



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

COMMISSION MEETING

Wednesday, December 8, 2010
10 AM

COMMISSION MEMBERS PRESENT:

Mike Johnston (Chair), Sergeant, Bellingham Police Department
Jeff Myers (Vice Chair), Chief, Hoquiam Police Department
Anne Kirkpatrick, Chief, Spokane Police Department
Bill Boyce, Citizen at Large
Julie Anderson, Auditor, Pierce County
Kevin Bovenkamp, Organizational Development Director, Department of Corrections
Laura Laughlin, Special Agent in Charge (Seattle Office), Federal Bureau of Investigation
Rob McKenna, Attorney General
Thomas Metzger, Prosecuting Attorney, Pend Oreille County
William Elfo, Sheriff, Whatcom County

WSCJTC STAFF PRESENT:

Joe Hawe, Executive Director
Debbie Mealy, Deputy Director
Bob Cecil, Firearms Training Manager, Basic Law Enforcement Academy (BLEA)
Brian Elliott, Manager, Financial Services
Doug Blair, Certification Manager
Greg Baxter, Manager, Program Administration
Joel Gavino, Manager, Information Technology
Michael D. Parsons, Advisor to the Executive Director
Pam Clark, Manager, Corrections Division
Rachelle Heinzen, Assistant Commander, BLEA
Rex Caldwell, Commander, BLEA
Sonja Hirsch, Executive Assistant
Tisha Ehret, Administrative Assistant, BLEA
Wesley Anderson, Manager, Facilities Division

GUESTS PRESENT:

Craig Thayer, United States Marshal (Eastern District of WA State)
Dick Reed, Assistant Chief, Seattle Police Department
Jean E. Meyn, Assistant Attorney General, Attorney General's Office
John Didion
Sue Rahr, Sheriff, King County

INTRODUCTION

The Chair called the meeting to order at 10:01 AM with a quorum present. Self-introductions followed.

FAREWELLS

Mike Johnston, Commission Chair

Michael Parsons

Michael Parsons has been with the Washington State Criminal Justice Training Commission (WSCJTC) for 14 years. The Chair stated that he has always found Michael to be a voice of calm and caution, and he is always looking out for the best interests of law enforcement and corrections personnel.

The WSCJTC purchased e-books for Michael to enjoy on his Kindle during his retirement.

U.S. Marshal Craig Thayer

The Chair presented former Commission Chair Craig Thayer with a plaque and thanked him for his leadership and service to the Commission from 2002 through 2010.

Marshal Thayer stated that his time with the Commission was extremely gratifying, and the WSCJTC is head and shoulders above others in the industry.

APPROVAL OF MEETING MINUTES

Commissioner Myers made a motion to approve the meeting minutes of September 8, 2010. Commissioner Kirkpatrick seconded the motion. The motion carried unanimously.

Commissioner McKenna made a motion to approve the meeting minutes of September 13, 2010. Commissioner Bovenkamp seconded the motion. The motion carried unanimously.

FEDERAL ACADEMY RECOGNITION

Steve Lettic, DTS Division Manager

Bureau of Land Management

Mr. Lettic distributed the curriculum breakdown of the Bureau of Land Management course, which is an update to the former Bureau of Indian Affairs (BIA) Academy. The former BIA Academy was found to be equivalent to the WSCJTC's Basic Law Enforcement Academy, but now has been combined with the Bureau of Land Management course.

The course curriculum is well documented, and the highlights include 648 hours of lecture, laboratory, and practical exercises. Although some of the instruction does not pertain to law enforcement (e.g. booby trap trail and federal court procedures), it is still a sound course of approximately 631 hours that apply to general law enforcement. This is a good foundation to allow attendance at the Basic Law Enforcement Equivalency Academy, which will mostly affect tribal law enforcement officers.

Commissioner McKenna made a motion to approve the Bureau of Land Management course as an equivalent to the BLEA. Commissioner Metzger seconded the motion. The motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

Joe Hawe, Executive Director

The Director gave a special thank you to Dr. Parsons for his guidance and support. Never before has he been in a position with the predecessor on site, and it has been a great advantage the last 10 weeks. He wished him the best in his retirement.

BLEA Commander

The Director announced that this would be Commander Caldwell's last meeting, as he will return to the Kirkland Police Department on December 31.

The position of Commander has been a contract position for several years, but will soon be converted to a full-time state position.

Commander Caldwell will be missed, and the Director commended Commander Caldwell for his work with the BLEA and WSCJTC during the last 24 months.

Former Assistant Commander and Snohomish County Sheriff's Office Lieutenant Rachelle Heinzen will serve as the Acting Commander until a full-time Commander is hired.

A Commander Search Committee, similar to the search committee for the Director position, will be formed after the first of the year. The Committee will consist of chiefs, sheriffs, and other command personnel. Due to budget issues, it is unclear when the new Commander will be hired.

If you are interested in serving on the Committee, contact Director Hawe.

The Director announced and invited the Commissioners to the formal Change of Command ceremony, which will be held on December 21 at 10 AM in the Auditorium.

Budget

The WSCJTC has, to date, been impacted by a ten percent budget cut and only seven BLEA classes were funded for the current fiscal year.

Relationships

The Director has spent the last several weeks getting to know staff and is very impressed by the quality of the staff.

The Director has met with several chiefs and sheriffs in the last 10 weeks, attended the Fall WASPC Conference, and met with the Basic Law Enforcement Training Committee (formerly the Board on Law Enforcement Training, Standards, and Education). He is discovering issues that need to be addressed, sharing the direction he is moving, etc. In the coming months, he plans to meet with many more chiefs, sheriffs, and training personnel throughout the regions.

He has met with DOC Secretary Eldon Vail and his staff to work on enhancing the partnership between DOC and the WSCJTC.

The Director has asked staff to open the facility (e.g. classrooms and firing range) more to the WSCJTC's partner agencies. There is a serious problem with agencies finding ranges to conduct ongoing qualification training; therefore, the WSCJTC would like to help.

STAFF REPORT

WAC for Trailing Bloodhounds

Doug Blair, Certification Manager

Mr. Blair stated that a group of people, through the Washington State Canine Association (WSCA), contacted him about developing a standard for trailing and scent discrimination dogs. There are approximately five agencies in the state that have bloodhounds, which can be used hours or even days after a crime. The bloodhounds, when used, have been extremely successful, so they would like to have them included in the Canine Certification standards to allow them to become certified.

Doug has prepared the language and provided it to the WSCA for review.

New Sheriff Training

Doug Blair, Certification Manager

The WSCJTC handled many calls during the elections regarding people running for sheriff who were not certified peace officers and whether or not they could be a sheriff.

A new WAC will be established to address a basic law enforcement training program for first term sheriffs. The WAC will require persons certified as Washington State Peace Officers to complete the 40-hour basic law enforcement training academy within 12 months of assuming office. Those who are not certified as a Washington State Peace Officer will have to successfully complete the Basic Law Enforcement Equivalency Academy AND a 40-hour basic law enforcement training academy within 12 months of assuming office.

The draft WAC was discussed during the Fall WASPC Conference.

Mr. Blair emphasized that it is not required for an elected sheriff to be a certified peace officer. This is a training issue only.

The Director added that the New Sheriff Academy is currently being held in Olympia.

Commissioner Elfo mentioned that a broader discussion, regarding a review of the statutory requirements for Sheriffs, took place at a Washington State Sheriff's Association meeting. The Association looked at models from other states, and may look at new legislation to address requirements for newly elected sheriffs.

AAG Meyn announced that, per executive order, the State has suspended the adoption of non-critical rules. However, if the Commission wanted to go forward with a WAC for new sheriffs, it would be exempt from the suspension because it is under the category of

being covered by state law. She stated that it is up to the Commission to determine the timing and urgency.

Commissioner Elfo stated that there are three Sheriff positions up for election next year.

ROUNDTABLE DISCUSSION: USE OF FORCE

Joe Hawe, Executive Director

Guests: Sheriff Rahr and Assistant Chief Reed

The WSCJTC Curriculum Block Definitions for the BLEA were provided to attendees. All instruction pertaining to use of force was highlighted in yellow (99 hours).

Director Hawe stated that our staff is fairly comfortable with the current instruction and state-of-the-art use of force instruction given; however, there are currently some serious problems on the street in regard to these issues.

Assistant Chief Reed informed the group that the Seattle Police Department has 1,340 sworn members. Of the 1,340; 600 of them are first line/911 call responders and, 200 of them were hired within the last three-to-four years. Therefore, one-third of Seattle Police Department's police force is new.

The Department is experiencing issues based on generational differences of the officers being hired today. Those of the newer generations have a slightly different motivation than those of other past generations in addition to other aspects, such as how people learn, how people get satisfaction out of a job, and how people respond to authority. These are fundamental differences.

Officers deal in the gray, and the success of an officer depends on their ability to adjust to changing circumstances they face in each encounter. We need our officers to act according to what I should do, not just what I can do.

An internal audit is being conducted at the Seattle Police Department of what they are training in-house, not only at the basic academy.

Sheriff Rahr emphasized the importance of teaching deputies and officers the difference between "can" and "should."

The Sheriff has the good fortune of serving on a workgroup for a couple of sessions with the Department of Justice and COPS Office to talk about the concept of procedural justice. The discussion revolves around how we gain legitimacy with the community so the community has respect and confidence in their police officers. If they do, they are more likely to cooperate in helping solve crime or cooperating when an officer wants to speak to them.

She recommended that everyone review the study of the Cambridge Police Department in regard to Harvard Professor Henry Gates, as it pertains to many of these issues.

She also reported that there is compelling research to support the idea that police legitimacy will improve officer safety, because people who see the police as having legitimacy are more likely to cooperate and less likely to offer resistance that might lead

to a dangerous confrontation. Some officers believe that being safe and treating people with respect are mutually exclusive, when the opposite is true. We need to infuse the principles of procedural justice in our interactions with people as we can't realistically give black and white rules for all interactions on the street.

The King County Sheriff's Office, Seattle Police Department, and WSCJTC will submit a proposal to NIJ and the COPS Office to work together on developing a curriculum for teaching the principles of procedural justice to police officers.

Director Hawe stated that, based on the feedback he has received from chiefs and sheriffs in regard to use of force and use of deadly force, there are no issues with the technical side of the WSCJTC's training; however, there seems to be a disconnect with the emotional aspect of interacting with the public.

Deputy Director Mealy stated that the recruits are getting the information academically and being taught the tools; however, it is unknown as to how the tools are being applied when the new officer gets to the road. The issue may be of how the officer applies the common sense piece in the field.

Commissioner Kirkpatrick suggested renaming some of the courses to include the descriptions of the course (e.g. de-escalation techniques), because words are important. She also stated that it is even more than training; we have to emphasize the culture. You don't change a culture until you change a mind, which doesn't always come with training. The importance lies with the influence of the culture. You can train a person, but they will not change their behavior until it affects them.

Sheriff Rahr agreed with Commissioner Kirkpatrick in that you cannot fix something with training; however, she suggested that the WSCJTC be the leader in explaining and training the new culture we want others to follow. However, it cannot just occur at the basic academy; it needs to be infused in field training, in supervisor training, etc. We, as a state, believe in having a state training commission and basic academy because we want to influence the culture of all of our police departments; otherwise, each agency would train their officers the way they want them trained.

Commander Caldwell said the focus needs to be on the field training officers and sergeants who tell new graduates to forget everything they just learned at the academy, because they will teach them the real way it is done.

Commissioner Myers stated that he is not seeing the generational breakdown that Seattle Police Department is experiencing, but understands it depends on the department's culture.

Assistant Chief Reed reported that Seattle Police Department's use of physical force up to deadly force is lower than other large organizations. The SPD has been tracking traits of Taser use for a number of years and does a study every year. In addition, they do an annual, mandatory recertification of their Taser officers. Although they have increased the number of Taser units in the field, the number of deployments has decreased.

Commissioner Myers suggested that we might be educating the wrong end and that we need to educate the public and jury of our peers. We need not only our officers to understand what we do, but the public as well.

Sheriff Rahr stated that, as of January 1, Tasers are required for all of her first responders, because the King County Sheriff's Office had a dramatic drop in the number of officer involved shootings. Last year was a horrible, brutal year for police officers, which had a huge influence on her deputies. As we increase our legitimacy with the community, we can influence their understanding of why we are doing what we are doing.

Director Hawe stated that he is very impressed with the King County Crisis Intervention Training that is being taught at the WSCJTC. Every peace officer in King County will take the course and be educated on how to handle encounters with the mentally unstable and substance abusers. They are being provided with tools on how to de-escalate the situation instead of turning to the Taser or the use of deadly force.

Commissioner Kirkpatrick proposed the idea of the WSCJTC implementing a citizen's academy.

Director Hawe agreed with the citizen academy perspective, because it brings out people that support law enforcement to give them an understanding of what we do and how we do it.

Commissioner Boyce stated the key is cultural awareness, approach, and de-escalation.

Commissioner Laughlin revealed that the FBI has had citizen academies for years, and they try to get the most diverse group of people possible. After graduation, the FBI continues the contact with them through their executive board.

Commissioner Anderson stated that when developing a citizen academy what is needed or wanted, since engaging citizens, needs to be made exceptionally clear.

Sheriff Rahr said that what needs to be relayed to the deputies and officers is that it is a safety issue, not a public relations issue.

Director Hawe stated that the recruits are not on the academy campus full-time, as some commute to and from the academy. We do not have enough time in 20 weeks to change attitudes; however, we do have the opportunity to entice them, introduce them to the concept, and get them to think about where we want them to go. If we can change the culture, they will get the support they need from the field training officers, sergeants, middle managers, and chiefs and sheriffs after they graduate.

Director Hawe thanked Sheriff Rahr and Assistant Chief Reed for their attendance and discussion.

OLD BUSINESS

PAT Orientation

The Chair stated he reviewed the CD of the BLEA PAT that was provided at the September meeting. He did not notice anything exciting, but acknowledged the fact that staff and students knew they were being videotaped.

Commissioner Myers stated that while he reviewed the CD, it was certainly different than what his prospective employee recently experienced. He stated that what was portrayed on the CD is different than what he heard is happening; however, the problems may have been addressed.

Commissioner Kirkpatrick confirmed the issues have been addressed.

NEW BUSINESS

News Article

Commissioner McKenna recommended the Commissioners review the article of "Ensuring the promise of 'Equal Justice Under Law'" in the *Seattle Times* by three Deans of our area law schools. Commissioner McKenna asked Ms. Hirsch to include the article in the next meeting packet for discussion, because the Commissioners, as law enforcement professionals, may be asked by policy makers to weigh in on the issue.

Online Equivalency Academy

The Chair announced that, based on conversations he has had with stakeholders, he has addressed concerns with Director Hawe about the length of the new online Basic Law Enforcement Equivalency Academy and whether or not it needs to be adjusted. The Bellingham Police Department, although their officer had completed the field training officer program, felt that it was not prudent to put the officer on the road until they successfully completed the nine-week academy. More information will follow.

Some agencies are sending the officers out on the road and some are not, so agencies need direction.

Commissioner Myers understands the concerns and issues of the Bellingham Police Department, as what used to take two weeks now takes nine weeks and what should agencies be doing with the officer for nine weeks.

Director Hawe informed the Commissioners that there was quite a bit of discussion about the Basic Law Enforcement Equivalency Academy at the Fall WASPC Conference; however, staff has not had time to sit down and discuss the information received.

Message from Michael Parsons

Dr. Parsons thanked the Commissioners for the opportunity to serve in the capacity of Executive Director for 14 years, as it has been a great experience of growth for him in regard to the opportunities, challenges, and mistakes. He thanked the staff for enduring all of the changes he made. He shared a couple of quotes. He acknowledged that the Commission has grown in the last several years and will continue to grow during Director Hawe's tenure. He thanked the Commissioners and the staff for their support and wished them well in the future.

