



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

COMMISSION MEETING

Wednesday, December 11, 2013
10 AM

COMMISSION MEMBERS PRESENT:

Jeff Myers (Chair), Chief, Hoquiam Police Department
Bill Elfo (Vice Chair), Sheriff, Whatcom County
Dan Satterberg, Prosecuting Attorney, King County
Darell Stidham, Deputy, Spokane County Sheriff's Office
Garry Lucas, Sheriff, Clark County (telephonically)
Kenneth Hohenberg, Chief, Kennewick Police Department
Laura Wells, Citizen at Large
Ned Newlin, Chief of Corrections, Kitsap County
Joshua Kelsey, Lynnwood Police Department
Lana Weinmann, Attorney General's Office (sitting in for Commissioner Ferguson)
Ann Marie Howard, Department of Corrections (sitting in for Commissioner Warner)
Julie Anderson, Auditor, Pierce County

WSCJTC STAFF PRESENT:

Sue Rahr, Executive Director
Brian Elliott, Manager, Financial Services
Greg Baxter, Manager, Human Resources
John Hillman, Assistant Attorney General, Attorney General's Office
Pam Clark, Commander, Corrections Division
Rachelle Parslow, Private Security Program Supervisor, Advanced Training
Wes Anderson, Manager, Facilities Management
Sonja Hirsch, Executive Assistant
Marisa O'Neill, Interim Executive Assistant
Tisha Jones, Manager, Peace Officer Certification
Michael O'Neill, Manager, Firearms Program
Ronald Napenias, Manager, Information Technology
Travis Jones, Information Technology
Dustin Smith, Information Technology
Vadim Tarasov, Information Technology
Valerie Jenkins, Registrar, Advanced Training

OPENING

The Chair called the meeting to order at 10 AM with a quorum present and thanked everyone for attending. He asked all present to take a moment to remember former Pacific County Sheriff John Didion, who passed away Tuesday, December 10th and to keep his family in their thoughts. Sonja Hirsch conducted roll call of the Commissioners. The Chair asked guests to sign in on the sign-in sheet if they wanted to be accounted for in the meeting minutes.

APPROVAL OF MEETING MINUTES

Commissioner Hohenberg made a motion to approve the meeting minutes of September 11, 2013. Commissioner Stidham seconded the motion. The motion passed unanimously.

CHAIR'S REPORT

Jeff Myers, Commission Chair

The Chair asked that Full BLEA Academy Waivers be placed on the agenda for the Special Commission Meeting (Workshop) in January 2014.

Chairman Myers advised that it is the end of the year and the position of Commission Chair is available. Commissioner Elfo motioned to retain Commissioner Myers in his role as Commission Chair. The motion was seconded by Commissioner Kelsey. The motion passed unanimously.

Chairman Myers motioned to retain Commissioner Elfo as Vice-chair. Commissioner Newlin seconded the motion. The motion passed unanimously.

He reminded and urged Commissioners to attend Basic Law Enforcement Academy and Corrections Officers Academy graduations when their schedules allow.

EXECUTIVE DIRECTOR'S REPORT

Sue Rahr, Executive Director

New Staff Introductions: Dustin Smith

Ron Napenias introduced Dustin to the Commissioners. He has been with the agency as an IT Technician since July 2013. Dustin covers the helpdesk position.

Dustin grew up in Montana and was brought to the Puget Sound due to military service. While serving in the US Army, Dustin worked on military communication networks. He is currently attending Colorado State University's Global Campus with an IT major and expects to graduate in 2014. Dustin is working to obtain his sport pilot license. Most of all, he enjoys spending time in the outdoors with his wife, daughter and two dogs.

New Staff Introductions: Travis Jones

Ron Napenias introduced Travis Jones to the Commissioners.

Travis is from Indianapolis, Indiana and a big Indianapolis Colts fan. He is a US Army veteran. He attended the Pierce College Pre-employment Corrections Officer program and is currently a full time employee of DSHS. He is looking to move to a full time IT position with us at CJTC very soon. In July he accepted a part time position with us and is also assigned to our help desk. He is an avid sports fan and enjoys watching both collegiate and professional football and basketball. He also enjoys throwing darts and shooting pool.

New Staff Introductions: Brandon Li

Mike O'Neill introduced Brandon Li to the Commissioners.

Brandon was born and raised in the Seattle area and has worked with us since late 2012. He currently assists Leanna with the Leadership Programs. He provides

administrative support including but not limited to registration, training material preparation, and classroom set up.

He was a martial arts instructor for over eight years prior to coming to WSCJTC. He has been practicing the tae kwon do discipline for over seventeen years. He graduated from Seattle University, majoring in Criminal Justice in 2013. He volunteers for the Bellevue Police Department conducting home safety inspections. Brandon is in the final stages of hiring on as a reserve police officer with Fife Police Department. His ultimate goal is to become a certified police officer and is currently meeting with agencies and looking for the right fit.

New Staff Introductions: Serena Anastasio

Mike O'Neill introduced Brandon Li to the Commissioners.

Serena is of great assistance to me in the Firearms Program. She was hired in January 2013 and she has done great things for us so far. She assists with registration and goes above and beyond to assist the program with administrative duties. There are many new things going on in Firearms and Serena is an integral part of the team.

Serena attends Green River Community College and is working in two degree programs (one being Criminal Justice). She plans to transfer to a four year school in San Jose, California studying Criminology, upon completion of her studies here. Her long term goals are to be hired on full time as a police officer with a law enforcement agency, and eventually work for the FBI as a behavioral analyst.

Her hobbies include reading and spending time with her family and her dog.

New Staff Introductions: Marisa O'Neill

Sonja Hirsch introduced Marisa O'Neill to the Commissioners.

Marisa started work this week and will serve as Sonja's replacement while she's out on maternity leave. Marisa is a US Navy veteran and has over seven years of experience with the State of Washington. She served over five years at the Washington State Patrol, most of which in the Office of the Chief as a Confidential Secretary to the Management Service Bureau Director and the Labor and Risk Manager. She worked for two years at the Department of Transportation as a Tort Claims Investigator.

She attends the University of Wisconsin – Green Bay working toward her Bachelor's Degree in Business Administration with a Human Resources Major and Human Development Minor.

She is a mother of three teenagers and two German Shepherd Dogs. Marisa is a serious Packers and Badgers fan.

BLEA Changes

The Director readdressed the comments she made at September's Commission Meeting. At that meeting she presented her intention to work with a man named Greg Seville on revamping the BLEA training curriculum. She has placed this on hold due to the discovery of a few things that require attention and put in order prior to the start of this project. For now, it's being placed on hold. A contract with Mr. Seville was not signed and is not moving forward.

Blue Courage

Director Rahr just returned from the IADLEST Conference and is thrilled to report that the WSCJTC has been picked as a pilot site for Blue Courage. Blue Courage is a program that was developed and implements the practices that we've been working toward here at CJTC, especially as it relates to the philosophy transition from Warriors to Guardians.

BLEA Classes

Director Rahr thanked Commander Bales and Assistant Commander Anderson for their ambition and the hard work they put in adding two BLEA classes by the end of this year due to the steep increase in BLEA applications in order to address the demand from stakeholders. They are doing everything in their power to get the recruits into classes in order to prevent a huge backlog.

It was not easy to add BLEA classes to our budget, but we have been working with our new Budget Analyst and she is going to recommend that we add another two classes in FY14. The Budget Office did not include funding for housing recruits in hotels. With the third dorm being condemned, we have more people on campus than we can house. The next few months, research of options for other housing will take place.

Marketing

Director Rahr advised that *KXLY* did a nice story on the Academy, similar to that of *The Seattle Times*. It was very well put together including photos and videos and did a great job highlighting what goes on here.

Lobby Redesign

The Director updated attendees on the artwork for the Olympic Building Lobby. The mural is complete, and it looks great. It will be used as a branding piece with stakeholders as it represents service to the community and isn't specific to Law Enforcement or Corrections. It nicely communicates what the Commission stands for.

Website Redesign

The Director was complementary of Ron's team in its vision for moving IT forward. She discussed the need to upgrade the agency website and the fact that Ron has a plan to make it more user-friendly.

Leadership Training

Director Rahr shared that the Executive Leadership Training Program has been reinstated.

LPO has taken off and is going extremely well. We are partnered with Port of Seattle on this program. Attendees are paying full tuition to attend.

The Executive Leadership Institute that was held last summer and received well has been renewed. The second annual event has been scheduled for August 11-15, 2014. The keynote speaker will be Retired Boston Police Commissioner Ed Davis. He will discuss lessons learned during the marathon bombing. He will focus on the use of social media, specifically, twitter in a tactical communications manner. The goal is to encourage people to attend by recruiting some high powered national speakers to share forward-thinking and visionary leadership skills.

BLEA Compromised Testing

Director Rahr asked **Commander Bales** to give a summary of the findings from the investigation of unauthorized study practices by some BLEA recruits.

Commander Bales advised that in late October, Staff were made aware that some unauthorized study materials may have been shared between BLEA classes. After review, the study guides appeared to contain questions from our tests. The Washington State Patrol Criminal Investigation Division was called and asked to conduct an investigation. The WSP did a thorough investigation with a very short turn-around time and it was much appreciated. The final report has not yet been received but a preliminary report was given on both of the main classes involved and the commissioners should have received a letter explaining the issue. The main thing to take from this is that we had some substantial procedural flaws that easily contributed to the compromised testing. This has all been remedied with re-writes of the tests.

Law Enforcement Officer Accountability Act

Director Rahr spoke about the Law Enforcement Officer Accountability Act that was attempted last session being brought up again this session. Last year's bill was to change the arbitration law so that if an arbitrator ordered an officer who had a sustained finding and had been terminated for dishonesty and/or conviction of a crime, back to work, the finding would be thrown out. That bill didn't go anywhere. This year, however, there has been a significant re-write where WASPC is trying to expand the power of the Commission in order to initiate the revocation of a peace officer's certification once the officer has received a sustained finding and has exhausted their opportunity for appeal. Essentially, if the arbitrator upholds the finding, but thinks the sanction is too high, and orders the peace officer back to work, they may not be able to do so, because the Commission will have the ability to revoke their certification. This is a bill that will be watched.

WAC RULE REVIEWS

Sonja Hirsch, Rules Coordinator

WAC 139-05-210: Basic Law Enforcement Certification of Equivalency

Final Action: Came before the Commission for discussion during the September meeting.

These changes are being made to provide clarity and to streamline the existing process and requirements.

The Chair called for comments from the public, hearing none, he called for a vote.

Commissioner Hohenberg moved for approval. **Commissioner Satterberg** seconded. In favor, 11. Opposed, 1. Motion carried.

WAC 139-05-241: Sponsored but Non-employed Applicants to the Basic Law Enforcement Academy

Final Action: Came before the Commission for discussion during the September meeting.

These changes are being made to provide guidelines for law enforcement agencies who wish to sponsor an applicant for basic law enforcement training who is not employed by or volunteering for the agency as a fully commissioned law enforcement officer.

The Chair opened the floor for public comment. There were none.

The Vice Chair motioned to approve. Seconded by **Commissioner Newlin**. Passed unanimously.

WAC 139-05-810: Basic Training Requirement for Reserve Officers

For Discussion Only: Will go before the Commission for final vote at the June meeting.

Requires agencies that hire reserve officers to notify the WSCJTC of the hires. The addition of this requirement will assist the WSCJTC in ensuring all reserve officers are receiving the required basic training.

Chairman Elfo addressed **Tisha Jones** asking that she add something discussing the need for reporting of reserves currently working for agencies. We don't know how many reserves are working for agencies at this time. This was proposed during a recent WASPC meeting. **Tisha** to discuss a notification when reserves separate with AG Hillman.

Commissioners will review the WAC and provide further input on this WAC. **Tisha** will send this out to stakeholders and request their feedback as well. **Tisha** to review the use of "Field assignment" and its definition in Section 2(b) on page 13 and report back.

WAC 139-05-825: Basic Reserve Law Enforcement Academy Certificate of Equivalency

For Discussion Only: Will go before the Commission for final vote at the June meeting.

Changes establish a process for certified peace officers to become reserve officers by complying with the rules established in this WAC.

This affects **Commander Bales**. The WAC must be built around the RCW unless an RCW change is recommended by the Commission.

Chairman Elfo pointed to page 23, paragraph 9 and believes that we should look into changing the RCW. Here in WA, we are different from other states as defining authority based on hours worked per week by reserves instead of using a tiered approach the way California and Florida.

WAC 139-05-915: Requirements of Training for Law Enforcement and Corrections Dog Handlers and Certification of Canine Teams

For Discussion Only: Will go before the Commission for final vote at the June meeting.

Changes are needed to establish certification expiration and recertification, maintenance training suggestions, clarification to the existing process and requirements and the addition of an additional canine team certification, and the requirement of reporting to the WSCJTC new teams and teams that have disbanded.

Tisha to spend time working with stakeholders for additional work on this WAC. This is a complex issue. Mason County Sergeant Trevor Severance asked us to look into this several meetings ago. He is a blood hound handler. The problem is that the WAC doesn't make allowances for trailing dogs.

There is quite a bit of time prior to this being up for adoption. Tisha will continue to meet with stakeholders and solicit their input.

WAC 139-06-140: Hearing on Petition for Eligibility for Certification or Reinstatement of Certification

Final Action: Came before the Commission for discussion during the September meeting.

The proposed rule change will allow for a subsequent petition for reinstatement of certification to be filed five years after the date of the entry of the hearing panel's final written order denying the prior petition for reinstatement. If a second petition for reinstatement is denied, no further petitions may be filed. The Commission will not consider or accept for filing a petition for reinstatement submitted after two prior petitions have been denied.

The Chair opened the floor for public comment. There were none.

Commissioner Newlin motioned to approve. **Commissioner Hohenberg** seconded. Motion passed unanimously.

Chapter 139-33 WAC: Firearms Certification – Bail Bond Recovery Agents

Final Action: Came before the Commission for discussion during the September meeting.

The new chapter is being proposed to provide guidelines for individuals and companies seeking application to carry a firearm as a bail bond recovery agent, or seeking renewal of an existing firearms certification pursuant to Chapter 18.185 RCW. The Bail Bond Recovery Agent Firearms Certification is an element of Bail Bond Recovery Agent armed license.

The Chair opened the floor for public comment. There were none.

Commissioner Anderson motioned to approve. **Commissioner Hohenberg** seconded. Motion passed unanimously.

Waiver Request: Kyle Frank, Ocean Shores PD
Tisha Jones, Certification Manager

Background: The City of Ocean Shores is supporting a request for exemption for Kyle S. Frank. Mr. Frank is a candidate for employment for their agency, but is not currently employed by them.

Chairman Myers abstained from the vote.

Tisha Jones provided handouts detailing Mr. Frank's employment and training records and a letter of support sent from the City of Ocean Shores.

Deputy Chief Fitz of Ocean Shores attended the meeting and voiced his support of the exemption for Mr. Frank. Ocean Shores would like to hire Mr. Frank if the Commission grants waiver and allow him to attend the equivalency course. They are up against tight budget constraints.

Commissioner Wells went on record saying that she does not believe the financial strain on an agency budget should be considered a reason to grant waivers.

Commissioner Anderson requests that the Waiver Log be present at each Commission Meeting for reasons of consistency.

Commissioner Elfo recalls a time when a petitioner's waiver request was denied due to the fact that they were not employed by an agency.

Sonja recalled that the previous petitioner was from Port Angeles and had a conditional offer.

Director Rahr is concerned about the impact and precedent set by making determinations for waiver prior to hire. Many agencies face budget constraints and if we begin to allow these, we can expect to hear many cases such as these.

Commissioner Anderson supports this waiver and voiced that she would vote for it.

Chairman Myers called for a vote reminding attendees that he'd recused himself. **Commissioner Anderson** was in favor. **All others** opposed. The motion failed.

OLD BUSINESS

Reserve Certification Update

Commissioner Elfo briefed that he spoke with stakeholders at WASPC, as did **Commissioner Lucas**. He supports polling agencies and getting Reserve Officers documented. There is great need to get a handle on how many reserves are out there and how they are being used. **Commissioner Elfo** requests that this be discussed at the Special Meeting in January.

NEW BUSINESS

Master Firearms Instructor Program

Mike O'Neill discussed the Master Firearms Instructor Program. His goal is to have a certified cadre of Master Firearms Instructors statewide in order to assist stakeholders regionally and ensure that best practices are being shared statewide. **Commissioners**

support the idea and are happy to see the Director and the Firearms program move forward.

Special Meeting - Workshop

Chairman Myers advised that the meeting will now be held at CJTC in Burien and involve a working lunch. Information will be forwarded next week by Marisa.

The meeting was adjourned.

Next Meeting: March 19, 2014, at 1 PM
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Written by: _____
Marisa O'Neill, Interim Executive Assistant Date _____

Reviewed by: _____
Susan L. Rahr, Executive Director Date _____

Approved by: _____
Jeff Myers, Commission Chair Date _____