



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

COMMISSION MEETING

Wednesday, June 9, 2021
10 AM

COMMISSION MEMBERS PRESENT:

Jeff Myers (Chair), Chief, Hoquiam Police Department
Laura Wells, Citizen at Large
Kurtis Robinson, Citizen at Large
Tim Reynon, Tribal Representative, Puyallup Tribe
Brian Burnett, Sheriff, Chelan County
Cheryl Strange, Secretary, Department of Corrections
Joshua Kelsey, Sergeant, Lynnwood Police Department
John Batiste, Chief, Washington State Patrol
Dan Satterberg, Prosecuting Attorney, King County
De'Sean Quinn, Councilman, Tukwila
Penelope Sapp, Lieutenant, Kitsap County Jail

WSCJTC STAFF PRESENT:

Monica Alexander, Interim Executive Director
Jerrell Wills, Deputy Director
Kevin Zeller, Assistant Director
Norma Moreno, Executive Assistant
Marisa Peer, Manager, HR
Bart Hayes, Manager, Advanced Training Division
Johnny Alexander, Commander, Basic Training Division
Sean Hendrickson, Manager, Applied Skills Division
Valerie Jenkins-Weaver, Corrections Certification Manager
Megan Saunders, Manager, Communications
Jeff Wilcox, Manager, Information Technology Unit
Ethan Swenson, Administrative Assistant, Information Technology Unit

GUESTS PRESENT:

Tienney Milnor, Assistant Attorney General, WA State Attorney General
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.

Norma Moreno 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** also announced that there would be no public comment period in the meeting due to the technology restrictions and concerns.

Chair Myers thanked **Commissioner Sinclair** for his service and time spent on the Commission and asked that his replacement have experience running a jail.

Chair Myers asked the Commission to entertain the possibility of adding an action item to require a minimum of 480 hour formalized post-academy training requirement after BLEA graduation.

Approval of Meeting Minutes

Chair Myers called for review and approval of the meeting minutes from March 2021 with amendments to the header striking *Public Testimony* while **Commissioner Reynon** suggested changes to language offering support to alternative ideas and expressing support to Senate Bill 5051.

Commissioner Quinn moved to approve the minutes. **Commissioner Satterberg** seconded the motion. **Commissioner Quinn** accepted the amendments. **Commissioner Sapp** seconded the motion. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Monica Alexander, Interim Executive Director

Organizational Structure Changes and Staff Introductions

Director Alexander informed the Commission of organizational changes and new additions of staff. Previous program manager of the 21 CPL, Mike Devine, has been promoted to Certifications Manager. Starla Martin has been hired as the new 21 CPL program manager. Renee Berry has been hired as the confidential secretary to the Deputy Director. Alex Buijs has been hired as the confidential secretary to the Assistant Director.

Fiscal Update

Director Alexander provided an update to the Commission on the budget for Fiscal Year 2022. **Director Alexander** informed the Commission that total budget is \$43 million plus, with 52% belonging to the Commission, the rest being pass-through for WASPC and WAPA. BLEA budget is \$2 million for fifteen classes, twelve on the Burien campus and three in Spokane.

Director Alexander brought to the attention of the Commission that Senate Bill 5051 requires a report due by December 2021, with the goal being that the report to come from Commissioners input rather than from the CJTC-staff directly.

Director Alexander communicated to the Commission that a search is already underway to identify appropriate individuals for the workgroup required by House Bill 1054 to develop a model policy regarding the training and use of canine teams.

Reserve WAC Status

Director Alexander stated that the Reserve WAC Status has been postponed seeing how it may be impacted by legislation, with more information to come in September regarding these WAC rules.

Statutory Stakeholder Meetings

Director Alexander informed the Commission that due to scheduling difficulties, the statutory stakeholder meetings were postponed from March and will be held in the upcoming weeks.

Training Updates

Deputy Director Wills brought to the attention of the Commission work that has been ongoing surrounding SWAT training, instructors, and curriculum validation, informing the Commission that to date SWAT training has been offered by a third party, with CJTC acting as a pass-through but that this has caused some stakeholders to feel that CJTC was sanctioning the training and absolving those agencies from liability. **Deputy Director Wills** detailed that work is underway to recruit a diverse group of active team leaders throughout the state to develop the curriculum for a basic course, to incorporate upcoming legislation and best practices of National Tactical Officers Association. **Deputy Director Wills** explained that instructors need to be certified instructors in Patrol Tactics, which was implemented by Initiative-940, and that a train-the-trainers session is scheduled for August, with the actual course occurring in October 2021 to be held in the King County Sheriff's Office facility in Ravensdale by contract MOU.

Chair Myers explained that the discussion with the previous Executive Director Sue Rahr was more along the lines of policy or general practice behind SWAT training and that there was no criticism or issue specifically with training, that it was realized the Commission's only role was as a certifying body. **Chair Myers** stated that the goal was to determine if the Commission should be involved in the training and that the decision for the Commissioners is whether SWAT training should be delivered by the Commission or to allow other entities to provide SWAT training. **Chair Myers** expanded by saying that there needs to be an expectation that all training is uniform when cross departmental aid is rendered. **Deputy Director Wills** mentioned that this work is not about the delivery of the SWAT training or the vendor but instead it is about the ability for the Commission to have direct oversight of curriculum development, delivery, instructors, and method of instruction.

Commissioner Reynon asked if any mental health professionals or community members were consulted during the development of the curriculum, stating that one of the purposes behind Initiative-940 was to receive input from community members or mental health professionals.

Chair Myers informed the Commission that former Executive Director Sue Rahr shared a concern with the command level of when and how tactical teams were being used and deployed, not only in their capacity but of the implication of their utilization. **Chair Myers** stated that the Commission should consider a course directly targeting command level staff that covers the concern regarding tactical team utilization as the command level is ultimately held responsible for the actions of their tactical teams.

Deputy Director Wills detailed the overall goal would be to complete a basic level of SWAT training, then to develop an advanced level of SWAT training, and finally develop a command level of SWAT utilization, with a focus on all of these training being the pace of which a team works and collaboration and coordination with on-scene crisis intervention. **Deputy Director Wills** agreed with **Commissioner Reynon** that involving mental health professionals at an early point in curriculum development is very important and will heed that guidance.

Commissioner Quinn mentioned that the reason the Commission is taking these steps for more oversight is to advance and learn with all the investments made within the community and

the Commission, that documenting the process is a further step along the path of change management, continuous improvement, and staying connected with the community.

Commissioner Robinson stated that it does not make sense for the Commission purely to act as a rubber stamp on the certification of others and that the Commission should embrace oversight and subsequent responsibilities. **Chair Myers** expanded by stating that the Commission will look at tactics and skillset but needs to address the leadership role and their perspective.

Commissioner Burnett shared that there exists training for agency commanders and that it would also be advantageous for Commissioners to participate in portions of patrol tactics training. **Deputy Director Wills** stated that CJTC would be happy to facilitate training for any Commissioners desiring to take it, that there are regional training sites all over the state. **Deputy Director Wills** further reiterated the desire to expand with a basic level SWAT training throughout the state, then create an advanced training course, and culminating with a command level training course.

BLEA Updates

Commander Alexander instructed the Commission on several start dates of upcoming BLEA classes. **Commander Alexander** informed the Commission that the current wait time is two and a half months, and also that the Corrections Officer Academy has expanded from four weeks to ten weeks with the first class beginning in July, though the class is not yet full. **Commander Alexander** also let the Commissioners know that COA Equivalency will be offered before the end of the calendar year.

Commissioner Wells expressed concern that an academy class is not yet full so close to its start date. **Commissioner Sapp** stated that the reason is due to a lack of applicants. **Commander Alexander** reasoned that COVID-19 is a limiting factor to filling classes and further encouraged stakeholder agencies to have recruits be fully vaccinated before attending the academy due to the fact that as of June 30th, once a recruit becomes sick, there will no longer be a delay in the rest of the class, instead the recruit will be sent home. If a recruit misses a maximum of 80 hours, they will be recycled into a later class, and if this pool of recycled students becomes too large, they may get placed into a holding pattern. **Commander Alexander** also informed the Commission that students are being brought back to campus for all training, including Defensive Tactics.

NEW BUSINESS

Canine Evaluator Applications

Valerie Jenkins-Weaver, Corrections Certification Manager

Valerie Jenkins-Weaver provided the Commissioners with work-group applications for Arthur Wallin of the Snohomish County Sheriff's Office to be a patrol evaluator on behalf of the Commissioners in the capacity for the CEOs of the state. **Commissioner Wells** noted that there was no letter of support from the home agency submitted for this application.

After reviewing the applications, **Commissioner Wells** moved to approve the application contingent upon the receipt of the letter of support from the home agency. **Commissioner Burnett** seconded the motion. **The motion passed unanimously.**

Question Regarding Communication Surrounding Employment

Brian Burnett, Commissioner

Commissioner Burnett asked the Commission if former Executive Director Sue Rahr is still employed by the Commission. HR Manager Marisa Peer stated that Sue Rahr is still employed by the Commission but is using accumulated leave and working on a part-time basis, further expanding that she only has delegated authority on matters being handled under her purview, with **Deputy Director Wills** acting as the point of contact. **Chair Myers** expanded and stated that **Interim Executive Director Alexander** has delegated authority for daily operations.

OLD BUSINESS

Executive Director Hiring Subcommittee Report

Jeff Myers, Commission Chair

Chair Myers shared with the Commission that the subcommittee has met and gone through a process to review the applications submitted for the Executive Director position. At that point packets were then narrowed down to applicants who met the criteria, from which three finalists were identified and selected. **Chair Myers** asks if it is the desire of the Commission to have the subcommittee interview the applicants and make a recommendation who will then be interviewed by the full Commission or if the Commission would rather conduct the interviews of all three finalists. **Chair Myers** indicated that there was a conflict of interest with one of the finalists listing **Commissioner Burnett** as a reference, which subsequently removed **Commissioner Burnett** from the subcommittee. **Commissioner Burnett** expressed frustration at the lack of formal communication from the Commission surrounding his removal from the subcommittee. **Chair Myers** asked whether **Commissioner Burnett** would have to be excluded as a voting member in the process due to the potential conflict of interest. **Commissioner Satterberg** expressed appreciation for the work done by the subcommittee and stated his opinion that being listed as a reference should not exclude any Commissioner as a voting member and that all Commissioners should be involved in the interviews and selection of the new Executive Director. **Director Satterberg** also stated that Commissioner should be given access to the non-finalist applications if requested. HR Manager Marisa Peer shared that precedent established that having **Commissioner Burnett** listed as a reference is a conflict of interest but does not mean he must recuse himself from final vote. **Commissioner Burnett** felt that his previous knowledge would be ideal to clarify the recommendation and experience of the applicant.

Commissioner Robinson clarified that the subcommittee has not interviewed any finalists, that the process is at the stage where the applicants have been vetted down to three individuals. **Commissioner Reynon** further stated that two applicants were not considered due to lacking law enforcement experience yet possessed the rest of the desired qualifications, but then asked if the subcommittee was to consider applicants who did not have extensive law enforcement background. HR Manager Marisa Peer informed the Commission that the job listing mandated criminal justice experience as a minimum requirement. **Chair Myers** stated that as the Commission expands, it is advantageous to have the Executive Director be someone with a law enforcement background. **Commissioner Satterberg** asked about the role of the governor and legislature have in the hiring process. **Chair Myers** answered that there is no role of the governor or legislature in hiring the Executive Director, that the director works explicitly at the direction of the Commission.

Commissioner Reynon asked if the discussions regarding hiring the Executive Director should be done on record or in executive session. **Chair Myers** answered that any discussion regarding selection methodology or process has to be done on record while interviews are done

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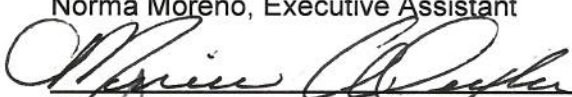

executive session. AAG Kato clarified that executive session is appropriate to meet and discuss the qualifications of the finalists, but that final discussion needs to happen in open session. **Commissioner Robinson** stated that this discussion should happen in a special Commission Meeting. **Chair Myers** further shared his opinion that this special Commission Meeting should be held in person.

Commissioner Sapp moved to interview all finalists before the September Commission Meeting. **Commissioner Satterberg** seconded the motion. **The motion passed unanimously.**

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 11:47 AM.

Next Meeting: September 8, 2021, 10 AM, WSCJTC
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Written by:	 _____ Norma Moreno, Executive Assistant	<u>11-24-2021</u> Date
Reviewed by:	 _____ Monica Alexander, Executive Director	<u>11-24-2021</u> Date
Approved by:	 _____ Jeff Myers, Commission Chair	<u>11/10/2021</u> Date