



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

COMMISSION MEETING

Wednesday, December 13, 2006
10:00 AM

COMMISSION MEMBERS PRESENT:

Bill Boyce, Citizen at Large
Craig Thayer (Vice Chair), Sheriff, Stevens County Sheriff's Office
Garry Lucas, Sheriff, Clark County Sheriff's Office
Gil Kerlikowske, Chief, Seattle Police Department
John Batiste, Chief, Washington State Patrol
Karen Daniels, Chief Deputy of Corrections, Thurston Co. Sheriff's Office
Mike Amos, Sergeant, Yakima Police Department
Shon Small, Detective, Benton County Sheriff's Office
Thomas Metzger (Chair), Prosecuting Attorney, Pend Oreille County

WSCJTC STAFF PRESENT:

Al Isaac, Manager, Professional Development Division
Brian Elliott, Manager, Fiscal Division
Carri Brezonick, Deputy Director
Cheryl Price, Coordinator, Accreditation/Public Disclosure
Cory Ahrens, Telecommunicator Project Manager
Doug Blair, Manager, Peace Officer Certification
Erin Logan-Guffey, Registrar, Corrections Division
Greg Baxter, Manager, Human Resources
Leanna Bidinger, Secretary Senior, Quality, Standards, & Technology Division
Mallory Martin, Secretary Senior, Quality, Standards, & Technology Division
Ron Griffin, Commander, Basic Law Enforcement Academy
Shannon Inglis, Assistant Attorney General, Attorney General's Office
Sonja Hirsch, Confidential Secretary
Susan Hubbard, Manager, Corrections Division
Wanda Townsend, Manager, Quality, Standards, & Technology Division
Wesley Anderson, Manager, Facilities Division

GUESTS PRESENT:

Felix Moran, Chief, Stillaguamish Tribal Police

INTRODUCTION

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

Self-introductions followed.

Commissioner Batiste stated that the Washington State Patrol (WSP) recently lost Tyler Luedtke to his battle with cancer. Tyler was honored as the WSP Chief at the 2006 Chief For a Day celebration. He stated that he can't thank the Washington State Criminal Justice Training Commission (WSCJTC) staff enough for their support to the family and the WSP.

COMMISSIONER AMOS' FAREWELL

Carri Brezonick, Deputy Director

Commissioner Mike Amos, Sergeant, Yakima Police Department

Commissioner Amos has worked for the WSCJTC in many capacities. In addition to his work at the Legislature and the Washington Council of Police and Sheriffs (WACOPS), he has been in charge of the Training Division at the Yakima Police Department for a number of years, hosted events with the WSCJTC, and partnered with the WSCJTC in developing reserve training and many other activities.

Commissioner Amos will retire within the next few months.

The Deputy Director presented Commissioner Amos with a plaque.

Commissioner Amos stated that he believes in everything that has ever been done at the WSCJTC. He believes what is going on and what needs to be done. He stated that if Washington State did not have this training, we would lose a lot more officers than it has.

APPROVAL OF MEETING MINUTES OF SEPTEMBER 13, 2006

Commissioner Batiste moved to approve the minutes of September 13, 2006.

Commissioner Daniels seconded the motion. The motion carried unanimously.

ADMINISTRATIVE EXEMPTIONS

Carri Brezonick, Deputy Director

Chief Steven Strachan, Kent Police Department

Chief Strachan was formerly the Chief of the Lakeville Police Department in Lakeville, Minnesota, and has a long career in law enforcement. He has a Master of Arts Degree in Public Administration from the University of Minnesota. In addition to his law enforcement career, he served as a legislator for the state of Michigan from 2002-2005.

The WSCJTC staff recommends approval of the request for an administrative exemption.

Commissioner Thayer moved to approve the administrative exemptions for Chief Steven Strachan of the Kent Police Department. Commissioner Batiste seconded the motion. The motion carried unanimously.

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

Chief Felix Moran, Board Member

The Board met at the 2006 WASPC Fall Conference in November.

The Board welcomed Deputy David Ellis of the Spokane County Sheriff's Office.

Discussion topics for the meeting were:

1. Career-Level Certification
2. Academy training
 - a. Additional Classes
 - b. Evening Classes
 - c. Spokane Classes
 - d. Satellite Academies
3. Duties and Authority of Reserve Officers

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:

1. The proposal reflects the actual practices of the WSCJTC in the issuance of Career Level Certification to law enforcement **and** corrections personnel and removes the requirement for Executive Level Certification. The requirements for Executive Level Certification were the result of a rule by the WSCJTC for which no funding was obtained. The WSCJTC staff reviewed the requirement for 72 hours of electives and found it to be in need of reduction.
2. Discussions at the 2006 WASPC Fall Conference led to the change in language requiring 12 months of service in the position before receiving certification.

Commissioner Lucas moved to approve the requested changes to WAC 139-25-110, Career Level Certification. Commissioner Batiste seconded the motion. The motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

Carri Brezonick, Deputy Director

The Deputy Director, on behalf of the Director and the WSCJTC staff, wished the Commissioners and their families a warm holiday season. Through the Commissioner's commitment to the agency, the WSCJTC continues to grow and thrive at times when it is faced with challenges.

Employee Recognition

Susan Hubbard, Manager, Corrections Division

Ms. Hubbard stated that she is very pleased to work for the WSCJTC and everyone has been extremely welcoming and helpful with all of the challenges within the Corrections Division.

She stated that she mostly grew up in the juvenile world and spent 28 years at the King County Juvenile Court. In addition, she has worked as the Probation Director at the King County District Court and as an Analyst for the Seattle Municipal Court.

She also teaches at Central Washington University in the Law and Justice Program. She has a very strong commitment to good, quality training; therefore, she feels that this is a good place to be.

Erin Logan-Guffey, Registrar, Corrections Division

Erin is a northwest native. She grew up in West Seattle with her two older brothers and enjoyed most all of her spare time in Burien riding horses. Her interests of horses, justice, anything on wheels, and gadgets were fueled early on (at the age of two) by her favorite TV show the Wild, Wild West.

Erin's first career was in the automotive industry. She spent over nine years working in different capacities such as dealership, retail, wholesale, and repair.

Erin obtained a Vocational Certificate in Corrections through South Seattle Community College in 1998 and was hired by the Washington State Department of Corrections as a Corrections Officer. During her five years as a Corrections Officer, she did transportation, supervised inmate work crews in the community, and worked in all four units of the Monroe Correctional Complex ranging from minimum to maximum security.

Erin's last position with the Department of Corrections was the Assistant to the Community Involvement Program Coordinator until she was hired by the WSCJTC in September 2004 as the Registrar for the Corrections Division.

Erin's personal interests are golfing, piano, reading, horses, hiking, and camping with her husband and children. Most recently, she has become interested in genealogy. Erin inherited over 30 years of painstaking research her grandfather started, which includes pre-1700 dates and earlier. It has some very interesting and amusing accounts of how her Logan lineage came to be.

Erin enjoys working at the WSCJTC and believes that the knowledge and experience students gain is essential and an enhancing aspect of their chosen careers.

Leanna Bidinger, Division Secretary, Quality, Standards, & Technology Division

Leanna was born and raised in Long Beach, Washington. She married her high school sweetheart almost 10 years ago and they have two lovely boys, Brandon (2 ½) and Nathan (seven months).

She graduated high school at the age of 16 and went on to college to get her Associates Degree in Office Systems and Information Processing. Then, her husband (at the time

fiancé) swayed her to take a different career path and they attended the International Air Academy in Vancouver, Washington. She received a diploma specializing in Airline Operations. She was quickly hired by United Airlines and spent nine years with them until she was laid off in the spring of 2005. While at United she met a multitude of wonderful people and got the opportunity to travel the world. Her career at United began as a Reservation Sales and Services Representative, but she soon found her nitch and spent the rest of her career as the Payroll Coordinator, processing bi-weekly payroll for over 400 employees and overseeing the payroll staff.

She is currently the Division Secretary for the Quality, Standards, and Technology Division.

Her hobbies include reading, traveling, shopping, and spending time with her family.

Shannon Inglis, AAG

Brian Maxey, former Assistant Attorney General for the WSCJTC, has accepted a position with the New York City Attorney's Office defending the New York Police Department; therefore, Shannon Inglis will again represent the WSCJTC.

Former TAC Officer—Deputy Glen Carpenter, Pierce County Sheriff's Office

The Deputy Director gave the Commissioners an opportunity to ask questions or comment on the series of emails sent by Deputy Glen Carpenter of the Pierce County Sheriff's Office. Because of Deputy Carpenter's email involvement with Mr. Smith, Deputy Carpenter's contract was terminated, and he was returned to his agency.

Tribal Law Enforcement Officer Certification

The certification for tribal law enforcement officers is effective January 1, 2007. Through the work of Doug Blair, Peace Officer Certification Manager, and Brian Maxey, a Memorandum of Understanding has been prepared, which was distributed to members of the Northwest Association of Tribal Enforcement Officers (NATEO) at the WASPC Fall Conference in November.

The Memorandum of Understanding will be distributed, within the week, to the tribal agencies that were not represented at the NATEO Meeting.

Chief Moran stated that there are approximately 10-12 agencies that are ready to sign the Memorandum of Understanding and certify their officers.

Continuing Litigation of Kevin Skelly

Greg Baxter, Human Resources Manager

On October 3, 2006, the Washington Court of Appeals in a unanimous ruling upheld the 2003 dismissal of former Human Resources Manager, Kevin Skelly. Some aspects of the ruling have set an interesting precedent for state agencies.

After the WSP's thorough investigation into his misconduct, Mr. Skelly was dismissed in March 2003. He promptly made an appeal to the Personnel Appeals Board. A hearing in January 2004 upheld the dismissal. He then sued in the Thurston County Superior Court, which ordered him to be reinstated since he had not been given a second chance under the state's progressive discipline rules. The recent Washington Court of Appeals

decision confirmed the WSCJTC's contention that the lower court was in error in applying the second chance, progressive discipline rules to a Washington Management Service (WMS) employee.

Discussion of Kelly's suit focuses on interpretation of state rules, not on just cause for termination. Throughout the appeal process, Skelly never disputed that the Personnel Appeals Board or either of the courts, what the appeals court called "the substantial evidence that he was negligent, inefficient, incompetent, insubordinate, committed gross misconduct, willfully violated published Commission and Department of Personnel rules." He did not deny any of those; he just said he should not have been fired for it.

One of the rules the state adopted is the rule for WMS employees (managers) that they can only be dismissed for good cause. The state appeal's court stated that RCW 41.06.176 and 500 emphasizes different criteria for management and non-management employees. The court specified that managers are not entitled to the progressive discipline, second-chance provisions that other employees get.

Eyeport

Carri Brezonick, Deputy Director

A year ago, the Director and Deputy Director met Dr. Jacob Liberman. He has studied eyesight for a number of years and has worked with professional and Olympic athletes in assessing their eyesight.

In talking with Dr. Liberman, it was learned that a part of sight is how your eyes work together and feed information into your brain. The WSCJTC believes that eye training has application for law enforcement training especially in the skills-based training (firearms, driving, and more).

A few eye demonstrations followed.

With the use of the eyeport, the WSCJTC is proposing to do a long-term study with the Basic Law Enforcement Academy recruits to assess the impact of eye training on their success at the firing range, EVOC, and more. Dr. Liberman had done limited work with the Maui County Police Department, and the training he has done has shown significant results.

The eye training is simple and takes 10 minutes per day for six-to-nine weeks. The Commander is working on a plan to incorporate the Eyeport exercise into the class schedules.

Audit

The WSCJTC was recently audited and came through with no findings. A few areas were brought to the Director's attention as exceptions. Exceptions do not go into the published report; however, it is information that they want brought to the agency's attention.

The first exception is with the Commission Executive Sessions. When the Commission goes into Executive Session, there are very specific rules about how to do it. After reviewing past Commission Meeting minutes, on a few occasions, the minutes did not

specifically state why the Executive Session was being held. In addition, the Executive Director's salary can not be discussed in an Executive Session and must be addressed during the general meeting.

The second exception has two issues and is related to the Chief For a Day event. The first issue is that the WSCJTC needs to establish a separate account for Chief For a Day funds to eliminate the co-mingling of donated monies and state funds. The second issue is that the auditors believe that the WSCJTC is not authorized to do the Chief For a Day event and that the WSCJTC either needs a statutory authority to do it or a Governor's Executive Order.

Shannon Inglis stated that she believes that the issue with the Chief For a Day event is because of the use of state funds and employees' time. The Deputy Director and Ms. Inglis are working to resolve the issues regarding the Chief For a Day event. The WSCJTC would like to look at other options rather than the legislative-fix option suggested by the auditors.

Legislature

The Deputy Director will serve as the Legislative Liaison for the upcoming session.

Department of Information Services (DIS)

Historically, the WSCJTC has not done well at getting additional funding through the DIS. The last time the WSCJTC received funds from the DIS was in Y2K funding. The Director and Deputy Director recently met with the Director of the DIS. Over the next two years, the WSCJTC will work with the DIS on phone upgrades and upgrading the training database.

Priorities of Government (POG)

For the first time, the WSCJTC was invited to participate in a Priorities of Government discussion. The Deputy Director, Commander Griffin, and Brian Elliott were invited to make a presentation to the Office of Financial Management Analyst. The WSCJTC is hopeful that when the Governor's budget comes out next week, that the needs of the WSCJTC will be acknowledged and represented.

Decision Packages

Basic Law Enforcement Academy: A large amount of funds are needed and have been requested for the Basic Law Enforcement Academy. The Commander is diligently working on strategies to run the projected 22 academies this year. Because of the physical demands on the academy (use of classrooms, gyms, firing range, and more), the Basic Law Enforcement Academy classes will be run in day and evening shifts.

Certification/Decertification for Corrections Officers: Secretary Harold Clarke, Department of Corrections, and Assistant Secretary Sekou Shabaka, Juvenile Rehabilitation Administration, are in support of Certification/Decertification for Corrections Officers.

Dormitory Replacement: The WSCJTC has requested both pre-design and building funds for a new 120-bed dormitory this biennia.

Multi-purpose Skills Training Facility: The WSCJTC has requested funds for pre-design work for a multi-purpose skills training facility, which will expand the size of the firing range; will add more gymnasium space; and a mock city with actual street frontages, intersections, and buildings.

The Deputy Director stated that the Basic Law Enforcement Academy currently has a large wait list for those in need of basic training, which is a problem for agencies the WSCJTC serves. The WSCJTC is mindful of this issue and is running as many academies as possible with the limited resources available.

The Deputy Director will send an email next week articulating the WSCJTC's status in the Governor's budget.

The Commander stated that between now and July 2007, agencies will feel pain in the amount of time it takes to get their recruit into the basic academy. The list is going to grow and the wait time will get longer within the next six months.

In the meantime, if the WSCJTC gets an indication from the Governor's office that the funding will be granted, the WSCJTC will begin working ahead of time to get the additional staff in place to start the additional classes as soon as possible.

The Deputy Director thanked Chief Gil Kerlikowske for providing the Basic Law Enforcement Academy with TAC Officers.

The Deputy Director also acknowledged the impact that the additional Basic Law Enforcement Academy classes will have on the WSP Academy, and the number of additional students that will need EVOG training. She stated that the WSCJTC greatly appreciates Captain Fred Fakkema's (WSP) assistance and support.

STAFF REPORTS

Peace Officer Certification Hearings Panel Volunteers

Doug Blair, Manager, Peace Officer Certification

The Peace Officer Certification Hearings Panel is short of volunteers in the position of sheriff. A hearing has been scheduled in January and there is no sheriff available; therefore, Mr. Blair solicited interest from the newly elected sheriffs. The newly elected sheriff that the WSCJTC would like to have approved will not be named sheriff until January 1, 2007.

If approved, the newly elected sheriff will not receive any information regarding the case until after January 1, 2007.

The following person has been nominated for appointment to the Peace Officer Certification Hearings Panel:

- Sheriff-elect Casey Salisbury, Mason County Sheriff's Office

Mr. Salisbury is currently employed by the Thurston County Sheriff's Office and is certified as a Washington Peace Officer.

Commissioner Daniels moved to approve Casey Salisbury to serve as a panel member for Peace Officer Certification hearings. Commissioner Batiste seconded the motion. The motion carried unanimously.

OLD/NEW BUSINESS

Nothing to report.

The meeting was adjourned at approximately 11:32 AM.

Next Meeting: March 14, 2007, at 10:00 AM
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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