



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

COMMISSION MEETING

Wednesday, March 12, 2008
10 AM

COMMISSION MEMBERS PRESENT:

Craig Thayer (Vice Chair), Sheriff, Stevens County Sheriff's Office
Eldon Vail, Secretary, Department of Corrections
Gil Kerlikowske, Chief, Seattle Police Department
Mike Johnston, Sergeant, Bellingham Police Department
Shon Small, Detective, Benton County Sheriff's Office
Steve Thompson, Director, Snohomish County Corrections

COMMISSION MEMBERS PRESENT (by phone):

Anne Kirkpatrick, Chief, Spokane Police Department
Garry Lucas, Sheriff, Clark County Sheriff's Office
Thomas Metzger (Chair), Prosecuting Attorney, Pend Oreille County

WSCJTC STAFF PRESENT:

Brian Elliott, Manager, Financial Division
Cheryl Price, Coordinator, Accreditation/Public Disclosure
Debbie Mealy, Commander, Basic Law Enforcement Academy
Doug Blair, Deputy Director of Operations and Certification Manager
Greg Baxter, Manager, Human Resources
Jean E. Meyn, Assistant Attorney General, Attorney General's Office
Larry Erickson, Deputy Director
Michael D. Parsons, Executive Director
Sonja Hirsch, Confidential Secretary
Sue Hubbard, Manager, Corrections Division
Wesley Anderson, Manager, Facilities Division

GUESTS PRESENT:

Victoria MacKenzie, Clark County Sheriff's Office, BCTSE Chair
Michael Brasfield, Sheriff, Jefferson County Sheriff's Office and BLETSE Chair

INTRODUCTION

The Acting Chair, Sheriff Thayer, called the meeting to order at 10:06 AM without a quorum present. Self-introductions followed.

BOARD VACANCIES/APPOINTMENTS

Michael D. Parsons, Executive Director

Eldon Vail, Secretary, Department of Corrections

On January 9, 2008, Governor Gregoire appointed Eldon Vail as the Secretary of the Department of Corrections, and on January 24, 2008, appointed him to serve on the Commission.

EXECUTIVE DIRECTOR'S REPORT

Michael D. Parsons, Executive Director

Strategic Planning Retreat

The WSCJTC staff will participate in a Strategic Planning Retreat on April 28-30, 2008.

Karen Russell and Penny Meade of Eastern Kentucky University (EKU) will facilitate the retreat. A model developed by Grove Incorporated called Strategic Visioning will be used, and staff will go through the history of the agency, where the agency has been, where the agency should go, the agency's strengths and weaknesses, and so on.

The staff will also decide what to do as an agency and set the vision on how to get there. The process will then go to the Board on Law Enforcement Training Standards and Education and the Board on Corrections Training Standards and Education for review and then to the Commission for final review in June 2008.

Organizational Development and Standards (ODS) Division

The ODS Division has never been utilized as envisioned, so changes are being made with the new division manager, Steve Lettic, to make sure the changes occur. In addition, the division is currently seeking a Curricula Design Specialist who will look at the agency's curriculum to ensure it is developed in a proper, systematic, and academic format. This has not been done for several years.

Michael Mitchell, an attorney, was recently hired to review the agency's curricula from a legal standpoint. He will also teach in the Basic Law Enforcement Academy, with a law enforcement officer, which will be the first time a non-sworn individual has taught in that capacity. This was a suggestion made by Commissioner Kerlikowske in June 2007.

WSCJTC Annual Report

The Annual Report was distributed to the Commissioners, and the Director asked for their feedback.

Liquor Control Board (LCB)

A 440-hour class for the LCB, a limited authority class, will start soon. The LCB entered into an agreement with the WSCJTC, and the partnership will include the WSCJTC developing the curricula and providing one or two classes for limited authority personnel each year. In return, the LCB will help the WSCJTC get modular buildings for additional classroom space.

Command College

This year Command College is being held at Ocean Shores.

Budget

The WSCJTC's current budget is doing well, and the agency is now on a yearly expenditure basis. The budget is for every two years; however, the money must be spent yearly.

Action Plan Follow-up

Commissioner Stonecipher is currently working on the contract for the second part of the assessment. The hope is to have it completed by the Commission Meeting in June 2008.

STAFF REPORTS

Legislative and Budget Updates

Larry Erickson, Deputy Director

Chief For a Day (CFAD): The State Auditor's Office determined the WSCJTC did not have statutory authority to host the CFAD event; therefore, a bill was introduced to authorize CFAD. The Governor reviewed the bill, liked it, and decided to sponsor it herself. Usually to get a bill sponsored and passed is a lot of work; however, Marty Brown of the Governor's office got it through the process. The bill passed in the House by a vote of 97 to 0, in the Senate by a vote of 48 to 0, and is now on its way to the Governor for signature.

A couple of officers, Herman Koppisch of the Tacoma Police Department and Reid Weaver of the Monroe Police Department, both testified on behalf of the bill in the House. Deputy Director Erickson said it was one of the few times he had seen a committee stop a hearing, go into executive session, vote a bill out, and proceed with the regular session.

The next Chief For a Day event will be held on Thursday, August 28, 2008.

HB 2955: Pursuant to recent, new federal regulations, the Federal Bureau of Investigations (FBI) has determined that only an agency that is certified as a "criminal justice agency" is authorized to have access to federal criminal background check information. In order to remain on the Certified Criminal Justice Agency list, the agency must identify its criminal justice function or otherwise statutorily establish its investigation authority. This bill passed in the House by a vote of 97 to 0, in the Senate by a vote of 48 to 0, and is now on its way to the Governor for signature.

The bill authorizes the WSCJTC to receive criminal history record information, including non-conviction data, for any purpose associated with WSCJTC employment or Peace Officer Certification. For a national criminal history records check, fingerprints must be submitted to the WSP. After a state criminal history search, the WSP must forward the prints to the FBI for a national record check.

HB 2476: This bill allows the tribal officers to receive statewide commission.

Deputy Director Blair explained that on January 1, 2007, the WSCJTC was given the authority, per RCW, to voluntarily certify tribal law enforcement officers. To date, six or seven tribal agencies have entered into the agreement with the WSCJTC and their

officers have been certified as tribal law enforcement officers. HB 2476 goes along with the RCW and says if the officer meets the same training requirements of a peace officer, they should have the ability to enforce Washington State laws on non-tribal members who are within the boundaries of their reservation.

A few issues that came up regarding the bill:

1. The thought was that the WSCJTC would authorize the commissioning of those officers; however, this is not true. The bill says if the officer meets the requirements, they are recognized and authorized to act as general authority Washington Peace Officers.
2. All of the training records of the tribal agencies are sent to the Office of Financial Management (OFM). Apparently if OFM has the training record of the officer and the proof of insurance from the tribe, they are considered to be on the list for general authority.

If this bill is signed, it will take effect in July 2008.

Sheriff Brasfield said the Washington State Sheriff's Association has done a lot of legislative lobbying and work on this, and the amendment that was introduced in the Senate made it much more palatable.

Deputy Director Blair stated that tribal law enforcement officers must meet the same requirements for certification as peace officers in regard to the polygraph and psychological tests.

Budget: When Deputy Director Erickson was employed by the WSCJTC in October 2007 the budget package had already been submitted to the Governor's office.

In the Governor's budget, the WSCJTC received the full \$961,000 for the necessary BLEA classes through the next biennium; however, the funding increase requested was not granted in regard to Attorney General fees for Peace Officer Certification.

The OFM forecasting model was \$60,000 for the first part of the biennium and \$60,000 for the second part of the biennium, which was included in the Governor's budget.

In the House's budget, they wanted 34 students per class and cut the budget by \$108,000. In addition, they only provided \$60,000 for the forecasting model.

In the Senate's budget, they put in the full \$961,000 with 30 students per class.

In the end, both budgets included \$167,000 for Attorney General fees and \$60,000 for OFM's forecasting model.

HB 1333: This bill passed in the 2007 legislative session. The bill provides money (\$300,000) and requires the WSCJTC to implement, by January 1, 2008, a course of instruction for the training of law enforcement officers in Washington State in the handling of child abuse or neglect complaints. The bill also stated that the BLEA curriculum shall include basic training instruction on child abuse and neglect issues. In addition, the course of instruction, the learning and performance objectives, and the standards for the training should be developed by the WSCJTC and should be required for all new law enforcement officers.

The money was put in the budget; however, there was a striker at the end by Senator Hargrove which took out all of the language put in by the House. Therefore, the money ended up in the budget but the authorization to spend it did not.

Deputy Director Erickson suggested a budget proviso that would allow the WSCJTC to spend the money. As soon as the Governor signs the bill, the WSCJTC can start spending the money and due to the timing, the WSCJTC will only have until June 30, 2008, to spend the first \$150,000. The remainder of the money will be spent during the next fiscal year.

Deputy Director Erickson said the economy is expected to worsen by next year. Once the agency does the prioritization and the Commissioners agree to it, he would like to meet with some primary legislators. If there are key legislators in a Commissioner's area, he would encourage them to attend luncheons to talk about the importance of maintaining 30 students per classroom, etc.

There are several legislators retiring. Due to this, there will be major changes in leadership; therefore, it will be very important to meet with these legislators.

At 10:31 AM the teleconference was started. The following Commissioners joined by phone constituting a quorum: Commissioner Metzger and Commissioner Kirkpatrick.

At 10:33 AM Commissioner Eldon Vail joined by phone.

STAFF REPORTS: continued

Peace Officer and Tribal Law Enforcement Officer Certification Hearing Panel Candidates

Doug Blair, Certification Manager and Deputy Director of Operations

The WSCJTC staff recommended removing the following individuals as panel members for Peace Officer Certification hearings:

Police Chiefs:

SMITH, Scott: Mountlake Terrace Police Department

Chief Smith is being removed from the hearing panel for peace officers as he is no longer the Chief of a city.

First-Line Supervisors or below (with at least 10 years of experience):

DRAKE, Brian (Sergeant): Port of Seattle Police Department

PHILLIPS, Rich (Sergeant): Department of Fish and Wildlife

RUSSO, Jacqueline (Sergeant): Port of Seattle Police Department

Sergeants Drake, Phillips, and Russo are being removed as panel members per RCW, which states that panel members who are at or below the rank of sergeant with at least ten years experience must be employed by a city or county law enforcement agency. The Port of Seattle Police Department and the Department of Fish and Wildlife are not considered a city or county nor are those who work for university police agencies.

Until a change can be made to the RCW, these members are not eligible to serve as panel members.

The WSCJTC staff recommended approving the following individuals as panel members for Tribal Law Enforcement Officer Certification hearings:

Tribal Chiefs:

COUCH, G. Owen: Sauk-Suiattle Tribal Police Department
DUENAS, Joe: Puyallup Tribal Police Department
SMITH, Scott: Tulalip Tribal Police Department

The WSCJTC staff recommended approving the following individuals as panel members for Peace Officer Certification hearings:

Police Chiefs:

OLSEN, Eric: Kirkland Police Department

First-Line Supervisors or below (with at least 10 years of experience):

HYATT, Steve (Sergeant): Mercer Island Police Department
KRENZ, Hans (Sergeant): Auburn Police Department
MERRILL, Jeff (Trooper): Washington State Patrol
ZARO, Michael (Sergeant): Lakewood Police Department

Professors:

HELFGOTT, Jackie: Seattle University
HICKMAN, Matthew: Seattle University
PRIM, Michael: Spokane Community College

The WSCJTC staff recommends the removal and approval of the individuals listed above.

Commissioner Kerlikowske made a motion, seconded by Commissioner Small, to remove and approve the individuals listed above as panel members for Peace Officer and Tribal Law Enforcement Officer Certification hearings. The motion carried unanimously.

Commissioner Kerlikowske asked if the panel members have the permission of their Chief or Sheriff to serve.

Deputy Director Blair stated the WSCJTC receives confirmation from the Chief or Sheriff and/or the supervisor.

WAC Rule Review

Cheryl Price, Accreditation/Public Disclosure Coordinator

WAC 139-10-310

Requirement of corrections supervisory training

WAC 139-10-320

First-level and second-level corrections supervision curriculum

WAC 139-10-410
Requirement of middle-management corrections training

WAC 139-10-420
Middle-management curriculum -- Corrections

WAC 139-10-510
Requirement of executive management corrections training

WAC 139-10-520
Corrections executive management curriculum

Reason for change:

These rules are now duplications of RCW 43.101.350 and WAC 139-25-110 based on legislative changes during the 2006-2007 legislative session. These statutes and rules were changed to incorporate the career level training requirement for corrections personnel with that of law enforcement personnel.

The WSCJTC staff recommends approval for final action.

WAC 139-30-015
Firearms certification – Application

WAC 139-35-015
Firearms certification -- Application

Reason for change:

To make current the fee charge and to accurately reflect the actual practice in place when multiple weapons are carried by a single individual.

The WSCJTC staff recommends approval for final action.

Commissioner Vail joined the meeting in person at 10:46 AM.

Commissioner Johnston made a motion, seconded by Commissioner Metzger, to approve the WAC rule changes for final consideration. The motion carried unanimously.

WAC 139-05-210
Basic law enforcement certificate of equivalency.

Reason for change:

Update language because of changes to RCW addressing the requirement for peace officer certification. Language is added that defines the requirements a person must meet to attend for educational purposes vs. an officer who must attend to gain peace officer certification as a condition of continued employment. The rule change will also set limitations to the break in law enforcement service that an officer may have and still be eligible for peace officer certification by completing the equivalency academy. The WSCJTC does not set standards for EVOC operation; the Washington State Patrol does. Therefore, language that requires EVOC training for equivalency applicants has been removed.

Deputy Director Blair stated this issue has been discussed several times over the last year regarding Liquor Control Board agents attending the basic academy in the state of Idaho and then returning and becoming employed by a law enforcement agency in the state of Washington. Although these individuals were never certified or had never served as a commissioned officer in Idaho, they were allowed to attend the WSCJTC's Basic Law Enforcement Equivalency Academy. A review of this WAC was presented at the last Commission Meeting. Two major changes are:

(2)(c): persons who have not attained commissioned law enforcement status but have successfully completed a basic law enforcement academy recognized as a full equivalent to the Washington State Basic Law Enforcement Academy by the Commission and within twelve months of the date of completion been made a conditional offer of employment as a fully commissioned law enforcement officer in Washington State.

(2)(d): persons whose Washington Peace Officer Certification has lapsed because of a break in service as a fully commissioned law enforcement officer for more than twenty-four months and less than sixty months are required to attend the equivalency academy.

Deputy Director Blair stated if a person is out of law enforcement for less than 24 months there is no training requirement when returning to law enforcement. Currently if the break in service exceeds 24 months, the law enforcement officer must attend the Equivalency Academy; however, there is no limit on that. Most agencies in the nation recognize a 60-month break in service as an officer having to re-attend and successfully complete the full basic academy if having been out of law enforcement for that long. The new requirement for Washington State will be that those who have been out of law enforcement for more than 24 months but less than 60 months will be required to attend the Basic Law Enforcement Equivalency Academy. Anything beyond 60 months, they will need to attend the Basic Law Enforcement Academy.

He added there might be some grammatical changes, but no changes will be made to the rule's content. They are determining whether to put fully commissioned peace officer or fully commissioned law enforcement officer.

The WSCJTC staff recommends approval for filing.

APPROVAL OF MEETING MINUTES

Commissioner Kerlikowske made a motion, seconded by Commissioner Kirkpatrick, to approve the meeting minutes of December 12, 2007. The motion carried unanimously.

LETTER FROM DOC REGARDING PAT

Secretary Eldon Vail, Department of Corrections (DOC)

The DOC is facing major challenges in finding enough staff to run the facilities they are building.

For a long time, the DOC has talked to the WSCJTC about their concerns regarding the Physical Ability Test (PAT) and its impact on their ability to hire female corrections officers.

The WSCJTC has worked closely with the DOC to find solutions; however, the DOC has come to the point where they need to ask for an exemption from the PAT requirements.

Traditionally, the DOC has had problems in their female facility as they can't find enough women to work there, and the problems of sexual misconduct have been a major challenge. There is no belief that this won't continue if they hire more females, but they think the odds will be greatly reduced.

Director Parsons said from the staff perspective, the WSCJTC supports the request. The WSCJTC staff has discussed this issue with the members of the BCTSE and understands there are some differences between the standards that would be in place for people working in jails and the DOC, but thinks it is appropriate and acceptable considering the circumstances.

Commissioner Small asked what the physical requirements currently are.

Secretary Vail stated the PAT is the DOC's only requirement and there are no other requirements they impose on their employees; however, their corrections officers must be able to successfully complete a defensive tactics class.

Commissioner Small said, "No push ups, no sit ups, no run?"

Commissioner Vail said no push ups and no sit ups.

Commissioner Small asked if that is what the DOC is proposing or if it is already implemented.

Commissioner Vail said the DOC is proposing that only push ups and sit ups their employees are required to do are in connection with the PAT; however, they are asking to be exempt from that requirement.

Commissioner Small asked how many push ups and sit ups a person needs to complete to pass the PAT.

Sue Hubbard stated that the PAT for Corrections currently consists of a 1.5 mile run in at least 16 minutes and 29 seconds, a minimum of 12 push ups (reduced to 10 for the DOC), and a minimum of 15 sit ups. It is less than what is required for the BLEA.

Commissioner Small asked if the DOC wants those requirements reduced.

Secretary Vail stated the DOC wants them eliminated.

Commissioner Small said he has a problem with the PAT being eliminated for the DOC. If he is relying on a person to help him when he is in a physical altercation with an inmate and the person can't push him or herself off the floor 12 times, reduced to 10 times, that person needs help. If they can't help themselves, they won't be able to help him. He went on to state that people like that apparently have no physical ability, and the repercussions can be great. If a person cannot push themselves off the floor 10 or 12 times, it is unacceptable.

Secretary Vail stated that the push ups have never been tied to a task analysis of the job.

Commissioner Small said when you are trying to place someone in control you will need some type of upper body movement in an attempt to “out horse” the other individual.

Secretary Vail said the DOC is going to rely on teamwork and that the requirement is relatively new. First, having worked in this environment for many years he would much rather have someone with him as a team. If he can't hire someone, it creates the first problem. Secondly, he would take three people in wheelchairs with verbal skills rather than one tough guy that can do a lot of push ups.

The DOC is passing up some good candidates to be corrections officers because of this requirement that is not connected with the job and there is no evidence to show it does. If the analysis was done, it would be a different ballgame. The PAT, admitted by the WSCJTC, is to avoid injuries in defensive tactics class.

Commissioner Small asked Secretary Vail if they work with convicts.

Secretary Vail stated they do.

Commissioner Small asked if the DOC is going to rely on teamwork if they are going to work in groups at all times or if they will have one person in a pod who will need to call for backup. If the person working alone in a pod has to wait for gates and doors to be opened in order to get help from other officers, he will get pummeled.

Secretary Vail stated that with the exception of minimum security facilities, it is rare that there would only be one person working in a living unit. He stated that in the DNR work camps (minimum facilities) there may only be one person in a pod.

Commissioner Small asked how many inmates are in a pod.

Secretary Vail stated that generally there are anywhere from 100-150 inmates per pod, sometimes smaller.

Commissioner Thompson stated the Federal Bureau of Prisons declared a crisis in terms of their ability to recruit and retain officers in the federal prison system and there is a national crisis with not only corrections, but law enforcement as well. One concern is the impact this might have on regions that have large DOC facilities; therefore, causing a competition with the city and county jails. This would be an impact in his area if those going to work for the DOC facility in Monroe don't have to do the PAT and those going to work in the jails for the city of Lynnwood or Marysville would have to do the PAT.

He is also concerned about the precedent of this in terms of the city and county jails. He said that he did a literature review and Mr. Vail made a good point that many people say there is not a direct tie between the ability to do push ups and be a custody corrections officer. However, you can find other authors that suggest the issues raised by Commissioner Small. His issue is with the ability to respond.

Earlier in the day Commissioner Thompson observed some of the defensive tactics being performed by the custody corrections officers. He stated that the instructors were running at less than 50 percent, and the task of the students was to take the instructor to

the floor with some of the techniques they had learned. He does not see how a person could do any of the techniques successfully if they were not able to do 10 push ups.

These requirements were established many years ago when there wasn't a hiring crunch. If we didn't have the pressure to recruit and retain, we wouldn't be suggesting to get rid of the requirement. It is an issue to get rid of the requirement for the DOC when the job is relatively the same to that within the city and county jails. Either everyone should be exempt and adjust the requirements or keep it the same.

Secretary Vail asked if this is a standard that continues in an ongoing basis in law enforcement jurisdictions or corrections jurisdictions in the state or is it something you have to do one time.

Commissioner Kerlikowske stated that recruits might have to do 12 push ups to get onto the department but they don't have to do any the rest of their career unless they work for one of the unique departments that provides incentives.

Since the DOC is willing to take responsibility of hiring these individuals, he is more than willing to support the change.

Commissioner Thompson stated that clearly there are physical requirements at the academy for law enforcement officers that most of the jurisdictions within the city and county police agencies do not require ongoing training or for anyone to annually demonstrate they have that proficiency.

If we follow that, why would the BLEA continue to have an entry level requirement? If that is the direction the Commission wants to go, at some point they need to ensure that the logic the decision is being based on is consistent. It seems odd that the Commission would start parsing out different requirements on a particular theme or argument when the same issues apply.

Commissioner Kerlikowske thinks they have the PAT in the BLEA because it doesn't require any labor negotiation since they are new hires, probationary officers. The hope and goal is to start off with the best physically fit. If they start off that way, hopefully they will continue it throughout their career. Any other requirements after they graduate, if you have a unionized department, requires labor negotiations. Years ago, the Seattle Police Department had an ongoing physical fitness program. It was expensive, there were injuries, and those that did well continued to do well whether you gave them an incentive or not.

Secretary Vail stated that the entry requirement that is job related is successful completion of the defensive tactic class. The DOC is not asking for that requirement to be removed, and they enforce it annually. The DOC separates people each year if their physical condition is not such that they can complete that program. It is in that area the DOC is not willing to relax the requirement, because that is job related.

The Teamster's, who represent the corrections officers, are strongly behind the request; therefore, the DOC has full support of the bargaining unit.

Commissioner Kirkpatrick stated that per Secretary Vail's request, there should be a waiver or exemption for a limited amount of time. This discussion and the job relatedness associated with physical requirements for corrections are too much for this

conversation. Secretary Vail has an immediate need; therefore, she would be willing to vote in favor of a time limited exemption and/or waiver with bringing the issues about the PAT back to a future meeting for further discussion.

Commissioner Metzger stated he hopes Commissioner Kirkpatrick's suggestion would bring a balance to the problem. He is concerned about it; however, he is inclined to defer to those who have greater experience in the area. If there is an immediate need there might be a temporary fix; however, the issue needs to be looked at in greater depth to evaluate whether or not changes need to be made.

Commissioner Kirkpatrick thinks the DOC should be given an exemption of a minimum of six months and during that time the Commission revisit these requirements. She is not willing to make a permanent exemption at this time.

Commissioner Kerlikowske asked Secretary Vail if six months would be long enough to evaluate this issue or if a year would be more reasonable.

Secretary Vail stated that a year would be better in terms of their need to hire and open facilities.

Commander Mealy stated that the reason for the PAT for the law enforcement side is tied to the defensive tactics program. They need to determine that there is a certain level of physical fitness to get the person through the defensive tactics techniques. With not having an entry level PAT, does that increase their risk of getting injured? If they are not at a certain level of physical ability coming in is there a need to look at the defensive tactics they are getting? The BLEA has higher standards because they do a lot more defensive tactics. This affects the injury level of people coming through. If they have less standards coming in, they still have to go through the defensive tactics program.

Secretary Vail thinks this is something the DOC would look at within the year. The DOC understands there is additional risk and that they will assume it, not the WSCJTC.

The Vice Chair asked that the DOC track and bring back to the Commission the injury or incident rate to provide further review of a potential waiver.

Commissioner Lucas joined by phone at 11:18 AM.

Sue Hubbard stated there is data for the Corrections Officers Academy which shows with the PAT, the injury rate decreases. She stated there is also a difference in the defensive tactics taught at the WSCJTC and those taught by the DOC. The DOC provides approximately 24 hours of defensive tactics training, and the WSCJTC provides 40 hours.

Deputy Director Blair asked, should the waiver be granted, if those who attended the Correctional Worker Core be recognized as having met the equivalency for a corrections academy held at the WSCJTC. Since the PAT would be exempt, it was determined that would no longer be equivalency for the movement from DOC officer to city or county jail officer. The officer would need to come back and complete the PAT in order to receive a certificate of completion because of the defensive tactics requirements. If the Commission approves the request, the WSCJTC would issue a letter to that effect.

The Director stated that the WSCJTC is currently doing an assessment of the Corrections Officers Academy and the Correctional Worker Core which will be completed within a couple of months. The WSCJTC can take the information from the assessment to look at the various issues in terms of job relatedness, defensive tactics, and so on, and make a proposal to the Commission at the end of the year. This will give Secretary Vail time to take care of his hiring needs and give the Commission time to look at the total issue.

Commissioner Small stated that if a person is dedicated enough and wants to work for corrections they would work toward achieving that goal by doing whatever it takes to get there (i.e. train and exercise).

Commissioner Thompson believes the Commission should be ready for a challenge based on, perhaps, a gender influence to the decision and what the Commission's position is exempting the DOC from the requirements that are still currently in place for those employed by a city or county jail.

He said the thing crippling his agency is the number of those out on Labor and Industries claims for long term disability. This will allow the DOC to bring people into the field that cannot do 10 pushups that are going to be required to tackle fleeing felons or separate people who are assaulting each other and stated it is a very difficult balance. He believes we should focus on running a safe operation once people are locked up.

Commissioner Johnston believes the DOC is putting their employees at risk by employing those who are not physically fit. He can support the DOC's position; however, he believes it is a mistake on DOC's part due to possible lawsuits and injuries.

Commissioner Kirkpatrick made a motion, seconded by Commissioner Lucas, that the WSCJTC accept the exemption request made by the Department of Corrections under Secretary Eldon Vail that the Commission waives or accept the request to exempt them from WAC 139-10-212 for a period of 12 months.

Commissioner Lucas stated that by seconding the motion, he would be relying on the DOC to provide some empirical evidence to convince the Commission that the exemption should be made permanent.

Commissioner Small asked if the people would be grandfathered in who were hired within the exemption period.

Deputy Director Blair stated that when a WAC is changed those who fall under that requirement or during the time the exception was granted, those hired within that timeframe are considered to have met the standard because that was the standard at the time. Therefore, yes, they would be grandfathered in.

The Director confirmed that he and Secretary Vail would make a proposal to the Commission in June as to what specific things will be evaluated. That way if there are things that Commissioners don't agree with, they can be added at that time.

The motion was passed by a vote of 6 to 2.

Voting yea: Commissioners Metzger, Thayer, Kerlikowske, Kirkpatrick, Lucas, and Johnston.

Voting nay: Commissioners Small and Thompson.

Commissioners Kirkpatrick, Metzger, and Lucas concluded the teleconference at 11:34 AM.

STAFF REPORTS: continued

BLEA TAC Officer Introductions

Debbie Mealy, BLEA Commander

Officer Paul Dudley has been in law enforcement for 10 years and is currently employed by the Bellevue Police Department. He has spent two years on the SWAT team, four years in narcotics and vice, four years with the counter terrorism and intelligence task force, and is a qualified defensive tactics instructor. He is currently doing the BLEA's physical fitness and defensive tactics program.

Allen Gill was employed by the Department of Corrections for 12 years. Six of those years he served at the rank of sergeant and then lieutenant as a temporary assignment. He is a master defensive tactics instructor and has been teaching at the WSCJTC for seven years.

Officer Randy Huserik has been with the Seattle Police Department for over 14 years. Prior to law enforcement he worked in TV journalism for four years in Portland and Eugene, Oregon. He has a Bachelor's degree in Journalism and a minor in English Literature from the University of Oregon. He is married and has one daughter. He teaches criminal law for the BLEA.

Sergeant Rich Phillips has been with the Department of Fish and Wildlife for 28 years. He was involved with the Washington Police Corps program during 2000-2005 and has been an instructor for the WSCJTC since 1986.

He is married with two grown sons. One son is employed by the Snohomish County Sheriff's Office, and the other is a senior at the University of Arizona. Sergeant Phillips currently serves as the Assistant Commander of the BLEA.

Problem Based Learning (PBL) Update

Debbie Mealy, BLEA Commander

The BLEA recently started its first PBL class, which is in their fourth week. The staff is finding a lot of things in the curriculum that need to be changed and there have been a few issues with how long things take in comparison to the old curriculum. All of which were expected.

The students are engaged and excited, and the staff is getting more comfortable with the curriculum each week. Half of the BLEA staff was trained on the new PBL model last month, and the rest of the staff will be trained next week. After that, instructors from the Corrections Division and Spokane will be trained.

The instructors have noticed that the students have become very quickly engaged and are asking questions within the first week, which is normally not seen until weeks four or five.

BLEA Update

Debbie Mealy, BLEA Commander

The wait list is not at all what it once was. If a person submits an application today, they would be in an academy within 90 days, sometimes sooner. The wait list is somewhat going away because agencies are having a difficult time hiring quality people and at least three or four people fail each session at the PAT level.

It was discovered that when the wait list was long it was due to agencies putting people on the list to hold a spot. When applicants are selected, they need to be ready. In the past Tisha Ehret has called agencies to notify them of a PAT date for their employee, and she was notified by the agency that the agency had not actually hired the person or put them through the polygraph or psychological testing. In one instance Ms. Ehret called 15 agencies and was only able to find one person who had met all of the hiring requirements and was ready to do the PAT.

Corrections TAC Officer Introduction

Sue Hubbard, Corrections Division Manager

Anthony Weathers has been employed by Snohomish County Corrections for approximately two and a half years. He is certified as a level two defensive tactics instructor, has been a Field Training Officer, and has completed the Instructor Development course through the WSCJTC.

Mr. Weathers spent 10 years in the Marine Corps as an Amphibious Assault Crew Chief and Instructor.

He used to do commercial fishing in Alaska, and his hobbies include fishing, mountain biking, martial arts, and snowboarding.

Dana Lynam has been employed by the Pierce County Jail since 1999. He is a Field Training Officer and Field Training Officer Advisor.

He has an Associate's of Arts degree in Administration of Criminal Justice. He is a lifetime resident of Washington and is married with two children. His hobbies include gardening, hunting, and fishing.

BOARD ON LAW ENFORCEMENT TRAINING, STANDARDS & EDUCATION (BLETSE)

Sheriff Michael Brasfield, BLETSE Chair

The Board has a new member, Chief Michael Evans of the Squaxin Tribal Police Department.

The Board recently reviewed its committees, which were the Audit and Assessment Committee, the Curriculum Committee, and the Legislative Communication Coordinating Committee. The Board's new committees are the Standards Committee, the Training Committee, and the Education Committee.

There has been considerable discussion and interest statewide as to what should be required for equivalency; therefore, the Board will look into it, talk to Chiefs and Sheriffs about it, and provide recommendations.

In 43.101 RCW it outlines the requirements of each Board. In no way does the Board want to impede the efforts of the professional staff or what the WSCJTC is supposed to do. The Commission should use the Board as a resource to refer things to. Some of the review, analysis, and the discussion could go to the Board who would then make a presentation to the Commission. It is not that the WSCJTC staff could not do it, but sometimes there could conceivably be either a perception or reality of a conflict or disagreement of what is being proposed. The Board consists of chiefs, sheriffs, line officers, and academics so there is the opportunity, if it is not time sensitive, to refer things to the Board to discuss.

BOARD ON CORRECTIONS TRAINING, STANDARDS, & EDUCATION (BCTSE)

Victoria MacKenzie, BCTSE Chair

At the last Board meeting, the members were introduced to the new TAC Officers within the Corrections Division.

Cheryl Price and Sue Hubbard attended the American Correctional Association Conference in Grapevine, Texas, in January 2008. At the Conference, the WSCJTC received the award for 100 percent compliance for the reaccreditation. The WSCJTC is only the third agency to receive 100 percent compliance during the reaccreditation process.

A gap analysis study is currently being conducted for the Corrections Officers Academy. A consultant will be comparing the training standards from the AGA and the ACA and comparing them to the current training. Once the gaps have been established, it will be referred back to the Board who will be looking at the education and curriculum to determine how to fill the gaps.

Twenty-four corrections professionals from across the state met in January 2008 for a job-task analysis for the Corrections Officers Academy. The purpose was to design an academy that addresses the needs of an entry level officer within their first three-to-six months of employment. The final report will be available later in the year. The Correctional Worker Core has completed their job-task analysis. The three juvenile academies that fall within the scope need to have job-task analysis' done; however, there is no funding. Since there is no funding, the job-task analyses will need to be done internally and the Board will help however they can.

The Board has been engaged in the PAT discussions, which have been very emotionally charged and difficult. There are very good arguments on both sides and that is why it was referred to the Commission.

OLD/NEW BUSINESS

No old business to report.

Commissioner Kerlikowske noted that Al Isaac has done a very good job with the Leadership Program. He has been reaching out to a lot of different agencies and, therefore, wanted to compliment him.

Deputy Director Erickson said it is a pleasure working for the WSCJTC. He is aware of the issues in the past, but has met with almost all of the managers and has spent a lot of time on the Burien campus and finds the staff to be very dedicated to develop professional police officers and continue that professional development after the BLEA. The morale is extremely high. There are some staff that have had some very serious

illnesses, and the staff is very quick to share leave so people do not have to go without pay while dealing with health issues. He wants the Commission to be aware of this and finds the staff of the WSCJTC to be a very cohesive group working to fulfill the policies set by the Commission.

Commissioner Kerlikowske made a motion, seconded by Commissioner Small, to adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at approximately 11:54 AM.

<p>Next Meeting: June 11, 2008, at 10:00 AM</p>
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Written by:	Sonja Hirsch, Confidential Secretary	Date
Reviewed by:	Michael D. Parsons, Executive Director	Date
Approved by:	Thomas Metzger, Commission Chair	Date