

INTERAGENCY AGREEMENT

BETWEEN

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

AND

THE QUILEUTE INDIAN TRIBE

THIS AGREEMENT is made and entered into by and between the WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION ("Commission") and the QUILEUTE INDIAN TRIBE ("Tribal Agency"), an Indian Tribe recognized by the United States, subject to the requirements of Chapter 39.34 RCW.

Pursuant to RCW 43.101.157, the Tribal Agency is voluntarily requesting certification for their police officers by the Commission.

THEREFORE, IT IS THE PURPOSE OF THIS AGREEMENT to state and clarify the obligations of the Tribal Agency and its law enforcement officers for compliance with the requirements of the Commission concerning the granting, denying, and revoking certification of tribal peace officers. This agreement will empower the Commission to provide certification for tribal law enforcement officers of the Tribal Agency, subject to the provisions of RCW 43.101.157 and 43.101.095 *et seq.*

THEREFORE, IT IS MUTUALLY AGREED THAT:

By entering into this agreement, the Tribal Agency agrees to comply with the requirements of peace officer certification as set forth Chapter 43.101 RCW, Chapter 139-06 WAC, and any other laws and regulations governing peace officer certification in the State of Washington. The Tribal Agency agrees to provide the Commission with notification and all information to enforce the revocation of peace officer certification granted through this agreement, as described in RCW 43.101.135.


The Commission agrees to maintain certification records for tribal law enforcement officers of the Tribal Agency, and recognize tribal law enforcement officers of that agency as "certified tribal law enforcement officers." The Commission will not grant certification to individual officers, outside the scope of this agreement. Officers requesting certification must seek such recognition through their agency.

The Tribal Agency will be responsible for all costs of training related to certification pursuant to RCW 43.101.230.


The Commission will be responsible for the maintenance of the records and for the administration of all requisite actions for granting, denying, or revoking tribal peace officer certification.

The Commission and the Tribal Agency agree that no real property will be acquired, maintained, or disposed of, as a result of this agreement.

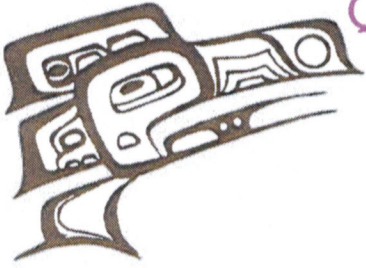
This agreement shall remain in effect until such time as the Tribal Agency voluntarily withdraws its participation or until the Commission withdraws from this agreement due to any lack of cooperation with the terms of the agreement by the Tribal Agency. Any appeal from such action of the Commission will be made to the Executive Director of the Commission or his/her designee, who will exercise their discretion.


Signature _____ Date 3/27/15
Tribal Chair Person


Signature _____ Date 3-27-15
Chief of Police


Signature _____ Date 4/2/15

Susan L. Rahr, Executive Director
Washington State Criminal Justice Training Commission



QUILEUTE TRIBAL COUNCIL

POST OFFICE BOX 279
LA PUSH, WASHINGTON 98350-0279
TELEPHONE (360) 374-6163
FAX (360) 374-6311



QUILEUTE TRIBAL COUNCIL RESOLUTION NO. 2015-A-17

A RESOLUTION RELATING TO:

INTERLOCAL AGREEMENT WITH WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

WHEREAS, the Quileute Tribe is an Indian tribe organized under the Indian Reorganization Act, and the Quileute Tribal Council is the duly constituted governing body of the Quileute Tribe by authority of article III of the CONSTITUTION AND BY-LAWS OF THE QUILEUTE TRIBE OF THE QUILEUTE RESERVATION, approved on November 11, 1936 by the Secretary of the Interior; and

WHEREAS, the ancestors of the present Quileute Tribe were a party to the Olympia Treaty of 1855, and enjoy the rights reserved to it by that Treaty; and,

WHEREAS, the Quileute Tribal Council has authority to safeguard and promote the peace, safety, morals and general welfare of the Quileute Tribe pursuant to QUILEUTE CONST., art. VI, § 1(a), (c) and (j), respectively; and

WHEREAS, The Quileute Tribal Council has created the La Push Police Department to provide law and order on the Quileute tribal lands; and

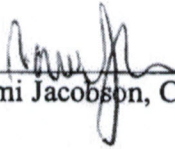
WHEREAS, the health, safety and welfare of the Quileute People and the La Push community will be improved by the recognition and authorization of its La Push Tribal Police Officers to act as general authority Washington peace officers in accordance with RCW 10.92.020; and

WHEREAS, the Quileute Tribal Council deems it to be in the best interests of the Tribe to authorize entering into an Interagency Agreement with the Washington State Criminal Justice Training Commission in order to request voluntary certification of Tribal Police Officers pursuant to RCW 43.101.157 as a necessary step towards getting Tribal Police Officers recognized and authorized to act as general authority Washington peace officers;

NOW THEREFORE BE IT RESOLVED that the Quileute Tribal Council hereby authorizes and directs the Chairperson to sign the attached Interagency Agreement with the Washington State Criminal Justice Training Commission and directs Chief of Police William T. Lyon to submit the applications and fulfill the requirements needed in order

for La Push Police Officers to be certified by the Washington State Criminal Justice Training Commission.

QUILEUTE TRIBAL COUNCIL



Naomi Jacobson, Chairwoman

CERTIFICATION

The foregoing Resolution was adopted at a regular meeting of the Quileute Tribal Council held on 3/27, 2015, at which time a quorum was present, and the Resolution was adopted by a vote of 3 FOR, 0 AGAINST, and 0 ABSTAINING/NOT VOTING, the Chairman, or the Vice-Chairman in his absence, being authorized to sign the resolution.



Tribal Council Secretary
or authorized designee



WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

Susan L. Rahr, Executive Director

19010 1st Avenue South • Burien, WA 98148 • Phone: 206-835-7300 • www.cjtc.state.wa.us

April 6, 2015

Chief William Lyons
La Push Police Department
PO Box 248
La Push, WA 98350

Re: Interagency Agreement – Tribal Police Officer Certification

Dear Chief Lyons,

On April 2, 2015, the Quileute Indian Tribe (La Push Police Department) entered into an Interagency Agreement, in reference to Tribal Police Officer Certification (RCW 43.101.157). The purpose of this letter is to outline the next steps for ensuring each of your officers voluntarily become certified as tribal law enforcement officers.

Steps for becoming certified as a tribal law enforcement officer:

1. The employing agency must sign the Interagency Agreement and send it to the WSCJTC. The WSCJTC will sign the agreement and return a copy to the agency.
 - a. See attached signed agreement
2. The officer must be employed by a tribal law enforcement agency and meet the requirements for certification as a tribal law enforcement officer at the time certification is sought.
3. The officer must sign the Tribal Law Enforcement Officer Certification Application and submit it to the WSCJTC.
4. Per WAC 139-05-200, the agency must immediately notify (Notice of Officer Hire) the WSCJTC of each instance where a commissioned officer begins continuing and regular employment with that agency.
5. Per WAC 139-06-020, the agency must submit a Notice of Officer Termination to the WSCJTC when an officer terminates employment with that agency for any reason. Such notification must be made within fifteen days of the termination becoming final.

According to our records, the following officers are assigned to your agency. In order to issue Tribal Police Officer Certification, I need the information listed for each officer:

1. **FLETCHER, David**
 - a. Notice of Hire Form
 - b. According to our records, he has not completed basic law enforcement academy. In order to meet certification requirements, he must attend either the full 720-hour Washington State Basic Law Enforcement Academy or the 80-hour Washington Basic Equivalency Course.
2. **FOSTER, Michael**
 - a. Notice of Hire Form **Issued Certification to Foster on 04/07/15. THJ**
 - b. According to our records, he completed the basic law enforcement academy in 2009; therefore he needs to submit an application for Tribal Law Enforcement Officer Certification.

3. **JACOBSON, Morris A.**
 - a. Notice of Hire Form (Pre-2005 Hire)
 - b. According to our records, he completed the basic law enforcement equivalency academy in 2005; therefore he needs to submit an application for Tribal Law Enforcement Officer Certification.
4. **LYON, William T.**
 - a. Notice of Hire Form (Pre-2005 Hire) **Issued Certification to Lyon on 04/07/15. THJ**
 - b. According to our records, you completed the basic law enforcement equivalency academy in 2004; therefore you need to submit an application for Tribal Law Enforcement Officer Certification.

If you have any questions regarding this matter, please contact me at 360.486.2431 or by email at tjones@cjtc.state.wa.us.

Sincerely,



Tisha Jones, Manager
Peace Officer Certification

Encl: Interagency Agreement
List of Assigned Officers
Notice of Hire Form (Pre-2005 hire)
Notice of Hire Form
Application for Tribal Police Officer Certification



NOTICE OF PEACE OFFICER HIRE

CJTC FORM 1903
Revised 06/23/2014

AS REQUIRED BY THE RULES AND STATUTES ESTABLISHED BY THE WSCJTC, THIS FORM MUST BE SUBMITTED **IMMEDIATELY** TO THE WSCJTC UPON HIRE /APPOINTMENT. *QUESTIONS: 206-835-7332*
You may either fax this form to 206-835-7923 or email a signed copy to certmail@cjtc.state.wa.us

Section 1: With the exception of the signature box, this form must be typed.	
AGENCY:	HIRE DATE (MM/DD/YY):
PEACE OFFICER'S FULL NAME:	STATUS: <input type="checkbox"/> Officer <input type="checkbox"/> Deputy <input type="checkbox"/> Reserve <input type="checkbox"/> Other: _____
DATE OF BIRTH (MM/DD/YY):	PREVIOUS LAW ENFORCEMENT EMPLOYER(S): 1. 2.
SOCIAL SECURITY NUMBER:	
PEACE OFFICER'S AGENCY EMAIL ADDRESS:	DATES EMPLOYED (FROM/TO): 1. 2.

Section 2:

Excerpt from RCW 43.101.095: As a condition of continuing employment for any applicant who has been offered a conditional offer of employment as a fully commissioned peace officer or a reserve officer after July 24, 2005, including any person whose certification has lapsed as a result of a break of more than twenty-four consecutive months in the officer's service as a fully commissioned peace officer or reserve officer, the applicant shall submit to a background investigation including a check of criminal history, a psychological examination, and a polygraph or similar assessment as administered by the county, city, or state law enforcement agency, the results of which shall be used to determine the applicant's suitability for employment as a fully commissioned peace officer or a reserve officer.

Below are excerpts from Chapter 139-07 WAC; it is the employing agency's responsibility to read the full requirements prior to signing the attestation below.

- **Background Investigation:** Personal history statement. The applicant shall complete and submit to the employing agency a personal history statement on a form prescribed by the employer before the start of a background investigation. The personal history statement form shall contain questions and answers which aid in determining whether the person is suitable for employment as a certified peace officer or a reserve officer. The questions shall address whether the applicant meets the minimum requirements for employment, has engaged in conduct or a pattern of conduct which would jeopardize the public trust in the law enforcement profession, and is of good moral character.
- **Psychological Examination:** The psychological examination shall be administered by a "qualified professional," which means a psychiatrist licensed in the state of Washington pursuant to chapter 18.71 RCW or a psychologist licensed in the state of Washington pursuant to chapter 18.83 RCW.
- **Polygraph or Similar Assessment:** Equipment used to conduct truth verification assessments as a part of the pre-employment testing for certification of a peace officer or reserve law enforcement officer must meet a standard that has been proved to be valid and reliable by independent research studies other than those done by the manufacturer. The examiners, analysts, and their techniques for conducting a truth verification assessment must comply with all applicable federal and state laws including, but not limited to, the Employee Polygraph Protection Act, Equal Employment Opportunity Commission, Americans with Disabilities Act, and Washington state law against discrimination.

Section 3:

I hereby attest that the above named individual is a duly authorized employee of this agency and that the requirements of [RCW 43.101.095](#) and [Chapter 139-07 WAC](#) have been met. In addition, I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed this ____ day of _____, 20__, at _____, Washington

Signature



NOTICE OF PEACE OFFICER HIRE

CJTC FORM 1903
Revised 06/23/2014

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You may either fax this form to 206-835-7923 or email a signed copy to certmail@cjtc.state.wa.us

Appointing official's name, title, phone, and email



**TRIBAL LAW ENFORCEMENT OFFICER
CERTIFICATION APPLICATION**

*Form CJ 1906
Rev: 01-24-2013
FAX: 206/835-7923*

<u>Name in Full: (Last, First, Middle)</u>	<u>Student ID:</u>	<u>Social Security No.</u>
<u>Current Agency</u>		
<u>Training – Enter date of completion (MM/DD/YY)</u>		
<u>Basic Academy</u> <input type="checkbox"/>		<u>Equivalency</u> <input type="checkbox"/>

[RCW 43.101.157](#) allows Tribal Law Enforcement Officers to voluntarily seek certification by the Commission by meeting the requirements set forth for Washington peace officers in [RCW 43.101.200](#) and [RCW 43.101.095](#). As a prerequisite to certification, each tribal law enforcement officer requesting certification must provide signature on this form, authorizing the release to the Commission of personnel files, termination papers, criminal investigation files, or other files, papers, or information that are directly related to a certification matter(s) that may come before the Commission.

The Commission may deny or revoke certification of any tribal police officer, after written notice and hearing, based upon finding of one or more of the following conditions:

- Failure on the part of the tribal law enforcement officer to meet all of the requirements under [RCW 43.101.200](#).
- The tribal officer has knowingly falsified or omitted material information on an application for training or certification to the Commission.
- The tribal officer has been convicted at any time of a felony offense under the laws of this state or has been convicted of a federal or out-of-state offense comparable to a felony under the laws of this state.
- The tribal officer has been discharged for disqualifying misconduct, the discharge is final, and some or all of the acts or omissions forming the basis for the discharge proceedings occurred on or after January 1, 2002.
- The tribal officer's certification was previously issued by administrative error on the part of the Commission.
- The tribal officer has interfered with an investigation or action for denial or revocation of certificate by: (a) knowingly making a materially false statement to the Commission; or (b) in any matter under investigation by or otherwise before the Commission, tampered with evidence or tampered with or intimidated any witness.

I have reviewed and acknowledge the conditions in which my certification may be denied or revoked and hereby authorize the release of information required by the Commission under [RCW 43.101.095](#) to establish and maintain my certification as a peace officer in Washington State.

Applicants Signature _____ Date _____

	Last Name	First Name	Rank	Email	Attended BLEA or Equiv	Eligible for Certification	Comments
1	Lyon	William T.	Chief	Bill.lyon@quileutnation.org	Equivalency 2004	<ul style="list-style-type: none"> • Need Application • Need Notice of Hire 	
2	Fletcher	David	Officer	David.fletcehr@quileutenation.org	None on File	<ul style="list-style-type: none"> • Must attend BLEA or Equivalency 	
3	Foster	Michael	Officer	michael.foster@quileutenation.org	BLEA 2009	<ul style="list-style-type: none"> • Need Application • Need Notice of Hire 	
4	Jacobson	Morris A.	Officer	morris.jacobson@quileutenation.org	Equivalency 2005	<ul style="list-style-type: none"> • Need Application • Need Notice of Hire 	

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

THIS FORM IS TO BE COMPLETED & FORWARDED TO THE CJTC WITHIN **15 DAYS** OF HIRE OR TERMINATION

MAIL OR FAX TO:

19010 1ST AVE SOUTH, BURIEN, WA 98148 FAX: (206) 835-7928

This form and information can be found on our website at www.cjtc.state.wa.us



NOTICE OF OFFICER HIRE / TERMINATION

1. HIRE		2. TERMINATION	
AGENCY:		AGENCY:	
OFFICER NAME:		OFFICER NAME:	
DATE OF BIRTH: <input type="checkbox"/> FEMALE <input type="checkbox"/> MALE		DATE OF BIRTH: <input type="checkbox"/> FEMALE <input type="checkbox"/> MALE	
SOCIAL SECURITY NUMBER :		SOCIAL SECURITY:	
HIRE DATE: <input type="checkbox"/> LATERAL		HIRE DATE:	TERMINATION DATE:
PREVIOUS LAW ENFORCEMENT EMPLOYER (if applicable):		TERMINATION TYPE: <input type="checkbox"/> RESIGNED <input type="checkbox"/> INVOLUNTARY	
DATES EMPLOYED: (from) (to)		<input type="checkbox"/> MEDICAL <input type="checkbox"/> RETIRED <input type="checkbox"/> DECEASED	
<p>3. <u>This section must be completed when reporting any termination.</u></p> <p>Is this agency aware of conduct that may violate RCW 43.101.105? <input type="checkbox"/> *YES <input type="checkbox"/> NO</p> <p><i>*If yes, you are required to provide a detailed description of the misconduct <u>AND</u> to complete items I and II below.</i></p> <p><i>Section 43.101.010 of the Revised Code of Washington:</i></p> <p><i>(7) "Discharged for disqualifying misconduct" means terminated from employment for (a) Conviction of (i) any crime committed under color of authority as a peace officer, (ii) any crime involving dishonesty or false statement within the meaning of Evidence Rule 609(a), (iii) the unlawful use or possession of a controlled substance, or (iv) any other crime the conviction of which disqualifies a Washington citizen from the legal right to possess a firearm under state or federal law; (b) conduct that would constitute any of the crimes addressed in (a) of this subsection; or (c) knowingly making materially false statements during disciplinary investigations, where the false statements are the sole basis for the termination.</i></p> <p><i>(8) A peace officer is "discharged for disqualifying misconduct" within the meaning of subsection (7) of this section under the ordinary meaning of the term and when the totality of the circumstances support a finding that the officer resigned in anticipation of discipline, whether or not the misconduct was discovered at the time of resignation, and when such discipline, if carried forward, would more likely than not have led to discharge for disqualifying misconduct within the meaning of subsection (7) of this section.</i></p>			
I. Officer's last known mailing address:			
II. Agency investigative contact person: (name, phone, e-mail)			
<p>4.</p> <p>I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.</p> <p><u>Appointing Official name & title</u> (PRINT PLEASE) <u>E-mail address</u> (Chief, Sheriff, Mayor, etc)</p>			
<u>Signature of above</u>	<u>City</u>	<u>State</u>	<u>Date</u>