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3 **BEFORE THE CRIMINAL JUSTICE TRAINING COMMISSION IN**
4 **AND FOR THE STATE OF WASHINGTON**

5 In Re Certification of:

NO. 16-660

6 Anthony Russell

ORDER OF DEFAULT AND
FINAL ORDER REVOKING
PEACE OFFICER CERTIFICATION

7
8 Respondent.

9 **I. COMMISSION'S CONSIDERATION**

10 A. Default. This matter has come before the Criminal Justice Training
11 Commission ("Commission"), pursuant to RCW 43.101.155(1), WAC 139-06-050(3), and
12 RCW 34.05.440(1). On April 28, 2021, the Assistant Director Kevin Zeller issued a Statement
13 of Charges ("SOC") seeking to revoke Anthony Russell's peace officer certification based
14 on disqualifying misconduct. The Hearing Coordinator, Kayla Wold, sent the SOC along with
15 the required Peace Officer Certification Request for Hearing Form ("Hearing Request") and a
16 declaration of service to Anthony Russell ("Respondent") on April 29, 2021, by Certified Mail.
17 The Certified Mail piece was not claimed, and a public notice was also placed on CJTC's
18 webpage.

19 The Respondent did not request an adjudicative hearing within sixty calendar days of
20 service of the SOC and Hearing Request as required by RCW 43.101.155(1) and
21 WAC 139-06-050(2).

22 B. Record Presented. The record presented to the Commission for review and for
23 entry of a final decision included the following:

- 24 1. Statement of Charges *In Re Certification of Anthony Russell* issued by Kevin
25 Zeller.
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2 2. Peace Officer Certification Request for Hearing Form sent to Anthony Russell
3 on April 29, 2021.

4 C. Factual Findings and Grounds for Order. Pursuant to RCW 43.101.155(1),
5 WAC 139-06-050, and RCW 34.05.440(1), the Commission finds that the Respondent was
6 properly served with the SOC and Hearing Request and has failed to respond or otherwise defend
7 against the SOC within the time provided by law. As a basis for its findings and order, the
8 Commission hereby adopts, affirms, and incorporates the SOC.

9 **II. FINAL ORDER**

10 Based upon the foregoing and the Commission having considered the record and being
11 otherwise fully advised, NOW, THEREFORE:

12 A. IT IS HEREBY ORDERED:

- 13 1. The Respondent is in default and has waived his opportunity to
14 contest the allegations contained in the SOC.
15 2. The Respondent's Peace Officer Certification is REVOKED.

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

25 A timely Petition for Reconsideration is deemed denied if, within twenty days from the
26 date the petition is filed, the Commission does not (a) dispose of the petition or (b) serve the

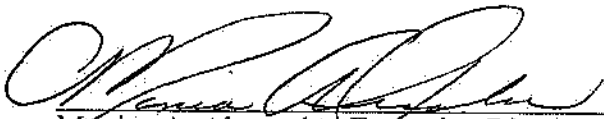
1 parties with a written notice specifying the date by which it will act on a petition. An order
2 denying reconsideration is not a prerequisite for filing a petition for review.

3 C. Stay of Effectiveness. The filing of a petition for reconsideration does not
4 stay the effectiveness of this Order. Any such requests should be made in connection with a
5 Petition for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

6 D. Judicial Review. Proceedings for judicial review may be instituted by filing
7 a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V,
8 Judicial Review and Civil Enforcement (RCW 34.05.510 through .598). The petition for judicial
9 review of this Order shall be filed with the appropriate court and served on the Commission, the
10 Office of the Attorney General, and all parties within thirty (30) days after service of this Order,
11 as provided in RCW 34.05.542.

12 E. Service. For purposes of filing a Petition for Reconsideration or a Petition
13 for Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of
14 service attached hereto.

15 DATED this 2 day of July, 2021.

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20 Monica A. Alexander, Executive Director
21 Washington State Criminal Justice Training Commission
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