



Washington State

Criminal Justice Training Commission

Location: Virtual Meeting

September 14, 2022 – 10 a.m.

- Welcome *Chair Quinn*
- Roll Call *Lacey Ledford*
- Chair's Report *Chair Quinn*
- Director's Report *Executive Director Alexander*
- New Business *Chair Quinn*
 - Bylaws/Vote for Vice Chair
 - Meeting Minutes (August)
 - BTD Corrections WACs *Christine Ricket*
 - Hearing Panel Applications *Kayla Wold*
 - Canine Handler Application *Valerie Jenkins-Weaver*
 - LETCSA Best Practices *Alex Buijs*
- Adjourn *Chair Quinn*

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NOTICE: This meeting will be recorded.



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

COMMISSION MEETING

Wednesday, August 31, 2022
10 AM

COMMISSION MEMBERS PRESENT:

De'Sean Quinn (Chair), Councilman, Tukwila
Jeffrey Anaya, Officer, Vancouver Police Department
John Batiste, Chief, Washington State Patrol
Ryan Dreveskracht, Attorney Presiding over Law Enforcement Practices and Accountability
Katrina Johnson, Citizen at Large
Sonia Joseph, Citizen at Large
Walter Kendricks, Citizen at Large
Bart Logue, Civilian Oversight over Law Enforcement
Trishandra Pickup, Citizen at Large
Tim Reynon, Tribal Representative, Puyallup Tribe
Kurtis Robinson, Citizen at Large
Penelope Sapp, Chief, Kitsap County Jail
Dan Satterberg, Prosecuting Attorney, King County
Erik Scairpon, Chief, Marysville Police Department
Robert Snaza, Sheriff, Lewis County
Annalisa Thomas, Citizen at Large
Mike Webb, Attorney General Designee
Ken Roske, Alternate (Chief), Pasco Police Department

WSCJTC STAFF PRESENT:

Monica Alexander, Executive Director
Jerrell Wills, Deputy Director
Kevin Zeller, Assistant Director
Chad Arceneaux, Assistant Director of Certifications
Lacey Ledford, Executive Assistant
Marisa Peer, Manager, HR
Bart Hayes, Manager, Advanced Training Division
Dave Campbell, Commander, Basic Training Division
Christine Rickert, Assistant Commander, Basic Training Division
Sean Hendrickson, Manager, Applied Skills Division
Megan Saunders, Manager, Communications
Jeff Wilcox, Manager, Information Technology Unit
Renee Berry, Confidential Secretary
Norma Gastelum, Confidential Secretary
Derek Zable, Records Manager
Ethan Swenson, Administrative Assistant, Information Technology Unit

GUESTS PRESENT:

John Hillman, Assistant Attorney General, WA State Attorney General

OPENING

De'Sean Quinn, Commission Chair

Chair Quinn called the meeting to order at 10:02 AM.

Lacey Ledford conducted a roll call of the Commissioners. A quorum was present.

Chair Quinn announced that this meeting was being hosted on Zoom instead of in-person.

Chair Quinn introduced **Commissioner Scairpon** to the Commission, who stated that he has lived in Washington his whole life, has been the Chief of Marysville Police Department for the past two years, and was happy to be a part of the process moving forward. **Chair Quinn** introduced **Commissioner Roske** to the Commission, who expressed that he felt honored and privileged to serve on the Commission and stated that has spent the past 36 years with Pasco Police Department.

Approval of Meeting Minutes

Chair Quinn called for review and approval of the meeting minutes from the June 8, 2022; June 15, 2022; June 22, 2022; and July 13, 2022, Commission Meetings. **Commissioner Robinson** asked if the Vice-Chair nomination was accepted by **Commissioner Satterberg**. **Chair Quinn** stated that since the minutes contain the record of the vote, it will need to be addressed.

Commissioner Satterberg expressed his gratitude at the nomination but explained that he will be retiring from his position at the end of the calendar year and his position will be replaced by another attorney and declined the nomination.

Commissioner Thomas moved to approve the minutes with the following amendment in the June 22, 2022, meeting minutes, "*Commissioner Joseph made a second request for four additional policies related to SB 5051: 1) Penalties and Sanctions, 2) Investigations and Decertifications, 3) Hearings Panel Membership, and 4) Notification of Certification Hearings and Outcomes. The Chair stated that no formal motion is necessary, that staff will email the four policies to Commissioners and that the policies can be considered and action taken on them at a special meeting if requested by Commissioners or at the September 14, 2022, meeting. The chair also stated that staff will send out the revised policies that the Commissioners had changed during their meetings and Commissioners can bring them back for review if needed.*" **Commissioner Robinson** seconded the motion. **The motion passed unanimously.** **Commissioner Scairpon** abstained.

Commissioner Sapp moved to approve the minutes as amended. **Commissioner Reynon** seconded the motion. **The motion passed unanimously.** **Commissioner Scairpon** abstained.

EXECUTIVE DIRECTOR'S REPORT

Monica Alexander, Executive Director

Director Alexander updated the Commission that there are currently eight classes underway on the Burien campus: seven BLEA classes and one COA class with Spokane BLEA having one class. **Director Alexander** informed the Commission that there will be a Sexual Assault Symposium at the Burien campus on September 22, 2022, as well as the annual LETCSA summit being hosted virtually on September 28, 2022. **Director Alexander** thanked **Commissioners Logue, Sapp, and Webb** as well as **Chair Quinn** for attending and supporting the Governor's announcement for regional training centers, detailing the desire to start a

satellite campus in Pasco, WA first with the goal to reduce wait time across the state to 30-45 days.

Commissioner Robinson inquired about the status of the history of race in policing training. **Director Alexander** explained that she has been teaching the course for the past several months and that approval has occurred for the advanced training portion on intersection of race in policing which will be required training for all existing certified officers.

Director Alexander informed the Commission that additional Corrections Academy classes are being requested through legislation.

NEW BUSINESS

Public Hearing for Public Records WAC 139-02

Derek Zable, Records Manager

Derek Zable introduced the WAC and its need to be updated as the WAC had not been amended since 2009. **Chair Quinn** inquired about the frequency of receiving requests for public records. **Derek Zable** stated that in the past the agency has received upward of 150 requests per year, which excludes requests for transcripts or subpoenas, which come from media, legal offices, incarcerated individuals, citizens, and others, stating a paramount need to establish clarity and understanding of what is being requested, what the records are, how to obtain the records, and in what format will the records be distributed.

WAC 139-02-010 Authority and Purpose

Commissioner Reynon moved to approve the WAC as written. **Commissioner Kendrick** seconded the motion. **The motion passed unanimously.**

WAC 139-02-021 Definitions

Commissioner Sapp moved to approve the WAC as written. **Commissioner Dreveskracht** seconded the motion. **The motion passed unanimously.**

WAC 139-02-040 About the Washington State Criminal Justice Training Commission and Public Records Officer

Commissioner Scairpon moved to approve the WAC as written. **Commissioner Kendrick** seconded the motion. **The motion passed unanimously.**

WAC 139-02-050 Availability of Public Records

Commissioner Reynon moved to approve the WAC as written. **Commissioner Webb** seconded the motion. **The motion passed unanimously.**

WAC 139-02-070 Costs for Providing Copies of Public Records

Commissioner Scairpon inquired about the feasibility of accepting electronic payment in addition to check or money-order. **Derek Zable** explained that the agency does not currently have the capacity to accept payment electronically.

Commissioner Robinson expressed a desire to waive associated costs for records requests when it is in the public interest to provide information requested without cost and when disclosure of the records will contribute to the understanding of the operations or activity of the

Commission. **Commissioner Scairpon** suggested this might be posted by index for all public. **Derek Zable** stated individuals can make multiple requests to circumvent incurrent charges, stating that the included limit was done to be objective and to eliminate the need for subjective thought or perspective, further stating a hesitance to change the language but a willingness to increase the number of pages allowed before incurring charges. **Commissioner Robinson** clarified a hope to not overburden an already overburdened community and to reduce barriers to engage in this process. **Commissioner Dreveskracht** voiced support for increasing the number of pages in hopes to eliminate subjective elements and allowing for low-means individuals to make more requests. **Chair Quinn** stated the need to discourage serial records abusers who take advantage of associated fines for nonfulfillment which cost the agency State public funds.

Commissioner Kendricks considered raising the amount of printed or electronic pages. **Commissioner Robinson** suggested raising the printed page limit to 100 pages and electronic page limit to 250 pages before incurrent costs where waiving the cost would be mandatory under those limits while waivers would be discretionary above those limits. **Commissioner Logue** voiced support for the concept but sought guidance from the Attorney General's Office. **John Hillman** stated that he would properly inform the Commission after the meeting concluded but felt comfortable that changing the limits and charging fees was permissible. **Commissioner Scairpon** asked, considering the feasibility, how to balance discouraging serial requestors from abusing the system versus limiting low-means requestors who have serious needs. **Derek Zable** reiterated that adding a subjective aspect to waiving fees is troubling as it allows for inquiries into intended purposes or use of requested information. **Commissioner Reynon** also shared a concern regarding subjectivity, adding that the subjective nature of requests above the thresholds would increase the difficulty of fulfilling requests as there is no way to control or ensure legitimate requests are met. **Commissioner Dreveskracht** agreed that taking out subjectivity is important as it can help avoid legal headaches in the future.

Commissioner Logue informed the Commission that the work of fulfilling public records requests can be all-consuming when someone wants to bury a government entity in added work, stating a need to ensure the Commission does not open this opportunity for someone with ill-intent. **Commissioner Robinson** felt comfortable moving forward without subjectivity in waiving fees above page limit but reminded the Commission that it should not tailor everything done to mitigate those who wish ill. **Chair Quinn** reiterated that there are no questions regarding intent but that the negative side can be disproportionately abused.

Commissioner Robinson moved to approve the WAC with amended changes to include raising the printed page limit for non-payment to 100 pages and increasing the digital page limit before being charged to 250 pages. **Commissioner Joseph** seconded the motion. **The motion passed unanimously.**

WAC 139-02-090 Processing Requests for Public Records

Commissioner Kendricks moved to approve the WAC as written. **Commissioner Webb** seconded the motion. **The motion passed unanimously.**

WACs 139-02-095 and 139-02-105 Review of Denials of Public Records and Commercial Purposes

Commissioner Robinson moved to approve the two WACs as written. **Commissioner Logue** seconded the motion. **The motion passed unanimously.**

WACs 139-02 Public Records

Commissioner Robinson moved to approve the entire WAC as amended and approved. **Commissioner Kendrick**s seconded the motion. **The motion passed unanimously.**

First Review for Corrections WAC 139-10

Christine Rickert introduced to the Commission the changes made to WAC 139-10, which had not been updated since 2009, detailing that some reorganization was made to eliminate redundancies and rearranged sections to their appropriate WAC sections, including repealing certain WACs. **Christine Rickert** also detailed a few smaller changes, such as updating the hour requirements of different academies and the revisions of some phrases for consistent clarity throughout the WACs.

Commissioner Robinson asked which personnel covered by these WACs are subject to the restrictions of Senate Bill 5051. **Derek Zable** explained that these WACs cover individuals attempting to get into the various academies, but that Senate Bill 5051 applies to recruits who apply for the Corrections Academy.

Commissioner Robinson inquired about the location of these trainings and if they are uniform throughout the state for a particular job category. **Christine Rickert** stated that all trainings occur at the Burien campus except for Juvenile Rehabilitation, which is done offsite through the Commission is involved in its curriculum.

Commissioner Robinson questioned evaluating the qualifications of the trainers and content taught on any subject. **Christine Rickert** explained that Correction Academy material is taught by Corrections Officers with curricula being more in line with topics taught on the law enforcement side, adding that a curriculum expert at CJTC is heavily involved in all topics.

Commissioner Robinson requested clarification regarding why training about racism in the corrections system and cultural awareness is not required. **Christine Rickert** stated that there are no mandates requiring these trainings, but these are taught regardless, including LETCSA requirements brought about by Initiative-940.

Commissioner Robinson stated that employing agencies of all correctional personnel who are subject to Senate Bill 5051 should have to send the Commission all 15-day notices required under that bill. **Christine Rickert** answered stating that since Corrections Officers are now being certified, all notification requirements apply, further adding that the WAC also includes professions which are not certified, such as Parole Officers, which allows the Commission to track these individuals who are not certified.

OLD BUSINESS

Vice-Chair Nomination

Commissioner Robinson moved to include the nomination and voting of the Vice-Chair position as the first order of business in the September 14, 2022, Commission Meeting. **Commissioner Kendrick**s seconded the motion. **The motion passed unanimously.**

Certification Review Update

Commissioner Robinson requested a report and updates on Certification investigations, including the process, how things are going, what investigations have been completed, what

INTEROFFICE COMMUNICATION

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

TO: WSCJTC Commissioners
FROM: WSCJTC WAC Rules Coordinator, Derek Zable
SUBJECT: Response to public comments
DATE: September 6th, 2022



The WSCJTC received a public comment regarding the changes to WAC 139-10 reviewed on August 31, 2022. The comment addressed the applicability of the WAC to certified and non-certified officers, including training on cultural awareness and historical context of race in the curriculum, and assuring use of force training was included.

To address some concerns and these comments, staff met and made the following changes to the WACs presented on August 31st.

WAC 139-10-213 Employment and separation of correctional personnel – Notification to commission.

- Added sentence to the end of the paragraph that reads, “Agencies employing corrections officers must give additional notices as specified in WAC 139-06-020.”

WAC 139-10-222 Readmission to the basic corrections academies

- Modified the first sentence to read, “No person may be readmitted to any basic corrections academy except as provided in this section and in accordance with WAC 139-06-130.”

WAC 139-10-230 Corrections officers academy eligibility and curriculum

- Added (2)(c)(v) Historical intersection of race and corrections
- Already contains Human relations/cultural awareness

WAC 139-10-235 Misdemeanant probation counselors academy eligibility and curriculum

- Added (2)(c)(vi) Human relations/cultural awareness
- Added (2)(c)(vii) Historical intersection of race and corrections

WAC 139-10-237 Juvenile services academy eligibility and curriculum

- Added (2)(c)(iv) Human relations/cultural awareness
- Added (2)(c)(v) Historical intersection of race and corrections

WAC 139-10-240 Juvenile corrections officers academy eligibility and curriculum

- Added (2)(c)(iv) Human relations/cultural awareness
- Added (2)(c)(v) Historical intersection of race and corrections

WAC 139-10-245 Juvenile rehabilitation academy eligibility and curriculum

- Added (2)(c)(iii) Human relations/cultural awareness
- Added (2)(c)(iv) Historical intersection of race and corrections

WAC 139-10-530 Basic community corrections officers academy and basic arrest, search, and seizure academy eligibility and curriculums

- No contents were changed in this section. RCW 43.101.220(3)(b) requires both the Department of Corrections (DOC) and the WSCJTC to “share responsibility for developing and defining training standards.” As the changes reviewed on August 31 were purely administrative, the changes did not require DOC input. The comments suggested inclusion of specific curriculum, which requires DOC review and approval as required by state law.
- A WAC change is not required for DOC to utilize WSCJTC trainings on cultural awareness or the historical intersection of race and corrections. Staff will share these curriculums with DOC.

Use of Force:

The corrections officers, juvenile corrections officers, and juvenile rehabilitation academies all include use of force training that is consistent with RCW 10.120.020. Use of force training is not provided for juvenile services or misdemeanor probation academies as force is not a part of the job duties for personnel attending either of those academies and they do not have the legal authority to use force.

September 1, 2022

Derek Zable
Washington State Criminal Justice Training Commission
19010 1st Avenue South
Burien, Washington 98148

Delivered Electronically

Dear CJTC Commissioners and Mr. Zable,

Please consider the comments below as you review proposed revisions of corrections training regulations, WAC 139-10-210 through WAC 139-10-530.

1. The overlap between this chapter and the regulations implementing SB 5051 needs to be clarified. For example:

Employers of corrections officers are required to give 15-day notices for reasons in addition to hiring and separation, so the following sentence should be added to WAC 139-10-213: "Agencies employing corrections officers must give the additional notices specified in WAC 139-06-020 for those officers."

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WAC 139-10-222 on re-admission of corrections personnel to basic corrections academy must not conflict with WAC 139-06-130 for any officer subject to certification. A sentence should be added to the proposed WAC 139-10-222 as follows: "If, for any officer requiring certification, there is any conflict between this section and WAC 139-06-130, the requirements of WAC 139-06-130 control."

2. The failure to include the subject of the history of racism in the criminal justice system is a major oversight and should be corrected. This is not included as a subject of training for any job classification under this WAC chapter. Racism has pervaded the entire criminal justice system, not just policing. See for example, <https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-washington.pdf>, which has past statistics for county jails as well as prisons.

According to the Washington State Department of Children, Youth and Families:

Data continues to show that racial and ethnic disparities persist at every point in the juvenile justice system in our state and across the nation. The youth of color are statistically overrepresented in the number arrested, detained, and processed through the juvenile justice system. <https://www.dcyf.wa.gov/practice/practice-improvement/ojj/racial-ethnic-disparities>.

The history of racism and its ongoing damaging impact need to be included in all curricula for both adult and juvenile corrections personnel.

3. Cultural awareness training is part of the curriculum only for corrections officers and only under WAC 139-10-230, where it is described as “human relations/cultural awareness.” Under RCW 43.101.280 and professional best practices, training in ethnic and cultural diversity should be part of training of all personnel, so that corrections personnel can better incorporate cultural sensitivity and awareness into their daily work with people from varying backgrounds. The subject of cultural awareness and sensitivity should be a required part of the training for all job classifications under this chapter.
4. For any curriculum including use of force training, the regulations should provide that such training must be consistent with model use of force policies developed for peace officers.

Thank you for the opportunity to comment.



Joyce Brekke
tcjb2004@yahoo.com

AMENDATORY SECTION (Amending WSR 09-16-135, filed 8/5/09, effective 9/5/09)

WAC 139-10-210 Requirement of basic corrections training for correctional personnel. As ~~((provided in RCW 43.101.220, all full-time corrections employees in the state of Washington with the exception of the Washington state department of corrections prison division or of any city, county, or political subdivision of the state of Washington must, as a condition of continued employment, successfully complete a basic corrections academy as prescribed, sponsored, or conducted by the commission))~~ a condition of continued employment, unless exempted by the commission, all correctional personnel, as defined in RCW 43.101.010, with the exception of those employed by the Washington state department of corrections prison division, must commence training in a basic corrections academy within the initial six-month period of employment, unless otherwise extended or waived by the commission, and then successfully complete the training. The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections. ~~((This requirement to complete basic training must be fulfilled within the initial six months of corrections employment unless otherwise extended or waived by the commission.))~~ Requests for extension or waiver of the basic training requirement must be submitted to the commission in writing as designated by ~~((its policies))~~ commission policy and procedures.

(1) ~~((Corrections))~~ Correctional personnel must ~~((attend))~~ successfully complete the appropriate basic corrections academy ~~((training))~~ according to job function as ~~((described))~~ referred below:

(a) Corrections officers academy ~~((All employees whose primary job function is to provide for the custody, safety, and security of adult prisoners in jails and detention facilities. Representative job classifications include, but are not limited to, custody and corrections officers)),~~ as described in WAC 139-10-230.

(b) Misdemeanant ~~((probation/classification))~~ probation counselors academy ~~((All employees whose primary job function is the case management of offenders under county/city supervision, to include: Assessment, case planning, counseling, supervision, and monitoring. Representative job classes include, but are not limited to adult probation officers)),~~ as described in WAC 139-10-235.

(c) Community corrections officers academy and basic arrest, search, and seizure academy ~~((All employees whose primary job function is the case management in the community of adult offenders under state department of corrections supervision, to include: Monitoring adjustment of offenders involved with in/outpatient~~

~~treatment programs, counseling offenders and/or referring them for counseling or other resource/treatment programs, and making home/field visits pursuant to offender classification standards. Representative job classifications include, but are not limited to, community corrections officers, community risk management specialists, hearings officers, and victim advocates), as described in WAC 139-10-530.~~

~~(d) Juvenile services academy(~~(. All employees working with juveniles whose primary job function is the case management of offenders, to include: Assessment, case planning, counseling, supervision, and monitoring. Representative job classes include, but are not limited to, juvenile probation counselors, case aides/assistants, trackers, juvenile drug court counselors, and community surveillance officers)~~), as described in WAC 139-10-237.~~

~~(e) Juvenile corrections officers academy(~~(. All employees responsible for the care, custody, and safety of youth in county facilities. Representative job classes include, but are not limited to, juvenile detention workers, juvenile corrections officers, and juvenile supervision officers)~~), as described in WAC 139-10-240.~~

~~(f) Juvenile ((residential counselors)) rehabilitation academy(~~(. All employees responsible for the case management, custody, safety, counseling, supervision, and application of researched based treatment interventions to youth committed to the care and supervision of the juvenile rehabilitation administration. Representative job classes include, but are not limited to, juvenile residential rehabilitation counselors, juvenile rehabilitation community counselors, juvenile rehabilitation counselor assistants, juvenile rehabilitation security officers, juvenile rehabilitation coordinators, and juvenile rehabilitation supervisors.~~~~

~~(2) It is the responsibility of the employing agency to determine the most appropriate basic academy for an employee to attend within the guidelines set by the commission.~~

~~An agency may elect to decline basic academy training if such employee occupies a middle management or an executive position, as defined in WAC 139-10-410, 139-10-510, and 139-25-110.~~

~~(3) Failure to comply with the above requirements will result in a notification of noncompliance from the commission directed to the individual employee and, as appropriate, the employing agency director, chief or sheriff, the chief executive of the local unit of government, and any other agency or individual determined by the commission.~~

~~(4))~~, as described in WAC 139-10-245.

(2) Each agency employing correctional personnel ((covered by RCW 43.101.220)), as defined in RCW 43.101.010, is responsible for full and complete compliance with the above training requirements. Additionally, each such agency must provide the commission with employment information necessary for the establishment and maintenance of complete and accurate training records on all affected employees, as required by WAC 139-10-213.

AMENDATORY SECTION (Amending WSR 05-20-028, filed 9/28/05, effective 10/29/05)

WAC 139-10-212 Physical requirements for admission to basic corrections academies. ~~((Each successful applicant))~~ (1) For admission to ~~((a basic))~~ the corrections officers academy or juvenile corrections officers academy ~~((sponsored or conducted by the commission)),~~ each recruit must possess good health and physical capability to actively and fully participate in defensive tactics training and other required physical activities.

(2) In order to minimize risk of injury and maximize the benefit of such participation, each ~~((trainee))~~ recruit in any academy session must, as a precondition of ~~((his or her))~~ their academy ~~((attendance))~~ admission, demonstrate a requisite level of physical fitness, as established by the commission.

For this purpose, each ~~((academy applicant))~~ recruit must be evaluated ~~((in the assessment areas of aerobic capacity, strength, and flexibility,))~~ in accordance with the ~~((requirements))~~ policies and procedures established by the commission. ~~((Such evaluation will be based upon composite performance ratings in the overall assessment as established by the commission.))~~

(3) Failure to demonstrate a requisite level of fitness ~~((within the overall assessment))~~ will result in ineligibility for academy ~~((attendance and completion))~~ admission.

AMENDATORY SECTION (Amending WSR 18-13-059, filed 6/14/18, effective 7/15/18)

WAC 139-10-213 Employment and separation of ~~((corrections))~~ correctional personnel—Notification to commission. ~~((Upon employment,))~~ All counties and municipal corporations of the state of Washington, or any political subdivision thereof, shall ~~((immediately))~~ notify the commission ~~((on a personnel action report))~~ within 15 days by an approved form ~~((provided by the commission))~~ of each instance where ~~((corrections))~~ correctional personnel begins continuing and regular employment with that agency ~~((The commission shall maintain these notices in a permanent file, subject to RCW 43.101.400))~~ and each instance where correctional personnel has been separated for any reason. Agencies employing corrections officers must give additional notices as specified in WAC 139-06-020.

AMENDATORY SECTION (Amending WSR 18-19-067, filed 9/17/18, effective 10/18/18)

WAC 139-10-215 ((Basic corrections academy equivalency certification.)) Equivalency process for corrections officers. ((+1)

~~A certificate of equivalent basic corrections training shall be issued only to corrections employees who successfully complete the equivalency process as required by the Washington state criminal justice training commission and shall be recognized in the same manner as the certificate of completion of a basic corrections academy.~~

~~(2) Eligibility for participation in the basic equivalency process shall be limited to regular, full-time custody and case management employees of publicly funded corrections agencies within this state who have either:~~

~~(a) Obtained certification through successful completion of an accepted basic corrections training program in this or another state.~~

~~(b) Previously held certification in this state and incurred a break or interruption of corrections employment in excess of twenty-four months but less than sixty months and who are required to attend the equivalency.~~

~~The determination of program acceptability shall be the responsibility of the commission's executive director or his/her designee and shall be based upon a description and/or curriculum specifying subject areas and hourly allocation thereto.~~

~~(3) The decision to request an employee's participation within the equivalency process shall be discretionary with the chief executive officer of the employing agency. Such request shall be made to the commission in the approved form, signed by the chief executive officer of the requesting agency and shall include:~~

~~(a) Documented certification of successful completion of a basic corrections training program accepted by the training commission for the purposes of equivalency participation pursuant to the provisions of section (2) above;~~

~~(b) Written curriculum detailing specific areas of training and hours of training in specific areas;~~

~~(c) Copies of current and valid basic cardiopulmonary resuscitation (CPR) card and current and valid basic or advanced first-aid card(s) taken within the past year;~~

~~(d) Statement of applicant's health and physical condition from a licensed physician giving clearance for participation in physical training and defensive tactics coursework.~~

~~(4) Following receipt and acceptance of the above by the training commission, the applicant may participate in the equivalency process which shall include written examinations of specific core material classes, practical testing in basic skill areas, and full participation in mock scenes.~~

~~(5) Upon completion of the examination process outlined in section (4) and evaluation of the applicant's performance, the training commission shall:~~

~~(a) Issue a certificate of equivalent basic training;~~

~~(b) Issue a certificate of equivalent basic training upon applicant's successful completion of additional training as the training commission may require;~~

~~(c) Require completion of the appropriate basic corrections academy program.~~

~~(6) Any waiver of, or variance in, any above requirement for equivalency participation and/or certification may be granted by the training commission if it is determined that sufficient justification exists for such action. Any action or determination by commission staff regarding a requestor or applicant for equivalency certification may, upon written request of the involved individual or agency, be appealed to the training commission executive director, or designee.))~~
The corrections officers equivalency academy process is provided in WAC 139-05-210.

AMENDATORY SECTION (Amending WSR 00-17-017, filed 8/4/00, effective 9/4/00)

WAC 139-10-220 Completion requirements of basic corrections

~~((academy))~~ **academies.** ~~((-1-))~~ Each ~~((trainee))~~ recruit in a basic corrections academy ~~((shall))~~ will receive ~~((certification))~~ a diploma only upon full and successful completion of the academy ~~((process))~~ as prescribed by the ~~((Washington state criminal justice training))~~ commission. The performance of each ~~((trainee))~~ recruit shall be evaluated as follows:

~~((a) Scholarship.))~~ (1) Academic performance.

(a) A standardized ((examination)) evaluation process ((shall)) will be utilized ((by each)) in all basic corrections ((academy)) academies sponsored or conducted by the commission((r)) in evaluating the level of scholastic achievement ((and skill proficiency)) of each ((trainee)) recruit.

(b) Such process shall include the application of a designated minimum passing score for written examinations and the availability of a retesting procedure.

~~((b) Participation. Each trainee shall be required to participate fully in all academy classes, practice exercises and physical training programs. No applicant for basic corrections training shall begin the basic academy assignment if his or her health and physical condition precludes active and full participation in the physical activities required for certification. In no instance shall certification be granted until successful completion of physical fitness training, including defensive tactics, has been achieved.~~

~~((c) Department and conduct.))~~ (c) Failure to achieve the required minimum passing score will result in termination of academy enrollment.

(2) Practical skills.

(a) A standardized evaluation process will be utilized in all corrections officers academies and juvenile corrections officers academies sponsored or conducted by the commission in evaluating the level of skill proficiency of each recruit.

(b) Such process shall include the application of a designated minimum passing score of all skill proficiencies identified by the commission and the availability of a retesting procedure.

(c) Failure to achieve a final passing grade in each practical skills dimension will result in termination of academy enrollment.

(3) Conduct and participation.

(a) Each recruit will be required to participate fully in all academy classes and adhere to all rules, regulations, and policies of the commission.

(b) Failure to ((maintain a standard of deportment and conduct as defined in the)) adhere to all rules, regulations and policies of the ((basic corrections academy may)) commission will result in termination of academy enrollment.

((2) Upon the written request of a trainee, or the head of a trainee's employing agency, any action affecting such trainee's status or eligibility for certification shall be reviewed pursuant to the procedural rules and regulations adopted by the commission.))

AMENDATORY SECTION (Amending WSR 00-17-017, filed 8/4/00, effective 9/4/00)

WAC 139-10-222 Readmission to basic corrections academies. No person may be readmitted to any basic corrections ((training)) academy except as provided in this section and in accordance with WAC 139-06-130.

(1) Any request for readmission ((to any academy shall)) must be made and submitted by the individual's employing ((or sponsoring)) agency ((chief executive officer)) head, or designee, in accordance with commission policies and procedures.

(2) Any individual whose academy enrollment was terminated ((from any academy)) for academic failure, skills deficiency, disciplinary reasons other than those specified in subsection (3) of this section, or who ((has)) had voluntarily withdrawn ((from any academy)) for any reason, may be readmitted to a subsequent academy session only if:

(a) The ((head of the)) individual's current employing agency head, or their designee, submits to the commission a written request for readmission of the individual to the academy ((program,)); and

(b) The executive director of the commission, or designee, is satisfied that any conditions to the individual's readmission ((previously)) specified by the ((agency)) commission executive director, or designee, have been met.

(3) ((Any individual dismissed from any academy for disciplinary reasons other than those specified by section (4), below, may be readmitted to a subsequent academy program only if:

(a) The head of the individual's current employing agency, or designee, submits to the commission a written request for readmission, and

~~(b) The executive director of the commission, or designee, is satisfied that any conditions to the individual's readmission previously specified by the director or designee have been met, and determines there no longer exists "good cause" to exclude the individual from the academy program.~~

~~(4)) Any person ((dismissed from any)) whose academy enrollment was terminated for an integrity violation((7)) including, but not limited to: Cheating, the making of materially false statements, ((or)) the commission of a crime ((shall not be eligible)), or other violation contained in RCW 43.101.105 will be ineligible for readmission to any subsequent academy within ((twenty-four)) 24 months from the date of dismissal((. Such ineligibility shall not be affected by any new employment or reemployment during the period of ineligibility specified in the preceding sentence of this subsection.~~

~~(5)) regardless of employer or employment status.~~

~~(4) An exception to the ineligibility period specified in subsection ((4)) (3) of this section may be granted at the sole discretion of the commission executive director, or designee, based upon mitigating circumstances.~~

~~((However,)) (a) No person may be considered for such early readmission after an integrity violation dismissal unless a written request is made by the head of the agency employing the individual at the time of the request.~~

~~((Such request may be granted by the executive director upon hearing the matter in a proceeding conducted in accordance with the applicable procedures of the commission.)) (b) Requests for early readmission must follow applicable commission policies and procedures to be considered.~~

~~(c) The executive director's, or designee's, decision under this subsection shall be subject to ((further)) review only for abuse of discretion.~~

~~((6)) (5) After the ineligibility period specified in subsection ((4)) (3) of this section has passed, or after an exception ((thereto)) has been granted by the commission under subsection ((5)) (4) of this section, the person previously dismissed for an integrity violation may be readmitted to a subsequent academy session only if(+~~

~~(a) The head of the individual's current employing agency submits to the commission a written request for readmission, and~~

~~(b) The executive director of the commission, or designee, is satisfied that any conditions to the individual's readmission specified by the agency director or designee have been met, and determines there no longer exists "good cause" to exclude the individual from the academy program.~~

~~(7) Any and all information deemed to be relevant to the eligibility for readmission under this section of any law enforcement or corrections trainee or prospective trainee may be disseminated without restriction between the commission staff and any employer or prospective employer.~~

~~(8) For purposes of this section, reserves and volunteers will be deemed to be employees of the agencies which sponsor them for participation in a training academy) the conditions of subsection (2) of this section are satisfactorily met.~~

AMENDATORY SECTION (Amending WSR 00-17-017, filed 8/4/00, effective 9/4/00)

WAC 139-10-230 ((Basic)) Corrections officers academy eligibility and curriculum. (1) All employees whose primary job function is to provide for the custody, safety, and security of adult prisoners in jails and detention facilities must complete the corrections officers academy. Representative job classifications include, but are not limited to, custody and corrections officers.

(2) The ~~((basic))~~ corrections officers academy curriculum ~~((of the Washington state criminal justice training commission,))~~ shall be ~~((one hundred sixty))~~ at least 400 instructional hours in length and ~~((shall))~~ may include, but not be limited to, the following subject matter areas:

- ~~((1))~~ (a) Core skills
- ~~((a))~~ (i) Observation skills
- ~~((b))~~ (ii) Communication skills
- ~~((c))~~ (iii) Security management
- ~~((d))~~ (iv) Supervision of inmates
- ~~((e))~~ (v) Discipline of inmates
- ~~((f))~~ (vi) Proper use of physical force
- ~~((g))~~ (vii) Writing skills
- ~~((2))~~ (b) Key skills
- ~~((a))~~ (i) Legal issues
- ~~((b))~~ (ii) Dealing with aggressive behavior
- ~~((c))~~ (iii) Dealing with medical problems
- ~~((d))~~ (iv) Dealing with mental illness problems
- ~~((e))~~ (v) Problem solving
- ~~((f))~~ (vi) Report writing
- ~~((g))~~ (vii) Avoiding inmate manipulation
- ~~((h))~~ (viii) Booking and classification
- ~~((i))~~ (ix) Fingerprinting
- ~~((3))~~ (c) Related skills
- ~~((a))~~ (i) Stress management
- ~~((b))~~ (ii) Physical fitness
- ~~((c))~~ (iii) Professionalism
- ~~((d))~~ (iv) Human relations/cultural awareness
- (v) Historical intersection of race and corrections**
- ~~((e) Self-leadership)).~~

AMENDATORY SECTION (Amending WSR 05-13-079, filed 6/14/05, effective 7/15/05)

WAC 139-10-235 ((Basic)) Misdemeanant ((probation/classification academy)) probation counselors academy eligibility and curriculum.

(1) All employees whose primary job function is the case management of adult offenders under county/city supervision, to include: Assessment, case planning, counseling, supervision, and monitoring must complete the misdemeanor probation counselors academy. Representative job classes include, but are not limited to, adult probation officers and counselors.

(2) The ((basic)) misdemeanor ((probation/classification)) probation counselors academy curriculum ((of the commission must)) shall be at least ((eighty)) 80 instructional hours in length and ((will)) may include, but not be limited to, the following subject matter areas:

- ~~((1))~~ (a) Core skills
 - ~~((a))~~ (i) Assessment
 - ~~((b))~~ (ii) Motivation
 - ~~((c))~~ (iii) Goal setting/action planning
 - ~~((d))~~ (iv) Monitoring and intervention
- ~~((2))~~ (b) Key skills
 - ~~((a))~~ (i) Interpersonal skills
 - ~~((b))~~ (ii) Interviewing
 - ~~((c))~~ (iii) Classification
 - ~~((d))~~ (iv) Supervision and discipline
 - ~~((e))~~ (v) Offense prevention
- ~~((3))~~ (c) Related skills
 - ~~((a))~~ (i) Dealing with aggressive and resistive behavior
 - ~~((b))~~ (ii) Legal issues
 - ~~((c))~~ (iii) Report writing
 - ~~((d))~~ (iv) Counseling techniques
 - ~~((e))~~ (v) Managing information
 - (vi) Human relations/cultural awareness
 - (vii) Historical intersection of race and corrections.

AMENDATORY SECTION (Amending WSR 00-17-017, filed 8/4/00, effective 9/4/00)

WAC 139-10-237 ((Basic)) Juvenile services academy eligibility and curriculum. (1) All employees whose primary job function is to assess, case plan, and/or manage, counsel, and/or monitor juvenile offenders must complete the juvenile services academy. Representative job classes include, but are not limited to, juvenile probation counselors, guardian ad litem, case aides/assistants, trackers, juvenile drug court counselors, and community surveillance officers.

(2) The ((basic)) juvenile services academy curriculum ((of the Washington state criminal justice training commission)) shall be ((eighty)) at least 40 instructional hours in length and ((shall)) may include, but not be limited to, the following subject matter areas:

- ~~((1))~~ Core skills

- ~~(a) Assessment~~
- ~~(b) Motivation~~
- ~~(c) Goal setting/action planning~~
- ~~(d) Monitoring and intervention~~
- ~~(2) Key skills~~
- ~~(a) Interpersonal skills~~
- ~~(b) Interviewing~~
- ~~(c) Classification~~
- ~~(d) Supervision and discipline~~
- ~~(e) Offense prevention~~
- ~~(3) Related skills~~
- ~~(a) Dealing with aggressive and resistive behavior~~
- ~~(b) Ethnic competency~~
- ~~(c) Legal issues~~
- ~~(d) Report writing~~
- ~~(e) Counseling techniques~~
- ~~(f) Skill training~~
- ~~(g) Teamwork.)~~
- (a) Core skills
- (i) Observation skills
- (ii) Writing skills
- (iii) Interpersonal communication
- (iv) Professionalism
- (v) Legal authority
- (b) Key skills
- (i) Juvenile law
- (ii) Behavioral health issues
- (iii) Personal safety
- (iv) De-escalation
- (v) Adolescent development
- (c) Related skills
- (i) Trauma informed care
- (ii) Stress management
- (iii) Interviewing
- (iv) Human relations/cultural awareness
- (v) Historical intersection of race and corrections.

AMENDATORY SECTION (Amending WSR 05-01-110, filed 12/15/04, effective 1/15/05)

WAC 139-10-240 ((Basic)) Juvenile corrections officers academy eligibility and curriculum. (1) All employees whose primary job function is the care, custody, and safety of juvenile offenders in county facilities must complete the juvenile corrections officers academy. Representative job classes include, but are not limited to, juvenile detention workers, juvenile corrections officers, and juvenile supervision officers.

(2) The (~~basic~~) juvenile corrections officers academy curriculum (~~of the Washington state criminal justice training commission~~) shall be at least (~~eighty~~) 80 instructional hours in length and (~~shall~~) may include, but not be limited to, the following subject matter areas:

- ~~((1))~~ (a) Core skills
 - ~~((a))~~ (i) Observation skills
 - ~~((b))~~ (ii) Interpersonal skills
 - ~~((c))~~ (iii) Security management
 - ~~((d))~~ (iv) Supervision of youth
 - ~~((e))~~ (v) Discipline of youth
 - ~~((f))~~ (vi) Proper use of physical force
 - ~~((g) Writing skills~~
- +2)) (b) Key skills
 - ~~((a))~~ (i) Legal issues
 - ~~((b))~~ (ii) Dealing with aggressive behavior
 - ~~((c))~~ (iii) Handling medical problems
 - ~~((d))~~ (iv) Handling mental illness problems
 - ~~((e))~~ (v) Report writing
 - ~~((f))~~ (vi) Skills training
 - ~~((g))~~ (vii) Reception and classification
- ~~((3))~~ (c) Related skills
 - ~~((a))~~ (i) Professionalism
 - ~~((b))~~ (ii) Physical fitness
 - ~~((c))~~ (iii) Stress management
 - (iv) Human relations/cultural awareness
 - (v) Historical intersection of race and corrections.

AMENDATORY SECTION (Amending WSR 05-01-111, filed 12/15/04, effective 1/15/05)

WAC 139-10-245 (~~Basic~~) Juvenile (~~residential counselor~~) rehabilitation academy eligibility and curriculum. (1) All employees whose primary job function is the case management, custody, safety, counseling, supervision, and/or the application of treatment interventions to juvenile offenders committed to the care and supervision of the juvenile rehabilitation administration must complete the juvenile rehabilitation academy. Representative job classes include, but are not limited to, juvenile residential rehabilitation counselors, juvenile rehabilitation community counselors, juvenile rehabilitation counselor assistants, juvenile rehabilitation security officers, juvenile rehabilitation coordinators, and juvenile rehabilitation supervisors.

(2) The (~~basic~~) juvenile (~~residential~~) rehabilitation counselor academy curriculum (~~of the Washington state criminal justice training commission~~) shall be at least (~~eighty~~) 80 instructional hours in length and (~~shall~~) may include, but not be limited to, the following subject matter areas:

- ~~((1))~~ (a) Core skills
- ~~((a))~~ (i) Observation skills
- ~~((b))~~ (ii) Interpersonal skills
- ~~((c))~~ (iii) Security management
- ~~((d))~~ (iv) Supervision of youth
- ~~((e))~~ (v) Discipline of youth
- ~~((f))~~ (vi) Proper use of physical force
- ~~((g))~~ (vii) Applying research-based treatment
- ~~((h))~~ (viii) Writing skills
- ~~((2))~~ (b) Key skills
- ~~((a))~~ (i) Legal issues
- ~~((b))~~ (ii) Dealing with aggressive behavior
- ~~((c))~~ (iii) Handling medical problems
- ~~((d))~~ (iv) Handling mental illness problems
- ~~((e))~~ (v) Skills training
- ~~((3))~~ (c) Related skills
- ~~((a))~~ (i) Professionalism
- ~~((b))~~ (ii) Stress management
- (iii) Human relations/cultural awareness
- (iv) Historical intersection of race and corrections.

AMENDATORY SECTION (Amending WSR 06-02-004, filed 12/22/05, effective 1/22/06)

WAC 139-10-530 Basic community corrections officers academy and basic arrest, search, and seizure academy eligibility and curriculums.

(1) All employees whose primary job function is the case management in the community of adult offenders under the state department of corrections supervision, to include: Monitoring adjustment of offenders involved with in/outpatient treatment programs, counseling offenders and/or referring them for counseling or other resource/treatment programs, and making home/field visits pursuant to offender classification standards must complete both the basic community corrections officers academy and the basic arrest, search, and seizure academy. Representative job classifications include, but are not limited to, community corrections officers, community risk management specialists, hearings officers, and victim advocates.

(2) The basic community corrections officers academy curriculum ~~((of the commission must))~~ shall be at least ~~((eighty))~~ 80 instructional hours in length and will include, but not be limited to, the following subject matter areas:

- ~~((1))~~ (a) Core skills
- ~~((a))~~ (i) Assessment
- ~~((b))~~ (ii) Motivation
- ~~((c))~~ (iii) Goal setting/action planning
- ~~((d))~~ (iv) Monitoring and intervention
- ~~((e))~~ (v) Arrest and search procedures
- ~~((2))~~ (b) Key skills

- ~~((a))~~ (i) Interpersonal skills
- ~~((b))~~ (ii) Interviewing
- ~~((c))~~ (iii) Classification
- ~~((d))~~ (iv) Offense prevention
- ~~((3))~~ (c) Related skills
- ~~((a))~~ (i) Dealing with aggressive and resistive behavior
- ~~((b))~~ (ii) Legal issues
- ~~((c))~~ (iii) Counseling techniques
- ~~((d))~~ (iv) Managing information
- ~~((e))~~ (v) Security management.

(3) The basic arrest, search, and seizure academy curriculum shall be at least 40 instructional hours in length and will include, but not be limited to, the following subject matter areas:

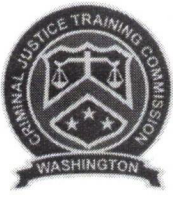
- (a) Core skills
 - (i) Arrest procedures
 - (ii) Search procedures
 - (iii) Field safety techniques
- (b) Key skills
 - (i) Verbal de-escalation
 - (ii) Home assessments
- (c) Related skills
 - (i) Dealing with aggressive and resistive behavior
 - (ii) Legal issues
 - (iii) Evidence procedures
 - (iv) Personal safety
 - (v) Security management.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- | | |
|----------------|---|
| WAC 139-10-214 | Termination of corrections personnel—Notification to commission. |
| WAC 139-10-221 | Scholastic performance requirements for basic corrections training. |
| WAC 139-10-550 | Basic arrest, search, and seizure academy. |

Certification Panel Member Applications - June 2022 Commission Meeting			
Name	Agency	Rank	Qualifications Met
Peace Officer			
Corrections			
Tribal			
Commissioners			
Members of the Public			
Halpert, Helen			X
Rubenstein, Howard			X
Tanaka, Ryan			X
Vining, Barbara			X
Expertise & Background in Police Accountability			
Pailca, Sandra			X
Schindler, Ann			X



WSCJTC Certification Hearings – Panel Member Application

RCW 43.101.380

APPLICANT INFORMATION

Name: *Helen Louise Halpert* Agency: *N/A*

Title/Rank: *N/A*

Email & Phone: [REDACTED]

To be considered for selection to a hearing panel, a peace officer or corrections officer must have at least 10 years' experience. Do you meet this qualification: Yes No *N/A*

Please select the hearing panel you wish to be considered for:

Peace Officer Hearings

- Police Chief or Sheriff
 Peace Officer, First Line Supervisor or below

Corrections Officer Hearings

- Person that heads a city or county corrections agency or a WA DOC corrections facility
 Corrections Officer, First Line Supervisor or below

Tribal Officer Hearings

- Tribal Police Chief
 Tribal Police Officer, First Line Supervisor or below

All Hearings

- Civilian member of the Washington State Criminal Justice Training Commission.
 Member of the public who is NOT a prosecutor, defense attorney, judge, or LE officer.
 Person with expertise and background in police accountability who is NOT a current or former peace officer or corrections officer.

Required Materials

Application Cover Letter Resume & contact for three references Letter of Support from Agency Supervisor*
Recommendation

*Members of the public may submit a letter of recommendation in lieu of a letter of support.

Please submit materials to: **Hearings Coordinator, Kayla Wold; kwold@cjtc.wa.gov or
WSCJTC: 19010 1st Ave S. Burien, WA 98148
Questions: (206) 372-5391**

Applicant Submittals

Materials submitted to WSCJTC will be presented at the quarterly commission meeting (September, December, March, June – dates subject to change). Please note, the applicant need not attend. Upon approval or denial, a letter will be sent to you with additional information.

[REDACTED]
Seattle, Washington 98105
July 6, 2022

Ms. Kayla Wold
Hearings Coordinator
Washington State Criminal Justice Commission

Sent electronically: kayla.wold@cjtc.wa.gov

Re: Application for Public Member-Certification Hearings Panel

Dear Ms. Wold:

I am applying to serve as a panel member for certification hearings, specifically the position designated for a member of the public, who is not a current prosecutor, defense attorney, judge, or law enforcement officer.

I served as a judge for nearly thirty years, during which time I had ample opportunity to hear testimony from law enforcement officers who exemplified the highest standards of their profession—as well as those whose conduct and testimony raised serious questions about their fitness to serve in this important role. I also have observed, first hand, the problems created when an officer, who is terminated from one agency for misconduct, is immediately hired by another agency—without apparently having learned anything from the disciplinary process.

In addition, I certainly am aware of the issues raised by communities of color concerning unequal and unfair enforcement. In fact, too often, potential jurors have asked to be excused because, as a result of personal or family experiences, they felt they would have a difficult time believing the testimony of any officer. Our whole community suffers when trust in such an important part of our government is lacking.

I believe that this background would serve me well as a public member of the panel, and I appreciate your considering my application.

Thank you for your consideration. Please contact me if any further information would be useful.

Sincerely,



HELEN L. HALPERT

████████████████████
Seattle, WA 98105
████████████████████
██████████

EDUCATION:

School of Law, University of California at Davis (King Hall)
Class of 1977: Juris Doctor Degree

Occidental College, Los Angeles, California
Class of 1974: Bachelor of Arts
Major: American Studies
Graduated: *Magna cum Laude* with Departmental Honors

EMPLOYMENT:

Mediator, Arbitrator and Special Master
Judicial Arbitration and Mediation Services (JAMS)
October 2018-present

Jurist in Residence
Administrative Office of the Courts
August 2021-present

Assist in training judges in child welfare cases, including individual mentoring and in group settings. Serve as resource for staff in program development for Family and Youth Justice Programs of the Administrative Office of the Courts.

Judge
King County Superior Court
December, 1999-June 2018

Served in all divisions of the court. Served as assistant presiding judge, lead dependency judge, chief judge of the juvenile division and chief criminal judge, chair of court's budget committee, member of local rules and facilities committees. Member of the court's executive committee for over ten years.

Judge
Seattle Municipal Court
September, 1989-December, 1998

Presiding Judge
January, 1998-December, 1999

Staff Attorney
Public Defender Association
October, 1985-September 1989

Adjunct Professor of Law
University of Puget Sound (now Seattle University)
January, 1987-June, 1987

Assistant Dean and Lecturer in Law
University of Washington School of Law
December, 1981-August, 1985

Acting Assistant Professor
September, 1980-December, 1981

Law Clerk, Judges Edward P. Reed and Harold J. Petrie
Washington State Court of Appeals, Division II
June 1977-July 1980

PARTIAL LIST OF PUBLICATIONS:

- King County Bar Bulletin, *Prenuptial Agreements in Washington: A Primer* (October 1, 2021)
- King County Bar Bulletin, *Committed Intimate Relationships: They're Not Just for Family Law Practitioners Anymore* (November 1, 2019).
- *Seattle Times*, *Guest Editorial: Nobody wants to put runaways in detention, but what do we do?* (November 30, 2015)
- *Domestic Violence Manual for Judges-Revised Version* (Office of the Administrator for the Courts-Washington State Gender and Justice Commission 1997, 2002 and 2006 eds. Primary author and substantive editor of criminal and evidentiary sections).
- A. Ganley, H. Halpert, K. Tegland, *Domestic Violence Manual for Judges: Volume I-Criminal* (Office of the Administrator for the Courts-Washington State Gender and Justice Commission 1991).
- Contributor to *Women and the Law in Washington State*, Northwest Women's Law Center (1987-88 Revised Edition)(Community Property Chapter).
- *The 1985 Supplement to the Community Property Deskbook*, Washington State Bar Association

PARTIAL LIST OF PROFESSIONAL ACTIVITIES:

- Co-Chair: Washington State Pattern Jury Instruction Committee (Member 1996-present: co-chair 2013-2018).
- Member: Legislative Task Force on Juvenile Sentencing (2014)
- Member Becca (non-offending youth) Task Force and Judicial Advisory Committee (Approximately 2010-2018 chair 2016-2017)
- Member Superior Judge Judges Association Criminal Rules Committee
- Member Superior Court Judges Juvenile and Family Law Committee
- Chairperson, Governor's Action Group on Domestic Violence (June 1999-November 1999)
- District and Municipal Court Rules Committee (1999)
- Records Management Advisory Committee-Subcommittee on Criminal Records Policies (1999)
- Regional Law Safety and Justice Committee (1998-1999)
- Commissioner, District and Municipal Court Commission-Regional Finance and Governance Committee (1997-1998)
- Judicial Information Services/Domestic Violence Task Force (1996-1998)
- Legislative Reform Task Force of the Joint Committee of The Washington State Coalition Against Domestic Violence
- Gender and Justice Task Force Implementation Committee
- Chair, *Ad Hoc* Committee on Domestic Violence Treatment Standards (1994)
- Frequent speaker at Continuing Legal Education Seminars for Attorneys and Judges

PARTIAL LIST OF CURRENT COMMUNITY ACTIVITIES

- Board of Directors, Family Law CASA, October 2018
- Downtown Emergency Services Center. QUALCIB Board, April 2020-present

HONORS:

King County Washington Women Lawyers: Judge of the Year (2018)

King County Washington Women Lawyers: Judge of the Year (2001)

King County Bar Association Judge of the Year (1999)

Distinguished Service Award for Legal Scholarship-Gender and Justice in the Courts (1993)

Helen Halpert – References

Jill Malat

Former Manager, Civil Legal Services Children's Representation Project

Former Sponsor, Black Prisoner's Caucus

[REDACTED]

[REDACTED]

The Honorable Veronica Alcea Galván

King County Superior Court

[REDACTED]

[REDACTED]

Deidre McCormack-Martin

Executive Director, Family Law CASA of King County

[REDACTED]

[REDACTED]

Electronically delivered

July 1, 2022

Kayla Wold

Hearings Coordinator, Washington State Criminal Justice Training Commission

Re: Criminal Justice Training Commission Certification Hearings Panels

Dear Ms. Wold:

It is my pleasure to offer this letter of recommendation in support of the applications of Judge Helen Halpert (ret.) and Judge Ann Schindler (ret.) to serve on WSCJTC Certification Hearings Panels. I have worked with these two now-retired jurists for virtually the whole of their careers in the judiciary.

As is demonstrated in the resumes which they have submitted to you, each is greatly experienced in the skills of judging across all case types, whether as the sole decision maker or in concert with others. Each has presided or participated in hundreds of hearings and trials, both civil and criminal. They are versed in the law, and know how to weigh evidence in light of the appropriate legal standards they are sworn to uphold, assess witness credibility, discern relevant facts, and summarize and analyze volumes of documents. They have presided over or reviewed cases with law enforcement as witnesses. And, they each bring a fundamental appreciation of the importance of Constitutional policing.

Judge Halpert was a judge for over 30 years, serving at both the municipal court and superior court levels, and in leadership roles. She trained judges throughout her career and now, as a retired judge, is Jurist in Residence at the Washington State Administrative Office for the Courts. She has lectured at the UW Law School, in numerous continuing education programs for lawyers and others in the justice system, and has published on best practices in judging. She is smart, compassionate, hard-working, and astute.

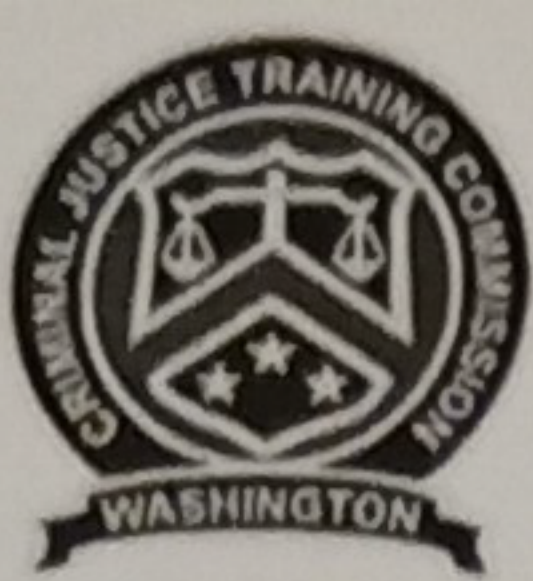
Judge Schindler was a judge for almost 30 years, serving at both the superior court and court of appeals level, and in leadership roles. She has done numerous trainings for judges, lawyers, and other participants in the justice systems. As a member of the Court of Appeals, Division One, she reviewed and wrote opinions regarding the decisions of trial judges – both how effectively they conducted their trials/hearings and whether their decisions were supported by the law which they applied. She has also lent her time and expertise to many different professional groups including, most recently, the 2021 King County Districting Committee. She too is smart, compassionate, hard-working, and astute.

Judge Helen Halpert and Judge Ann Schindler would both be excellent members of the certification hearings panels for the WSCJTC. They will be fair, impartial, and dedicated to helping strengthen public trust and confidence in our state's law enforcement.

I am happy to provide any additional information that you may require.

Very truly yours,

Justice Bobbe J. Bridge (ret.)



WSCJTC Certification Hearings – Panel Member Application

RCW 43.101.380

APPLICANT INFORMATION

Name: **Howard Rubenstein**

Agency:

Title/Rank:

Email & Phone: [REDACTED]

To be considered for selection to a hearing panel, a peace officer or corrections officer must have at least 10 years' experience. Do you meet this qualification: Yes No

Please select the hearing panel you wish to be considered for:

Peace Officer Hearings

- Police Chief or Sheriff
- Peace Officer, First Line Supervisor or below

Corrections Officer Hearings

- Person that heads a city or county corrections agency or a WA DOC corrections facility
- Corrections Officer, First Line Supervisor or below

Tribal Officer Hearings

- Tribal Police Chief
- Tribal Police Officer, First Line Supervisor or below

All Hearings

- Civilian member of the Washington State Criminal Justice Training Commission.
- Member of the public who is NOT a prosecutor, defense attorney, judge, or LE officer.
- Person with expertise and background in police accountability who is NOT a current or former peace officer or corrections officer.

Required Materials

- Application Cover Letter Resume & contact for three references Letter of Support from Agency Supervisor*

*Members of the public may submit a letter of recommendation in lieu of a letter of support.

Please submit materials to: **Hearings Coordinator, Kayla Wold; kwold@cjtc.wa.gov or
WSCJTC: 19010 1st Ave S. Burien, WA 98148
Questions: (206) 372-5391**

Applicant Submittals

Materials submitted to WSCJTC will be presented at the quarterly commission meeting (September, December, March, June – dates subject to change). Please note, the applicant need not attend. Upon approval or denial, a letter will be sent to you with additional information.

[REDACTED]
Ridgefield, WA 98642
July 20, 2022

Dear Criminal Justice Training Commissioners:

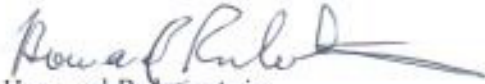
I am writing today to apply to serve as a member of the public on a Certification Hearing Panel.

As a longtime union steward and former local union president (AFSCME Local 101), I have a long-standing commitment to the concepts of fairness and due process. Having lived most of my life in Wayne County Michigan and having been employed by the County with a highly integrated work force, I have many positive relationships with people from diverse backgrounds, genders, races, religions, sexual orientations, and ethnicities. I have also been fortunate to have travelled internationally and have spent significant periods of time immersed in other cultures. This has helped me grow and deepen my respect for all people. I strive to be open, caring, fair, and just in all my dealings with others.

I feel strongly about public safety and removing peace officers who do not live up to the standards of their occupation, but I am equally committed to ensuring a fair and just process.

Thank you for considering my application.

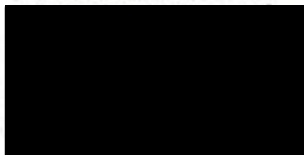
Sincerely,



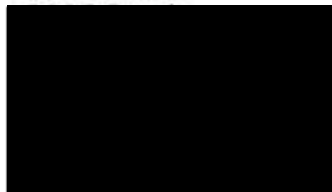
Howard Rubenstein
howarub@gmail.com

References

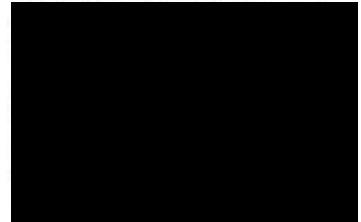
Ray Ballesteros



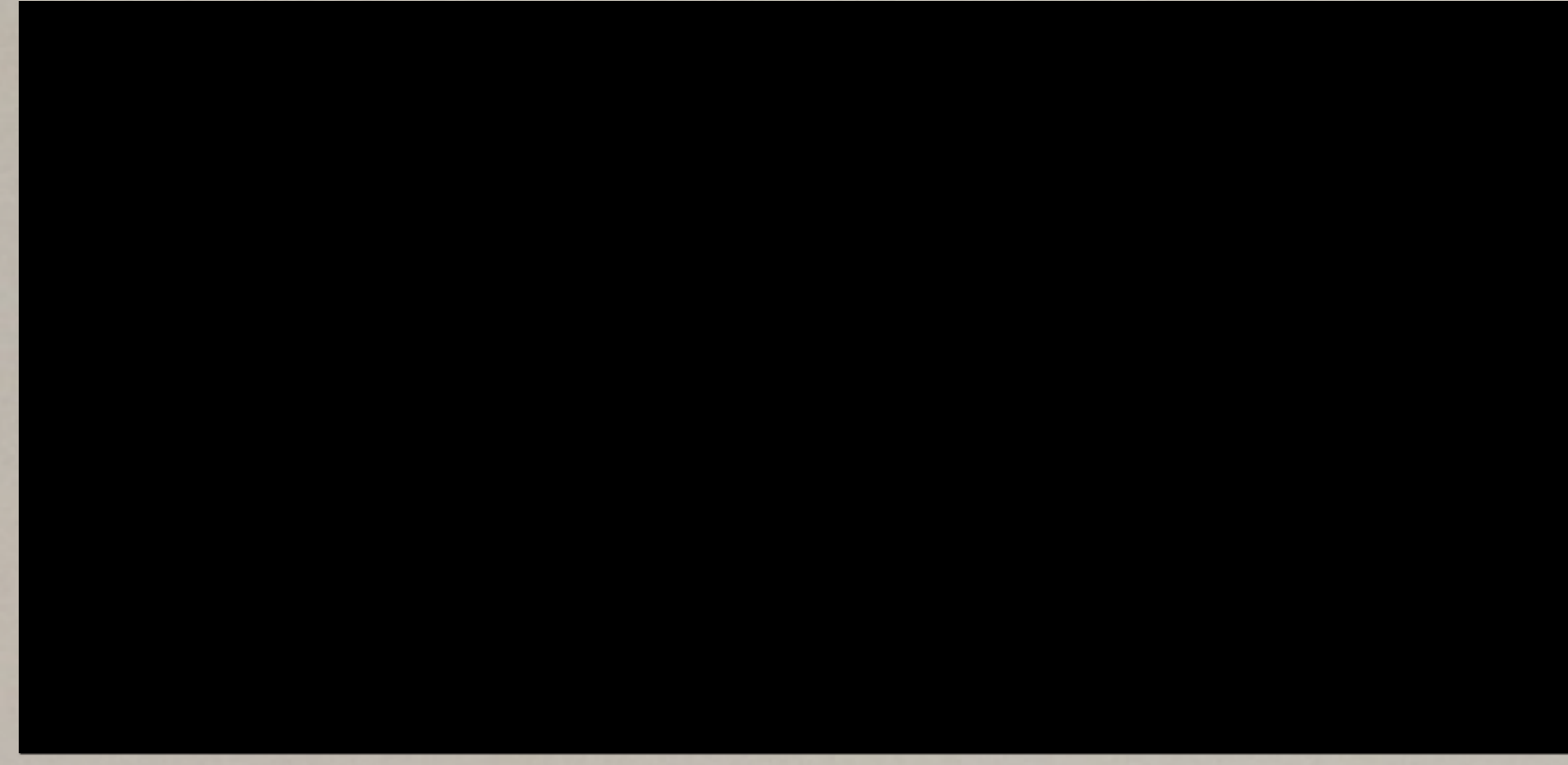
Kirk Wright



Karen Morrison



HOWARD A. RUBENSTEIN



EDUCATION

Apprenticeship 1971-75	Electrical Industry Training Center	SE Michigan
Studies toward M.Ed.	Wayne State University	General Secondary Education
B.S. 1969	Wayne State University	Education (Social Sci & English)
Studied 1965-66	Highland Park Community College	
Cass Technical HS 1964	Detroit, Michigan	Performing Arts, Polytechnical

WORK EXPERIENCE

1985-2007	Wayne County Michigan	Maintenance Electrician
1975-1985	SE Michigan, Ontario Canada	Journeyman Electrician
1971-1975	SE Michigan	Apprentice Electrician
1968-1971	Detroit Public Schools	Substitute Teacher

OTHER EXPERIENCE

President, Whipple Creek Condominiums Homeowners Association	2019-present
Vice-president, Whipple Creek HOA	2016-2019
President, Wayne County Local 101, AFSCME	1991-1994

OTHER BACKGROUND

Conversant in French and Thai languages
Attended by choice city-wide multi-racial, multi-cultural high school and college
Taught Chinese cooking in Livonia MI Community Education Program
Travels internationally

July 18, 2022

Hearings Coordinator
WTCJTC, Attn: Kayla Wold
19010 1st Street South
Burien, WA 98148

Dear Ms. Wold:

Please accept this letter as my whole-hearted recommendation for Howard Rubenstein to serve as a civilian Panel Member on the Certification Hearings Panel. If he is selected, he will provide the perspective of an informed, involved, and unbiased member of society. As the president of our 116-Unit Homeowner's Association, he has lots of experience working with diverse groups of people to make informed judgements in what is sometimes a stressful, high-stakes setting.

I have served on our Homeowner's Association Board for three years, giving me the opportunity to observe Howard's methodology for resolving complex issues. After an initial and thorough assessment of the problem, he gathers as much information as he can from homeowners, the management company, contractors, HOA Rules & Regulations, and internet sources, including RCW codes when it is called for. Since he prizes fact-based, practical solutions, he is scrupulous about keeping an open mind and exploring all options. Howard winnows fact from fiction without becoming sarcastic or cynical or jumping to unsupported conclusions. His questions are insightful and they often lead us fellow Board members to understand the issue in a different light or look into solutions we had not considered.

While not confrontational in the least, Howard is assertive once he is ready to recommend a course of action. He explains his thinking clearly and thoroughly with justifications for the solution he is advocating. If another Board member has further questions or caveats, Howard is open to doing further research or reconsidering his position. If another Board member disagrees with Howard's decision, he listens patiently, respectfully disagrees if he feels it is called for, and accepts the majority vote if he is overruled--which rarely happens--with grace.

Due to Howard's gentle leadership, this particular Board is very cooperative and committed to transparency and honest, inclusive dialog. He cares deeply about this community and the homeowners he serves, and he is highly respected by the homeowners, even those who make the occasional critical comment or unreasonable demand. I know if he is appointed to the Certification Hearings Panel, you will find him to be as positive, fair-minded and conscientious as we do.

If you have any questions or need more information, please do not hesitate to contact me at

[REDACTED] Thank you for your time and consideration.

Respectfully, Linda Kimball, Whipple Creek HOA Secretary



WSCJTC Certification Hearings – Panel Member Application

RCW 43.101.380

APPLICANT INFORMATION

Name:	Agency:
Title/Rank:	Email & Phone [REDACTED]
To be considered for selection to a hearing panel, a peace officer or corrections officer must have at least 10 years' experience. Do you meet this qualification: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Please select the hearing panel you wish to be considered for:	
Peace Officer Hearings	
<input type="checkbox"/> Police Chief or Sheriff	
<input type="checkbox"/> Peace Officer, First Line Supervisor or below	
Corrections Officer Hearings	
<input type="checkbox"/> Person that heads a city or county corrections agency or a WA DOC corrections facility	
<input type="checkbox"/> Corrections Officer, First Line Supervisor or below	
Tribal Officer Hearings	
<input type="checkbox"/> Tribal Police Chief	
<input type="checkbox"/> Tribal Police Officer, First Line Supervisor or below	
All Hearings	
<input type="checkbox"/> Civilian member of the Washington State Criminal Justice Training Commission.	
<input type="checkbox"/> Member of the public who is NOT a prosecutor, defense attorney, judge, or LE officer.	
<input type="checkbox"/> Person with expertise and background in police accountability who is NOT a current or former peace officer or corrections officer.	

Required Materials

Application Cover Letter Resume Letter of Support from Agency Supervisor*

*Members of the public may submit a letter of recommendation in lieu of a letter of support.

**Please submit materials to: Hearings Coordinator, Kayla Wold; kwold@cjtc.wa.gov or
WSCJTC: 19010 1st Ave S. Burien, WA 98148
Questions: (206) 372-5391**

Applicant Submittals

Materials submitted to WSCJTC will be presented at the quarterly commission meeting (September, December, March, June – dates subject to change). Please note, the applicant need not attend. Upon approval or denial, a letter will be sent to you with additional information.



Ryan
Tanaka

Chief of Staff / HR



Seattle/WA

Kayla Wold
Hearings Coordinator
WSCJTC
19010 1st Ave S.
Burien, WA 98148

DEAR KAYLA WOLD,

I am a local resident that is interested in being a panel member for the WSCJTC certification hearings. I would be a valuable member because

- I have a true desire to improve our community, one in which I grew up and live
- I have an HR background and am skilled at hearing multiple sides of difficult issues
- I am accustomed to making difficult decisions based on facts and testimony for my job
- I believe that accountability and transparency are essential for a functioning society
- I believe that public service is valuable and its own reward

Please find enclosed my resume and references that will confirm these assertions

I would very much like to discuss opportunities with [Company Name]. To schedule an interview, please call me at [phone]. The best time to reach me is between [earliest time] and [latest time], but you can leave a voice message at any time, and I will return your call.

Thank you for taking the time to review my resume. I look forward to talking with you.

Sincerely,
[Your Name]
Enclosure



Ryan
Tanaka

Chief of Staff / HR



Seattle/WA

ABOUT ME

My philosophy

I am committed to do no harm and whenever possible to leave a situation better than I found it. I am committed to improving myself, my family, and my community.

SKILLS



HR



Payroll/Billing



Office/Adobe/Other



Customer/Employee relations



Technology Implementation

EDUCATION

BS, Instrumental Music Education

Central Washington University

1998-2002

Diploma

Newport High School

1994-1998

EXPERIENCE

Chief of Staff/HR

The Caregivers Company/WA, OR, ID, CA/2019-present

Many roles, but responsible for HR and staff supervision. Co-owner.

- Maintaining employee documentation and compliance
- Software implementation, company-wide
- Training and development
- Supervising (formerly responsible for) payroll and billing
- Explaining procedures and rights to employees
- Hiring and firing employees
- B Corp certification

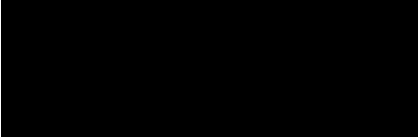
Warehouse Manager

Humble Design/Seattle WA/2018-2019

Managing the warehouse storage for non-profit Humble Design

- Picking up donated furniture
- Unloading and storing donated furniture
- Safety and compliance of the physical space
- Organization and logistics of delivering furniture
- Maintaining and repairing furniture

RYAN TANAKA



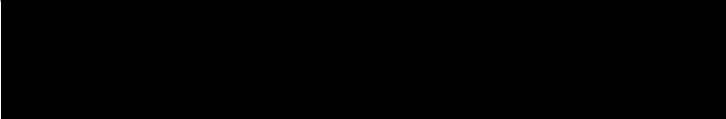
REFERENCES

Nate Francois
HR Consultant



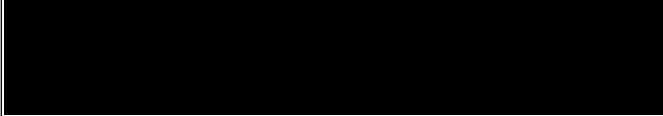
Consultant/Friend

Miles Goda
Owner
The Caregivers Company



Employer/Boss

Paul Tanaka



Uncle/Character Reference



June 6, 2022

Kayla Wold
Hearings Coordinator
WSCJTC
19010 1st Ave S
Burien WA 98148

Dear Ms. Wold,

It is my pleasure to enthusiastically recommend Ryan Tanaka for a panel member of the WSCJTC certification hearings.

My name is Miles Goda, principal owner of The CareGivers Company LLC. I have had the pleasure of working with Ryan Tanaka for nearly 3 years. During the course of his tenure with the company, he has been a great partner, resource, and sounding board. He has taken on a variety of tasks, including many where he had little to no experience, but he has been able to excel at whatever has been needed by the company. Of all the people I've worked with and employed, Ryan is among the best.

During our time together, Ryan has proven to be open-minded, fair, adaptable. He currently runs HR for a business with over 200 employees and he has really helped us to move the company forward.

I am confident without reservation that Ryan would be an excellent fit for the certification hearings. As the Head of HR, he has proven to be an impartial resource that is able to see both sides of an issue.

Feel free to contact me at ([REDACTED]) if you have any questions or would like me to further elaborate on Ryan's talents and achievements.

Sincerely,

Miles Goda

Miles Goda
Managing Member, The CareGivers Company LLC



WSCJTC Certification Hearings – Panel Member Application

RCW 43.101.380

APPLICANT INFORMATION

Name: *Barbara Vining*

Agency:

Title/Rank: *Retired*

Email & Phone:

To be considered for selection to a hearing panel, a peace officer or corrections officer must have at least 10 years' experience. Do you meet this qualification: Yes No

Please select the hearing panel you wish to be considered for:

Peace Officer Hearings

- Police Chief or Sheriff
 Peace Officer, First Line Supervisor or below

Corrections Officer Hearings

- Person that heads a city or county corrections agency or a WA DOC corrections facility
 Corrections Officer, First Line Supervisor or below

Tribal Officer Hearings

- Tribal Police Chief
 Tribal Police Officer, First Line Supervisor or below

All Hearings

- Civilian member of the Washington State Criminal Justice Training Commission.
 Member of the public who is NOT a prosecutor, defense attorney, judge, or LE officer.
 Person with expertise and background in police accountability who is NOT a current or former peace officer or corrections officer.

Required Materials

- Application Cover Letter Resume & contact for three references Letter of Support from Agency Supervisor*

*Members of the public may submit a letter of recommendation in lieu of a letter of support.

Please submit materials to: Hearings Coordinator, Kayla Wold; kwold@cjtc.wa.gov or
WSCJTC: 19010 1st Ave S. Burien, WA 98148
Questions: (206) 372-5391

Applicant Submittals

Materials submitted to WSCJTC will be presented at the quarterly commission meeting (September, December, March, June – dates subject to change). Please note, the applicant need not attend. Upon approval or denial, a letter will be sent to you with additional information.

Kayla Wold
Hearings Coordinator, WSCJTC
19019 1st Ave. S.
Burien, Wa. 98148

July 25, 2022

Dear Ms. Wold:

I am applying to be a panel member for the Washington State Criminal Justice Training Commission as a member of the public on the peace officer hearing panel.

I have been following with interest the passage of legislation to improve training and accountability of law enforcement officers. I have had a life long interest and commitment to issues of justice and community service as evidenced by my early time as a legal aid attorney and my service founding the Cowlitz Wahkiakum Legal Aid Program and as a long time board member.

My professional background is as a civil deputy prosecutor for the Cowlitz County Prosecuting Attorney serving in the child support division from 1993 until I retired in 2013. I have also served on a state wide child support task force and on the state Pro Bono Commission.

I am available for volunteer work as I am now fully retired.

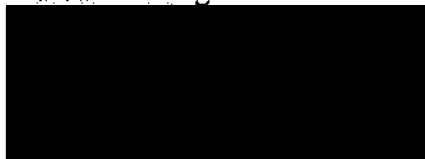
I appreciate the opportunity to serve on these panels, because of my hope that these panels will be instrumental in improving the professionalism of our vital law enforcement community.

Thank you for considering my application to serve as a public member on the hearing panels. I look forward to hearing from you.

Sincerely,

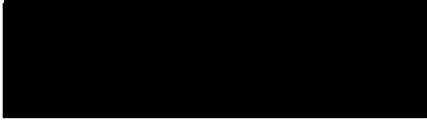


Barbara Vining



RESUME

BARBARA A. VINING



LEGAL PROFESSIONAL EXPERIENCE:

- 2018-2019 WAPA Support Enforcement Project
Research and Writing : Modification of Child Support Chapter for state's Best Practices Handbook
- 1993 -2013 (retirement) Cowlitz County Prosecuting Attorney, Deputy Prosecutor,
Child Support Division (other duties: criminal appellate work; mental hearings)
- 1991-1992 Wahkiakum County Prosecuting Attorney
Deputy Prosecutor
- 1987-1990 Evergreen Legal Services
Staff Attorney

PROFESSIONAL ORGANIZATIONS :

- 1987-2016 Washington State Bar Association Member
- 2005-2013 Washington Association of Prosecuting Attorney
Support Enforcement Project (WAPA-SEP)
Judicial Case Processing Task Force member
- 2000-2013 WAPA SEP Annual Conference Presenter

AWARDS:

- 2006 Cowlitz Wahkiakum Bar Association Professionalism Award
- 2000 Washington State Bar Association
Angelo Petrus Award for Lawyers in Public Service
- 1999 Cowlitz Wahkiakum Volunteer Lawyer Program
Volunteer Lawyer of the Year

VOLUNTEER EXPERIENCE:

- 1998-2008 Cowlitz Wahkiakum Volunteer Lawyer Program
Founding member, first board president and member

1998-2000 Washington State Bar Association
Pro Bono and Legal Aid Committee, member

1989-1991 Community House on Broadway – Board member, housing shelter

EDUCATION:

Northwestern School of Law (Portland, Oregon): J.D. Granted 1986

University of Washington: B.A., 1971; M.A. English, 1975

REFERENCES:

1. Ron Marshall: Retired District Court Judge, Cowlitz County
Phone: [REDACTED]
2. Amy Morgan: Senior Deputy Prosecutor, Cowlitz County
Child Support Division
Phone: [REDACTED]
3. Lori Bashor: Cowlitz Wahkiakum Volunteer Lawyer Program
Executive Director
Phone: [REDACTED]

Joyce Brekke

July 28, 2022

Kayla Wold
Criminal Justice Training Commission
19010 1st Avenue S.
Burien, WA 98148

Re: Barbara Vining Hearing Panel member application

Dear Ms. Wold and Commissioners,

I write this letter to highly recommend Barbara Vining's selection as a CJTC Certifications Hearings Panel member. She is applying to fill a position as a member of the public.

I have known Barbara for more than forty years and consider her a person of great integrity and very well qualified to serve.

Barbara had many years of practice as an attorney up until her retirement in 2013. At the start of her career, she worked at Evergreen Legal Service providing civil legal aid to low income people. I was at a nearby Evergreen office during the same period, giving me the chance to get to know Barbara professionally as well as personally. Barbara subsequently worked for many years at the Prosecutor's office in the child support division.

Before going to law school, she taught at both the grade school and the junior college level.

As an attorney, Barbara made frequent court appearances and handled most phases of civil litigation, from motions practice, to trial work, to appeals. She developed a field of expertise that made her a resource to her colleagues around the state. Barbara was also well respected by her peers in the local community. As an indication of the esteem in which she was held locally and statewide, Barbara presented at legal conferences and received awards in recognition of her skill and service. After her retirement from the full time practice of law, Barbara's former employer hired her as a consultant on a practice handbook intended for statewide use.

Barbara has also offered her time in service to her community by participating in Cowlitz County's pro bono legal aid program and in various local social services programs.

Barbara would make an excellent hearings panel member. Her training and experience have made her skilled at applying facts to law and at analysis. Her personal integrity will make her able to examine certification cases with an open mind, and to consider only the evidence presented during the hearing.

She would be an attentive and diligent panel member.

I am pleased to recommend her as a panel member and welcome you to contact me with any questions or for further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Joyce Brekke", written over a solid black rectangular redaction box.

Joyce Brekke



WSCJTC Certification Hearings – Panel Member Application

RCW 43.101.380

APPLICANT INFORMATION

Name: *Sandra "Sam" Pailca*

Agency: *Employer: Microsoft Corp.*

Title/Rank:

Email & Phone: [REDACTED]

To be considered for selection to a hearing panel, a peace officer or corrections officer must have at least 10 years' experience. Do you meet this qualification: Yes No [REDACTED]

Please select the hearing panel you wish to be considered for:

Peace Officer Hearings

- Police Chief or Sheriff
 Peace Officer, First Line Supervisor or below

Corrections Officer Hearings

- Person that heads a city or county corrections agency or a WA DOC corrections facility
 Corrections Officer, First Line Supervisor or below

Tribal Officer Hearings

- Tribal Police Chief
 Tribal Police Officer, First Line Supervisor or below

All Hearings

- Civilian member of the Washington State Criminal Justice Training Commission.
 Member of the public who is NOT a prosecutor, defense attorney, judge, or LE officer.
 Person with expertise and background in police accountability who is NOT a current or former peace officer or corrections officer.

Required Materials

Application Cover Letter Resume & contact for three references Letter of Support from Agency Supervisor*

*Members of the public may submit a letter of recommendation in lieu of a letter of support.

Please submit materials to: **Hearings Coordinator, Kayla Wold; kwold@cjtc.wa.gov or
WSCJTC: 19010 1st Ave S. Burien, WA 98148
Questions: (206) 372-5391**

Applicant Submittals

Materials submitted to WSCJTC will be presented at the quarterly commission meeting (September, December, March, June – dates subject to change). Please note, the applicant need not attend. Upon approval or denial, a letter will be sent to you with additional information.

Kayla Wold

Hearings Coordinator, WSCJTC
19010 1st Ave. S.
Burien, WA 98148

June 27, 2022

Dear Ms. Wold,

It's with great interest that I submit my application to serve as a panel member for the peace officer, corrections officer, and tribal officer certification hearings. I am applying for one of the panel positions designated for: "A person with expertise and background in police accountability who is not a current or former peace officer or corrections officer."

I am an Associate General Counsel at Microsoft, and for most of my 15 years led the Office of Legal Compliance (OLC), directing the company's business conduct compliance program. OLC's mandate included the internal investigation, remediation, and prevention of law and compliance policy violations.

Prior to joining Microsoft in 2007, I served two three-year appointed terms as Director of the Office of Professional (now "Police") Accountability (OPA) for the City of Seattle. As OPA Director my responsibilities included oversight of the internal investigation and resolution of complaints of misconduct by members of the Seattle Police Department, including evaluation of referrals for potential decertification. I also liaised with the King County Prosecutor's Office, working with the Chief Criminal Deputy to devise an early system for consideration of "Brady" issues that might impede an officer's ability to testify.

Under my tenure, the OPA received praise from accountability professionals and the public for its innovative work on confronting biased policing, addressing unnecessary force, implementing a voluntary mediation program, and for transparency in reporting.

Before my appointment to lead the newly-formed OPA, I served as a Senior Deputy Prosecuting Attorney and section head of the Labor and Employment Section of the Civil Division of the King County Prosecutors Office. That Section provided legal guidance and litigation representation to all three branches of King County government. I served as legal advisor to the King County Sheriff and King County Jail and developed expertise in the conjunction of employment and criminal law, i.e., when public employees are accused of misconduct that may constitute a crime, and the application of due process protections in such cases.

Throughout the last 20 years, I have remained involved in police accountability. I served on the board of NACOLE, the National Association for Civilian Oversight of Law Enforcement; currently serve on the board of ACLU-WA; current service as an Advisor to the ALI Principles of Law, Policing; served for 6 years as a commissioner on the City of Seattle Public Safety Civil Service Commission; and on numerous task forces, including co-chairing the King County Executive's Task Force on Inquests and the Port of Seattle Task Force on Civil Rights and Policing, co-chairing the Use of Force Subcommittee.

I have been impressed with the evolution of the Washington State Criminal Justice Training Commission during that time and would be honored to support its expanded set of responsibilities through panel service.

Sincerely,

Sam Pailca

Sam Pailca

Compliance & Ethics Executive

Twenty + years executive experience leading litigation, compliance, police accountability and employment legal teams in government and tech sector.

Experience

2021 – Current

Associate General Counsel, *Microsoft*

Manage complex regulatory enforcement litigation across jurisdictions and regulatory domains, including antitrust, privacy, consumer protection, and cybersecurity.

2007 – 2021

Director, Office of Legal Compliance, *Microsoft*

Led innovative global business conduct compliance program, including cross-border internal investigations, risk remediation, and culture initiatives.

2001 - 2007

Director, Office of Police Accountability, *City of Seattle*

Oversaw the internal investigation and resolution of complaints of misconduct by members of the Seattle Police Department, directed community outreach and education, and reported to the public.

1994 - 2001

Senior Deputy Prosecuting Attorney, Lead Labor & Employment Section, *King County Prosecuting Attorney*

Led litigation defense and provision of labor and employment advice for three branches of county government. Lead advisor to King County Sheriff and King County Jail.

Education

1989

J.D., University of Washington School of Law, *cum laude*

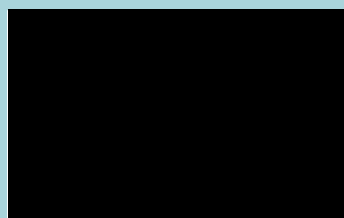
1986

B.A., Political Science and Public Policy, Washington State University, *Summa cum laude, Phi Beta Kappa*

Skills

- Leadership
- Collaboration
- Program design
- Public Speaking
- Advocacy

Contact



Sam Pailca References

- Superior Court Judge Anne Levinson (ret): [REDACTED]
- Bookda Gheisar, Senior Director, Office of Equity, Diversity & Inclusion:
[REDACTED]
- Christian Halliburton, Professor, Seattle University School of Law; Public Safety Civil Service Commission: [REDACTED]

Dear Ms. Wold,

I am writing in regards to Ms. Sam Pailca's application to serve as a panel member for the peace officer, corrections officer, and tribal officer certification hearings, and to express my strongest recommendation in support of her selection for this important role. Sam has a combination of skill, experience, judgment and temperament that make her uniquely suited to serve the purposes of the panel, and I am certain that she would prove to be an invaluable asset in the administration of the overall process.

As you are no doubt already aware, Sam is an accomplished legal professional who has held multiple highly-responsible leadership roles in the private sector, and has developed an impeccable set of associated skills in the areas of policy analysis, strategic communication, risk management, litigation and regulatory compliance over the course of her extensive career. Sam has successfully guided multiple international business units through a wide variety of legal, administrative and regulatory initiatives, and has consistently demonstrated an ability to navigate that complex terrain with a clear focus on her ethical duties.

My personal experience working with Sam as colleagues on the City of Seattle's Public Safety Civil Service Commission correlates perfectly with what I know of her broader professional background. Sam and I served together as Commissioners for many successive terms, and we had innumerable opportunities to collaborate on the management of matters coming before the Commission, to engage in both open and confidential deliberations regarding those matters, and to discharge the administrative duties of Commission management. In each and every instance, Sam showed a keen intellect, deep understanding of the relevant rules or standards, a rich knowledge of public safety policies and protocols, and consistent commitment to her institutional responsibilities. In addition to diligently responding to the demands of the Commission, Sam was also a proactive contributor to the Commission's evolution to reflect changes in relevant provisions in the Seattle Municipal Code and leader in the drive to update the Commission's Rules of Procedure in response. While Sam and I quite naturally had different opinions at times, not once did I have cause to doubt the soundness of her judgment or the reasonableness of her perspective, and it was abundantly clear that her consistent, overriding priority was to do the right thing under the circumstances.

I know from my time in public safety administration that there is a delicate balance between individual and collective interests that must be preserved at each stage in the process, and Sam's ability to appreciate those interests in a deeply expert and nuanced way will allow her to form opinions and share reasoning as a member of the panel that will ensure that the panel is able to do the same. Sam is committed to safety, fairness and accountability, and she will bring those commitments to the table each and every day during her term of service.

It is for these reasons that I am honored to advocate for Sam Pailca, and to unequivocally recommend that she be selected as a member of the certification hearings panel. If you or any of your colleagues would like additional information, I would be happy to either provide such or find a time to discuss Sam's application by phone. Either way, I appreciate the opportunity to express my support and thank you in advance for giving her your careful consideration.

With warm regards,

Christian Halliburton

Associate Professor (*Emerit.*)
Seattle University School of Law

Dear Ms. Wold,

I understand Sam Pailca has applied to serve as a panel member for the peace officer, corrections officer, and tribal officer certification hearings, specifically a position designated for someone “with expertise and background in police accountability who is not a current or former peace officer or corrections officer.”

I have worked closely with Sam for the past six years, and know her well, both professionally and personally. Sam’s career at Microsoft and before has been dedicated to the fair administration of justice. She has led Microsoft’s internal investigations program, which includes responsibility for a team of attorneys and other professionals who direct investigations into employee misconduct, make factual and policy determinations, and direct discipline attorneys. Sam has exceptional experience discerning facts (and teaching others to do so). Sam exercises excellent legal and professional judgment and maintains objectivity in even the most difficult situations. Sam is also a fundamentally kind and thoughtful person, making her a joy to work with.

I am confident that the public, the panel, and the officers who appear before the panel, will all benefit from Sam’s expertise, compassion, and fundamental fairness. Please do not hesitate to contact me with any questions.

Sincerely,
Paige Pratter

Paige Pratter (CELA)
Assistant General Counsel
Business & Regulatory Investigations
Mobile: [REDACTED]
[REDACTED]



WSCJTC Certification Hearings – Panel Member Application

RCW 43.101.380

APPLICANT INFORMATION

Name: ANN SCHINDLER Agency: _____
Title/Rank: Retired Judge Email & Phone: _____
To be considered for selection to a hearing panel, a peace officer or corrections officer must have at least 10 years experience. Do you meet this qualification: Yes No

Please select the hearing panel you wish to be considered for:

Peace Officer Hearings

- Police Chief or Sheriff
 Peace Officer, First Line Supervisor or below

Corrections Officer Hearings

- Person that heads a city or county corrections agency or a WA DOC corrections facility
 Corrections Officer, First Line Supervisor or below

Tribal Officer Hearings

- Tribal Police Chief
 Tribal Police Officer, First Line Supervisor or below

All Hearings

- Civilian member of the Washington State Criminal Justice Training Commission.
 Member of the public who is NOT a prosecutor, defense attorney, judge, or LE officer.
 Person with expertise and background in police accountability who is NOT a current or former peace officer or corrections officer.

Required Materials

- Application Cover Letter Resume & contact for three references Letter of Support from Agency Supervisor*

*Members of the public may submit a letter of recommendation in lieu of a letter of support.

Please submit materials to: Hearings Coordinator, Kayla Wold; kwold@cjtc.wa.gov or
WSCJTC: 19010 1st Ave S. Burien, WA 98148
Questions: (206) 372-5391

Applicant Submittals

Materials submitted to WSCJTC will be presented at the quarterly commission meeting (September, December, March, June – dates subject to change). Please note, the applicant need not attend. Upon approval or denial, a letter will be sent to you with additional information.

Ann Schindler



June 26,2022

Kayla Wold
WSCJTC
19010 1st Ave S.
Burien, WA 98148

Re: WSCJTC Certification Hearings Panel Member Application

Dear Kayla:

I am a recently retired appellate court judge interested in serving on certification hearings in accordance with the recent legislative amendments to chapter 43.101 RCW. Enclosed is the WSCJTC application, my resume and a list of three references with contact information. I have asked Hon. Bobbe J. Bridge (ret,) to send you a letter of recommendation. If you have any questions, concerns, or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Ann Schindler".

Hon. Ann Schindler (ret,)

ANN SCHINDLER

Judicial Experience

Judge, Court of Appeals Division I	January 2002 – 2020
Presiding Chief Judge, Court of Appeals Division I	2012
Chief Judge, Court of Appeals Division I	April 2008 – 2010
Acting Chief Judge, Court of Appeals Division I	April 2006 – 2007
Judge, King County Superior Court	1991 – 2001
Presiding Judge Elect	2002
Assistant Presiding Judge	2000 – 2001
Chief Asbestos Judge	1998 – 2002
Chief Judge Regional Justice Center	1997 – 1998

Legal Experience

King County Prosecuting Attorney, Civil Division	1982 – 1991
Senior Deputy Prosecuting Attorney	
1982 – 1986 – Lead attorney in personnel, discrimination, and labor law.	
1986 – 1991 – Lead attorney in land use and environmental law.	
Culp, Dwyer, Guterson & Grader	1978 – 1982

Professional Committees and Activities

Chair, 2021 King County Redistricting Committee	
Board of Judicial Administration	
Washington Supreme Court Gender and Justice Commission	
Chair, Washington State Center for Court Research Advisory Board	
Co-chair, Washington State Bar Association Access to Justice Bar Leaders Conference Planning Committee	
King County Bar Association Awards Committee	
Chair, King County Bar Association Gender Equality Committee	

Honors

King County Washington Women Lawyers President's Award	2008
King County Washington Women Lawyers Vanguard Award	1999
King County Bar Association Outstanding Judge of the Year	1998

References:

Chief Judge Beth Andrus , Court of Appeals, Division One

Acting Chief Judge Lori Kay Smith, Court of Appeals, Division One

Hon. Michel Spearman (ret.), King County Inquest Administrator

Electronically delivered

July 1, 2022

Kayla Wold

Hearings Coordinator, Washington State Criminal Justice Training Commission

Re: Criminal Justice Training Commission Certification Hearings Panels

Dear Ms. Wold:

It is my pleasure to offer this letter of recommendation in support of the applications of Judge Helen Halpert (ret.) and Judge Ann Schindler (ret.) to serve on WSCJTC Certification Hearings Panels. I have worked with these two now-retired jurists for virtually the whole of their careers in the judiciary.

As is demonstrated in the resumes which they have submitted to you, each is greatly experienced in the skills of judging across all case types, whether as the sole decision maker or in concert with others. Each has presided or participated in hundreds of hearings and trials, both civil and criminal. They are versed in the law, and know how to weigh evidence in light of the appropriate legal standards they are sworn to uphold, assess witness credibility, discern relevant facts, and summarize and analyze volumes of documents. They have presided over or reviewed cases with law enforcement as witnesses. And, they each bring a fundamental appreciation of the importance of Constitutional policing.

Judge Halpert was a judge for over 30 years, serving at both the municipal court and superior court levels, and in leadership roles. She trained judges throughout her career and now, as a retired judge, is Jurist in Residence at the Washington State Administrative Office for the Courts. She has lectured at the UW Law School, in numerous continuing education programs for lawyers and others in the justice system, and has published on best practices in judging. She is smart, compassionate, hard-working, and astute.

Judge Schindler was a judge for almost 30 years, serving at both the superior court and court of appeals level, and in leadership roles. She has done numerous trainings for judges, lawyers, and other participants in the justice systems. As a member of the Court of Appeals, Division One, she reviewed and wrote opinions regarding the decisions of trial judges – both how effectively they conducted their trials/hearings and whether their decisions were supported by the law which they applied. She has also lent her time and expertise to many different professional groups including, most recently, the 2021 King County Districting Committee. She too is smart, compassionate, hard-working, and astute.

Judge Helen Halpert and Judge Ann Schindler would both be excellent members of the certification hearings panels for the WSCJTC. They will be fair, impartial, and dedicated to helping strengthen public trust and confidence in our state's law enforcement.

I am happy to provide any additional information that you may require.

Very truly yours,

Justice Bobbe J. Bridge (ret.)



APPLICATION FOR CERTIFIED CANINE EVALUATOR

Washington State Criminal Justice
Training Commission

Send completed packets to:
certmail@cjtc.wa.gov

Applicant must attached a letter and resume that details how they meet criteria 1-5:

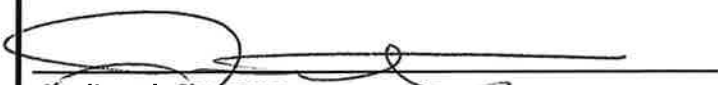
1. Must be a fully commissioned Washington State Certified Peace Officer, Certified Tribal Police Officer, or Corrections Officer.
2. Must have four years of canine handler experience.
3. Must be in compliance to all mandated training.
4. Must be recognized as a trainer of canines by a professional organization of police and/or corrections dog handlers/trainers (includes departments and associations) in the discipline they are applying.
 - a. If recognition is by a department, applicant must provide what process was followed to be recognized as a trainer of canines for that department.
5. Must have certified to the WAC in the past in the discipline they are applying.
6. Must have completed the CJTC Instructor Development class or other approved CJTC Instructor Course.
7. Must attach a letter from home agency supporting the applicant's position as an evaluator for CJTC to certify teams on department time, as approved.

Applicant's Full Name: Jason Hunt	Applicant's Home Agency: Spokane Coutny Sheriff
Applicant's Email Address jchunt@spokanesherriff.org	Applicant's Contact Phone: 509-477-3106
Years of canine handler experience: 10	Which organization(s) recognizes you as a trainer of canines: WSPCA
Which discipline are you applying to evaluate? (Mark all that apply)	
<input checked="" type="checkbox"/> PATROL <input type="checkbox"/> EXPLOSIVE DETECTION <input type="checkbox"/> NARCOTIC DETECTION	
Date completed the CJTC Instructor Development class or other approved CJTC Instructor Course. If other, please explain: Instructor Development-2001-299 Completed on 05/02/2016	

I recognize this is an application for certification or training to the Commission (See [RCW 43.101.105\(3\)\(c\)](#)); therefore, I hereby attest that I have read and understand the requirements outlined in the CJTC Policy "K-9 Certification Requirements" and WAC 139-05-915.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed this 15th day of July, 2022, in Spokane, Washington.


Applicant's Signature



SPOKANE COUNTY
SHERIFF
SHERIFF OZZIE D. KNEZOVICH

"In partnership with the community -
Dedicated to your safety"

To whom it may concern:

Detective Jason Hunt is a fully commissioned law enforcement officer employed by the Spokane County Sheriff's Office. Detective Hunt was a canine handler for approximately 10 years. Detective Hunt is in compliance to all mandated training.

Detective Hunt is a Certified Patrol (Generalist) K9 Master Trainer with the Washington State Police Canine Association. He has trained and certified both experienced and green K-9 teams.

Detective Hunt has certified to the WAC multiple times since 2012.

Detective Hunt has completed the CJTC Instructor Development class in 2016.

The Spokane County Sheriff's Office supports Detective Jason Hunt's position as an evaluator for CJTC. Detective Hunt may certify canine teams on department time, as approved.

Sergeant Ron Miya
Spokane County Sheriff's Office
1100 W. Mallon, Spokane WA 99260

To: CJTC
From: Deputy Jason Hunt, Spokane County Sheriff's Office
Ref: CJTC Canine Evaluator Renewal
Date: 07/15/22

To the CJTC,

I'm presenting this letter to inform you of my desire to renew my certification as an evaluator for the CJTC. If granted, my agency will support the position's requirements to attend meetings, accreditations, and seminars.

I was a K-9 handler between 2011 and 2020, where I worked both dual-purpose (narcotics/patrol) and single-purpose patrol dog teams that were WAC certified. Additionally, I was the K-9 unit coordinator for the Spokane County Sheriff's Office K-9 Unit before promoting in January 2020. I am WSPCA Master Trainer and have been a CJTC Canine Evaluator since Sep. of 2017.

Since 2011, I have accumulated countless hours of K-9 specific training, including Adlerhorst Basic Handler School, Adlerhorst Narcotics Detection School, Spokane County Sheriff's Basic Handler, and Los Angeles County Sheriff's Tactical Canine Course, as well as courses in tracking, evidence detection, multiple agitator classes, and K-9 related seminars such as HITS, Police K-9 Magazine Seminar, WSPCA Seminars, etc. Along with my training and experience, I have run successful basic K-9 training courses for both new and experienced teams.

I am currently assigned to the Spokane County Sheriff's Office Major Crimes Unit but remain active in K-9 training. It is my goal to work toward becoming the supervisor for the K-9 unit within my department. I attached a copy of my certification for the 2021 Legislative Update training that fulfills the requirements for Bias or Race in Policing.

Thank you for your consideration.

Deputy Jason Hunt



Sgt. R. Miya
Canine Unit Supervisor



Training History Report

WA State Criminal Justice Training Commission

Reported by Acadis® Readiness Suite

08/11/2022

For: **Hunt, Jason C.**
Student ID **1001-2192**

Hunt, Jason C.

Person Status Active

DOB [REDACTED]

EEOC

SSN [REDACTED]

Gender Male

Employment

Most Recent

Organization	Active Dates	Title/Rank	Employment Assignment	Appointment Type	Current Status
Spokane County Sheriff's Office (Primary)	05/09/2014 - Current	Deputy		Certified Peace Officer	Active

Certifications

Name	Issued	Expiration	Status
Annual Crisis Intervention Team Training Online	12/19/2017	01/05/2023	Active (Active)
Patrol Canine Team Evaluator Certification	09/13/2017	09/13/2022	Active (Active)
Peace Officer Certification	08/22/2014	Never Expires	Active (Active)
Certified Patrol Team Canine	09/23/2014	02/13/2021	Expired (Inactive)
Certified Patrol Canine Team - Team 2	08/21/2020	10/04/2020	Team Disbanded (Inactive)

Training

Upcoming, Ongoing, & Unconfirmed

Course/Title (Course No.)	Training Dates	Grade	Status	Training Category	Hours
LETCSA - 4030 - Effective Communication	06/15/2022		Assigned	LETCSA	2h 30m
LETCSA - 4040 - LGBTQ+ Core Competency	06/15/2022		Assigned	LETCSA	2h 30m
LETCSA - 4020-1 The Criminal Legal System: Structural Inequalities, Monetary Sanctions, Policy and Reform	02/03/2022		Assigned	LETCSA	2h 0m
Total Hours					(7h 0m)

Current Period to Date (01/01/2022 - 08/11/2022)

Course/Title (Course No.)	Training Dates	Grade	Status	Training Category	Hours
Crisis Intervention - Annual Crisis Intervention Team Online Course (2022)	01/05/2022 - 01/05/2022		Completed - Passed	CIT Crisis Intervention Team	2h 0m
Total Hours					(2h 0m)

Previous Period (01/01/2021 - 12/31/2021)

Course/Title (Course No.)	Training Dates	Grade	Status	Training Category	Hours
LETCSA - 2193 - 14 IIT- Qualified Lead Investigator Certification (0 hours)	08/23/2021 - 08/23/2021		Graduated - 08/23/2021		0h 0m



Training History Report

WA State Criminal Justice Training Commission

Reported by Acadis® Readiness Suite

08/11/2022

For: **Hunt, Jason C.**
Student ID **1001-2192**

Violence De-escalation - 2192 - 39 Patrol Tactics In-Service Training (24 hours)	06/28/2021	06/30/2021	Graduated - 06/30/2021		24h 0m
Crisis Intervention - Annual Crisis Intervention Team Online Course (2021)	01/22/2021	01/22/2021	Completed - Passed	CIT Crisis Intervention Team	2h 0m
				Total Hours	(26h 0m)

Other Periods (through 12/31/2020)

Course/Title (Course No.)	Training Dates		Grade	Status	Training Category	Hours
Crisis Intervention - Annual Crisis Intervention Team Online Course (2020)	03/13/2020	03/13/2020		Completed - Passed	CIT Online Refresher	2h 0m
Crisis Intervention - Annual Crisis Intervention Team Online Course (2019)	01/08/2019	01/08/2019		Completed - Passed	CIT Online Refresher	2h 0m
Crisis Intervention - Annual Crisis Intervention Refresher Course	12/19/2017	12/19/2017		Completed - Passed	CIT Online Refresher	2h 0m
Crisis Intervention - 5509 - 203 CIT-Crisis Intervention Team 8hr - In-Service - Statewide (8 hours)	06/20/2017	06/20/2017		Graduated -		8h 0m
Traffic - 2021 - 3 EVOG - Emergency Vehicle Operation Course, Instructor Basic (80 hours)	06/05/2017	06/16/2017		Graduated -		80h 0m
Building Public Trust - 1993 - 32 Blue Courage Workshop (16 hours)	04/25/2017	04/26/2017		Departed -		0h 0m
Instructor Development - 2001 - 229 Instructor Development (40 hours)	05/02/2016	05/06/2016		Graduated -		40h 0m
Basic Law Enforcement Academy - 0090 - 7 Basic Law Enforcement Equivalency Academy (80 hours)	08/11/2014	08/22/2014		Graduated -		80h 0m
				Total Hours		(214h 0m)

A grade of ## indicates that the weights for this class are not valid and grades cannot be calculated.

Education

No education data exists.

Miscellaneous

Allen LMS SID 0000949004

Profile Comments (Must Initial & Date) Deputy

SPOKANE COUNTY SHERIFF'S OFFICE

THIS CERTIFIES THAT

jason hunt

has completed the

2021 LEGISLATIVE ONLINE TRAINING

2.5 hours



August 14, 2021

NP4lh16hAj

SPOKANE COUNTY SHERIFF'S OFFICE

THIS CERTIFIES THAT

jason hunt

has completed the

2021 IDENTIFYING & ADAPTING YOUR BIAS

1 HOUR



dIXsYJZvN2

August 12, 2022



SPOKANE COUNTY
SHERIFF
SHERIFF OZZIE D. KNEZOVICH

“In partnership with the community -
Dedicated to your safety”

August 12, 2022

To Whom it May Concern:

Det. Jason Hunt has completed the 1-hour online course: ***Clear Sight: Identifying & Adapting your Bias***. Please see the accompanying certificate.

If you have any questions, please call me at (509) 477-3552.

Thank you,

Aubrey Siino | Regional Training & Accreditation Manager

Spokane County Sheriff's Office

6011 N Chase Road | Newman Lake, WA 99025 | www.spokanesheriff.org

Office: 509-477-3552 | asiino@spokanesheriff.org

Training Report

Employee: Hunt, Jason C.

Employee #591813

Training for 2022

Date	Training Type	Hours	Topics and Notes
08/12/2022	Specialty Training	1.00	Clear Sight: Identifying & Adapting your Bias - 2021
08/02/2022	In-Service Training (3rd Qtr 2022)	10.00	Firearms Training, Below 100, Practical with RBT/High Risk Stop/Positive Contact/Backing/Curbs
07/13/2022	Specialty Training	0.00	Firearms Training - Handgun Qualification
06/07/2022	Regional training hosted by SCSO	4.00	Quarterly Leadership Training
04/18/2022	Specialty Training	40.00	Shooting Analysis and Reconstruction Training
03/24/2022	Regional training hosted by SCSO	4.00	Quarterly Leadership Training
03/17/2022	In-Service Training (2nd Qtr 2022)	12.00	Firearms Training, Lunch/Travel, Pepper Ball Training, First Aid, Baton Training, Criminal Procedures/RBT Training
02/25/2022	Specialty Training	4.00	Heartsaver First Aid CPR AED Online Portion
Total Hours in 2022		75.00	

Training for 2021

Date	Training Type	Hours	Topics and Notes
12/16/2021	In-Service Training (1st Qtr 2022)	10.00	Annual Weapons Inspection, RBT/Low Light/Shield, DT/Less Lethal OC, Taser, Baton Inspections/UOF Policy/Functional Movement Screening, Computer Updates
11/22/2021	Regional training hosted by SCSO	4.00	Quarterly Leadership Training
10/14/2021	In-Service Training (4th Qtr 2021)	10.50	Firearms Training: Glock G45 9mm Pistol, Body Camera Training
08/25/2021	Regional training hosted by SCSO	4.00	Mandatory TASER Training
08/25/2021	Regional training hosted by SCSO	4.00	SCSO Mandatory Legislative/Legal Update
08/18/2021	In-Service Training (3rd Qtr 2021)	10.00	Firearms Training - Rifle Quals, EVOG
08/14/2021	Specialty Training	2.50	2021 Legislative Online Training
08/11/2021	Regional training hosted by SCSO	4.00	AXON Training
05/05/2021	In-Service Training (2nd Qtr 2021)	10.00	Firearms, Rescue Task Force/Active Threat Training, Emotional Intelligence/Peer Support
04/16/2021	Specialty Training	0.50	Harassment Prevention - for Employees - State and Local Government Edition
02/16/2021	Regional training hosted by SCSO	32.00	The Reid Technique of Investigative Interviewing & Advanced Interrogation
02/11/2021	Regional training hosted by SCSO	4.00	Quarterly Leadership Training
01/22/2021	Specialty Training	2.00	Annual CIT 2-Hour Mandatory Refresher

Training Report

Employee: Hunt, Jason C.

Employee #591813

Training for 2021

Date	Training Type	Hours	Topics and Notes
01/20/2021	In-Service Training (1st Qtr 2021)	7.00	Annual Weapons Inspection, Defensive Tactics: OC/Handcuffing, Functional Movement Screening & Ground Fighting, Nutrition/Strength Training, On-Line Report Writing
Total Hours in 2021		104.50	

Training for 2020

Date	Training Type	Hours	Topics and Notes
12/18/2020	Specialty Training	4.00	Computer - ACCESS 1 Recertification
12/08/2020	Specialty Training	8.00	Instructor Development - WIDS
10/13/2020	In-Service Training (4th Qtr 2020)	10.00	Firearms Case Law, Taser Updates, Mobile Field Force/Crowd Control Tactics & Fundamentals, Firearms Qualifications (Rifle/Pistol/Shotgun)
09/04/2020	Regional training hosted by SCSO	4.00	Traffic Investigation - BAC (Draeger) Refresher
07/31/2020	In-Service Training (3rd Qtr 2020)	4.50	EDU/RBT/First Aid Training
06/09/2020	Specialty Training	4.00	Legally Defensible Lesson Plan
03/13/2020	Specialty Training	2.00	Annual CIT 2-Hour Mandatory Refresher
03/12/2020	In-Service Training (2nd Qtr 2020)	4.50	RBT/EDU/FIRST AID
03/03/2020	Specialty Training	24.00	Canine Training - Internationals Police K-9 Conference & Vendor Show
Total Hours in 2020		65.00	

Training for 2019

Date	Training Type	Hours	Topics and Notes
10/29/2019	In-Service Training (4th Qtr 2019)	10.00	Firearms Qualifications, Emergency Vehicle Operators Course
10/02/2019	Specialty Training	24.00	Canine Training - Police Canine Training
07/25/2019	Specialty Training	0.50	Harassment Prevention - Sexual Harassment Prevention for Employees
06/11/2019	Specialty Training	0.50	Harassment Prevention - Employees State and Local Government Edition
05/06/2019	Specialty Training	24.00	Canine Training - Police Canine Training
05/01/2019	In-Service Training (2nd Qtr 2019)	10.00	Taser Policy 309 Update/LLIM Bi-Annual Update, Legal Update/UOF, Firearms (Completed 10/14/19)

Training Report

Employee: Hunt, Jason C.

Employee #591813

Training for 2019

Date	Training Type	Hours	Topics and Notes
02/25/2019	Specialty Training	0.00	Canine Training - Patrol Dog Certifications for K-9 Gunnar/State of Idaho Peace Officer Standards
02/13/2019	Specialty Training	0.00	Canine Training - Patrol Canine Team - WAC 139-05-915
02/07/2019	Specialty Training	4.00	Computer - ACCESS1 Recertification
01/29/2019	In-Service Training (1st Qtr 2019)	10.00	Annual Firearms Inspection, Portable/Mobile Radio Operation Updates, Legal Update, Defensive Tactics, Reality Based Training
01/22/2019	Specialty Training	16.00	Canine Training - Canine Liability 360
01/08/2019	Specialty Training	2.00	Annual CIT 2-Hour Mandatory Refresher
Total Hours in 2019		101.00	

Training for 2018

Date	Training Type	Hours	Topics and Notes
09/24/2018	Specialty Training	32.00	Canine Training - Advanced K9 Handler Course
09/17/2018	Specialty Training	24.00	Canine Training - Police Canine Training
09/07/2018	In-Service Training (4th Qtr 2018)	10.00	Firearms Pistol/Shotgun Quals, Emergency Vehicle Operators Course
08/21/2018	Specialty Training	0.50	Roll Call Training - Obstructing a Public Servant
08/14/2018	Specialty Training	32.00	Canine Training - HITS: Handler Instruction & Training Seminar
07/15/2018	Specialty Training	40.00	Instructor Certification Courses - Pursuit Intervention Technique Instructor
07/09/2018	In-Service Training (3rd Qtr 2018)	10.00	Firearms Rifle/Shotgun Quals, CPR/AED/First Aid Re-Certification, CaseGuard Digital Evidence Training
05/28/2018	Specialty Training	40.00	Instructor Certification Courses - Pursuit Immobilization Technique Instructor Course (P.I.T.)
05/10/2018	In-Service Training (2nd Qtr 2018)	10.00	Firearms Training - Low Light Training with UTM, Maneuvering Report Writing & IBR Rules, Reality Based Training - Bldg Srch/Officer Down/Active Shooter/Weapon Retention
05/08/2018	Specialty Training	3.00	Incident Command System/FEMA - IS-00700.a National Incident Management System (NIMS) An Introduction
01/22/2018	In-Service Training (1st Qtr 2018)	10.00	FA Maintenance, Patrol Skill Building (RBT/DT), RBT/DT/Taser Update, Strangulation/Trauma Investigations, SOGO Laptop Update/Maintenance
01/10/2018	Specialty Training	8.00	Canine Training - Patrol Canine Team (WAC 139-05-915) Khan
01/07/2018	Specialty Training	5.00	Special Weapons and Tactics - Cart Recertification/Entry Training with K9
Total Hours in 2018		224.50	

Training Report

Employee: Hunt, Jason C.

Employee #591813

Training for 2017

Date	Training Type	Hours	Topics and Notes
12/19/2017	Specialty Training	2.00	Annual CIT 2-Hour Mandatory Refresher - Expires 12/19/2018
10/24/2017	In-Service Training (4th Qtr 2017)	10.00	Firearms & UOF Legal Update, Defensive Tactics - Baton/Knife Defense/Handcuffing w/Long Gun, Rig 9, Criminal Procedures & Legal Update
10/04/2017	Specialty Training	0.50	Opioid Overdose Emergency Training
09/25/2017	Specialty Training	45.00	Canine Training - Advanced K-9 Handler Course
09/18/2017	Specialty Training	24.00	Canine Training - Police Canine Training
09/01/2017	Specialty Training	4.00	Traffic Investigation - BAC Draeger Refresher
08/07/2017	In-Service Training (3rd Qtr 2017)	10.00	Firearms, Emergency Vehicle Operators Course
06/20/2017	Regional training hosted by SCSO	8.00	Crisis Intervention Team Training - Statewide In-Service 8 hours
06/05/2017	Regional training not hosted by SCSO	80.00	Instructor Certification Courses - Basic EVOG Instructor
05/09/2017	Specialty Training	0.00	Canine Training - WA State Police Canine Association: Patrol Dog Trainer
05/08/2017	Regional training not hosted by SCSO	24.00	Canine Training - Police Canine Training
04/27/2017	In-Service Training (2nd Qtr 2017)	10.00	Firearms Training, Excited Delirium, RBT including Weapon frisk & handcuffing
04/24/2017	Specialty Training	4.00	Computer - ACCESS1 Recertification
02/02/2017	In-Service Training (1st Qtr 2017)	10.00	Firearms Annual Maintenance, DT/OC Refresher/Taser, Biased Policing, LLIM, RBT
Total Hours in 2017		231.50	

Training for 2016

Date	Training Type	Hours	Topics and Notes
11/10/2016	In-Service Training (4th Qtr 2016)	10.00	Gas Mask/Firearms, Emergency Vehicle Operators Course
09/26/2016	Specialty Training	45.00	Canine Training - Advanced K-9 Handler Course
08/17/2016	Specialty Training	9.00	New World Cad System Implementation
07/13/2016	In-Service Training (3rd Qtr 2016)	10.00	Weapons Maintenance, First Aid Re-Certification, K9 Trng, RBT
05/25/2016	Specialty Training	0.00	Canine Training - Washington State Police Canine Association - Patrol Dog Team
05/20/2016	In-Service Training (2nd Qtr 2016)	10.00	Firearms, DT/RBT
05/02/2016	Specialty Training	40.00	Instructor Development
05/02/2016	Specialty Training	40.00	Instructor Certification Courses - Instructor Development/Instructor Certification Application ICP T
04/25/2016	Specialty Training	24.00	Canine Training - Police Canine Training

Training Report

Employee: Hunt, Jason C.

Employee #591813

Training for 2016

Date	Training Type	Hours	Topics and Notes
03/08/2016	Regional training hosted by SCSO	16.00	Canine Training - Police K-9 Conference & Vendor Show
02/17/2016	Specialty Training	0.00	Canine Training - Washington State Police Canine Association - Patrol Dog Team
02/08/2016	In-Service Training (1st Qtr 2016)	10.00	Low-Light Firearms Training & Lethal Force/Legal Update, CSEM Commercial Sexually Exploited Minors, Reality Based Training
01/13/2016	Specialty Training	2.00	Draeger Transition Training
01/07/2016	Specialty Training	8.00	Special Weapons and Tactics - Cart Recertification; Tactical Shooting; Entry Training (w/K9), Sniper
Total Hours in 2016		224.00	

Training for 2015

Date	Training Type	Hours	Topics and Notes
11/16/2015	In-Service Training (4th Qtr 2015)	10.00	EmPerform, Firearm Quals, EVOC
10/27/2015	Specialty Training	30.00	Canine Training - Tactical Canine Course - 30 hr Special Enforcement Bureau
10/15/2015	Academy Training	8.00	Emergency Vehicle Operators Course - E.V.O.C. P.I.T. Certification
07/13/2015	In-Service Training (3rd Qtr 2015)	10.00	Annual Weapons Inspection, GangNet Certification, Taser Updates, DT/Baton Recerts/RBT
06/19/2015	Specialty Training	0.00	Canine Training - State of Idaho Evidence Search, Tracking & Patrol Dog Cert valid thru July 22, 201
06/09/2015	Regional training hosted by SCSO	16.00	K9 First Aid + Canine Tactical First Aid
05/04/2015	Specialty Training	32.00	Canine Training - Police Canine Training - Narcotic Detection Dog - Lewiston ID
05/04/2015	Specialty Training	32.00	Canine Training - Police Canine Training
04/20/2015	In-Service Training (2nd Qtr 2015)	10.00	Gas Mask Fit Test/Firearms, Collision Investigations, DUI Forms Update, Reality Based Training
03/05/2015	Specialty Training	8.00	Special Weapons and Tactics - Less Lethal Impact Munitions
01/26/2015	In-Service Training (1st Qtr 2015)	10.00	Firearms Training - Low-Light Handgun/Shotgun & Legal Update, SETS Training, Reality Based Training - Patrol Tactics/DT
Total Hours in 2015		166.00	

Training for 2014

Date	Training Type	Hours	Topics and Notes
12/31/2014	Specialty Training	4.00	CPR/First Aid/Infectious Disease - On-Line recertification
09/23/2014	Specialty Training	0.00	Patrol Canine Team Certification

Training Report

Employee: Hunt, Jason C.

Employee #591813

Training for 2014

Date	Training Type	Hours	Topics and Notes
09/22/2014	In-Service Training (4th Qtr 2014)	10.00	Firearms Handgun/Rifle Quals, Defensive Tactics , Emergency Vehicle Operators Course
09/15/2014	Regional training not hosted by SCSO	40.00	Canine Training - Advanced K-9 Handler Course
08/11/2014	Academy Training	80.00	Law Enforcement Equivalency Academy
07/10/2014	Specialty Training	16.00	Traffic Investigation - BAC BASIC
06/24/2014	In-Service Training (3rd Qtr 2014)	10.00	DV/LAP & Strangulation Investigation, Human Trafficking, Emotional Survival for LE, OC Recert/Defensive Tactics
05/19/2014	Post Academy Training	8.00	Defensive Tactics - Vascular Neck Restraint
05/15/2014	Post Academy Training	2.00	Excited Delirium
05/15/2014	Post Academy Training	6.00	Taser Certification Course - TASER X2 Certification
05/13/2014	Specialty Training	8.00	Firearms Training - Carbine Qualification/Shotgun Qualification Buckshot (9-pellet)/Handgun Qual/Gas
05/13/2014	Specialty Training	8.00	Firearms Training - Carbine Qualification
05/12/2014	Specialty Training	8.00	Firearms Training - 1st Qtr Handgun Qualification Training
Total Hours in 2014		200.00	

Training for 2008

Date	Training Type	Hours	Topics and Notes
09/14/2008	Specialty Training	3.00	Incident Command System/FEMA - Previous Agency: IS-100.LEa Intro to Incident Command System I-100
Total Hours in 2008		3.00	

Total Hours for All Years 1,394.50

Clear Sight: Identifying & Adapting Your Bias



The Spokane County Sheriff's Office is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this office to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group. - *SCSO Biased-Based Policing Policy 402*

“Bias starts with our automatic tendency to categorize individuals. We categorize individuals and objects to make sense of the world, which includes categorizing people we don’t know according to group membership. We then attribute to these individuals the stereotypes associated with their group. Implicit bias, like explicit bias, can produce discriminatory actions” (Fridell, 2014, p. 1)

☰ Definitions

CHAPTER 1

☰ Implicit Bias

CHAPTER 2

☰ Identifying Implicit Bias (Self/Others)

CHAPTER 3

 Recognizing Implicit Bias (Self/Others)

CHAPTER 4

 Adapting to Implicit Bias during an Encounter

CHAPTER 5

 SCSO Bias-Based Policing Policy 402

REFERENCES AND AUTHORS

 References & Authors

FINAL TEST

 Clear Sight: Identifying & Adapting your Bias

INTEROFFICE COMMUNICATION

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

TO: WSCJTC Commissioners
FROM: WSCJTC ATD LETCSA Staff
SUBJECT: Annual IIT Best Practices Review and Recommended Edits
DATE: September 14, 2022



Background and Purpose.

Following the passage of Initiative 940 (I-940) and Substitute House Bill 1064, the Law Enforcement Training and Community Safety Act (LETCSA) was created to implement the legislation regarding new training and independent investigations requirements. The Washington State Criminal Justice Training Commission (WSCJTC) engaged in negotiated rulemaking with named statutory stakeholders which created the regulations for LETCSA. Washington Administrative Code (WAC) 139-12 concerns independent investigation team (IIT) criteria.

Per WAC 139-12-030 (4)(b) the WSCJTC will annually update and publish the accepted best practices document that the independent investigation teams (IIT) follow during the independent investigative process.

Stakeholder Engagement and Involvement.

A core focus of I-940 and those who contributed to its success is improving relationships and community engagement with the goal of increasing trust between law enforcement and the communities they serve. An ad hoc review group has been established to review the best practices on an annual or as needed basis. While this review group is not a statutory requirement, the group was created to keep with the spirit of the law and to continue stakeholder involvement and input.

LETCSA staff reached out to both the LETCSA statutorily named stakeholders and IIT commanders statewide to solicit interest in participating in this group. Representatives from the following organizations agreed to participate.

Black Community Lobby, Federal Way Multi-Service Center, North Central Washington Special Investigations Unit (NCWSIU), Pierce County Force Investigation Team (PCFIT), Tri-Cities Special Investigations Unit (SIU), Washington Association of Criminal Defense Lawyers, Washington Defender Association, Washington State Patrol (WSP), and Yakima Valley Special Investigation Unit (YVSIU)

Unlike negotiated rulemaking, reaching consensus at the annual meeting is not required. The meetings will be primarily discussion based where all input may be heard. The recommendations will be provided to Commissioners at a Commission meeting for adoption.

Review Group Role and Scope.

The IIT Best Practices Review Group will assist WSCJTC LETCSA staff in reviewing the best practices document to ensure that it is:

- in line with WAC 139-12 requirements; and
- up to date, consistent, and effective.

The IIT Best Practices Review Group will work with WSCJTC LETCSA staff by:

- reviewing the IIT best practices document;
- providing examples of scenarios where application of the best practices could improve; and
- offering recommendations for edits.

The purpose of the review group will be to provide input to WSCJTC LETCSA staff so that they may share with WSCJTC Commissioners. The final adoption and decisions will be made by Commissioners.

2022 Annual Review Meetings.

LETCSA staff met twice with the best practices review group in 2022. The first meeting held on May 17, 2022, established the group and reviewed logistical information. Between the initial meeting and the official review meeting the review group was asked to send written recommendations to be discussed at the annual review meeting.

The official annual review meeting was held July 13, 2022. At this meeting the best practices document was reviewed in its entirety. Written comments submitted to WSCJTC staff were also discussed.

2022 Edits and Recommendations.

These changes are being recommended to the Commission with the goal of ensuring the best practices document is consistent with the relevant WAC chapter (139-12). The differences between the current best practices and proposed edits are outlined below. Several technical, grammatical, and formatting edits were made throughout the document.

I. PURPOSE

- Added and removed language so the section reads: “This document should be used in conjunction with the definitions and independent investigation criteria found in [WAC 139-12](#) to create an Independent Investigations Team (IIT) protocol. The independent investigation will follow the rules of law established by the state and federal constitutions, and statutory and case law that apply to criminal investigations. It is expected that each IIT protocol will reflect both law enforcement and community needs for independent, credible, and transparent investigations. The steps outlined in this document are intended to be a

guide, and not an exhaustive collection of best practices. Further, this document is not intended to provide any form of legal advice or direction.”

II. DEFINITIONS

- This section was originally at the end of the document but has been moved to the beginning to provide clarity on terms before reading the remainder of the best practices.
- The definition of “involved agency” was added from WAC 139-12-020.
- The definition of “involved officer” was modified to be in line with the definition in RCW 43.102.010.
- Several definitions were added which include:
 - Involved agency liaison
 - Peer support group counselor
 - This definition is from RCW 5.60.060
 - Public safety statement
 - Specialized equipment
 - WSCJTC staff have added a definition of specialized equipment to the best practices, however, it is recommended that this be added to RCW or WAC.
 - Venue agency
 - Witness officer
 - It was requested that a definition of “involved” be added to the document. WSCJTC staff would recommend this to be added to RCW or WAC.

III. PROCEDURES

B. Involved Agency Responsibilities

- The Office of Independent Investigations (OII) has been added to this section where necessary.
- Section 1. b. was added which outlines the minimum information that should be contained in the IIT protocols.
- The public safety statement was moved from the venue agency section to the involved agency section as this statement should only be taken by the involved officer’s employing agency. Additional language was added to further clarify the scope and confidentiality of the public safety statement.
 - Concerns were expressed regarding the practice of taking a public safety statement and requested to not include this investigative step. Some public safety statements are compelled which cannot be used by the IIT.
- Language was added to the involved agency liaison role to further clarify that this individual shall not be privy to any information regarding the IIT/OII investigation. The involved agency liaison provides information to the OII/IIT; however, they are not to receive information regarding the ongoing investigation.

- Instead of “turning over” all evidence to the OII or IIT, the involved agency will “give” all evidence to them. This change will include evidence that might not have a physical presence i.e., body camera footage in the cloud.
- The criminal action that may precede an officer-involved incident was moved to the involved agency responsibilities from the IIT section to accommodate the addition of the OII. The OII will not investigate a preceding event but will participate in the coordination of making a determination on who will investigate.
- Clarification regarding the use of space, resources, and facilities as needed by the OII/IIT was added.

C. On-Scene Venue Agency Supervisor Responsibilities

- The second sentence in the introductory paragraph was added to make clear that often the involved agency is also the venue agency.
- The inner/outer perimeter verbiage was changed to establish only a “perimeter”. This is consistent with the wording in WAC 139-12-030.
- Communication made to a peer support group counselor is protected per RCW 5.60.060 and this information was added to the document.
- The briefings provided to arriving OII or IIT members is provided by the venue agency and language was added to reiterate that no compelled or protected statements shall be shared with them.

D. Independent Investigation Team Responsibilities

- The review of conflict of interest (COI) forms is done by the non-law enforcement community representative no later than 72 hours after the commencement of every investigation and wording was added to reiterate this requirement.
 - Occasionally someone may join an independent investigation after the 72-hour deadline for COI forms to be reviewed by the non-law enforcement community representative. Language was added to clarify that if this occurs this individual must complete their COI form within 72 hours after joining the investigation. WSCJTC staff would also recommend updating the WAC to reflect this as well.
- The details surrounding the family and tribal liaison were enhanced to provide further information about this role.

Evidence Considerations

- The first consideration was rewritten; however, the general idea remains the same.
- Instead of “turning over” the evidence to the OII or IIT, the evidence shall be “given” to the investigative team.

- Language was added so that the OII or IIT member working with the involved agency liaison will work to ensure that appropriate replacement clothing is provided to the involved officer if documented and collected as evidence.
- Evidentiary considerations regarding the weapons of the involved officer and all witness officers were added.

Interview Considerations

- LETCSA staff received a request to clarify showing body camera footage as part of the interview with the involved officer(s). The document addresses these interviews, and it states, “Interviews of involved officers should follow the policies of their individual agency, collective bargaining agreement, and case law.” As this is a practice typically determined by collective bargaining agreements, WSCJTC staff did not add clarifying language regarding this request.

E. Family Liaison Responsibilities

- The family liaison assists in coordinating with a victim advocate and language was added to this responsibility to acknowledge this should be done especially if requested by the (impacted) family.

F. Tribal Liaison Responsibilities

- The notification to the Governor’s Office of Indian Affairs responsibility was reworded.

G. Administrative Investigation

- Additional language was added to expand on the responsibility of the IIT commander in firewalling the criminal investigation from the administrative investigation. Firewall system and training ensures that the involved agency is advised not to furnish “prohibited content” to the IIT, such as compelled statements.

H. Record-keeping

- A sentence was added to communicate that the original investigative file shall not be maintained at the involved agency.
- More specific direction regarding the file was inserted.

I. News Media Considerations

- Since the involved agency chief or sheriff no longer receives briefings, the practice of ensuring a proper balance is maintained between the integrity of the investigation and transparency with the public is now the sole responsibility of the OII/IIT.

Closing.

Upon approval of the recommended edits, the updated best practices document would become immediately in effect.

WSCJTC staff recommend modifying WAC 139-12 to:

- add definitions for ‘involved’, ‘criminal background information’, and ‘specialized equipment’;
- clarify that if this someone is brought into an independent investigation after the initial COI-form review, they must complete a COI form within 72 hours after joining the investigation; and
- change the reference of “best practices for homicide investigations” to “best practices for an independent investigation of officer involved use of deadly force incident” or something similar.

The WAC modifications would occur at a later date. If you have any questions or would like additional information, please contact the WSCJTC ATD LETCSA staff.

Best regards,

Alex Buijs, LETCSA Program Manager
Advanced Training Division
Washington State Criminal Justice Training Commission

Attachments (2)
Best Practice Guidelines - September 2022 - Draft
Best Practice Guidelines - September 2020

cc: Monica Alexander, Executive Director
Jerrell Wills, Deputy Director
Bart Hayes, Advanced Training Division Manager



Washington State Criminal Justice Training Commission

Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

I. PURPOSE

The purpose of this document is to provide a basic framework and guidelines for independent criminal investigations into the use of deadly force by a peace officer that results in death, substantial bodily harm, or great bodily harm. [WAC 139-12-030](#) (3) requires the Washington State Criminal Justice Training Commission (WSCJTC) to publish best practices for homicide investigations and update them annually.

Agencies should use this document in conjunction with the definitions and independent investigation criteria found in [WAC 139-12](#) to create an Independent Investigations Team (IIT) protocol. It is expected that each IIT protocol will reflect both law enforcement and community needs for independent, credible, and transparent investigations.

II. PROCEDURES

The following procedures are tailored to address the Initial Incident Response as well as the continuing follow-up investigation after an officer-involved use of deadly force. These general guidelines and principles can be used when investigating any serious incident.

Officer-involved uses of deadly force are dynamic situations. Preservation of life and the safety of all persons on scene are the paramount concerns. It is critical that every involved law enforcement member should recognize the transitory nature of evidence and after first aid has been provided or facilitated, take immediate steps to preserve the scene and evidence.

A. Involved Officers

Officers involved in an incident triggering the use of an IIT shall take initial steps to render the scene safe, protect the safety of themselves and others, render first aid where necessary, and preserve evidence.

B. Involved and/or Venue Agency Responsibilities

1. Activate the IIT
 - a. The venue agency Chief or Sheriff, or their designee shall immediately notify the IIT of the incident and the need to respond.
2. Designate a Liaison to remain available to the IIT.
3. Maintain perimeter control of the scene if requested by the IIT commander
4. Turn over all evidence in their possession to the IIT
5. Arrange for all documents, reports, and information on the incident to be available to the IIT immediately or as soon as possible.
6. Allow use of space, resources, and facilities as needed by the IIT.



Washington State Criminal Justice Training Commission Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

C. On Scene Venue Agency Supervisor Responsibilities

These tasks are done by the Venue Agency until control of the scene is assumed by the IIT. The on-scene supervisor shall be responsible for ensuring that standard Incident Command System (ICS) protocols have been implemented. In addition, they shall ensure the following tasks are addressed:

1. The physical condition of the involved officer(s), subject(s), and third parties is assessed, emergency first aid is provided, if necessary, and emergency medical assistance is summoned.
2. Ensure necessary notifications are made, to include initiating the response of the IIT and necessary agency notifications including the involved agency chief or sheriff.
3. A brief public safety statement is taken, preferably by a supervisor, from the involved officer(s), covering only information necessary to focus initial law enforcement response and direct the preliminary investigation into the officer involved shooting.
4. An inner perimeter is established. Only personnel integral to the incident and/or investigation should be inside this perimeter.
 - a. Those to remain outside may include command level personnel not directly involved in the incident.
 - b. Once the IIT is on the scene, officers from the involved agency including the involved officer should be outside the inner perimeter unless required by the IIT to be present for interviews.
5. An outer perimeter established which should create boundaries for the public and representatives of the media.
 - a. The IIT may adjust or add additional perimeters to further restrict areas.
6. Take steps to document and preserve any evanescent evidence.
7. A media staging area is identified and is appropriately staffed.
8. Establish a command post.
9. Appoint an officer to serve as a "recorder," with responsibility for making a chronological record of activities at the scene, to include persons present and those who have been at the scene.
10. Photographs are taken as soon as possible of the involved officer(s) and subject(s) as they appear at the scene, to include any injuries or lack of injuries. These photos will best capture their condition immediately after the incident and before IIT personnel can arrive.



Washington State Criminal Justice Training Commission Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

11. Until all statements have been taken, involved and witness officers shall not discuss the case with any other witnesses.
12. Involved officer(s) are separated and removed from the immediate scene and assigned a support officer to ensure the physical needs of the involved officer(s) are met. Any statement made to a support officer may be discoverable.
13. All potential witnesses are identified and separated and asked to remain on hand to provide a statement. If witnesses wish to leave and there is no legal authority to detain them, officers should obtain their contact information for future communications.
14. If an involved officer is transported to the hospital, someone, such as a support officer or peer support personnel, accompanies or meets them there.
15. Brief the arriving members of the IIT on the above issues.
16. Turn over control of the scene to the IIT Commander, or designee, upon his/her arrival.

D. Independent Investigation Team Responsibilities:

The IIT Commander, lead investigator, or their designee shall do the following:

1. Respond as quickly to the scene as resources and geography allow.
2. Assume command of the scene from the on-scene supervisor.
3. Receive a briefing from the on-scene supervisor.
4. The IIT Commander will ensure a Conflict of Interest (COI) form is completed to identify and manage any conflicts of interest between the involved officer(s) and their agency, and any IIT members. This should be done as soon as possible and no more than 72 hours later.
5. The IIT Commander will meet with the IIT Non-Law Enforcement Community Representative and review the COI forms.
6. Identify an IIT member to serve as the Family Liaison and if a tribal member is a victim, identify a Tribal Liaison.
7. Identify a non-involved member agency where all evidence will be stored and coordinate with the involved agency to determine responsibility for storage and handling of extraordinary items such as vehicles, HAZMAT materials, etc.

Evidence Considerations:

Recognize the transitory nature of some types of evidence and take steps to preserve it as the incident scene may be altered or compromised due to weather, foot traffic, police activities, etc., destroying or contaminating evidence beyond use or value.



Washington State Criminal Justice Training Commission Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

- Ensure that items of potential evidentiary value are identified, documented, protected and collected.
- Ensure that any evidence in the possession of the Involved or Venue agency is turned over to the IIT.
- Determine whether video recordings were made by in-car cameras; body-worn cameras; electronic control weapons; and government, business or private surveillance cameras and that they have been secured as evidence as soon as reasonably possible.
- Obtain search warrants for any vehicles, containers, homes, electronic devices, or vehicles as may be necessary.
- Any clothing or other personal items that may have been discarded or removed from subjects or involved officer(s) by medical personnel are located and secured as evidence.
- Clothing worn by the involved officer(s) and subject(s) should be documented and collected as evidence.
- If a K9 was deployed as part of the initial incident, the dog and its condition should be documented.
- When firearms or other weapons are taken from an officer for evidence the Involved Agency should be responsible for replacement of those weapons, in accordance with their policies.
- An IIT member shall inspect and document all law enforcement tools to include lethal and non-lethal weapons carried by the officer at the time of the incident to ensure all discharged firearms are collected and any other weapons are identified and examined.
- Consider the use of digital incident scene mapping for documenting and reconstructing the scene
- The chain of custody will be documented for each item of evidence.

If a criminal action (i.e. robbery, burglary, assault, or warrant service) preceded the officer-involved incident:

- The IIT Commander and Venue Agency incident commander shall consult and determine which agency should investigate the preceding event, to include pursuing criminal charges related to the event.
- If mutually agreed, the IIT will assume responsibility for the criminal investigation of the preceding event. If not, the IIT will limit its criminal investigation to the officer-involved use of force incident.

Interview Considerations:

- Obtain statements from subjects and witnesses. Audio and/or video-audio recording is preferred and should be attempted.
- Interviews of Involved Officers should follow the policies of their individual agency, collective bargaining agreement, and case law.



Washington State Criminal Justice Training Commission Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

- Investigators should be aware of and alert for signs that indicate an officer, subject, or other witness may be suffering from psychological trauma. All involved persons will be treated with sensitivity and awareness about acute stress reactions.
- Interviews with emergency medical personnel, fire department personnel, and first responding officers should address conditions at the incident scene when they arrived to include any action that may have been taken to move or otherwise alter persons or objects of potential evidentiary value.
- Canvass the immediate area for potential witnesses who have not come forward and obtain information or statements as available.

8. In the event of death, consult with the coroner or medical examiner at the scene and at, or subsequent to, the autopsy. A member of the IIT must attend the autopsy and take all appropriate investigative steps, consistent with other criminal investigations.

9. The incident scene will be released by the IIT once investigators are satisfied the crime scene processing is complete.

10. The involved agency and the venue agency Chief or Sheriff will be notified of the scene being released.

11. Once all investigation materials are assembled the IIT complete investigation case file must be presented to the prosecutor who may ask for additional information, and who will use the case file to make a charging decision.

E. Family Liaison Responsibilities:

The family liaison is responsible for identifying, locating, and notifying an appropriate family member of the person against whom deadly force has been used, as soon as possible to ensure that the family:

1. Is notified, when possible, prior to learning about the incident from the press, social media, friends, or neighbors.
 - a. Family notification of a decedent should be done in consultation with the venue coroner or medical examiner.
2. Has a reliable way to communicate directly with the liaison.
3. Is kept informed about the investigative process, even when there is nothing new to report.
4. Is given timely notice of significant developments of the investigation, to include press releases.
5. Coordinate with a victim advocate if one is available.

F. Tribal Liaison Responsibilities:



Washington State Criminal Justice Training Commission Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

If the fatal use of force incident involves an enrolled member of a Federally Recognized Indian Tribe ([RCW 10.114.021](#)) the IIT Commander will identify an IIT member to serve as the tribal liaison within the first twenty-four hours.

The tribal liaison will keep the tribe (or a representative of the tribe's choice) apprised of all significant developments of the investigation.

The IIT Commander will also ensure that the Governor's Office of Indian Affairs (GOIA) is notified within 24 hours.

G. Administrative Investigation

The administrative investigation is the responsibility of the involved agency.

1. The criminal investigation must be firewall protected from information revealed during the administrative investigation.
2. Any action to relieve the involved or witness officers from duty will be the responsibility of the Involved Agency's Chief or Sheriff, or their designee.

H. Record-keeping:

1. The IIT Commander will determine and coordinate where the original IIT file will be maintained.
2. All original reports, statements, and other documentation of venue and involved agency employees should be filed and maintained by the venue agency and submitted to the IIT Commander in a timely manner.
3. Until the case file is delivered to the prosecutor, access to the IIT case file should be restricted to the IIT members involved.

I. News Media Considerations:

Communication with the media will be handled by a designated member of the IIT. Either a Public Information Officer (PIO) or a Media Relations Officer (MRO) in consultation with the IIT Commander.

1. The PIO will affirmatively provide to local media, and on official social media accounts, regular updates on the investigation, at least weekly.
2. Neither the Involved Agency nor the IIT will provide the media with criminal background information of the person against whom deadly force has been used, unless it is specifically requested, and release of the information is required by the Public Records Act or other applicable laws.
3. The IIT and Involved Agency Chief or Sheriff will work to ensure a proper balance is maintained between the integrity of the investigation and transparency with the public.



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DEFINITIONS: For definitions of other terms refer to [WAC 139-12-020](#)

Involved Officer(s): Unless otherwise indicated, those peace officers in on-duty or off-duty status who are involved in a serious incident or are direct witnesses to such an event.

Venue Agency: The Agency within whose geographical jurisdiction the officer-involved incident happens.

Independent Investigation Team: A team of qualified and certified peace officer investigators, civilian crime scene specialists, and at least two non-law enforcement community representatives who operate completely independent of any involved agency to conduct investigations of police deadly force incidents. Multiple law enforcement agencies may enter into a written agreement to investigate police use of deadly force incidents in their geographical regions. A single law enforcement agency may fulfill the independent investigative function for an involved agency, provided it is not the involved agency.



INDEPENDENT INVESTIGATION OF OFFICER INVOLVED USE OF DEADLY FORCE INCIDENT GUIDELINES

Washington State Criminal Justice Training
Commission

Required per WAC 139-12-030



Washington State Criminal Justice Training Commission

Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

I. PURPOSE

The purpose of this document is to provide a basic framework and guidelines for independent criminal investigations into the use of deadly force by a peace officer that results in death, substantial bodily harm, or great bodily harm. [WAC 139-12-030](#) (4) requires the Washington State Criminal Justice Training Commission (WSCJTC) to publish best practices for homicide investigations and update them annually.

This document should be used in conjunction with the definitions and independent investigation criteria found in [WAC 139-12](#) to create an Independent Investigations Team (IIT) protocol. The independent investigation will follow the rules of law established by the state and federal constitutions, and statutory and case law that apply to criminal investigations. It is expected that each IIT protocol will reflect both law enforcement and community need for independent, credible, and transparent investigations. The steps outlined in this document are intended to be a guide, and not an exhaustive collection of best practices. Further, this document is not intended to provide any form of legal advice or direction.

II. DEFINITIONS

Discuss - To talk about (something) with another person or group of people; talk over.

Independent Investigative Team (IIT) - A team of qualified and certified peace officer investigators, civilian crime scene specialists, and at least two nonlaw enforcement community representatives who operate completely independent of any involved agency to conduct investigations of police deadly force incidents. An IIT is created when multiple law enforcement agencies enter into a written agreement to investigate police use of deadly force incidents in their geographical regions. A single law enforcement agency may fulfill the independent investigative function, provided it is not the involved agency.

Involved Agency - The agency that employs or supervises the officer(s) who used deadly force. There can be more than one "involved agency."

Involved Agency Liaison - A member of the involved agency who is the local point of contact for the IIT commander to provide access to local resources and facilities, and act as a technical or subject matter experts for the officers, agency, and community they represent.

Involved Officer – A general authority Washington peace officer, specially commissioned Washington peace officer, or limited authority Washington peace officer, as defined in RCW 10.93.020, whether on or off duty if he or she is exercising his or her authority as a peace officer involved in a serious incident where the use of deadly force results in death, substantial bodily harm, or great bodily harm. Witness Officer - An officer who witnessed, but did not engage in, the use of force being investigated by the IIT.

Peer support group counselor - A first responder, department of corrections staff person, or jail staff person or a civilian employee of a first responder entity or agency, local jail, or state agency who has received training to provide emotional and moral support and counseling to a peer support group client who needs those services as a result of an incident in which the peer support group client was involved while acting in his or her official capacity; or a nonemployee counselor who has been designated by the first responder entity or agency, local jail, or state agency to provide emotional and moral support and



Washington State Criminal Justice Training Commission Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

counseling to a peer support group client who needs those services as a result of an incident in which the peer support group client was involved while acting in his or her official capacity.

Public Safety Statement - Information obtained by a supervisor at an officer-involved incident using questions intended to determine existing threats to public safety and identify transitory evidence that must be preserved. The scope of this statement is limited to the collection of such critical, fleeting information in the immediate aftermath of the officer-involved incident.

Specialized Equipment - Any property, device, or apparatus used by a law enforcement agency with unique or specific performance capabilities that may require additional training to operate or extra steps to execute its function(s).

Venue Agency - The law enforcement agency or agencies having jurisdiction where the officer-involved incident occurs. This is very often the involved agency.

Additional applicable definitions are available for review in Washington Administrative Code (WAC) 139-12-020 or relevant RCWs.

III. PROCEDURES

The following procedures are tailored to address the initial incident response as well as the continuing follow-up investigation after an officer-involved use of deadly force. These general guidelines and principles can be used when investigating any serious incident.

Officer-involved uses of deadly force are dynamic situations. Preservation of life and the safety of all persons on scene are the paramount concerns. It is critical that every involved law enforcement member should recognize the transitory nature of evidence and after first aid has been provided or facilitated, take immediate steps to preserve the scene and evidence.

A. Involved Officers

Officers involved in an incident triggering the use of an IIT shall take initial steps to render the scene safe, protect the safety of themselves and others, render first aid where necessary, and preserve evidence.

B. Involved Agency Responsibilities

1. Activate the IIT and/or Office of Independent Investigations (OII).
 - a. The venue agency Chief or Sheriff, or their designee shall immediately notify the OII and IIT of the incident and the need to respond.
 - b. The IIT protocols should contain steps to notify the IIT leadership, and how the IIT will be deployed. At a minimum the team protocol should designate:
 - i. which member of the IIT leadership should be the first point of contact for team activation;
 - ii. who will call the on-scene supervisor to obtain a briefing of the incident;



Washington State Criminal Justice Training Commission Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

- iii. who will be the IIT commander and/or supervisor;
- iv. what personnel and equipment are needed; and
- v. how to contact and deploy the necessary IIT members.

2. A brief public safety statement is taken by an involved agency supervisor from the involved officer(s), covering only information necessary to focus initial law enforcement response and direct the preliminary investigation into the officer involved shooting. Statements made to the involved agency supervisor should be extremely brief and limited to information about the crime scene(s) to be protected and any pertinent evidence to be recovered, and identification of any involved persons, as well as witnesses who need to be located and interviewed.

a. The public safety statement can only be administered by the employer of the involved officer. If the public safety statement starts with, "You are being ordered/directed/compelled to answer the following questions..." The involved officer's responses to these questions are considered compelled, and they cannot be considered by the IIT Investigators. If public safety information is obtained voluntarily, it may be used by the IIT.

3. Designate an involved agency liaison to remain available to the OII or IIT. The involved agency liaison shall not be privy to any information regarding the OII or IIT investigation. The involved agency liaison shall be available to only provide information to the OII or IIT commander and/or OII or IIT members once they have arrived.

4. Maintain perimeter control of the scene if requested by the OII or IIT commander.

5. Give all evidence in their possession to the OII or IIT.

a. If a criminal action (i.e. robbery, burglary, assault, or warrant service) preceded the officer-involved incident either:

i. the IIT commander shall consult with the involved and/or venue agency incident commander to determine which agency should investigate the preceding event, to include pursuing criminal charges related to that event. If mutually agreed upon, the IIT will assume responsibility for the criminal investigation of the preceding event. If not, the IIT will limit its criminal investigation to the officer-involved use of force incident. This can also be addressed in an IIT's protocol.

ii. the OII will coordinate with the involved agency and regional IIT to determine who will investigate the preceding event, to include pursuing criminal charges related to that event.

6. Make all documents, reports, and information on the incident to be available to the IIT immediately or as soon as possible thereafter.

7. Allow use of space, resources, and facilities as needed by the OII or IIT.



Washington State Criminal Justice Training Commission Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

- a. The OII or IIT shall make every effort to utilize other space, resources, and/or facilities during the course of their investigation. There will be cases where a specialized resource is needed that is only available from the involved agency.
- b. If no other option exists, the use of the involved agency resources by the IIT shall be done in accordance with WAC 139-12-030 (1)(b) which states, "Specialized equipment belonging to the involved agency may not be used by the IIT unless: 1 - no reasonable alternative exists; 2 - the equipment is critical to carrying out the independent investigation; and 3 - the use is approved by the IIT commander. If the equipment is used, the nonlaw enforcement community representatives on the IIT must be notified about: 1 - why it needs to be used; and 2 - the steps taken to appropriately limit the role of any involved agency personnel in facilitating the use of that equipment."

C. On-Scene Venue Agency Supervisor Responsibilities

These tasks are done by the venue agency until control of the scene is assumed by the OII or IIT. It is important to note that in the majority of incidents, the involved agency is also the venue agency. The on-scene venue agency supervisor shall be responsible for ensuring that standard Incident Command System (ICS) protocols have been implemented. In addition, they shall ensure the following tasks are addressed:

1. The physical condition of the involved officer(s), subject(s), and third parties is assessed, emergency first aid is provided, if necessary, and emergency medical assistance is summoned.
2. Ensure necessary notifications are made, to include initiating the response of the OII or IIT and necessary agency notifications including the involved agency chief or sheriff.
4. Establish a perimeter. Only personnel integral to the incident and/or investigation should be inside this perimeter. The primary focus of the involved agency at this stage is the protection and preservation of evanescent evidence in order to maintain the integrity of the scene until the OII or IIT arrives. The perimeter must be clearly marked and protected.
 - a. Those to remain outside the perimeter may include command level personnel not directly involved in the incident.
 - b. Once the OII or IIT is on the scene, officers from the involved agency, including the involved officer, should be outside the perimeter unless required by the OII or IIT to be present for interviews.
 - c. The OII or IIT may adjust or add additional perimeters to further restrict areas.
6. Take steps to document and preserve any evanescent evidence.
7. A media staging area is identified and is appropriately staffed.



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8. Establish a command post.
9. Appoint an officer to serve as a "recorder," with responsibility for making a chronological record of activities at the scene, to include persons present and those who have been at the scene.
10. Photographs are taken as soon as possible of the involved officer(s) and subject(s) as they appear at the scene, to include any injuries or lack of injuries. These photos will best capture their condition immediately after the incident and before IIT personnel can arrive.
11. Officers shall not discuss the details of the case with the involved officer or other witness officers until the OII or IIT has completed their interviews with those officers.
12. Involved officer(s) are separated and removed from the immediate scene and assigned a support officer to ensure the physical needs of the involved officer(s) are met. Any statement made to a support officer may be discoverable.
13. All potential witnesses are identified and separated and asked to remain on hand to provide a statement. If witnesses wish to leave and there is no legal authority to detain them, officers should obtain their contact information for future communications.
14. If an involved officer is transported to the hospital, someone, such as a support officer or peer support group counselor, accompanies or meets them there. Per RCW 5.60.060 (6)(a) (6)(a) A peer support group counselor shall not, without consent of the peer support group client making the communication, be compelled to testify about any communication made to the counselor by the peer support group client while receiving counseling. The counselor must be designated as such by the agency employing the peer support group client prior to the incident that results in counseling. The privilege only applies when the communication was made to the counselor while acting in his or her capacity as a peer support group counselor. The privilege does not apply if the counselor was an initial responding first responder, department of corrections staff person, or jail staff person; a witness; or a party to the incident which prompted the delivery of peer support group counseling services to the peer support group client.
15. Brief the arriving members of the OII or IIT on the above issues and ensure no compelled or protected statements are shared with members of the OII or IIT.
16. Turn over control of the scene to the OII or IIT commander, or designee, upon their arrival.

D. Independent Investigation Team Responsibilities:

The IIT commander, lead investigator, or their designee shall do the following:

1. Respond as quickly to the scene as resources and geography allow.
2. Assume command of the scene from the on-scene involved agency supervisor.



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3. Receive a briefing from the involved agency liaison and/or the on-scene supervisor.
4. The IIT commander will ensure a conflict of interest (COI) form is completed to identify and manage any conflicts of interest between the involved officer(s), the involved agency, and any IIT members. This should be done as soon as possible as the non-law enforcement community representative will review COI forms no later than 72 hours after the investigation begins
 - If someone joins the independent investigation after the 72-hour deadline for COI forms to be reviewed, this individual must complete their COI form within 72 hours after joining the investigation.
5. The IIT commander will meet with the IIT non-law enforcement community representative and review the COI forms within 72 hours of the commencement of the investigation.
6. The IIT commander will identify an IIT member to serve as the family liaison, responsible for identifying, locating, and notifying an appropriate family member, even if the family member(s) live out of the area. If the individual who was significantly injured or died in an officer-involved use of force was a tribal member, the IIT commander will identify an IIT member to serve as the tribal liaison within the first 24 hours and will keep the tribe (or a representative of the tribe's choice) apprised of all significant developments of the investigation.
7. Identify a non-involved member agency where all evidence will be stored and coordinate with the involved agency to determine responsibility for storage and handling of extraordinary items such as vehicles, HAZMAT materials, etc.

Evidence Considerations:

Recognize the transitory nature of some types of evidence and take steps to preserve it as the incident scene may be altered or compromised due to weather, foot traffic, police activities, etc., destroying or contaminating evidence beyond use or value.

- Anything that can be identified as evidence, and once identified, must be secured, documented, and/or collected.
- Ensure that any evidence in the possession of the involved or venue agency is given to the OII or IIT.
- Determine whether video recordings were made by in-car cameras; body-worn cameras; electronic control weapons; and government, business, or private surveillance cameras and that they have been secured as evidence as soon as reasonably possible.
- Obtain search warrants for any vehicles, containers, homes, electronic devices, or vehicles as may be necessary.
- Any clothing or other personal items that may have been discarded or removed from subjects or involved officer(s) by medical personnel are located and secured as evidence.



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- Clothing worn by the involved officer(s) and subject(s) should be documented and collected if there is an evidentiary need. When an officer's clothing is taken for evidence, the OII or IIT member working with the involved agency liaison will ensure that appropriate replacement clothing is provided to the involved officer.
- If a K9 was deployed as part of the initial incident, the dog and its condition should be documented.
- When firearms or other weapons are taken from an involved officer for evidence the involved agency should be responsible for replacement of those weapons, in accordance with their agency's policies. If the officer's weapon was not under the officer's control or left the officer's possession during the incident, the weapon is considered part of the secured incident scene and should not be moved.
- The IIT commander should consider an inspection of the firearms, ammunition, or other weapon or tool of all witness officers (or other officers who may have been present at the time that force was applied). All discharged weapons should be secured, packaged, and placed in an independent police property room in adherence to that property room's procedures. The objective of the weapons inspection is to gather information and document to what extent a weapon was discharged or used, and by whom.
- An IIT member shall inspect and document all law enforcement tools to include lethal and non-lethal weapons carried by the officer at the time of the incident to ensure all discharged firearms are collected and any other weapons are identified and examined.
- Consider the use of digital incident scene mapping for documenting and reconstructing the scene
- The chain of custody will be documented for each item of evidence.

Interview Considerations:

- Obtain statements from subjects and witnesses. Audio and/or video-audio recording is preferred and should be attempted.
- Interviews of involved officers should follow the policies of their individual agency, collective bargaining agreement, and case law.
- Investigators should be aware of and alert for signs that indicate an officer, subject, or other witness may be suffering from psychological trauma. All involved persons will be treated with sensitivity and awareness about acute stress reactions.
- Interviews with emergency medical personnel, fire department personnel, and first responding officers should address conditions at the incident scene when they arrived to include any action that may have been taken to move or otherwise alter persons or objects of potential evidentiary value.
- Canvass the immediate area for potential witnesses who have not come forward and obtain information or statements as available.



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8. In the event of death, consult with the coroner or medical examiner at the scene and at, or subsequent to, the autopsy. A member of the IIT must attend the autopsy and take all appropriate investigative steps, consistent with other criminal investigations.
9. The incident scene will be released by the IIT once investigators are satisfied the crime scene processing is complete.
10. The involved agency and the venue agency chief or sheriff will be notified of the scene being released.
11. Once all investigation materials are assembled the complete IIT investigation case file must be presented to the venue agency prosecutor who may ask for additional information, and who will use the case file to make a charging decision.

E. Family Liaison Responsibilities:

The family liaison is responsible for identifying, locating, and notifying an appropriate family member of the person against whom deadly force has been used, as soon as possible to ensure that the family:

1. Is notified, when possible, prior to learning about the incident from the press, social media, friends, or neighbors.
 - a. Family notification of a decedent should be done in consultation with the venue coroner or medical examiner.
2. Has a reliable way to communicate directly with the liaison and the IIT.
3. Is kept informed about the investigative process, even when there is nothing new to report.
4. Is provided timely notice of significant developments of the investigation, to include press releases.
5. Has assistance in coordinating with a victim advocate if one is available, especially if requested by the family.

F. Tribal Liaison Responsibilities:

If the fatal use of force incident involves an enrolled member of a federally recognized Indian tribe ([RCW 10.114.021](#)) the IIT commander will identify an IIT member to serve as the tribal liaison within the first twenty-four hours.

The IIT commander shall ensure that notification to the Governor's Office of Indian Affairs is completed within 24 hours of a fatal use of force incident involving an enrolled member of a [federally recognized Indian tribe](#), in accordance with [RCW 10.114.021](#).

G. Administrative Investigation

The administrative investigation is the responsibility of the involved agency. The IIT commander must create and enforce firewalls, which is a process to prevent information sharing between



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the IIT from the involved agency and train all team members to observe them to ensure no member of the IIT receives any compelled statements of the involved officer(s) or any investigative content that was informed by such compelled statements.

H. Record-keeping:

1. The IIT commander will determine and coordinate where the original IIT file will be maintained. The original file shall not be maintained at the involved agency.
2. All original reports, statements, and other documentation of venue and involved agency employees should be filed and maintained by the venue agency and submitted to the IIT commander immediately upon request.
3. Until the case file is delivered to the prosecutor, access to the IIT case file should be restricted to the IIT members designated by assignment.

I. News Media Considerations:

Communication with the media will be handled by a designated member of the IIT. Either a public information officer (PIO) or a media relations officer (MRO) in consultation with the IIT commander.

1. The PIO will affirmatively provide to local media and on official social media accounts, regular updates on the investigation, at least weekly.
2. Neither the involved agency nor the IIT will provide the media with criminal background information of the person against whom deadly force has been used, unless it is specifically requested, and release of the information is required by the Public Records Act or other applicable laws.
3. The IIT commander will ensure a proper balance is maintained between the integrity of the investigation and transparency with the public.

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INDEPENDENT
INVESTIGATION OF OFFICER
INVOLVED USE OF DEADLY
FORCE INCIDENT GUIDELINES

Washington State Criminal Justice Training
Commission

Abstract
Required per WAC 139-12-030



Washington State Criminal Justice Training Commission

Independent Investigation of Officer Involved Use of Deadly Force Incident Guidelines

I. PURPOSE

The purpose of this document is to provide a basic framework and guidelines for independent criminal investigations into the use of deadly force by a peace officer that results in death, substantial bodily harm, or great bodily harm. [WAC 139-12-030 \(4\)](#) requires the Washington State Criminal Justice Training Commission (WSCJTC) to publish best practices for homicide investigations and update them annually.

~~Agencies should use~~ This document should be used in conjunction with the definitions and independent investigation criteria found in [WAC 139-12](#) to create an Independent Investigations Team (IIT) protocol. The independent investigation will follow the rules of law established by the state and federal constitutions, and statutory and case law that apply to criminal investigations. It is expected that each IIT protocol will reflect both law enforcement and community needs for independent, credible, and transparent investigations. The steps outlined in this document are intended to be a guide, and not an exhaustive collection of best practices. Further, this document is not intended to provide any form of legal advice or direction.

II. DEFINITIONS

Discuss - To talk about (something) with another person or group of people; talk over.

Independent Investigative Team (IIT) - A team of qualified and certified peace officer investigators, civilian crime scene specialists, and at least two nonlaw enforcement community representatives who operate completely independent of any involved agency to conduct investigations of police deadly force incidents. An IIT is created when multiple law enforcement agencies enter into a written agreement to investigate police use of deadly force incidents in their geographical regions. A single law enforcement agency may fulfill the independent investigative function, provided it is not the involved agency.

Involved Agency - The agency that employs or supervises the officer(s) who used deadly force. There can be more than one "involved agency."

Involved Agency Liaison - A member of the involved agency who is the local point of contact for the IIT commander to provide access to local resources and facilities, and act as a technical or subject matter experts for the officers, agency, and community they represent.

Involved Officer — A general authority Washington peace officer, specially commissioned Washington peace officer, or limited authority Washington peace officer, as defined in RCW 10.93.020, whether on or off duty if he or she is exercising his or her authority as a peace officer involved in a serious incident where the use of deadly force results in death, substantial bodily harm, or great bodily harm.

~~Witness Officer — An officer who witnessed, but did not engage in, the use of force being investigated by the IIT.~~ Witness Officer - An officer who witnessed, but did not engage in, the use of force being investigated by the IIT.

Peer support group counselor - A first responder, department of corrections staff person, or jail staff person or a civilian employee of a first responder entity or agency, local jail, or state agency who has received training to provide emotional and moral support and counseling to a peer support group client

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who needs those services as a result of an incident in which the peer support group client was involved while acting in his or her official capacity; or a nonemployee counselor who has been designated by the first responder entity or agency, local jail, or state agency to provide emotional and moral support and counseling to a peer support group client who needs those services as a result of an incident in which the peer support group client was involved while acting in his or her official capacity.

Public Safety Statement - Information obtained by a supervisor at an officer-involved incident using questions intended to determine existing threats to public safety and identify transitory evidence that must be preserved. The scope of this statement is limited to the collection of such critical, fleeting information in the immediate aftermath of the officer-involved incident.

Specialized Equipment – Any property, device, or apparatus used by a law enforcement agency with unique or specific performance capabilities that may require additional training to operate or extra steps to execute its function(s).

Venue Agency - The law enforcement agency or agencies having jurisdiction where the officer-involved incident occurs. This is very often the involved agency.

Additional applicable definitions are available for review in Washington Administrative Code (WAC) 139-12-020 or relevant RCWs.

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III. PROCEDURES

The following procedures are tailored to address the Initial Incident Response as well as the continuing follow-up investigation after an officer-involved use of deadly force. These general guidelines and principles can be used when investigating any serious incident.

Officer-involved uses of deadly force are dynamic situations. Preservation of life and the safety of all persons on scene are the paramount concerns. It is critical that every involved law enforcement member should recognize the transitory nature of evidence and after first aid has been provided or facilitated, take immediate steps to preserve the scene and evidence.

A. Involved Officers

Officers involved in an incident triggering the use of an IIT shall take initial steps to render the scene safe, protect the safety of themselves and others, render first aid where necessary, and preserve evidence.

B. Involved ~~and/or Venue~~ Agency Responsibilities

1. Activate the IIT and/or Office of Independent Investigations (OII).
 - a. The venue agency Chief or Sheriff, or their designee shall immediately notify the OII and IIT of the incident and the need to respond.
 - b. The IIT protocols should contain steps to notify the IIT leadership, and how the IIT will be deployed. At a minimum the team protocol should designate:
 - i. which member of the IIT leadership should be the first point of contact for team activation;

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ii. who will call the on-scene supervisor to obtain a briefing of the incident;

iii. who will be the IIT commander and/or supervisor;

iv. what personnel and equipment are needed; and

v. how to contact and deploy the necessary IIT members.

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2. A brief public safety statement is taken by an involved agency supervisor from the involved officer(s), covering only information necessary to focus initial law enforcement response and direct the preliminary investigation into the officer involved shooting. Statements made to the involved agency supervisor should be extremely brief and limited to information about the crime scene(s) to be protected and any pertinent evidence to be recovered, and identification of any involved persons, as well as witnesses who need to be located and interviewed.

a. The public safety statement can only be administered by the employer of the involved officer. If the public safety statement starts with, "You are being ordered/directed/compelled to answer the following questions..." The involved officer's responses to these questions are considered compelled, and they cannot be considered by the IIT Investigators. If public safety information is obtained voluntarily, it may be used by the IIT.

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32. Designate an involved agency liaison to remain available to the OII or IIT. The involved agency liaison shall not be privy to any information regarding the OII or IIT investigation. The involved agency liaison shall be available to only provide information to the OII or IIT commander and/or OII or IIT members once they have arrived.

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43. Maintain perimeter control of the scene if requested by the OII or IIT commander.

54. Give Turn over all evidence in their possession to the OII or IIT.

a. If a criminal action (i.e. robbery, burglary, assault, or warrant service) preceded the officer-involved incident either:

i. the IIT commander shall consult with the involved and/or venue agency incident commander to determine which agency should investigate the preceding event, to include pursuing criminal charges related to that event. If mutually agreed upon, the IIT will assume responsibility for the criminal investigation of the preceding event. If not, the IIT will limit its criminal investigation to the officer-involved use of force incident. This can also be addressed in an IIT's protocol.

ii. the OII will coordinate with the involved agency and regional IIT to determine who will investigate the preceding event, to include pursuing criminal charges related to that event.

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~~65. Arrange for~~ Make all documents, reports, and information on the incident to be available to the IIT immediately or as soon as possible thereafter.

~~76.~~ Allow use of space, resources, and facilities as needed by the OII or IIT.

~~a. The OII or IIT shall make every effort to utilize other space, resources, and/or facilities during the course of their investigation. There will be cases where a specialized resource is needed that is only available from the involved agency.~~

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~~b. If no other option exists, the use of the involved agency space, resources, and facilities by the IIT shall be done in accordance with WAC 139-12-030 (1)(b) which states, "Specialized equipment belonging to the involved agency may not be used by the IIT unless: 1 - no reasonable alternative exists; 2 - the equipment is critical to carrying out the independent investigation; and 3 - the use is approved by the IIT commander. If the equipment is used, the nonlaw enforcement community representatives on the IIT must be notified about: 1 - why it needs to be used; and 2 - the steps taken to appropriately limit the role of any involved agency personnel in facilitating the use of that equipment."~~

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C. On-Scene Venue Agency Supervisor Responsibilities

These tasks are done by the ~~v~~ venue a Agency until control of the scene is assumed by the OII or IIT. It is important to note that in the majority of incidents, the involved agency is also the venue agency. The on-scene venue agency supervisor shall be responsible for ensuring that standard Incident Command System (ICS) protocols have been implemented. In addition, they shall ensure the following tasks are addressed:

1. The physical condition of the involved officer(s), subject(s), and third parties is assessed, emergency first aid is provided, if necessary, and emergency medical assistance is summoned.

2. Ensure necessary notifications are made, to include initiating the response of the OII or IIT and necessary agency notifications including the involved agency chief or sheriff.

~~3. A brief public safety statement is taken, preferably by a supervisor, from the involved officer(s), covering only information necessary to focus initial law enforcement response and direct the preliminary investigation into the officer involved shooting.~~

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4. ~~Establish a~~ An inner perimeter ~~is established~~. Only personnel integral to the incident and/or investigation should be inside this perimeter. The primary focus of the involved agency at this stage is the protection and preservation of evanescent evidence in order to maintain the integrity of the scene until the OII or IIT arrives. The perimeter must be clearly marked and protected.

a. Those to remain outside the inner perimeter may include command level personnel not directly involved in the incident.



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b. Once the OII or IIT is on the scene, officers from the involved agency, including the involved officer, should be outside the ~~inner~~ perimeter unless required by the OII or IIT to be present for interviews.

c. The OII or IIT may adjust or add additional perimeters to further restrict areas.

5. An outer perimeter established which should create boundaries for the public and representatives of the media.

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a. The IIT may adjust or add additional perimeters to further restrict areas.

6. Take steps to document and preserve any evanescent evidence.
7. A media staging area is identified and is appropriately staffed.
8. Establish a command post.
9. Appoint an officer to serve as a "recorder," with responsibility for making a chronological record of activities at the scene, to include persons present and those who have been at the scene.
10. Photographs are taken as soon as possible of the involved officer(s) and subject(s) as they appear at the scene, to include any injuries or lack of injuries. These photos will best capture their condition immediately after the incident and before IIT personnel can arrive.
11. ~~Officers shall not discuss the details of the case with the involved officer or other witness officers until the OII or IIT has completed their interviews with those officers. Until all statements have been taken, involved and witness officers shall not discuss the case with any other witnesses.~~
12. Involved officer(s) are separated and removed from the immediate scene and assigned a support officer to ensure the physical needs of the involved officer(s) are met. Any statement made to a support officer may be discoverable.
13. All potential witnesses are identified and separated and asked to remain on hand to provide a statement. If witnesses wish to leave and there is no legal authority to detain them, officers should obtain their contact information for future communications.
14. If an involved officer is transported to the hospital, someone, such as a support officer or peer support ~~group personnel~~ counselor, accompanies or meets them there. Per RCW 5.60.060 (6)(a) (6)(a) A peer support group counselor shall not, without consent of the peer support group client making the communication, be compelled to testify about any communication made to the counselor by the peer support group client while receiving counseling. The counselor must be designated as such by the agency employing the peer support group client prior to the incident that results in counseling. The privilege only applies when the communication was made to the counselor while acting in his or her capacity as a peer support group counselor. The privilege does not apply if the counselor was an initial responding first responder.



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department of corrections staff person, or jail staff person; a witness; or a party to the incident which prompted the delivery of peer support group counseling services to the peer support group client.

15. Brief the arriving members of the OII or IIT on the above issues and ensure no compelled or protected statements are shared with members of the OII or IIT.

16. Turn over control of the scene to the OII or IIT cCommander, or designee, upon their his/her arrival.

D. Independent Investigation Team Responsibilities:

The IIT cCommander, lead investigator, or their designee shall do the following:

1. Respond as quickly to the scene as resources and geography allow.
2. Assume command of the scene from the on-scene involved agency supervisor.
3. Receive a briefing from the involved agency liaison and/or the on-scene supervisor.
4. The IIT cCommander will ensure a cConflict of Interest (COI) form is completed to identify and manage any conflicts of interest between the involved officer(s), the involved and their agency, and any IIT members. This should be done as soon as possible and no more than 72 hours later as the non-law enforcement community representative will review COI forms no later than 72 hours after the investigation begins.

- If someone joins the independent investigation after the 72-hour deadline for COI forms to be reviewed, this individual must complete their COI form within 72 hours after joining the investigation.

5. The IIT cCommander will meet with the IIT nNon-Law eEnforcement cCommunity rRepresentative and review the COI forms within 72 hours of the commencement of the each investigation.

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7. Identify a non-involved member agency where all evidence will be stored and coordinate with the involved agency to determine responsibility for storage and handling of extraordinary items such as vehicles, HAZMAT materials, etc.

Evidence Considerations:

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Recognize the transitory nature of some types of evidence and take steps to preserve it as the incident scene may be altered or compromised due to weather, foot traffic, police activities, etc., destroying or contaminating evidence beyond use or value.

- Anything that can be identified as evidence, and once identified, must be secured, documented, and/or collected.
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- Ensure that any evidence in the possession of the involves or venue agency is ~~turned over~~ given to the OII or IIT.
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- The IIT commander should consider an inspection of the firearms, ammunition, or other weapon or tool of all witness officers (or other officers who may have been present at the time that force was applied). All discharged weapons should be secured, packaged, and placed in an independent police property room in adherence to that property room's procedures. The objective of the weapons inspection is to gather information and document to what extent a weapon was discharged or used, and by whom.
- An IIT member shall inspect and document all law enforcement tools to include lethal and non-lethal weapons carried by the officer at the time of the incident to ensure all discharged firearms are collected and any other weapons are identified and examined.



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- Consider the use of digital incident scene mapping for documenting and reconstructing the scene
- The chain of custody will be documented for each item of evidence.

~~If a criminal action (i.e. robbery, burglary, assault, or warrant service) preceded the officer involved incident:~~

- ~~• The IIT Commander and Venue Agency incident commander shall consult and determine which agency should investigate the preceding event, to include pursuing criminal charges related to the event.~~
- ~~• If mutually agreed, the IIT will assume responsibility for the criminal investigation of the preceding event. If not, the IIT will limit its criminal investigation to the officer involved use of force incident.~~

Interview Considerations:

- Obtain statements from subjects and witnesses. Audio and/or video-audio recording is preferred and should be attempted.
 - Interviews of involved officers should follow the policies of their individual agency, collective bargaining agreement, and case law.
 - Investigators should be aware of and alert for signs that indicate an officer, subject, or other witness may be suffering from psychological trauma. All involved persons will be treated with sensitivity and awareness about acute stress reactions.
 - Interviews with emergency medical personnel, fire department personnel, and first responding officers should address conditions at the incident scene when they arrived to include any action that may have been taken to move or otherwise alter persons or objects of potential evidentiary value.
 - Canvass the immediate area for potential witnesses who have not come forward and obtain information or statements as available.
8. In the event of death, consult with the coroner or medical examiner at the scene and at, or subsequent to, the autopsy. A member of the IIT must attend the autopsy and take all appropriate investigative steps, consistent with other criminal investigations.
9. The incident scene will be released by the IIT once investigators are satisfied the crime scene processing is complete.
10. The involved agency and the venue agency Chief or Sheriff will be notified of the scene being released.
11. Once all investigation materials are assembled the IIT complete IIT investigation case file must be presented to the venue agency prosecutor who may ask for additional information, and who will use the case file to make a charging decision.

E. Family Liaison Responsibilities:



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The family liaison is responsible for identifying, locating, and notifying an appropriate family member of the person against whom deadly force has been used, as soon as possible to ensure that the family:

1. Is notified, when possible, prior to learning about the incident from the press, social media, friends, or neighbors.
 - a. Family notification of a decedent should be done in consultation with the venue coroner or medical examiner.
2. Has a reliable way to communicate directly with the liaison and the IIT.
3. Is kept informed about the investigative process, even when there is nothing new to report.
4. Is given-provided timely notice of significant developments of the investigation, to include press releases.
5. Has assistance in coordinating with a victim advocate if one is available, especially if requested by the family.

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F. Tribal Liaison Responsibilities:

If the fatal use of force incident involves an enrolled member of a ~~f~~Federally ~~r~~Recognized Indian ~~t~~Tribe (RCW 10.114.021) the IIT ~~c~~Commander will identify an IIT member to serve as the tribal liaison within the first twenty-four hours.

The IIT commander shall ensure that notification to the Governor's Office of Indian Affairs is completed within 24 hours of a fatal use of force incident involving an enrolled member of a federally recognized Indian tribe, in accordance with RCW 10.114.021.

The tribal liaison will keep the tribe (or a representative of the tribe's choice) apprised of all significant developments of the investigation.

The IIT Commander will also ensure that the Governor's Office of Indian Affairs (GOIA) is notified within 24 hours.

G. Administrative Investigation

The administrative investigation is the responsibility of the involved agency. Procedurally, the administrative investigation can access the facts and circumstances discovered during the criminal investigation, however the criminal investigation must be firewall protected from information revealed during the administrative investigation. The criminal investigation must be firewall protected from information revealed during the administrative investigation. The IIT commander must create and enforce firewalls, which is a process to prevent information sharing between the IIT from the involved agency and train all team members to observe them to ensure no member of the IIT receives any compelled statements of the involved officer(s) or any investigative content that was informed by such compelled statements.

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~~2. Any action to relieve the involved or witness officers from duty will be the responsibility of the involved agency's Chief or Sheriff, or their designee.~~

H. Record-keeping:

1. The IIT Commander will determine and coordinate where the original IIT file will be maintained. ~~The original file shall not be maintained at the involved agency.~~
2. All original reports, statements, and other documentation of venue and involved agency employees should be filed and maintained by the venue agency and submitted to the IIT Commander in a ~~timely manner~~ immediately upon request.
3. Until the case file is delivered to the prosecutor, access to the IIT case file should be restricted to the IIT members ~~involved~~ designated by assignment.

I. News Media Considerations:

Communication with the media will be handled by a designated member of the IIT. Either a Public Information Officer (PIO) or a Media Relations Officer (MRO) in consultation with the IIT Commander.

1. The PIO will affirmatively provide to local media, and on official social media accounts, regular updates on the investigation, at least weekly.
2. Neither the involved agency nor the IIT will provide the media with criminal background information of the person against whom deadly force has been used, unless it is specifically requested, and release of the information is required by the Public Records Act or other applicable laws.
3. The IIT ~~commander and involved agency Chief or Sheriff~~ will work to ensure a proper balance is maintained between the integrity of the investigation and transparency with the public.

DEFINITIONS: For definitions of other terms refer to ~~Error! Hyperlink reference not valid.~~

Involved Officer(s): ~~Unless otherwise indicated, those peace officers in on-duty or off-duty status who are involved in a serious incident or are direct witnesses to such an event.~~

Venue Agency: ~~The Agency within whose geographical jurisdiction the officer involved incident happens.~~

Independent Investigation Team: ~~A team of qualified and certified peace officer investigators, civilian crime scene specialists, and at least two non-law enforcement community representatives who operate completely independent of any involved agency to conduct investigations of police deadly force incidents. Multiple law enforcement agencies may enter into a written agreement to investigate police use of deadly force incidents in their geographical regions. A single law enforcement agency may fulfill the independent investigative function for an involved agency, provided it is not the involved agency.~~