



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

COMMISSION MEETING
Wednesday, March 9, 2022
10 AM

COMMISSION MEMBERS PRESENT:

Jeff Myers (Chair), Chief, Hoquiam Police Department
De'Sean Quinn (Vice-Chair), Councilman, Tukwila
Jeffrey Anaya, Officer, Vancouver Police Department
John Batiste, Chief, Washington State Patrol
Jared Couch, Sergeant, Upper Skagit Police Department
Ryan Dreveskracht, Attorney Presiding over Law Enforcement Practices and Accountability
Nickeia Hunter, Citizen at Large
Katrina Johnson, Citizen at Large
Sonia Joseph, Citizen at Large
Joshua Kelsey, Sergeant, Lynnwood Police Department
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
Mike Webb, Attorney General Designee

WSCJTC STAFF PRESENT:

Monica Alexander, Executive Director
Jerrell Wills, Deputy Director
Kevin Zeller, Assistant Director
Lacey Ledford, Executive Assistant
Marisa Peer, Manager, HR
Bart Hayes, Manager, Advanced Training Division
Dave Campbell, Commander, Basic Training Division
Sean Hendrickson, Manager, Applied Skills Division
Megan Saunders, Manager, Communications
Jeff Wilcox, Manager, Information Technology Unit
Valerie Jenkins-Weaver, Program Manager, Certifications Division
Renee Berry, Confidential Secretary
Norma Moreno, Confidential Secretary
Kayla Wold, Hearings Coordinator
Ethan Swenson, Administrative Assistant, Information Technology Unit

GUESTS PRESENT:

Justin Kato, Assistant Attorney General, WA State Attorney General

OPENING

Jeff Myers, Commission Chair

Chair Myers called the meeting to order at 10:01 AM.

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

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

Chair Myers encouraged Commissioners to visit the WSCJTC campus to attend classes and graduation ceremonies, to familiarize themselves with what occurs in and out of the classrooms.

Commissioner Rules of Order and Onboarding Packet

Chair Myers announced to the Commission that **Vice-Chair Quinn** has taken the responsibility of creating the rules of order, as though some of how the Commission has been based upon historical operations, as a working body of ideas and processes, it is subject to change.

Director Alexander stated her desire to have Commissioners add or take away from the provided list and that while the strategic plan contains substantial information there is a need to provide singular information. **Chair Myers** explained that while some of this document will contain procedural operations that having WACs and RCWs and goals of the Commission is important to understand. **Commissioner Couch** asked if the Commission has any obligation from the Governor to have an advisory manual of governing documents. **Chair Myers** answered by stating that there are nothing mandating the Commission or created currently but that the creation of this document would address the governing documents. **Vice-Chair Quinn** stated the importance of demystifying and building on institutional knowledge and lived experiences. **Director Alexander** shared the necessity of an onboarding packet and advisory manual that are separate.

Mandatory Field Training

Chair Myers proposed to the Commission a potential WAC taking official action requiring agencies for post-academy entry-level officers to complete 440 hours of field training, which would be a requirement of their training as a peace officer, as the Commission has recognized the value in more training adding that while most agencies conduct a post-BLEA field training program, not all agencies do, and that the 720 mandated basic training hours does not reflect the 440 training hours. **Commissioner Robinson** supported the establishment of this suggestion prior to the end of **Chair Myers's** time serving the Commission. **Commissioner Reynon** stated that as part of the field training requirements, there would be a benefit to incorporating training specifically focused on the communities in which the officers will be working to create a familiarity. **Chair Myers** hoped that an agency would be sensitive to the matter of community training and stated that the creation of this WAC would be an opportunity to memorialize and outline the training the Commissioners would want to see in entry-level officers across the state of Washington. **Commissioner Couch** suggested keeping the minimum number of required hours open and not settle on 440 hours. **Chair Myers** stated that in the creation of the WAC, the Commission can establish the minimum all agencies must do. **Commissioner Dreveskracht** supported establishing 440 hours as a minimum standard.

Commissioner Kelsey moved to create a WAC requiring a minimum of 440 hours of post-academy field training. **Commissioner Sapp** seconded the motion. **The motion passed unanimously.**

Future Meetings

Chair Myers queried the Commissioners regarding the feasibility of having in-person Commission meetings in the future and received consensus that virtual is the preferred method for the foreseeable future. **Chair Myers** asked CJTC to determine the possibility of a hybrid approach of some Commissioners attending in person and others virtually, impressing upon the importance of viewing the campus, interacting with other Commissioners, and seeing the work done around CJTC.

Approval of Meeting Minutes

Chair Myers called for review and approval of the meeting minutes from the February 23, 2022, Commission Meeting.

Commissioner Sapp moved to approve the minutes. **Commissioner Logue** seconded the motion. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Monica Alexander, Executive Director

Legislative Report

Director Alexander informed the Commission that legislative session is nearly complete and all CJTC budget requests are looking promising and further extended gratitude to legislative partners for meeting the needs of CJTC.

Agency External Outreach

Director Alexander addressed the Commission regarding previous conversations surrounding external stakeholder outreach and communication, mentioning an upcoming Facebook Live event called State of CJTC, with the intent of sharing goals for the future and what is occurring in training.

BLEA Updates

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, with a wait time of four months.

NEW BUSINESS

K9 Applications

Valerie Jenkins-Weaver, Certification Manager

Valerie Jenkins-Weaver provided the Commissioners with a packet containing K9 evaluator applications, including 23 seeking recertification and two new applicants.

Chair Myers reminded the Commission that, on behalf of the Commission, these evaluators ensure that K9 teams across the state meet the minimum requirements for certification. **Mike Devine** informed the Commission that the K9 Model Policy, a requirement of House Bill 1064, has enhanced the standards in training and reporting, especially in areas of use of force, such as defining use of force, its deployment, and internal agency reporting. **Chair Myers** stated that these applications cover the differing disciplines for K9 teams and that evaluators need to meet a minimum criterion to be appointed an evaluator by the Commission. **Commissioner Reynon**

indicated a discrepancy in the *Last Bias Class* column where a few submissions do not have dates, merely confirming that the applicants have taken the class and sought clarity on the meaning of those discrepancies. **Valerie Jenkins-Weaver** clarified that the Commission was provided all the information received from the applicants and follow-up inquiries did not add additional clarity, nor were training transcripts located to verify the training took place.

Commissioner Reynon pointed out that without the ability to verify these specific applicants completed the minimum required training, that these would be incomplete applications. **Valerie Jenkins-Weaver** mentioned the K9 model policy establishes this training as a requirement and that some of these applicants applied before the K9 model policy took effect. **Commissioner Reynon** inquired if all the applicants met the new standards required by the K9 model policy. **Commissioner Johnson** indicated that all training should be current for all applicants. **Valerie Jenkins-Weaver** replied stating the new K9 model policy requires one to two years of recent bias training.

Chair Myers asked for clarity regarding what is required and what classes are available to these evaluators. **Valerie Jenkins-Weaver** stated a bias class was added as a requirement as a more specific K9 bias course was not funded. **Chair Myers** shared a concern that the K9 model policy is requiring a training course that CJTC does not offer and does not address the specificity of the application of canines in the interaction of race and policing. **Valerie Jenkins-Weaver** mentioned that some of the indicated training by applicants could have been provided by their agencies or a possible third-party. **Vice-Chair Quinn** inquired about the appropriateness to mandate compliance but not offer the means to comply with the mandate. **Commissioner Reynon** mentioned that training has been in place since the passage of I-940 requiring race training in policing, wondering if that level of training is sufficient or appropriate. **Valerie Jenkins-Weaver** informed the Commission that all applicants are up to date with their mandated I-940 training. **Chair Myers** indicated that I-940 does not include bias-based training, also wondering if it is capricious and arbitrary to desire this training but not provide it. **Mike Devine** spoke about recognizing the deficiency with canine specific history of race in policing curriculum, mentioning these evaluators sign these applications attesting to current training requirements. **Commissioner Webb** inquired about the specifics of the issue, stating WAC 139-11-020 outlines training covering the history of race and policing, which could be described as bias training, and wondering if the deficiency is specific to history of race and policing with regards to canines. **Chair Myers** stated that K9-specific bias training is not available.

Commissioner Robinson mentioned the importance of history of race and policing as a gap exists in training which would address verified propensities for inherent biases, stating the Commission does not have on the table countermeasures to challenge or mitigate those biases and must figure out how to address the existing biases, the nuance of biases, and bias mitigation techniques in a way to allow an individual receiving the training to process how bias plays out in real time. **Director Alexander** stated that there is a difference between the history of race in policing course and the implicit bias training, that prior to the pandemic CJTC would host one training a month open to all officers offering implicit bias training but that a history of race in policing advanced course has not been developed as an advanced level course but is being taught at the academy. **Chair Myers** indicated that these evaluators are not providing training but that they need to be made aware of the training as awareness brings about change. **Commissioner Logue** inquired whether Commissioners could go out into the field and evaluate the evaluators. **Chair Myers** mentioned that Commissioners could go where they want but that the Commission certifies expertise and integrity for these evaluators to perform their K9

evaluations on behalf of the Commission, indicating that this process is relatively new as agencies were self-certifying themselves with zero Commission oversight.

Commissioner Webb indicated a desire to not certify the individual evaluators who did not provide a date on their last completed bias training as it is a low bar requirement which had not been met, stating an interesting in a larger briefing covering the subject of what implicit bias training is available to help assist future discussions. **Chair Myers** mentioned that his agency does an impartial agency review of implicit bias noting the ease at which statistics tell an incomplete story and as each community is different, there is a concern regarding the supply of trainings which can help peace officers expand their minds, allowing them to learn and change or reinforce positive behaviors. **Vice-Chair Quinn** expressed a desire to set a standard establishing expectations during the application process that when a clarifying question is asked regarding an applicant, that the information be provided.

Commissioner Webb moved to approve the applicants who provided a date of last bias training and were responsive to the necessary administrative steps, denying those who did not. **Vice-Chair Quinn** seconded the motion. **The motion passed unanimously.**

Hearing Panel Applications

Kayla Wold, Hearing Coordinator

Kayla Wold provided the Commissioners with a packet containing the applications for Hearing Panel Members. Included in these applications are 17 applicants for Peace Officer decertification, 11 applications for Correction Officer decertification, one applicant for Tribal Officer decertification, four Commissioners, three members of the public, and one individual who would be able to serve on all panels. **Chair Myers** asked if Commissioners could be a panelist across multiple disciplines. **Kayla Wold** replied that any Commissioner would serve under the category for which they have certification unless the Commissioner has no certifications in which case, they would be a civilian representative on the panel. **Commissioner Robinson** extended an offer to be included as a community member representative on the panel. **Commissioners Couch, Hunter, Dreveskracht, and Pickup**, also extended offers to be included as panelists for their perspective categories. **Kayla Wold** explained that approved panelists are added to a selection pool from which a decertification panel is chosen. **Justin Kato** further explained that new requirements mandates might increase the frequency at which Commissioners are chosen as panelists. **Chair Myers** explained the value of showing the last several years' worth of cases levied and the decertification processes that have occurred from CJTC.

Commissioner Dreveskracht moved to approve the applicants. **Commissioner Kelsey** seconded the motion. **The motion passed unanimously.**

Pre-WAC Definitions Presentation

Mike Devine, Certifications Manager

Mike Devine spoke to the Commission regarding Senate Bill 5051 and the new reporting requirements on use of force that results in substantial or serious bodily harm, whether it is physical or lethal force, indicating that while the Senate Bill 5051 described force, the RCW did not have a definition for serious injury. **Chair Myers** asked what action was required of the Commission regarding these definitions. **Kevin Zeller** stated that WACs will be presented to the Commission on April 27th containing these definitions.


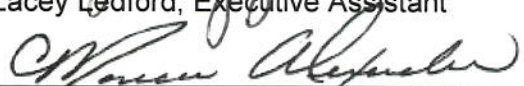
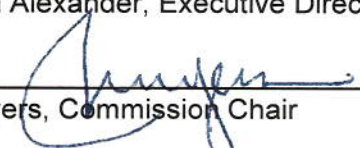
Mike Devine read out the definitions established by an advisory panel of eleven community members and law enforcement individuals who worked together to create definitions of *use of force*, *serious injury*, and *extremist organization* as provided in the agenda packet. **Chair Myers** pointed out inconsistencies with the usage of *and* and *or* stating a need to ensure consistency as the distinction between those two words matter. **Mike Devine** clarified that all those instances are meant to be *or* and that the definition was derived from the Department of Defense policy and will use this definition in decertification policy as a statement of charges. **Chair Myers** stated that this only applies to certified peace officers and certified corrections officers. **Commissioner Satterberg** wondered if tattoos were discussed under affiliations as a part of this definition. **Mike Devine** did not recall if tattoos were discussed but suggested further inquiring with the panel.

Chair Myers mentioned an email that was sent from community stakeholders supporting some definitions but contending against others. **Mike Devine** spoke of resultant wording difficulties surrounding the contended definition and that some language was removed, stating that legal advice was being sought while they addressed concerns. **Commissioners Robinson and Joseph** inquired about more specificity regarding the concerns and the removed language. **Mike Devine** spoke about an organization whose institution or ideology was not specifically addressed and the community stakeholders' desire to see the definition capture that group's ideology and association. **Chair Myers** reminded the Commission that a WAC is a working document and that it would not be prudent to list names of organizations as those organizations can always rebrand, emphasizing the importance of defining the underpinnings of those organizations to capture their specific groups. **Commissioner Joseph** asked if the community stakeholders recommended language. **Mike Devine** stated that the advisory panel recommended language but that a panel attorney is advising them on the recommended changes. **Commissioner Dreveskracht** volunteered his assistance as a civil attorney to help advise CJTC on the development of the definitions. **Chair Myers** stated that when the Commission expects others to follow and respect the rights of others, there is a duty to follow and respect the rights of those the Commission mandates, adding that Commissioners can hold officers off-duty conduct accountable.

EXECUTIVE SESSION

Chair Myers announced that there would be no executive session. **Chair Myers** asked if anyone had anything further. Hearing none, he adjourned the meeting at 12:04 PM.

Next Meeting: March 30, 2022, 10 AM, WSCJTC

Written by:		3/30/22
	Lacey Ledford, Executive Assistant	Date
Reviewed by:		3/30/22
	Monica Alexander, Executive Director	Date
Approved by:		3/30/22
	Jeff Myers, Commission Chair	Date