



WASHINGTON STATE  
**CRIMINAL JUSTICE TRAINING COMMISSION**  
19010 1<sup>ST</sup> AVENUE SOUTH, BURIEN, WA 98148

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**COMMISSION MEETING**

Wednesday, December 10, 2014  
10 AM

**COMMISSION MEMBERS PRESENT:**

Jeff Myers (Chair), Chief, Hoquiam Police Department  
Bill Elfo (Vice Chair), Sheriff, Whatcom County  
Dan Satterberg, Prosecuting Attorney, King County  
Darell Stidham, Deputy, Spokane County Sheriff's Office  
Garry Lucas, Sheriff, Clark County  
Kenneth Hohenberg, Chief, Kennewick Police Department  
Laura Wells, Citizen at Large  
Ned Newlin, Chief of Corrections, Kitsap County  
Joshua Kelsey, Officer, Lynnwood Police Department  
Julie Anderson, Auditor, Pierce County  
John Hillman, Attorney General's Office, Assigned Counsel to CJTC

**GUESTS PRESENT:**

Lana Weinmann, Attorney General's Office (for Commissioner Ferguson)  
Marc Lamoreaux, Washington State Patrol (for Commissioner Batiste)  
Cheryl Sullivan-Coglazier, Department of Corrections (for Commissioner Warner)  
Glenn Hutchings, Swinomish PD  
David Heenan, Swinomish PD  
Jim Montgomery, Bellevue PD

**WSCJTC STAFF PRESENT:**

Sue Rahr, Executive Director  
Brian Elliott, Manager, Financial Services  
Sonja Hirsch, Manager, Human Resources  
Tisha Jones, Manager, Peace Officer Certification  
Ronald Napenias, Manager, Information Technology  
Samantha Daly, Manager, Advanced Training  
Wesley Anderson, Manager, Facilities  
Lee Brandt, Program Manager, Advanced Training  
Rick Bowen, Commander, Basic Training

**OPENING**

**The Chair** called the meeting to order at 10:00 AM with a quorum present and thanked everyone for attending.

**Sonja Hirsch** conducted a roll call of the Commissioners. **A quorum was present.** The Chair asked guests to sign-in if they want to be accounted in the meeting minutes.

**Chairman Myers** announced Sheriff Turner will replace Sheriff Lucas on the Commission as of January 1, 2015. He noted Sheriff Turner's perspective will be

valuable to the Commission coming from a smaller agency in Eastern Washington. He also noted through the retirement of longtime Sheriff Garry Lucas, the Commission will lose a steady, consummate professional in law enforcement in Washington State. Chairman Myers shared many facts and figures regarding Sheriff Lucas' career and pointed out that he holds the record for being the longest serving Commissioner and was previously the Chair. Chairman Myers presented Commissioner Lucas with a plaque on behalf of the CJTC.

#### APPROVAL OF MEETING MINUTES

Commissioner Lucas made a motion to approve the meeting minutes of December 10, 2014. Commissioner Newlin seconded the motion. A correction was noted on page 4 by Laura Wells. Pursuant to the original motion, with the correction noted and made, the motion passed unanimously.

#### CHAIR'S REPORT

*Jeff Myers, Commission Chair*

The Chair covered his report in the opening remarks and recognition of Sheriff Lucas.

#### VARIANCE REQUESTS

*Tisha Jones, Peace Officer Certification Manager*

##### Variance Request: James Montgomery, Bellevue PD

**Background:** In April of 2014, Chief Montgomery came out of retirement to serve as Interim Chief for the City of Bellevue.

**Tisha Jones** explained that Chief Montgomery's background is extensive. He has decades of law enforcement training, work, and leadership. The City of Bellevue is requesting a full exemption from any basic training requirements to obtain Chief Montgomery's peace officer certification. As Chief Montgomery's break in service is greater than five years, he must bring this request before the Commission.

**Chief Montgomery** addressed the Commission and described the honor he felt in being asked to return to the City of Bellevue to assist in the search for the right long term candidate for Police Chief. He respectfully requested consideration for the variance due to his extensive law enforcement background, the reason for his return, and the anticipated short duration of this appointment.

**Commissioner Elfo** motioned to approve the variance. **Commissioner Stidham** seconded the motion. The motion passed unanimously.

##### Variance Request: David Heenan, Swinomish Tribal PD

**Background:** A variance request came before the Commission a couple of years ago for this individual. The variance was not granted, because CJTC did not have an agreement with the particular Tribal Agency in reference to certification at that time.

**Tisha Jones** recommended Officer Heenan not be required to attend the Basic Law Enforcement Academy, but instead attend the Equivalency Academy. Tisha gave a synopsis of Officer Heenan's resume, highlighting his attendance at BLEA in 1983. Following BLEA, Mr. Heenan worked for approximately 13 years, then took a 14 year break to become a small business owner. Officer Heenan returned to law enforcement in 2011 where he attended an approved Reserve Academy. Upon completion of the Reserve Academy, he was employed by the Upper Skagit Tribal Police Department. Most recently, he began employment with the Swinomish Tribal Police Department and has completed his FTO program.

**Chief Hutchings** advised the Commission when looking into Officer Heenan's background, he was a highly performing member of the Burlington Police Department from 1983 to 1997. Officer Heenan obtained the rank of Sergeant and was appointed as the Commander of the Skagit Regional Drug Task Force. Chief Hutchings pointed to the letters of recommendation because he believes they speak volumes about Officer Heenan's character. Chief Hutchings expressed his appreciation for the Commission's consideration of the request.

**Officer Heenan** addressed the Commission to assure the members the training received over the years was still with him. Once he got up to speed on things such as arrest, search, and seizure, the tactical thinking and previous training returned. Officer Heenan expressed his belief being able to attend Equivalency would prepare him well for his current role.

**Commissioner Elfo motioned to approve the variance. Commissioner Newlin seconded the motion. The motion passed unanimously.**

**Variance Request: Lucas Mallon, Lincoln County Sheriff's Office**

**Background:** Deputy Mallon was hired by the Lincoln County Sheriff's Office and has started the FTO process. Prior to being hired by Lincoln County, he attended the Skagit Valley Community College National Parks Academy, which is 720 hours in length. He was with the Parks Department for many years.

**Tisha Jones** explained Deputy Mallon's training record was over 75 pages long. She explained a majority of the curriculum at CJTC is listed on his training record and he has a bachelor's degree with a minor in law and justice. Tisha suggested that Deputy Mallon would benefit from attending the Equivalency Academy due to the knowledge, skills, and abilities he already possesses.

**Commissioner Stidham motioned to approve the variance based on staff recommendations. Commissioner Lucas seconded the motion.**

**Commissioner Kelsey** voiced opposition during the discussion phase as the Commission has historically chosen not to support the Parks Academy being equivalent to the Basic Law Enforcement Academy. He stated for the record, his concern was not the particular person, but this could open the door for recognition of the Parks Academy.

**Commissioner Wells** asked Tisha for clarification if, when looking at the training record and its hours from the Parks Academy and all other training, she could answer the question, "has he had what we have through BLEA?" Tisha responded that she spent a significant amount of time working with Donna Rorvik, our Curriculum Designer, and determined that with everything provided within the packet, it was extremely close to what we provide in the 720 hour BLEA. If he were granted the variance to attend the Equivalency Academy, he would exceed what is offered in BLEA.

**Chairman Myers** asked what Deputy Mallon specifically did for the Parks Department while employed. Variances are granted most often based not only on the academy attended, but previous work experience as well. Tisha did not have that information.

***Commissioner Stidham withdrew his motion in favor of postponing the discussion and vote until Sheriff Magers could phone in to provide further information. Commissioner Lucas withdrew his second. Chairman Myers decided to postpone this agenda item as requested.***

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**Variance Request: Robert Doty, Mattawa Police Department**

***Background:*** Robert Doty has a conditional offer of employment from the Mattawa Police Department pending the outcome of the Commission's decision.

**Tisha Jones** explained that Mr. Doty started his law enforcement career as a Deputy US Marshal in 1992. He attended the US Marshall's Academy and the Criminal Investigative Training Program through BLETSE. Those two academies combined were reviewed and determined together they do provide the basic knowledge and skills that BLEA provides. Additionally, staff asked many questions regarding his extensive field work background.

**Chief Turley** addressed the Commission and explained his city is very unique and his Mayor and City Council have afforded him a great deal of liberty to find the ideal candidates to serve the needs of their community. He believes Mr. Doty is that person. Chief Turley explained he and Mr. Doty worked together in the past on some large scale investigations in Grant County. He also addressed Mr. Doty's military law enforcement experience.

**Mr. Doty** addressed the Commission to thank the members for the opportunity to speak on his behalf on this variance request. He spoke to his education as well as his military and police experience.

***Commissioner Hohenberg motioned to approve the variance in strong support and saw this variance request similarly to the way he viewed the approved variance for Chief Straub. Commissioner Elfo seconded the motion. The motion passed unanimously.***

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**Chairman Myers** brought the group back to the Variance Request: Lucas Mallon, Lincoln County Sheriff's Office agenda item as Sheriff Magers came on the line with his Undersheriff. **Commissioner Elfo** asked Sheriff Magers to expand on Deputy Magers' work history with the National Park Service.

**Commissioner Elfo** motioned to approve the variance for the purpose of discussion. **Commissioner Stidham** seconded. **Commissioner Kelsey** voiced his decision to reverse his earlier opposition after hearing additional information, by stating that his earlier concern has more to do with Community College Reserve Academies being equivalent to the CJTC BLEA. **Chairman Myers** echoed that point. The motion passed unanimously.

#### EXECUTIVE DIRECTOR'S REPORT

**Sue Rahr, Executive Director**

**Director Rahr** opened by introducing Commander Rick Bowen, the newest member of the CJTC team who will lead the Basic Training Division. She's known Commander Bowen for over 20 years as they worked together at the King County Sheriff's Office. **Commander Bowen** gave a brief description of his biography including both his military and law enforcement experience. **Chairman Myers** echoed the sentiment that Commander Bowen is a passionate leader with an impressive and extensive resume and expressed his appreciation to have Commander Bowen on staff.

**Director Rahr** shared with the Commission the fact that CJTC has updated its Vision, Mission, Values, & Motto. No radical changes have been made, this only brings us in line with what we are doing here at the Academy.

**Director Rahr** recapped the success of her time at the WASPC Conference. She gave a presentation at WASPC with Michael Nila on Blue Courage and how it applies here at the Academy; her belief is that it went very well. Stakeholders have been contacting us continually since the presentation asking how to get training for their respective agencies. A "Train the Trainer" event will take place in January 2015 to assist in building our statewide training cadre. Michael Nila will also be coming out to do a few four hour sessions this spring sponsored by Kent Police Department.

**Director Rahr** gave a budget update. She is optimistic the Governor is willing to fund everything that we have currently, as well as her request for two Year Up Interns and continuing research on the Guardian Philosophy/Blue Courage/CIT program. We will still have to request funding for additional BLEA classes.

**Director Rahr** has been asked to sit on the National Board of Blue Courage. They will be paying for her attendance at conferences she would normally attend, so this is a win/win.

**Director Rahr** advised the commission she received a call from the White House to be appointed to the President's 21st Century Task Force on Policing. They will meet during

the first quarter of 2015 to make recommendations on how to build public trust in policing.

**Commissioner Satterberg** excused himself from the meeting at 11:36 am. A quorum was still present.

Finally, **Director Rahr** presented a proposed policy regarding the definition of "full time" for purposes of peace officer certification. There are over 20 places in state law with conflicting language relating to full time or part time; a definition is needed for the purposes of peace officer certification. A discussion took place regarding how many hours per month a peace officer must work to maintain his or her certification. The Director's suggestion was to set the lower limit at 20 hours per week. The focus should be what it takes to maintain proficiency. The reason this was suggested as a policy adopted by the Commission rather than a WAC or RCW is to alleviate some of the confusion with retirement system rules. **Tisha Jones** advised currently WSCJTC must rely on the definition of "full time" within respective agencies. **John Hillman** explained there is no definition of "full time" in RCW for CJTC. RCW 43.101 does give the Commission discretion to define terms that are not defined by the Legislature. Doing so would assist Tisha and the agency to have a baseline as it is very difficult to handle each request on a case by case basis. ACTION: This issue will be readdressed at the next Commission Meeting.

#### CERTIFICATION BOARD MEMBER REQUEST

##### ***Sonja Hirsch, Hearing Coordinator***

**Sonja Hirsch** presented an application for The Certification Board from Chief Kelly Busey of the Gig Harbor Police Department. Chief Busey previously served on the Certification Board as a first line supervisor. When he was promoted to the rank of Lieutenant, there was no position on the board for him. Now that he has been promoted to Chief, he would like to serve in that capacity.

**Commissioner Hohenberg motioned to approve the appointment. Commissioner Elfo seconded the motion. The motion passed unanimously.**

**Commissioner Anderson and Vice-Chairman Elfo** excused themselves from the meeting at 12:11 pm. There was no longer a quorum present.

#### OLD BUSINESS

**Commissioner Stidham** gave an update on the K-9 Certification Workgroup. He thanked the stakeholders who provided input. After hearing the stakeholders concerns, in his opinion, rather than the CJTC certifying dogs, we can set standards that teams should achieve, and it will be up to agencies to certify their teams meet or exceed those standards. **Executive Director Rahr** shared she had asked this question at IADLEST for feedback from the other West Coast Training Academies and she was advised strongly against certifying because it is such a specialized field. There are many different schools of thought on what that certification should look like. The Director's concern is that CJTC does not have anyone on staff qualified to train or evaluate dog teams. CALPOST has established a set of guidelines and they compel agencies to

follow those guidelines to protect their liability. They strongly suggest we not go down the path of certifying specialties because of the significant increase in liability.

**ACTION:** The WAC will be repealed and a new WAC established to set CJTC's minimum standards. The WAC will be presented at the June Commission Meeting.

**Tisha Jones** gave an update on the Reserve Workgroup Vice-Chairman Elfo is spearheading; 35 agencies have responded that they would like to participate. Meetings will take place in the near future. **ACTION:** Information will be updated at the June Commission Meeting.

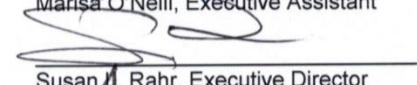
### NEW BUSINESS

**Director Rahr** introduced **Officer Sean Ryan** who provided a demonstration on the new firearms curriculum.

**Chairman Myers** called for any additional comments or questions. None were expressed.

**The meeting was adjourned at 12:57 pm.**

**Next Meeting: March 11, 2015, 10 am, CJTC**

Written by:	 Marisa O'Neill, Executive Assistant	<u>6/11/15</u> Date
Reviewed by:	 Susan L. Rahr, Executive Director	<u>6-10-15</u> Date
Approved by:	 Jeff Myers, Commission Chair	<u>6-10-15</u> Date