

21 A. Mr. McCoy's Unauthorized, On-Duty Contacts with Kirsty Keitges

22 3.3 Cody McCoy met Kirsty Keitges sometime in 2017, while she was working at
23 Swedish Hospital in Mill Creek, Washington.

24 3.4 In November and December of 2018, Mr. McCoy made eight on-duty visits to
25 Ms. Keitges's residence. Specifically, GPS records revealed that Mr. McCoy made the following
26 on-duty visits to Ms. Keitges's residence:

- November 26, 2018 – from 9:57 p.m. to 10:02 .p.m.
- November 28, 2018 – from 11:20 a.m. to 11:33 a.m.
- December 3, 2018 – from 11:31 a.m. to 11:37 a.m. and 8:01 p.m. to 8:10 p.m.
(this corresponds with pick up/drop off times for an undocumented ride-a-long)
- December 4, 2018 – from 3:55 p.m. to 4:07 p.m.
- December 9, 2018 – from 6:15 p.m. to 7:21 p.m.

- December 12, 2018 – from 4:27 p.m. to 4:36 p.m.
- December 16, 2018 – from 5:53 p.m. to 6:33 p.m.
- December 23, 2018 – from 6:54 p.m. to 7:09 p.m.

3.5 During one of those on-duty visits, on December 9, 2018, Mr. McCoy stayed at Ms. Keitges’s residence for 66 minutes. During this visit, Mr. McCoy engaged in sexual contact with Ms. Keitges. While at the residence, Mr. McCoy received a notification from dispatch at 7:03 p.m. to respond to a residential alarm. Though his status was updated to “enroute,” he did not leave Ms. Keitges’s house until 18 minutes after receiving the notification, at 7:21 p.m.

B. Mr. McCoy’s Unauthorized, On-Duty Visits to the Marysville Residence

3.6 Cody McCoy and Ashley Garinger began a romantic relationship in or around 2017. Ms. Garinger was a dispatcher for Snohomish County, and lived at a residence on 75th Avenue NE in Marysville (the Marysville residence). In November 2018, Mr. McCoy was added to Ms. Garinger’s lease for the Marysville residence.²

3.7 During 2018 and 2019, Mr. McCoy drove his patrol vehicle at least 11 times to the Marysville residence while on-duty in the South Precinct. Specifically, GPS records revealed that Mr. McCoy made the following on-duty visits to the Marysville residence:

- October 3, 2018 – from 7:55 pm to 8:03 pm.
- November 11, 2018 – from 11:17 p.m. to 11:35 p.m.
- November 14, 2018 – from 7:57 p.m. to 9:31 p.m.
- November 18, 2018 – from 8:28 p.m. to 9:01 p.m.
- December 3, 2018 – from 8:39 p.m. to 9:06 p.m.
- December 12, 2018 – from 8:33 p.m. to 9:07 p.m.
- December 16, 2018 – from 7:40 p.m. to 8:43 p.m.
- December 23, 2018 – from 9:23 p.m. to 9:45 p.m.
- December 25, 2018 – from 9:47 p.m. to 11:33 p.m. (but off duty as of 10:00 pm).
- December 26, 2018 – from 8:25 p.m. to 8:58 p.m.
- January 22, 2019 – from 1:19 a.m. to 2:03 a.m.

² At the time of the events in question, Mr. McCoy was married with two children and ostensibly lived with his family at their home in Mountlake Terrace, Washington.

1 3.8 The Marysville residence was located 24.2 miles, or between 15 - 25 minutes,
2 from Mr. McCoy's assigned patrol area in the South Precinct.

3 3.9 On October 3, 2018, Mr. McCoy's absence from his assigned patrol area made
4 him unable to timely respond to a suicide call. That day, Mr. McCoy was dispatched for a suicide
5 call in Bothell at 7:52 p.m. GPS data revealed that, at the time of the call, Mr. McCoy was in
6 Marysville headed to the Marysville residence. After receiving the call from dispatch,
7 Mr. McCoy proceeded to the residence, where he stayed until 8:03 p.m. At 8:04 p.m.,
8 Mr. McCoy "ran code" and attempted to respond to the call, but as he was enroute to the scene
9 he was informed that the call was handled by another officer and no additional assistance was
10 required. This occurred at 8:19 p.m., when Mr. McCoy was still approximately four minutes
11 from the scene.

12 **C. Complaint, Investigation, and Resignation**

13 3.10 In December 2018, the Sheriff's Office received a citizen complaint from a man
14 named Jon Sato. In his complaint, Mr. Sato alleged that his ex-girlfriend, Kirsty Keitges, told
15 him that she engaged in sexual activity with Mr. McCoy at her home. Mr. Sato alleged that
16 Mr. McCoy was on-duty at the time the sexual activity took place. A preliminary investigation
17 into Mr. Sato's complaint was conducted by Sergeant Dan Johnson and Lieutenant A.J. Bryant.
18 The complaint was then assigned to the Office of Professional Accountability (OPA) for further
19 investigation. Sergeant Tom Morris handled the OPA investigation.

20 3.11 Sergeant Morris analyzed data from Mr. McCoy's patrol vehicle's GPS system,
21 and was able to determine that he stopped at Ms. Keitges house on numerous occasions while
22 on duty in November and December 2018 as described above. Additionally, in the process of
23 analyzing Mr. McCoy's GPS data for the Sato complaint, it was discovered that he drove his
24 patrol vehicle to the Marysville residence throughout 2018 and into 2019 while on-duty as
25 described above.

1 3.12 Cody McCoy was interviewed by Sergeant Morris on January 22, 2019. During
2 that interview, Mr. McCoy admitted that he took Ms. Keitges on an undocumented ride-a-long
3 in 2018. He also stated that he went to Ms. Keitges's house while on-duty on each date
4 established by the GPS records, and that he engaged in sexual activity with Ms. Keitges at her
5 house while on duty on December 9, 2018. Mr. McCoy also acknowledged that, while engaging
6 in sexual activity with Ms. Keitges on December 9, 2018, he received a notification from
7 dispatch at 7:03 p.m. to respond to a residential alarm, but did not leave her house until
8 18 minutes later. He stated that he went to Ms. Keitges house while on-duty on December 16,
9 2018 to help her put up Christmas decorations.

10 3.13 Also during the January 22, 2019 interview, Mr. McCoy admitted to visiting the
11 Marysville residence without permission while on duty, and acknowledged that the GPS data
12 compiled by OPA was correct. He also admitted that he delayed his response to the suicide call
13 on October 3, 2018 because he was at the Marysville residence, and that his presence in
14 Marysville affected his ability to respond to calls in the South Precinct. Mr. McCoy admitted to
15 sharing the lease of the Marysville residence with Ashley Garinger, and acknowledged he was
16 also not authorized to take his patrol vehicle there at the end of his short days, since it was not
17 his listed home address.

18 3.14 Following the OPA investigation, Mr. McCoy received a notice of pre-
19 disciplinary hearing on February 28, 2019. On March 4, 2019, Mr. McCoy received a
20 pre-disciplinary hearing before Sheriff Ty Trenary, Undersheriff Rob Beidler, and Chief
21 Johnson. Mr. McCoy was represented by Sergeant Marcus Dill. At the hearing, Mr. McCoy was
22 given the opportunity to respond to the conduct alleged in the pre-disciplinary letter, as
23 summarized above.

24 3.15 Consistent with his testimony at his January 22, 2019 interview, Mr. McCoy
25 admitted he engaged in the alleged conduct. He sought forgiveness and a second chance to
26 improve.

1 3.16 After considering the testimony and credibility of all witnesses, the evidence
2 developed in the course of the investigation, and the quality of the investigation itself, Sheriff
3 Trenary concluded that Mr. McCoy engaged in the conduct as alleged. In determining the
4 appropriate level of discipline, Sheriff Trenary found that Mr. McCoy “chose to put [his] own
5 sexual and private pursuits above [his] obligations to the public and...fellow officers.” Sheriff
6 Trenary specifically focused on the two situations where Mr. McCoy failed to timely respond to
7 calls, stating as follows:

8 But of course, your conduct not only made you *theoretically* unable to respond to
9 emergent situations, it also *actually* impaired your response on at least two
10 occasions. In both instances, the evidence appears to show you even kept pursuing
11 your own personal endeavors for a few minutes after learning of the call. For
12 instance, you actually continued to your house in Marysville after receiving the
13 suicide call on October 3, and did not ultimately head to the call until 11 minutes
14 later. Likewise, you failed to leave the home in Snohomish on December 9, where
15 you admit you were having sex, until 18 minutes after receiving a dispatch for a
16 residential audible alarm. It is only by happenstance that your delay in responding
17 to these calls did not lead to more disastrous consequences.

18

19 In the end, your actions have severely damaged the trust the Sheriff must place in
20 you in order to perform work as a Snohomish County Sheriff’s Deputy. At its core,
21 you effectively chose to abandon your post as a Sheriff’s Deputy, putting citizens
22 and officers at risk. The Sheriff can neither tolerate, nor forgive, such conduct
23 which strikes so deeply at the core of an officer’s primary duty.

24 3.17 Sheriff Trenary intended to terminate Mr. McCoy’s employment with the
25 Sheriff’s Office. Prior to issuing the letter of termination, Mr. McCoy resigned from the Sheriff’s
26 Office on March 8, 2019. Had Mr. McCoy not resigned, he would have been terminated for the
misconduct uncovered by the OPA investigation.

 3.18 Any Conclusion of Law deemed to be properly considered a Finding of Fact is
hereby adopted as such.

 3.19 Based on the foregoing Findings of Fact, the Hearing Panel makes the following:

IV. CONCLUSIONS OF LAW

4.1 Revocation of Respondent Cody McCoy’s peace officer certification is governed
by RCW 43.101 and WAC 139-06.

1 4.2 The Washington State Criminal Justice Training Commission and this
2 Hearing Panel have jurisdiction over Mr. McCoy and these proceedings. RCW 43.101.085;
3 RCW 43.101.105; RCW 43.101.380.

4 4.3 RCW 43.101.105(1)(d) provides that the Commission may revoke a peace
5 officer's certification when "[t]he peace officer has been discharged for disqualifying
6 misconduct, the discharge is final, and some or all of the acts or omissions forming the basis of
7 the discharge proceedings occurred on or after January 1, 2002."

8 4.4 The Petitioner bears the burden of proving "discharge for disqualifying
9 misconduct" by "clear, cogent, and convincing evidence." RCW 43.101.010(8);
10 RCW 43.101.380(1).

11 4.5 RCW 43.101.010(8)(a)(i)(B) defines discharge for "disqualifying misconduct" to
12 include discharge resulting from conduct constituting any of the crimes addressed in
13 RCW 43.101.010(8)(a)(i)(A).

14 4.6 One of the enumerated crimes in subsection (a)(i)(A) of RCW 43.101.010(8) is
15 "any crime committed under color of authority as a peace officer." RCW 43.101.010(8)(a)(i)(B).

16 4.7 The crime of Official Misconduct specifically requires acting under color of
17 authority as a peace officer. Pursuant to RCW 9A.80.010, a public servant may be found guilty
18 of the crime of Official Misconduct if, in an attempt obtain a benefit or to deprive another person
19 of a lawful right or privilege, they (1) intentionally committed an unauthorized act under color
20 of law, or (2) intentionally refrained from performing a duty imposed upon them by law.

21 4.8 Similar to Official Misconduct, the crime of Failure of Duty also requires the
22 perpetrator to be acting under color of authority. RCW 42.20.100 provides: "Whenever any duty
23 is enjoined by law upon any public officer or other person holding any public trust or
24 employment, their willful neglect to perform such duty, except where otherwise specially
25 provided for, shall be a misdemeanor."
26

1 4.9 During the time period in question, Mr. McCoy was a both public officer as
2 defined by RCW 9A.04.110(13), and a public servant as defined by RCW 9A.04.110(23).

3 4.10 The Panel unanimously concludes that Mr. McCoy's resignation in lieu of
4 termination constitutes discharge for disqualifying misconduct within the meaning of RCW
5 43.101.010(8).

6 4.11 The Panel unanimously concludes that Mr. McCoy's discharge is final as that
7 term is defined in RCW 43.101.010(9).

8 4.12 The Panel unanimously concludes that the Petitioner established by clear, cogent,
9 and convincing evidence that on or about December 9, 2018, while on-duty as a peace officer,
10 Mr. McCoy made an unauthorized visit to the home of Kirsty Keitges. While there, he and Ms.
11 Keitges engaged in sexual activity. These events occurred while Mr. McCoy was on-duty, in
12 uniform, and driving his issued police vehicle. The Panel also finds that, during his 66 minute
13 encounter with Ms. Keitges, Mr. McCoy received a notification from dispatch at 7:03 p.m. to
14 respond to a residential alarm. Mr. McCoy admitted to delaying his response to the alarm to
15 pursue his own sexual gratification, and ultimately did not leave Ms. Keitges's house until 7:21
16 p.m., 18 minutes after receiving the notification.

17 4.13 The Panel unanimously finds by clear, cogent, and convincing evidence that Mr.
18 McCoy intentionally engaged in sexual activity with Ms. Keitges while on-duty, which was an
19 unauthorized act. He did so to obtain the benefit of personal and/or romantic gratification.
20 Further, after receiving notification from dispatch, Mr. McCoy chose to continue his romantic
21 attentions to Ms. Keitges and did not leave her house until almost twenty minutes after receiving
22 the call from dispatch. This shows that he intentionally refrained from performing a duty
23 imposed on him by law, which was to provide law enforcement services to the people of
24 Snohomish County.

25 4.14 The Panel also unanimously concludes that the Petitioner established by clear,
26 cogent, and convincing evidence that, on numerous occasions between October 3, 2018 and

1 January 22, 2019, while on-duty as a peace officer and without permission from his supervisor,
2 Mr. McCoy drove his patrol vehicle to a private residence outside of his assigned patrol area.
3 Mr. McCoy admitted that his many trips to the Marysville residence, which was 24.2 miles away
4 from his assigned precinct, interfered with his ability to respond to calls for service. Specifically,
5 the Panel finds that on October 3, 2018, at 7:52 p.m., Mr. McCoy was on-duty making an
6 unauthorized trip to the Marysville residence when he received a notification from dispatch to
7 respond to a suicide call in Bothell. Mr. McCoy ignored this call, and instead continued to the
8 Marysville residence, where he stayed until 8:03 p.m. Mr. McCoy attempted to respond to the
9 call at 8:04 p.m., but because of his late response it was ultimately handled by another officer in
10 the area.

11 4.15 The Panel unanimously finds by clear, cogent, and convincing evidence that Mr.
12 McCoy intentionally and repeatedly left his assigned precinct, which was an unauthorized act.
13 He did so for his own personal benefit, and in doing so intentionally refrained from performing
14 his law enforcement duties. Mr. McCoy's actions were motivated by self-interest, and were done
15 without regard for his fellow deputies or the citizens of the county he served.

16 4.16 Thus, the Panel unanimously finds that clear, cogent, and convincing evidence
17 establishes that Mr. McCoy committed conduct constituting Official Misconduct, which
18 qualifies as "disqualifying misconduct" within the meaning of RCW 43.101.010(8)(a)(i)(A).

19 4.17 The Panel also unanimously concludes that the Petitioner established by clear,
20 cogent, and convincing evidence that the events described above also constitute the crime of
21 Failure of Duty, RCW 42.20.100. Mr. McCoy's actions on December 9, 2018, where he spent
22 66 minutes engaging in personal/sexual activity while on-duty and then delayed his response to
23 the residential alarm notification from dispatch, constituted a willful neglect to perform his duties
24 as a law enforcement officer. Similarly, Mr. McCoy's decision on October 3, 2018 to ignore a
25 suicide call from dispatch and continue to a private residence in Marysville 24.2 miles outside
26 of his assigned precinct was a willful neglect of his law enforcement duties. Mr. McCoy's

1 abandonment of his responsibilities as a peace officer amounts to conduct constituting the crime
2 of Failure of Duty and qualifies as “disqualifying misconduct” within the meaning of
3 RCW 43.101.010(8)(a)(i)(A).

4 4.18 The Panel unanimously finds that Mr. McCoy’s disqualifying misconduct
5 warrants revocation of his peace officer certification. He repeatedly put his own self-interest
6 before his responsibilities to his fellow deputies, as well as the people of Snohomish County. As
7 noted by Sheriff Trenary, the consequences of Mr. McCoy’s conduct were not hypothetical.
8 Rather, his decision to pursue personal and sexual gratification while on duty twice caused him
9 to delay his response to emergent situations. Revocation is the appropriate sanction.

10 4.19 Any finding of fact deemed to be properly considered a conclusion of law is
11 hereby adopted as such.

12 **V. ORDER**

13 Based on the foregoing Findings of Fact and Conclusions of Law and considering the
14 totality of the evidence presented, the Hearing Panel now therefore issues the following ORDER:

15 That Mr. McCoy’s peace officer certification is hereby REVOKED.

16 DATED this 22 day of April, 2021.

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19 _____
20 Officer Kerry Zieger
21 Seattle Police Department
22 Presiding Panel Member
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NOTICE TO PARTIES

Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that: (a) there is a material clerical error in the Order, or (b) there is specific material error of fact or law. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering directly to the Washington State Criminal Justice Training Commission, 19010 1st Avenue South, Burien, Washington, 98148, with a copy to all other parties of record and their representatives. Filing means actual receipt at the Commission's office. RCW 34.05.010(6).

A timely Petition for Reconsideration is deemed denied if, within twenty days from the date the petition is filed, the Commission does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on a petition. An order denying reconsideration is not a prerequisite for filing a petition for review.

The filing of a petition for reconsideration does not stay the effectiveness of this Order. Any such requests should be made in connection with a Petition for Judicial Review made under chapter RCW 34.05.

Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter RCW 34.05. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Commission, the Office of the Attorney General, and all parties within thirty (30) days after service of this Order, as provided in RCW 34.05.542(2).

This order was served on you the day it was deposited in the United States mail.
RCW 34.05.010(19).