



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

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**COMMISSION MEETING**

Wednesday, September 13, 2006  
10:00 AM

**COMMISSION MEMBERS PRESENT:**

Bill Boyce, Citizen at Large, Microsoft Corporation  
Craig Thayer (Vice Chair), Sheriff, Stevens Co. Sheriff's Office  
Garry Lucas, Sheriff, Clark Co. Sheriff's Office  
Harold Clarke, Secretary, Department of Corrections  
Karen Daniels, Chief Deputy of Corrections, Thurston Co. Sheriff's Office  
Mike Amos, Sergeant, Yakima Police Department  
Thomas Metzger (Chair), Prosecuting Attorney, Pend Oreille Co.

**WSCJTC STAFF PRESENT:**

Al Isaac, Manager, Professional Development Division  
Brian Elliott, Manager, Fiscal Division  
Brian Maxey, Assistant Attorney General, Attorney General's Office  
Carri Brezonick, Deputy Director  
Cheryl Price, Coordinator, Accreditation/Public Disclosure  
Dixie Layman, Fiscal Analyst 1, Fiscal Division  
Doug Blair, Manager, Peace Officer Certification  
Greg Baxter, Manager, Human Resources  
Ken Henson, Instructor, Basic Law Enforcement Academy  
Lee Brandt, Regional Training Manager, North Central Region  
Michael D. Parsons, Executive Director  
Ron Griffin, Commander, Basic Law Enforcement Academy  
Scott Rankin, Instructor, Basic Law Enforcement Academy  
Sonja Hirsch, Confidential Secretary  
Steve Lettic, Assistant Manager, Quality, Standards, & Technology Division  
Wesley Anderson, Manager, Facilities Division

**GUESTS PRESENT:**

David Gomez, Assistant Special Agent in Charge, Federal Bureau of Investigation  
Felix Moran, Chief, Stillaguamish Tribal Police  
Fred Fakkema, Captain, Washington State Patrol

## INTRODUCTION

The Chair called the meeting to order at 10:11 AM with a quorum present.

Self-introductions followed.

## NEW COMMISSIONER

**Michael D. Parsons, Executive Director**

**Commissioner Harold Clarke, Secretary, Department of Corrections (DOC)**

Commissioner Clarke grew up professionally in the state of Nebraska. He is the President-elect of the American Correctional Association (ACA).

## COMMISSION REAPPOINTMENTS

**Michael D. Parsons, Executive Director**

Chief Anne Kirkpatrick, Spokane Police Department; Sheriff Craig Thayer, Stevens County Sheriff's Office; and Thomas Metzger, Prosecuting Attorney for Pend Oreille County, have been granted an extension to their terms. They will serve on the Commission until June 30, 2012.

## APPROVAL OF MEETING MINUTES OF JUNE 14, 2006

**Commissioner Thayer moved to approve the minutes of June 14, 2006.**

**Commissioner Amos seconded the motion. The motion carried unanimously.**

## EXECUTIVE SESSION

All non-Commission members were excused and an Executive Session was held to discuss the Executive Director's performance. Greg Baxter was in attendance to assist the Commission with the discussion.

The regular meeting was reconvened at 10:30 AM.

**Commissioner Lucas moved that the Commission grant the 1.6 percent legislative pay raise in addition to the 4.91 percent merit increase for Executive Director Michael Parsons. Commissioner Daniels seconded the motion. The motion carried unanimously.**

## STAFF REPORTS

### Peace Officer Certification Hearings Panel Volunteers

**Doug Blair, Manager, Peace Officer Certification**

Per WAC 139-06-060, the Washington State Criminal Justice Training Commission (WSCJTC) is to establish a list of individuals to be appointed as members of the hearing panels for Peace Officer Certification.

The following is a list of individuals who would like to serve:

1. Captain Steve Burns, Washington State Patrol
2. Captain Steve Sutton, Washington State Patrol
3. Chief Alan Townsend, Port Orchard Police Department
4. Chief Alex Perez, Longview Police Department
5. Chief David Charvet, Grandview Police Department
6. Chief Ed Sorger, Evergreen State College Police Department

7. Chief Fred Walser, Sultan Police Department
8. Chief Jeff Troumbley, Elma Police Department
9. Chief Melvin Hunt, Grand Coulee Police Department
10. Chief Mike Powell, Forks Police Department
11. Chief N.W. Merritt, Republic Police Department
12. Chief Robert Torgerson, Aberdeen Police Department
13. Detective John O'Mara, Clark County Sheriff's Office
14. Detective Karen Villeneuve, Washington State Patrol
15. Professor Bryan Vila, Washington State University (Spokane)
16. Sergeant Dennis Pritchard, Clark County Sheriff's Office
17. Sergeant John Kruse, Wenatchee Police Department
18. Sergeant Steven Johnson, Washington State Patrol

In addition to the new volunteers, there are currently 17 individuals who have renewed their commitment to serve as a panel member and have been previously approved by the Commission.

Once a hearing is requested, five panel members will be selected to hear each case: one chief, one sheriff, two members at or below the rank of Sergeant with at least ten years experience, and one member from a community college or university who is not currently involved in law enforcement.

The WSCJTC staff approves the slate of volunteers.

***Commissioner Lucas moved to approve the slate of volunteers to serve as panel members for Peace Officer Certification hearings. Commissioner Amos seconded the motion. The motion carried unanimously.***

#### **[Polygraph Legislation](#)**

##### ***Doug Blair, Manager, Peace Officer Certification***

Sheriff Lucas, as a Plaintiff, filed suit against the WSCJTC on August 25, 2006, in Thurston County Superior Court.

The matter was a dispute as a result of HB 1081, which required all new law enforcement applicants to have a polygraph and a psychological exam. In addition, RCW 49.44.120 (1) was in direct conflict with HB 1081. HB 1081 put legislation into the WSCJTC's RCW that stated if a person does not have a polygraph and psychological exam, and it was the WSCJTC's responsibility to see that this occurred, a person could not be employed as a law enforcement officer.

Sheriff Lucas hired and made conditional offers of employment with two of his correctional officers. The WSCJTC informed the Sheriff that they would not be allowed to attend the Basic Law Enforcement Academy (BLEA) until they had a polygraph and psychological exam. The Sheriff stated that the psychological exam could be performed, but not the polygraph, because it was unlawful to give a polygraph to an existing employee.

With the assistance of Brian Maxey and the Sheriff's representatives, the matter went before the Thurston County Superior Court. As a result of the conflict Sheriff Lucas sought and received a judgment on August 25, 2006, from the Honorable Paula Casey, which in effect stated that RCW 43.101.080(19) and RCW 43.101.095(2)(a)(ii) as

amended by Laws, 2005, chapter 434 §§ 1 and 2, impliedly repealed the provision in RCW 49.44.120, prohibiting employers from requiring, directly or indirectly, that any employee or prospective employee take or be subjected to any lie detector or similar test, to the extent that such provision purports to prohibit requiring polygraphs of incumbent employees of law enforcement agencies who apply to become fully commissioned peace officers under the auspices of the WSCJTC.

### **BOARD APPOINTMENTS**

#### ***Michael D. Parsons, Executive Director***

The following individual has been nominated to serve on the Board on Law Enforcement Training, Standards, and Education:

- ◆ Deputy David Ellis, Spokane County Sheriff's Office

Deputy Ellis was recommended by the Washington Council of Police and Sheriffs (WACOPS).

***Commissioner Amos moved to appoint Deputy David Ellis to the Board on Law Enforcement Training, Standards, and Education. Commissioner Lucas seconded the motion. The motion carried unanimously.***

### **WAC RULE REVIEW**

#### ***Cheryl Price, Accreditation/Public Disclosure Coordinator***

#### **WAC 139-25-110**

#### **Career Level Certification**

The WSCJTC staff proposed the rule.

***Reason for change:*** The requirements under this rule have changed over time, and the resources allocated originally to implement this rule have not been renewed or restored.

In addition, the amendment is to eliminate the requirement of Executive Level Certification and to reduce the number of elective hours to be awarded a Career Level Certification for First Level Supervision or Middle Management.

**Mr. Blair** stated that Corrections was removed from the Career Level Certification requirement. There was a law that was repealed some time ago that no longer mandates Corrections to attend Career Level Certification.

This rule change is only for review; however, action will be requested to approve the changes in December.

Feedback regarding this rule change should be sent to Doug Blair at [dblair@cjtc.state.wa.us](mailto:dblair@cjtc.state.wa.us).

### **New BLEA TAC Officers**

#### ***Ron Griffin, Commander, Basic Law Enforcement Academy***

**Commander Griffin** stated that the state of Washington is very fortunate to have a system where current, experienced police officers who are fresh-from-the-field teach up-to-date training to the students of the BLEA. In addition, area law enforcement agencies continue to make the commitment to allow their officers to spend three years as an instructor.

**Officer Ken Henson**

Officer Henson has worked for the Lakewood Police Department since 2004 and has been with the BLEA for approximately two months.

Officer Henson served seven years in the US Military. He was previously employed for one year with Thurston County Corrections and six years with the Kent Police Department.

He is a Defensive Tactics Instructor, a Taser Instructor, and a member of the honor guard.

He currently instructs Criminal Procedures and Criminal Law.

**Officer Scott Rankin**

Officer Rankin has worked for the Kent Police Department for nine years.

He left the SWAT team to take this assignment. He has been a Pro-Act Officer for two years; a shooting coach for eight years; an Explorer Advisor for three years; is the founding member of the Kent Police Department's Honor Guard, which was established in 1999; and has been a volunteer member of the Fraternal Order of Police Honor Guard for the last three years.

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

***Chief Felix Moran, Board Member***

Chief Moran was recently appointed as Vice Chair of the Board, and Sergeant Mike Johnston, Bellingham Police Department, was appointed as Chair.

Sheriff Gerald Weeks, Pend Oreille County, and Chief John Gray, Arlington Police Department, are the newest members of the Board.

**Reserve Academy**

Reserve Academy Committee: Sheriff Brasfield, Jefferson County; Chief Denis Austin, Pasco Police Department; Sergeant Martin Anderson, Spokane Police Training Center; Sergeant Mike Johnston, Bellingham Police Department; and Officer Robert Maule, Tacoma Police Department.

The Committee found the following in regard to current Reserve Academy training related issues:

- The WSCJTC should either be empowered to or exercise strong central control over satellite Reserve Academies.
- Conduct a thorough review of the current curriculum.
- Ensure the curriculum reflects an abbreviated version of the core blocks of instruction taught at the BLEA.

- Course content should be consistent (albeit abbreviated) with skill sets developed in the BLEA.
- Regularly update the curriculum as changes are made in the BLEA curriculum and lesson plans.
- Establish a system to monitor compliance by local Reserve Academy sponsoring agencies.
- Establish, monitor, and enforce minimum standards for the operation.
- Establish a better process to account for or track enrolled recruits. They are documented when enrolled, but not when they drop out.
- Establish minimum standards for presenters and instructors.
- Strive for stronger consistency in material provided and emphasized from Reserve Academy to Reserve Academy.
- Although it is extremely time consuming, current BLEA core block course instructors must be involved with the review of Reserve Academy course content.
- Resolve the apparent inherent conflict between the need for the WSCJTC's BLEA maintaining Reserve Academy test integrity, and Reserve Academy instructors not knowing if what they were teaching was relevant to the testing process.
- Explore utilization of "distance learning" with some combination of video, internet, and digital media.

In regard to Potential for Property/Employment Right of Reserves, the WSCJTC should request an opinion of the Attorney General to determine if there are any reservations or concerns remaining on the issue of adverse impact on law enforcement agencies or employing governments.

In regard to the establishment of a "tiered" level of Reserve training/authority, input from stakeholders should be obtained. In particular, sheriffs and chiefs, as well as major law enforcement labor unions, risk managers, and elected officials, which would be achieved by utilizing both the Washington Association of Sheriffs and Police Chiefs (WASPC) and the WACOPS. Based on results of this effort, establish a position by the WSCJTC. If the position is supportive of a "tiered" structure, determine fiscal impact. Propose enabling legislation and administrative rules.

In regard to inappropriate utilization of Reserves in lieu of full-time officers:

- Conduct a mandatory audit of individual agencies statewide.
- Solicit a list of specific complaints of abuse by concerned neighboring agencies.
- Conduct a review or survey of current Reserve officers by a duly constituted authority.

**Chief Moran** stated that in regard to the recommendations that came out in the report, he has been advised that the WSCJTC has established a plan for the Board. The plan will be presented to the Board in November.

**Commissioner Amos** stated that some of the smaller departments are paying their Reserve Officers, and they are not getting the training they need, which is a liability.

A large number of people who attend the Reserve Academy use it as a way to get into law enforcement. A large percent of new hires start in the Reserve program.

**Commissioner Metzger** said that he has had the opportunity to see what agencies do with Reserve Officers and the different types of assignments they perform. It will be beneficial to set standards and mandate training.

**Mr. Blair** stated that there are several instances where Reserve Officers are being used in a full-time, fully commissioned capacity. It is not addressed through the Reserve program; however, it is addressed directly by WSCJTC staff through Peace Officer Certification.

Due to changes to the WAC, if you are full-time officer, you must be certified.

## **EXECUTIVE DIRECTOR'S REPORT**

***Michael D. Parsons, Executive Director***

### **Employee Recognition**

***Susan Hubbard, Manager, Corrections Division***

Susan has decades of experience as a Juvenile Probation Counselor and a Detention Coordinator at the King County Juvenile Detention Center.

In 2000, she was appointed the King County District Court's Probation Director and served in that position until her retirement in 2003.

Almost immediately after leaving King County Courts, she joined Seattle Municipal Courts as a Strategic Advisor, responsible for a wide variety of complex projects and research studies.

She left the Seattle Courts in March of this year, but continues as an instructor at Central Washington University (CWU), in Buriem, teaching Criminal Justice Research Methods, Correctional Counseling, and Juvenile Law in CWU's Law and Justice Program.

Susan is a graduate of UCLA and holds a Masters in Social Work from the University of Michigan.

She is currently President of the Board of Directors of the Juvenile Justice Mentoring Network, a non-profit board, which supports the Juvenile Rehabilitation Administration's volunteer mentor program through promotional activities and fundraising.

### ***Dixie Layman, Fiscal Analyst 1, Fiscal Division***

Dixie is the Fiscal Analyst 1 for the WSCJTC located in Lacey, Washington. Her responsibilities include, but are not limited to, accounts payable, accounts receivable, maintaining agency contracts, and assisting with payroll processing.

Dixie's state employment began with a temporary position with the Attorney General's printing department where she worked for three years before accepting a full-time position as the Attorney General's Fiscal Office as a receptionist. In April 2001, she accepted a position with the WSCJTC where she eventually worked her way up from a Secretary Senior to a Fiscal Analyst 1.

Dixie graduated from South Bend High School in 1981, met her husband Hank in 1984, had their first child in 1986, and moved to Tenino where they are buying a home and raising their family. They have now been married for 16 years, but have been together

for 21 years. They have a daughter, Whitney, who is 20 years old and a son, Rayce, who is 15 years old and a sophomore in high school. They have also been raising Dixie's niece, Tiffany, who just recently graduated high school.

Dixie was born and raised in Washington, but loves to travel and see new places. Her hobbies include reading, appreciating artwork, working in her yard, and watching her family grow.

She is very happy to be a part of the WSCJTC.

***Lee Brandt, Regional Training Manager, North Central Regional***

Lee is a Regional Training and Program Manager with the WSCJTC. She is currently assigned to the north central counties of the state and works from an office located at the Everett Police Department. Her program responsibilities cover support and training classes within the Professional Development Division to include the FTO and PTO programs, Law Enforcement Records, Sheriff Civil Function, and Property and Evidence Room Management.

Lee has worked for the commission since April 2003. Prior to her employment with WSCJTC, Lee worked for 22 years as a telecommunicator both in Washington and Maryland – as a dispatcher, lead, training coordinator, and supervisor. Additionally, for seven years she worked as an instructor and course developer for the WSCJTC on a contractual basis.

Lee has been training public safety employees for over 18 years, in on-the-job, classroom, and practical environments. In addition to teaching Instructor Development and Problem-Based Learning Facilitation, she designed, developed, and teaches the Communications Training Officer course offered by WSCJTC.

Lee grew up overseas and in Maryland. Her parents both worked for the CIA; therefore, her residences include Taiwan, the Philippine Islands, and Hong Kong. She attended the University of Maryland and was awarded a B.S. in Journalism /Public Relations and a B.S. in Agronomy. She has completed all classroom hours toward an M.S. in Organizational Assessment and Program Evaluation. Lee is currently completing the Master Trainer Program at the Emergency Management Institute of the Federal Emergency Management Agency (FEMA).

She currently lives in Arlington with her 16 year old daughter, Ann Marie, and husband, Tom. Her husband is a retired police officer from Yakima. Two other children have "left the nest."

Lee is active in her church where she directs the "Front Door Ministry." She enjoys gardening, reading, and sailing.

**Budget/Legislation/Decision Packages**

During this past legislative session, the WSCJTC was directed to complete a survey. This request was found in ESSB 6386 Section 216 (5) "The commission shall conduct a survey of local law enforcement and state agencies to collect data projecting future cadet enrollments for the 2007-2009 biennium. The commission shall report the findings to the legislature by October 1, 2006."



In accordance with the request, the WSCJTC conducted the survey. The survey was an excellent idea and provided the WSCJTC with significant information and an additional resource with which to coordinate and plan for basic law enforcement training. The results of the survey have formulated the decision package, which was submitted to the Office of Financial Management in the budget request for this coming biennium. The request was for an additional \$5 million for the mandatory workload adjustment.

What the WSCJTC projects, based on the survey, is that beginning July 2007, 22 Basic Law Enforcement Academies (20 in Burien and two in Spokane) and four Basic Law Enforcement Equivalency Academies will need to be held. The largest number of classes held at the Burien Campus has been 13 in a one-year period.

**The Director** stated that in order to accommodate all of the students, classes will be held in two shifts. Several classes will be held in the morning and a second shift of classes will be held in the afternoon.

It is a concern that the WSCJTC receives the money from the Legislature and then there is not a need for the large amount of training. He stated that if this occurs, the money would simply be returned to the Legislature. However, in reverse, if sufficient funds are not requested and the WSCJTC is not able to meet the need for training, the result will be a large waiting list and it will create a huge problem for law enforcement agencies across the state of Washington.

**Commissioner Lucas** stated that he has requested 72 positions over the next four years and have a good chance of getting two-thirds of them. His Office of Budgets will ask why the positions should be authorized if there will be no chance of getting his employees into the BLEA.

It creates a huge dilemma. If, in fact, the WSCJTC does not receive the funding and Commissioner Lucas is unable to get his employees into the BLEA, his Board will not authorize the positions.

**Commissioner Clarke** asked how the \$5 million would be spent.

**Director Parsons** stated the additional funding would be used to hire more instructors and an additional Sergeant and to cover the cost of housing students in hotels, food, ammunition, and more.

**Commissioner Daniels** asked what the plan is for the Corrections Academies.

**Director Parsons** stated that another decision package was submitted to expand the Juvenile Academy from two weeks to four weeks, because it has not been expanded for 25 years.

At some point, the WSCJTC would also like to expand the Corrections Officers Academy; however, some analysis needs to be conducted and the WSCJTC needs to work with the DOC on this issue.

Funding will be requested for Certification/Decertification for Corrections. With the help of the DOC, the WSCJTC thinks it will be better able to deal with the union and some of their issues and concerns. The cost is \$322,000, which a majority of the cost is for Assistant Attorney General fees. In addition, the Assistant Attorney General's fees for

Peace Officer Certification are above and beyond what was anticipated; therefore, \$205,000 has been requested.

An additional full-time employee is being requested on behalf of the Facilities Division. Currently, two custodians take care of the entire facility in the evening; therefore, a daytime custodian is needed. Greg Baxter conducted a survey as to how many custodians we would need for a facility of our size if an academic institution. Based on his survey, we would need to hire an additional six custodians, which we will not.

**Director Parsons** stated that a copy of the decision packages will be sent to the Commissioners.

### **Miscellaneous**

Under the Capital Budget, the WSCJTC is requesting funding for a new dormitory. Dorm One is old, not very functional, not efficient in terms of cost and means, and it is very limited in terms of the number of beds. Dorm One currently has 64 beds. The WSCJTC will ask for a new dormitory that will house 120 individuals and will cost approximately \$18 million. Based on the survey, it is more than justified.

In addition, the WSCJTC is asking for \$250,000 for pre-design work for a physical fitness building, so we can expand the gymnasiums, our mock scene building, and range.

### **CALEA**

The WSCJTC was recently accredited by the Commission on Accreditation for Law Enforcement Agencies; however, there are a few caveats that were unfavorable in the process.

In August, the Director wrote a letter to the CALEA Chair and the Executive Director of CALEA asking them to make some changes. It was suggested that when an agency enters into an agreement with CALEA that they be given a choice of software to use. The first would be CALEA Accreditation Compliance Express (CACE), which would be included in the normal cost for participation in the process. The second choice would be Total Accreditation Management and Evaluation (TAME), which would cost an additional \$500 to cover the cost of that software. This proposal would accomplish several things. First, CALEA would maintain the integrity of the standards by essentially authorizing the vendor to distribute the software TAME through CALEA to customers and thereby avoid any alleged copyright issues. He suggested that CALEA purchase the software TAME and make that distribution, which would eliminate the violation of any laws. Second, CALEA would not be at any financial loss in this process since the cost of the purchase of the software would be passed on to the agency. Third, the agency would benefit from the choice of software packages thereby making the accreditation effort more effective and efficient for that agency. Fourth, this would negate the need for any additional "agreements" regarding copyright/software matters that might conceivably be an impediment in the accreditation process.

**Director Parsons** has asked Don Pierce, WASPC Executive Director, if WASPC would be interested in developing an accreditation process for the state of Washington if the WSCJTC were to pull out of CALEA. The WSCJTC would assist with the development of standards. The WASPC is interested in the process.

The WSCJTC is the first training academy in the nation to be accredited by both ACA and CALEA.

### **State Audit**

The WSCJTC is currently going through a state audit. The Washington State Auditor's Office has found a few minor issues. The issues are that the Director's salary has been discussed in executive sessions and not a public format, and that the WSCJTC did not have authorization to do Chief For a Day. The Auditor's Office would like a separate audit trail for the Chief For a Day program, which the WSCJTC will provide.

### **Certification for Tribal Officers**

The WSCJTC is currently working on the process by which tribal law enforcement officers will be certified, which will be effective January 1, 2007.

### **eLearning**

The WSCJTC is still doing the in-service program, which started in January 2006. Steve Lettic, Assistant Manager for the Quality, Standards, and Technology Division, has worked on 186, seven-minute sessions of eLearning for a total of 22 hours. To date, there have been a total of 426 individuals who have used the program from 80 agencies.

### **Physical Ability Testing (PAT)**

The WSCJTC sent out a proposal to validate the PAT. The only bid received was for \$50,000, which is more than the Director anticipated to spend; therefore, the WSCJTC will work with the state of California who is doing a similar study.

### **WSCJTC Job Fair**

The WSCJTC will hold a job fair on Wednesday, October 11, 2006, from 1 to 4 PM.

## **OLD/NEW BUSINESS**

### **Meeting Attendance**

**The Chair** addressed his concern regarding the lack of meeting attendance. It was suggested that if a Commissioner is not able to attend a meeting, Sonja Hirsch be notified.

**Commissioner Amos** stated that although the meetings are scheduled a year in advance, conflicts do occur that hinder the ability to attend.

**The Chair** stated that it is a fairly brief commitment to serve as a Commissioner as the meetings are quarterly and rarely last longer than two hours.

**Commissioner Daniels** stated that maybe a personal phone call to Commissioners who have a problem attending would be appropriate.

**The Chair** asked that Commissioners come up with ideas on how to more aggressively encourage attendance.

### **Training**

**The Chair** asked how the WSCJTC is marketing its web training.

**Steve Lettic** stated that Regional Training Managers are in the field advertising training and it is listed on the agency website at [www.cjtc.state.wa.us](http://www.cjtc.state.wa.us).

The meeting was adjourned at approximately 11:49 AM.

<b>Next Meeting: December 13, 2006, at 10:00 AM</b>
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Written by:

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Sonja Hirsch, Confidential Secretary

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Date

Reviewed by:

\_\_\_\_\_  
Michael D. Parsons, Executive Director

\_\_\_\_\_  
Date

Approved by:

\_\_\_\_\_  
Thomas Metzger, Commission Chair

\_\_\_\_\_  
Date