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

In Re Certification of: Daniel Sharp Respondent.	NO. 18-1254 ORDER OF DEFAULT AND FINAL ORDER REVOKING PEACE OFFICER CERTIFICATION

I. COMMISSION'S CONSIDERATION

A. Default. This matter has come before the Criminal Justice Training Commission ("Commission"), pursuant to RCW 43.101.155(1), WAC 139-06-050(3), and RCW 34.05.440(1). On November 10, 2020, the Advanced Training Division Manager Monica Alexander issued a Statement of Charges ("SOC") seeking to revoke Daniel Sharp's peace officer certification based on disqualifying misconduct. The Hearing Coordinator, Kayla Wold, sent the SOC along with the required Peace Officer Certification Request for Hearing Form ("Hearing Request") and a declaration of service to Daniel Sharp ("Respondent') on November 17, 2020, by Certified Mail. The Certified Mail piece was claimed by D Sharp but the date was not legible.

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

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

1. Statement of Charges *In Re Certification of Daniel Sharp* issued by Monica Alexander.

2. Peace Officer Certification Request for Hearing Form sent to Daniel Sharp on November 17, 2020.

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

II. FINAL ORDER

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

A. IT IS HEREBY ORDERED:

1. The Respondent is in default and has waived his opportunity to contest the allegations contained in the SOC.

2. The Respondent's Peace Officer Certification is REVOKED.

B. Reconsideration. 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.

C. Stay of Effectiveness. 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 34.05 RCW and RCW 34.05.550.

D. Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement (RCW 34.05.510 through .598). 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.

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

DATED this 11th day of January, 2021.

Susan L. Rahr, Executive Director
Criminal Justice Training Commission