I. PURPOSE:

The Washington State Criminal Justice Training Commission (WSCJTC) reviews applications for independent investigation team qualified lead investigator certification per the applicable authorizing regulation. Independent investigator teams are also required to train as a unit annually per the applicable authorizing regulation.

II. DEFINITIONS:

IIT Lead Commander **–** An officer who is a member of an IIT usually with command rank designated to oversee the IIT. The role's title and responsibilities may differ between IITs.

Independent Investigation – Except as required by federal consent decree, federal settlement agreement, or federal court order, where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm, an independent investigation must be completed to inform any determination of whether the use of deadly force met the good faith standard established in RCW **9A.16.040** and satisfied other applicable laws and policies. The investigation must be completely independent of the agency whose officer was involved in the use of deadly force and conducted in accordance with chapter **43.102** RCW. (Text from RCW 10.114.011)

Independent Investigation 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."

LETCSA – Law Enforcement Training and Community Safety Act

Member Agency – Each of the agencies that enters into a written agreement to investigate police use of deadly force in their geographical region.

Reputable Training – For the purposes of this policy, a training is considered "reputable" if it meets at least three of the following criteria:

- The training must encompass a minimum of four hours of lecture.
- The training must include a validation exam and certificate.
- The training must have a syllabus, or similar detailed description, of the course curriculum.
- The training must include a professional biography describing the instructor's experience in the area of study.
- The training (or conference) must be affiliated with a state, national, or international association.
- If applicable and available, the training shall incorporate trauma-informed practices into the curriculum.

If attending a conference for the annual advanced training requirement, the topic of the conference must align with the relevant named training topics in WAC 139-12.

III. POLICY:

A. Law Enforcement Training and Community Safety Act

Revised Code of Washington (RCW) 10.114.011 and Washington Administrative Code (WAC) 139-12 requires that where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm an independent investigation must be completed to inform any determination of whether the use of deadly force met the good faith standard established in RCW 9A.16.040 and satisfied other applicable laws and policies. The independent investigation is conducted in the same manner as a criminal investigation and state law requires an "independent investigation" completely independent of the involved agency.

B. Requirements for IIT Qualified Lead Investigator Certification

The credibility of an officer assigned to an IIT is based on two elements: training and experience with criminal investigations. If an officer is assigned a lead role within an IIT, they must meet the training and experience requirements. Per WAC 139-12-030 (4) an officer applying for a qualified lead investigator certification must provide proof that they meet the minimum requirements which include:

1. at least three years of uninterrupted experience as a certified peace officer, crime scene investigator, or related expertise in a discipline relevant to investigations;
2. successful completion of WSCJTC's 24-hour Patrol Tactics In-Service course;
3. successful completion of a basic homicide and interview and interrogation course which are the basic prescribed training classes listed in WAC 139-12-030;
   a. an applicant may substitute the basic prescribed training classes with work experience as outlined in WAC 139-12-030; and
4. a work history free of a sustained finding of serious misconduct and/or a pattern of sustained complaints and a personal history free of demonstrable bias or prejudice against community members that may be impacted by the police use of deadly force.

Once an IIT qualified lead investigator certificate has been issued, the investigator must take eight hours of annual criminal investigation training. Proof of completion for the annual training must also be submitted to WSCJTC LETCSA staff. The annual training topics include, but are not limited to:

1. advanced homicide investigation techniques;
2. advanced interviewing and interrogation;
3. officer-involved shooting investigation;
4. in-custody death investigation;
5. excited delirium and positional asphyxia;
6. bloodstain pattern analysis;
7. crime scene photography/videography; and
8. other related training, seminars, and conferences or on-going training as offered by WSCJTC or other training venues on an as available basis.

IV. PROOF CRITERIA AND REQUESTED MATERIALS:

IIT qualified lead investigator certification applications require specific proof and materials to be submitted to WSCJTC which will be reviewed under the following criteria:

A. Employed by a Member Agency on an IIT

An investigator seeking the IIT qualified lead investigator certification must be employed by a member agency that has entered into an agreement with a regional IIT. The applicant indicates which IIT is relevant to the application being submitted on the webform in Acadis.

B. Years of Experience

A letter of recommendation and approval from the applicant's chief or sheriff on department letterhead must be submitted with the application. The letter must include an attestation that the investigator seeking the IIT qualified lead investigator certification meets the years of experience requirement.

C. 24-Hour Patrol Tactics In-Service Course

The applicant's completion of the 24-hour Patrol Tactics In-Service Course must be documented in WSCJTC's Acadis database and on the applicant's training transcript. This requirement will auto-populate into the webform when applying for the certification.

D. Basic Training Courses

A certificate of completion or an agency official training transcript may be submitted to demonstrate completion of the prescribed basic training courses. The agency official transcript must contain the training organization's name, amount of training hours, the date(s) completed, and be on the applicant's employing agency letterhead or indicate that it is an official transcript

from the agency. Both the basic homicide and interview and interrogation courses must contain trauma-informed components and include trauma-based interviewing techniques when applicable. The basic homicide course should be at least 24 hours and the interview and interrogation course should be at least 8 hours. Both courses should be offered from a reputable training organization that teaches best practices pertaining to the course topic. WSCJTC's Child Abuse Interviewing & Assessment and Sexual Assault Investigations: Victim-Centered Engagement and Resiliency Tactics courses do not fulfill the interview and interrogation requirements.

E. Substituting Work Experience

If an investigator would like to substitute their work experience for the prescribed basic training classes, a letter may be submitted that details the number of investigations they have been involved in and to what level their involvement was. Additionally, if they have any certificates or proof of completion for training on a relevant topic that must be submitted as well. This option only pertains to the basic homicide and interview and interrogation courses; the 24-hour Patrol Tactics In-Service course is required and is not able to be substituted.

F. Honorable Behavior

An affirmation from the applicant (this may also be an Acadis point-of-contact from their employing agency) that the investigator has a history of honorable behavior is submitted during the application process. This is completed in Acadis.

G. Continued Annual Training Course(s)

An attestation from the IIT lead commander is submitted to WSCJTC for review on an annual basis. The attestation affirms that the IIT has taken the required annual training for both the IIT qualified lead investigators and the IIT as a unit. The annual training attestation must include a roster of all IIT members and indicate those that hold the IIT qualified lead investigator certification status. If someone received their IIT qualified lead investigator certification for the specific calendar year in question, the IIT commander or designee may indicate on the roster the certification date. The required annual training for IIT qualified lead investigators must be offered from a reputable training organization that teaches best practices pertaining to the course topic.

H. Recertification Application Materials

A certificate of completion of the required annual training along with a recertification application is required to recertify a lapsed IIT qualified lead investigator certification. The required annual training must be offered from a reputable training organization that teaches best practices pertaining to the course topic.

V. INITIAL CERTIFICATION REVIEW:

Applying for an initial IIT qualified lead investigator certification is completed online through WSCJTC's Acadis database. An initial IIT qualified lead investigator certification application is submitted by the

investigator's employing agency. Instructions and additional information regarding this process for the applicant is available on WSCJTC's website.

A. Initial Certification Review Process

1. Once an applicant has submitted the application in Acadis, the LETCSA Administrative Assistant will complete a preliminary review which entails a document check to ensure that all materials have been submitted and are correct. When the review is complete, the LETCSA Administrative Assistant will complete the steps to move the application to the next step.
   a. If any of the materials are incorrect or insufficient, the LETCSA Administrative Assistant will note the issue in the application comments and move the application to the next step.
2. The LETCSA Program Manager will then conduct a review of the submitted application and make a recommendation of approval or denial.
   a. If a mistake was made on the application, it must be denied and resubmitted for approval with the correct documents. The application also may be denied if the investigator is employed by a law enforcement agency that is not on an IIT.
3. The Advanced Training Division Manager will review the submitted materials and the LETCSA Program Manager's recommendation. They will then make a final determination to approve or deny the application.
4. If approved, the investigator will be granted an IIT qualified lead investigator certification and the LETCSA Administrative Assistant will complete the final administrative steps to close out the application including sending an electronic certificate.
   a. An electronic or written decision will be documented and provided to the requesting agency for the denied application if the application was denied for any other reason except for a mistake in the materials. This will come from the Advanced Training Division Manager. If a mistake in submitted materials was made, the applicant may resubmit for reconsideration and potential approval.

VI. ANNUAL TRAINING REVIEW:

The annual training requirements for both IIT qualified lead investigators as well as the IIT as a unit is submitted to WSCJTC on the IIT Annual Training Attestation form from the IIT's lead commander or designee. The attestation is for the IIT as a whole and includes all member agencies that are participating on the applicable IIT. The annual training attestation is due to WSCJTC LETCSA staff on or by March 15 for the previous calendar year.

Example

Documentation Period	Due Date
January 1 - December 31, 2022	March 15, 2023

If an IIT qualified lead investigator certification was issued during the relevant calendar year, the IIT qualified lead investigator would not be required to complete the annual eight hour continued training

until the following year that they were granted their certification. However, they would still be required to train with the IIT as a unit on an annual basis.

An IIT lead commander, or their designee, completes the IIT Annual Training Attestation form and submits a roster of their IIT to WSCJTC. Once the attestation is received by WSCJTC, the review process by LETCSA staff begins.

A. Annual Training Review Process

1. The LETCSA Administrative Assistant completes a preliminary review of the submitted attestation to ensure that the correct application materials have been submitted. If anything is missing or needs correcting, they will work with the IIT to get all required materials. The LETCSA Administrative Assistant will also crosscheck the roster submitted by the IIT with WSCJTC's records of IIT qualified lead investigators as well as IIT member rosters. If any discrepancies are found, the LETCSA Administrative Assistant will attempt to resolve them with the IIT commander or designee and the LETCSA Program Manager. Once the LETCSA Administrative Assistant completes their preliminary review, they will upload the attestation to DocuSign and send for signatures.
2. The LETCSA Program Manager will be the first to review the application materials from the LETCSA Administrative Assistant in DocuSign. They will review the submitted application and make a recommendation of approval or denial. A recommendation of denial would only occur if there was a mistake or discrepancy in the application and the LETCSA Administrative Assistant was unable to rectify the issue before sending in DocuSign.
3. The Advanced Training Division Manager will conduct the final review of the application to make a determination of approval or denial. If a denial is determined, the IIT qualified lead investigators who did not complete the training requirements would have their certification lapse and be required to recertify. If an IIT did not train as a unit, the IIT would be out of compliance in regard to that WAC requirement.
   a. If approved, the LETCSA Administrative Assistant will notify the IIT lead commander or designee that their annual attestation has been processed and send them a written notification of compliance on behalf of the Advanced Training Division Manager.
   b. If denied, the Advanced Training Division Manager will notify the IIT lead commander in writing of the decision and reasoning.

VII. RECERTIFICATION:

If an IIT qualified lead investigator does not complete their annual training required per WAC 139-12, their certification would lapse, and they will be required to recertify their qualified lead investigator status. The investigator would have until March 31 of the current calendar year to complete the annual training for the previous year. The IIT qualified lead investigator would still be required to take eight additional annual training hours for the current calendar year.

If the investigator does not submit proof of completion of the annual training, their certification would default, and they will need to complete the initial IIT qualified lead investigator certification process

again. The training utilized for their previous initial IIT qualified lead investigator certification would not be valid if they defaulted and were reapplying.

A.   IIT Qualified Lead Investigator Recertification Process

The IIT qualified lead investigator that is needing to recertify their certification will submit the requested materials to the LETCSA email inbox at LETCSA@cjtc.wa.gov.

1.   The LETCSA Administrative Assistant completes a preliminary review of the submitted recertification application to ensure that the correct application materials have been submitted. If anything is missing or needs correcting, they will work with the applicant to get all required materials. Once the LETCSA Administrative Assistant completes their preliminary review, they will upload the recertification application to DocuSign and send for signatures.
2.   The LETCSA Program Manager will be the first to review the application materials from the LETCSA Administrative Assistant in DocuSign. They will review the submitted application and make a recommendation of approval or denial. A recommendation of denial would only occur if there was a mistake or discrepancy in the application and the LETCSA Administrative Assistant was unable to rectify the issue before sending in DocuSign.
3.   The Advanced Training Division Manager will conduct the final review of the application and make a determination of approval or denial.
    a.   If a denial is determined, the IIT qualified lead investigator would need to either resubmit the recertification or follow the initial IIT qualified lead investigator certification process. A written decision would be provided to the applicant from the Advanced Training Division Manager.
    b.   If approved, the LETCSA Administrative Assistant will close out the application process and send the applicant an email that their certification has been reinstated and they are in good standing.

VIII. FORMS:

WSCJTC IIT Annual Training Attestation

Independent Investigation Team Information	
Name of IIT (No Acronyms): Click or tap here to enter text.	IIT Lead Commander Name: Click or tap here to enter text.
Cell Number: Click or tap here to enter text.	Email: Click or tap here to enter text.
Desk Number: Click or tap here to enter text.	Training Completion Year: Click or tap here to enter text.
Name of Completed Training(s) and Organization(s) or Vendor(s): Click or tap here to enter text.	
A roster of the IIT and IIT Qualified Lead Investigators is provided with this application. (Required) ☐ Yes	

Requirements for Annual Training

Per WAC 139-12-030 to maintain status as an IIT qualified lead investigator, candidates must provide proof of successful completion of the prescribed training classes with a minimum of eight hours of training annually. The continued annual training topics include, but are not limited to:

- advanced homicide investigation techniques;
- advanced interviewing and interrogation;
- officer-involved shooting investigation;
- in-custody death investigation;
- excited delirium and positional asphyxia;
- bloodstain pattern analysis;
- crime scene photography/videography; and
- other related training, seminars, and conferences or on-going training as offered by WSCJTC or other training venues on an as available basis.

The IIT shall train as a unit at least annually. To review the full WAC click here. IIT lead commanders shall submit this continued training attestation to LETCSA staff at WSCJTC on an annual basis. If an IIT qualified lead investigator received their certification during the calendar year for this attestation, they will not be required to take the annual continued training until the following year.

IIT Lead Commander Attestation

Per the requirements of WAC 139-12-030 (4)(c)(B), I swear that the IIT Qualified Lead Investigators named on the attached roster have taken 8 hours of annually prescribed training classes unless they received their certification during this year. The training records will be maintained by the participating agencies on the IIT and will be provided to the CJTC if requested consistent with RCW 42.56. The IIT named herein has trained as a unit for the relevant calendar year. I understand that this continued training documentation will be submitted to WSCJTC on an annual basis.

Signature: _____

Date:
Click or tap to enter a date.

WSCJTC LETCSA PROGRAM MANAGER ONLY

Recommendation:
☐Approve ☐Do not approve the IIT Annual Training Attestation.

Reason for denial:	Action taken to notify applicant:
Program Manager Signature:	Date:

WSCJTC ADVANCED TRAINING DIVISION MANAGER ONLY

☐Agree ☐Disagree with the above recommendation.
☐Approve ☐Deny the IIT Annual Training Attestation.

Reason for denial:	Action taken to notify applicant:
Division Manager Signature:	Date:

DATE

ELECTRONICALLY DELIVERED

Title & Name of IIT Commander
Name of IIT
Address
City State Zip

Dear Title Name:

This letter serves as a confirmation that the proof of training that your independent investigation team (IIT) submitted has been processed and accepted. Washington Administrative Code (WAC) 139-12-030 sets the minimum training standards for IIT members and IIT qualified lead investigators.

As stated in your submitted attestation, your IIT has completed the annual training requirements for both the IIT as a unit as well as the IIT qualified lead investigators. Training records, including certificates of completion, shall be maintained by IIT member law enforcement agencies, and made available upon request.

If you have any questions or require additional information, please contact the Law Enforcement Training and Community Safety Act (LETCSA) staff at LETCSA@cjtc.wa.gov.

Sincerely,

Bart Hayes
Advanced Training Division Manager

cc: Antonio Asencio-Pigmon, LETCSA Administrative Assistant
    Alex Buijs, LETCSA Program Manager

WSCJTC IIT Qualified Lead Investigator Lapsed Certification
Reinstatement Application

IIT Qualified Lead Investigator Information	
Name of Applicant: Click or tap here to enter text.	IIT Name (No Acronyms): Click or tap here to enter text.
Cell Number: Click or tap here to enter text.	Email: Click or tap here to enter text.
Initial IIT Certification Year: Click or tap here to enter text.	Employing Agency (No Acronyms): Click or tap here to enter text.

Required Annual Training Information
Per WAC 139-12-030 to maintain status as an IIT qualified lead investigator, candidates must provide proof of successful completion of the prescribed training classes with a minimum of eight hours of training annually. The continued annual training topics include, but are not limited to: - advanced homicide investigation techniques;   - advanced interviewing and interrogation;   - officer-involved shooting investigation;   - in-custody death investigation;   - excited delirium and positional asphyxia;   - bloodstain pattern analysis;   - crime scene photography/videography; and   - other related training, seminars, and conferences or on-going training as offered by WSCJTC or other training venues on an as available basis.

Name of Completed Training(s) and Organization(s) or Vendor(s):	
Click or tap here to enter text.	
Certificate of Completion is Attached: ☐ Yes	Completed Training Date: Click or tap here to enter text.
Calendar Year for Missed Annual Training: Click or tap here to enter text.	

IIT Qualified Lead Investigator Signature	
By submitting this application, I understand that the annual training submitted was completed to fulfill the previous calendar year's requirement and will not be eligible to utilize for the current calendar year. I understand that I will be required to complete additional training to fulfill the current calendar year's requirements to maintain my status as an IIT Qualified Lead Investigator.	
Signature: _____	Date: Click or tap to enter a date.

WSCJTC LETCSA PROGRAM MANAGER ONLY	
Recommendation: ☐Approve ☐Deny the reinstatement of the IIT Qualified Lead Investigator Certification.	
Reason for denial:	Action taken to notify applicant:
Program Manager Signature:	Date:

WSCJTC ADVANCED TRAINING DIVISION MANAGER ONLY	
☐Agree ☐Disagree with the above recommendation. ☐Approve ☐Deny the reinstatement of the IIT Qualified Lead Investigator Certification.	
Reason for denial:	Action taken to notify applicant:
Division Manager Signature:	Date:

Reinstatement processed date:

_____