



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

COMMISSION MEETING
Wednesday, September 10, 2014
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
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)
Dan Pacholke, Department of Corrections (sitting in for Commissioner Warner)
Shawn Berry, Washington State Patrol (sitting in for Commissioner Batiste)
Julie Anderson, Auditor, Pierce County
Frank Montoya, Special Agent in Charge, Seattle FBI

WSCJTC STAFF PRESENT:

Sue Rahr, Executive Director
Brian Elliott, Manager, Financial Services
John Hillman, Assistant Attorney General, Attorney General's Office
Sonja Hirsch, Manager, Human Resources
Marisa O'Neill, Executive Assistant
Tisha Jones, Manager, Peace Officer Certification
Michael O'Neill, Manager, Firearms Program
Ronald Napenias, Manager, Information Technology

OPENING

The Chair called the meeting to order at 10:06 AM with a quorum present and thanked everyone for attending. He asked all present to take a moment to recognize Officer Brett Ellis of the Aberdeen Police Department who passed away yesterday, September 9th, after a two year battle with stomach and intestinal cancer. Please keep his family in your thoughts.

Marisa O'Neill conducted a roll call of the Commissioners. A quorum was present. 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 June 11, 2014. Commissioner Newlin seconded the motion. The motion passed unanimously.

CHAIR'S REPORT

Jeff Myers, Commission Chair

The Chair introduced new ex-officio member of the Washington State Criminal Justice Training Commission, Commissioner Frank Montoya from the FBI, Seattle Office.

Commissioner Montoya gave a brief autobiography and shared his enthusiasm over his position on the Commission.

CHIEF'S EQUIVALENCY TRAINING

The Director invited Commander Bales to provide a summary of the Chief's Equivalency Training proposal.

She advised that using the term variance instead of waiver better fits what the Commission has been doing for equivalency decisions when officers are hired from out of state. The variance gives the Commission much more control over what the training regimen should be and recognizes that each of the different positions within an agency has different requirements and that the people being hired have different requirements. The proposal that Commander Bales will discuss with you has been more tailored to the needs of a Chief Executive Officer of an agency. She extended her thanks to Ms. Virginia Gleason and the Legal Advisors Group from WASPC for their assistance with this Chief's Equivalency Curriculum.

Commander Bales discussed the feedback we'd received from Chiefs who have come into Washington State. He noted that while it is useful for the Chiefs to know what it is their line officers learn when coming to this state, there was quite a bit of information that is critical for the Chief Executive to know that was not being taught here at CJTC. The proposed Chief's Equivalency Academy curriculum is an online method set over an 8 – 10 week time frame. This curriculum includes blocks in Criminal Procedures, Criminal Law, Public Employment Law (PERC), Public Disclosure Law, I-502, State Court Structure, Mutual Aid Peace Officer's Act, WA State Gun Laws, the Peace Officer Certification Structure, etc. These topics may avoid a lot of frustration and should get our new Chief Executive Officers up and running rather quickly.

Commissioner Satterberg voiced his approval for this academy. He believes that this is in the spirit of real, relevant training. He expressed the need for it to be dynamic as things change often. He asked that a copy of the curriculum be sent to him once it's complete. He believes it would be a good thing for Chiefs and Sheriff's to have on hand.

Commissioner Hohenberg echoed the sentiments of Commissioner Satterberg. He added that he likes the flexibility component on the part of the Commission. Determination can be made that if the incoming CEO is from a small agency without having a labor or legal advisor for much of their career, CJTC can place an increased emphasis on those aspects of training.

Commissioner Elfo asked whether this training can be tailored to CEO's coming into smaller agencies where that CEO works the road? **Commander Bales** answered with his understanding that the way this works. A Chief who wants to work the road may need a bit more than what is offered and that can easily be provided. They may attend the full Equivalency Academy. Decisions will be handled on a case by case basis by the Commission during the variance process.

Commissioner Anderson shared that her preference would be for CJTC staff to make the determination on whether an applicant for variance should attend one or both of the equivalency academies ensuring that the curriculum is set by blocks.

Commissioner Wells echoed Commissioner Anderson's sentiment. She expressed that she likes the flexibility in determining which blocks the applicant is required to take and in which format. Perhaps they do the full online CEO Equivalency, but come to the Academy for hands on training in one or more aspects, if needed.

Commissioner Newlin asked for a timeline. **Commander Bales** advised he would have it completed in a few weeks with the online platform setup relatively soon thereafter.

VARIANCE REQUEST

Tisha Jones, Peace Officer Certification Manager

Variance Request: Kathleen O'Toole, Seattle PD

Background: The City of Seattle is supporting a request for variance for Chief Kathleen O'Toole. Chief O'Toole is the newly appointed chief of the Seattle Police Department.

Tisha Jones described her extensive work history and advised the Commission that her training record far outweighs the need for the Basic Law Enforcement Equivalency. She recommended the Commission grant a variance for Chief O'Toole to participate in the Chief's Equivalency Academy as prescribed by the Commission to seek peace officer certification.

Chief O'Toole addressed the commission and underscored her desire to do whatever it takes to earn peace officer certification in the state of Washington. She would like to be able to look her police officers in the eye and show them that she is doing what they do. She wants to play by the rules and respects the process and the opportunity.

Commissioner Newlin motioned to approve the variance and grant attendance to the Chief's Equivalency Academy. Commissioner Hohenberg seconded the motion with comments in strong support. The motion passed unanimously.

RESERVE WAC DISCUSSION

Tisha Jones, Peace Officer Certification Manager

Tisha Jones advised the Commission that Kayla Wold has completed the inquiry of all agencies per legislation. There are approximately 800 reserves in WA State. There are 10,000 Commissioned law enforcement officers. The report is due to the legislature in December.

Director Rahr added that this was driven by a legislative budget proviso granting funding to take a half time FTE and make it full time to run this inquiry. The issue of Reserve Officers has been bubbling in the Legislature for the past two years. It is very likely that it is going to erupt at the next session. Having the numbers in place is going to be very helpful. There are a lot of different dimensions to this problem. The Director's recommendation is for the Commission not to take this piece meal but to put together a robust workgroup to look at this from all angles.

WAC RULE REVIEWS

Sonja Hirsch, Rules Coordinator

WAC 139-05-300: Requirement for in-service Training

Sonja Hirsch advised that this WAC is up for final action. Sonja shared that no changes were made to the proposed WAC since June. She asks those in attendance to refer to the white packet of comments that were received on this issue.

Chairman Myers called for comments from the public.

Mr. Mitch Barker, Executive Director of the Washington Association of Sheriffs and Police Chiefs stood to express his opposition to the proposed training requirement.

Commissioner Elfo motioned to postpone this WAC and direct the Executive Director to work with WASPC and Washington State Sheriff's Association to adopt clearer language within one year. **Commissioner Lucas** seconded the motion. **Sonja** advised that if this is what the Commission would like to do, the WAC would have to be withdrawn at this time.

Chairman Myers led a discussion with the commissioners regarding the proposal for a workgroup. The determination was made that the workgroup should be run by a Commissioner.

Commissioner Elfo motioned to withdraw the WAC and create a workgroup to look deeper into all aspects of this issue. Commissioner Lucas seconded the motion. The motion passed unanimously.

Chairman Myers appointed Vice-chairman Elfo to lead the workgroup.

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

Sonja Hirsch advised that this WAC is up for final action. Sonja shared that no changes were made to the proposed WAC since June.

The Chair again referred the Commissioners to the commentary in the white packet and opened the floor to public comment

Mr. Mitch Barker, Executive Director of the Washington Association of Sheriffs and Police Chiefs stood to express his opposition to the proposed training requirement.

Commissioner Anderson motioned to withdraw the WAC and refer it to the workgroup appointed to Vice-chair Elfo. Commissioner Newlin seconded the motion. The motion passed unanimously.

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

Sonja Hirsch advised that this WAC is up for final action. Sonja shared that no changes were made to the proposed WAC since June. She pointed to the public comments in the white packet.

Tisha Jones reported that the suggested changes outline a process which impacts not only out of state applicants but also retired certified peace officers who want to continue to serve their communities in a reserve capacity.

Given the current conversation, it appears that this WAC's suggested changes will be assigned to the workgroup; therefore, if there isn't a change there is not a method in which these officers can become reserves. Tisha suggested that a variance process be established internally to meet the needs of stakeholders without the WAC.

Chairman Myers called for public comment. There were no comments.

Commissioner Newlin motioned to withdraw the WAC and refer it to the workgroup appointed to Vice-chair Elfo. Commissioner Anderson seconded the motion. The motion passed unanimously.

Tisha asked if the Commissioners would allow staff to process variances for the Reserve Academy without having to bring each of the requests to the Board. She explained that the staff would use the same process of examining to experience, training, and history of each Reserve Equivalency applicant. She added that if the staff denies a request, the requester can always bring the matter before the Board.

Chairman Myers approved this request.

EXECUTIVE SESSION

Chairman Myers advised that according to RCW 42.30 the Commission will enter into Executive Session to discuss potential litigation and employee issues at 11:20, and expects to return at 11:40.

The Executive Session consisted of Commissioners and Proxy Members, Marisa O'Neill and Tisha Jones.

The Executive Session was extended by 10 minutes at 11:40 after Marisa O'Neill and Tisha Jones were excused.

The Commission came back on the record at 11:45 and promptly took a 5 minute recess.

CERTIFICATION BOARD MEMBER REQUEST

Sonja Hirsch, Hearing Coordinator

Sonja Hirsch presented an application for Certification Board Membership from Sergeant Michael Scanlon of the Bellingham Police Department. A letter of recommendation from former Commissioner Lieutenant Michael Johnston was also attached.

Vice Chairman Elfo motioned to approve the appointment. Commissioner Lucas seconded the motion. The motion passed unanimously.

COMMANDER'S REPORT

David Bales, Commander

Commander Bales provided an update on the increase in BLEA Classes. BLEA is ramping up to provide 15 classes in 2015 and 20 classes in 2016.

The Spokane Basic Law Enforcement Academy will be opening with a class in January. This project will be led by Tony Anderman, who is currently located in Spokane. Donna Rorvik and Samantha Daly are working tirelessly to prepare.

BLEA is currently filling class 716, but some positions are being held in 713 for Eastern Washington students.

There are three new TACs on staff: Officer Trent Chapel of the Mountlake Terrace Police Department, Officer Sabrina Kessler from the Redmond Police Department, and Officer Jennifer Eshom from the Seattle Police Department. They are reviewing resumes and interviewing for one remaining TAC vacancy. Commander Bales recently learned Corporal Mosley of the Washington State Patrol was promoted to Sergeant and will be working with the WSP to fill the vacancy with the most qualified candidate.

Assistant Commander Anderson will reach out to agencies to speak with their most experienced FTO's to ask them to cycle through the Academy in 30-day intervals to familiarize themselves with training in BLEA. They will shadow TAC Officers, learn the curriculum, and assist in developing a cadre of individuals who may be future TAC Officers.

A new Corrections Officer Academy just started with 36 enrolled. They will graduate on a Friday at the end of the month with another full class will starting the following Monday. The January class is nearly full. The demand is partly attributed to the increase in hiring of law enforcement officers, as agencies steal from the pool of currently working corrections officers.

We were asked to add an additional corrections class. This was approved. We will now be able to host five have raised the class size from 30 to 36.

The Basic Law Enforcement Equivalency class size was bumped to 40.

A meld of JCOA and JSA curriculum was developed and presented to the Washington State Association of Juvenile Court Administrators yesterday. They are in favor of the combined new Academy.

EXECUTIVE DIRECTOR'S REPORT

Sue Rahr, Executive Director

Director Rahr advised the Commission that most of her report is follow up to items addressed at the last Commission Meeting or in her Interim Report.

The Employee Survey was completed and of the 14 items, the positive responses increased an average of 8%. Most items that went up increased 10 percentage points or more. Of the items that decreased, it was less than 5 percentage points. The item that was last in our previous survey "I know how my employer measures its success", went up 46%. Positive changes are being made and they are being noticed by our staff. The response rate for this survey (for the first time) was 100%. The Director thanked the managers and supervisors for the time and commitment in working with their staff regarding the strategic plan and addressing how it relates to them.

The Executive Leadership Institute was a success. It brought Academic Researchers and Law Enforcement practitioners together. While it was challenging to have the same type of exciting delivery from both sides, it was an improvement over last year and was received very well.

CJTC is moving forward on a partnership with the Attorney General's Office, the Advanced Training Unit of the King County Sheriff's Office, and the King County Prosecutor's Office to update the Law Enforcement Digest. An online and interactive format will be utilized.

The Guardian Philosophy is being measured in a five year longitudinal study by Seattle University. Researchers will start on Monday to measure the mindset of recruits and then to follow them through their career.

The Fiscal Division will be relocated to the Burien Campus by January 1st. It has been challenging for us to appropriately manage our budget with the distance between the offices.

Our range was audited by the Department of Labor and Industries. There were a few minor violations, based on better record keeping. There was one major violation which resulted in a \$1000 fine regarding hearing testing. We have our range staff's hearing tested, but were not testing A-19 contract staff. The policies have been changed and testing of all range staff will be completed moving forward.

Director Rahr asked if anyone had any questions. **Commissioner Wells** asked if a 2015-2016 budget decision packet had been submitted. Director Rahr advised that the additional BLEA classes were included in that as well as funding to continue the longitudinal study and for an intern in the IT Department. Again, the WSCJTC is requesting dorm replacement.

A copy of the decision packet was made and handed to the Commissioners. A copy of the supplemental budget and a worksheet with the cost of hotel rooms will be sent to the Commissioners for them to share with stakeholders and legislators as the expense of renting motel rooms is outpacing the debt load for new a dorm.

NEW BUSINESS

Sonja Hirsch advised that she would have a small report on Chief For a Day at the December Commission Meeting.

Chairman Myers challenged Commissioners to attend graduations as much as possible.

Commissioner Newlin discussed an FBI Bulletin article by Bob Harrison regarding training in the future. He will send a copy to Marisa and ask her to distribute to the group.

Commissioner Stidham motioned to create a workgroup to review the current **Canine Certification WAC**. **Commissioner Kelsey** seconded the motion. The motion passed unanimously.

Chairman Myers appointed Commissioner Stidham to chair the canine workgroup.

Chairman Myers called for any additional comments or questions. None were expressed.

The meeting was adjourned.

Next Meeting: December 10, 2014, at 10 AM

Written by:



Marisa O'Neill, Executive Assistant

12-10-14
Date

Reviewed by:



Susan L. Rahr, Executive Director

12-10-14
Date

Approved by:



Jeff Myers, Commission Chair

12-10-14
Date