

# WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS

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*Serving the Law Enforcement Community and the Citizens of Washington*



## EXECUTIVE BOARD MEETING ALPEN ROSE INN—LEAVENWORTH, WA SEPTEMBER 12, 2014

Board Members	Agency	Staff	Agency
Mark Nelson	Cowlitz County Sheriff's Office	Mitch Barker	WASPC
Ken Hohenberg	Kennewick Police Department	James McMahan	WASPC
Casey Salisbury	Mason County Sheriff's Office	Mike Painter	WASPC
John Batiste	WA State Patrol	Kim Goodman	WASPC
Eric Olsen	Kirkland Police Department		
Mark Couey	OIC—SIU	<b>Guests</b>	<b>Agency</b>
Garry Lucas	Clark County Sheriff's Office	Sue Rahr	WSCJTC
John Snaza	Thurston County Sheriff's Office	Rory Gilliland	Nooksack Tribal Police Department
Tom Robbins	Wenatchee Police Department		
Ken Thomas	Kent Police Department		
Steve Strachan	Bremerton Police Department		
Mark Couey	OIC—SIU		

### CALL TO ORDER:

### **PRESIDENTIAL REMARKS AND INTRODUCTIONS—PRESIDENT ERIC OLSEN**

President Olsen called the meeting to order. Self-introductions followed.

### **APPROVAL OF MINUTES—PRESIDENT ERIC OLSEN**

**John Snaza made the motion to approve the May 20, 2014 and August 19, 2014 Minutes as presented. Ken Hohenberg seconded the motion. Motion carried.**

### REPORTS:

### **FINANCE AND PERSONNEL COMMITTEE—CHIEF KEN THOMAS**

The balance sheet provided represents the first six months of 2014. On June 30, 2014, WASPC's cash balance was \$18,000. This was not an issue as WASPC received \$525,000 in the first fifteen days of July. This demonstrates the ebb and flow of WASPC's cash on hand. The income statement provided also represents the first six months of 2014 and compares to 2013 audited numbers.

President <b>ERIC OLSEN</b> <i>Chief – Kirkland</i>	President Elect <b>CASEY SALISBURY</b> <i>Sheriff – Mason County</i>	Vice President <b>KEN HOHENBERG</b> <i>Chief – Kennewick</i> <i>Executive Board</i>	Past President <b>OZZIE KNEZOVICH</b> <i>Sheriff – Spokane County</i>	Treasurer <b>KEN THOMAS</b> <i>Chief – Kent</i>
<b>TOM ROBBINS</b> <i>Chief – Wenatchee</i>	VACANT <i>Chief –</i>	<b>STEVE STRACHAN</b> <i>Chief – Bremerton</i>	<b>MARK NELSON</b> <i>Sheriff – Cowlitz County</i>	<b>JOHN SNAZA</b> <i>Sheriff – Thurston County</i>
<b>GARRY LUCAS</b> <i>Sheriff – Clark County</i>	<b>MARK COUEY</b> <i>Director—OIC</i> <i>Special Investigations Unit</i>	<b>JOHN BATISTE</b> <i>Chief – WA State Patrol</i>	<b>FRANK MONTOYA, JR.</b> <i>SAC – FBI, Seattle</i>	<b>MITCH BARKER</b> <i>Executive Director</i>

During the first quarter of 2014, the Full Service Offices were closed. Revenue for those offices will not be seen in 2014.

Revenue for the Critical Incident Planning and Mapping Program is down. This is not concerning as it is expected that revenue will increase during the third quarter.

As a result of the Sales Tax Audit being completed, there is \$260,000 that will show up as revenue in 2014. In 2013, this money was set aside in the event WASPC was required to pay B&O taxes.

**Mark Couey made the motion to approve the Finance and Personnel Committee Report as presented. Garry Lucas seconded the motion. Motion carried.**

**Ken Hohenberg made the motion to adopt the WASPC Financial Investment Policy as presented at the Executive Board Retreat. Mark Couey seconded the motion. Motion carried.**

#### **STANDING COMMITTEE REPORTS—CHIEF KEN HOHENBERG**

##### **Boating Safety Committee—Sheriff Bill Benedict and Chief Steve Crown, Co-Chairs**

No activity to report. Committee Members have been busy on boating issues; however, they only peripherally involve WASPC. Will report at the Fall Conference.

##### **Corrections Committee—Sheriff Rick Scott and Chief **Vacant**, Co-Chairs**

No activity to report.

*Sheriff Scott is a new co-chair and is not yet familiar with the happenings of the Committee. A GTWO has been sent requesting emails of interest for the Chief co-chair position.*

##### **Finance and Personnel Committee—Chief Ken Thomas, Chair**

To be presented at the September 12, 2014 Board Meeting.

##### **Homeland Security/Intelligence Committee—Sheriff Ozzie Knezovich and Chief Ken Thomas, Co-Chairs**

The gang investigator work group continues to move forward with the WAGang Database. The upgrades to the database have been updated and the decision has been made to move forward with the changes that have been made to date. As we move forward, there will be additional changes; however, we need to get started and it will not be perfect at the start or we will never get started. The Training is being set up and will be delivered soon. The population of the database should also begin soon.

We hope to get legislative support for \$250,000 to help provide state-wide training and pay overtime to help agencies populate the database.

**Indian Country Law Enforcement Committee—Chief Rory Gilliland and Sheriff Al Botzheim, Co-Chairs**

**Brief outline of recent activity:** Committee met at the Spring Conference of WASPC.

**Brief outline of upcoming activities:** Next Meeting Scheduled for Fall at WASPC Conference.

**Recommendations and/or action to be taken:** None at this time.

**Law Enforcement Training Committee—Mike Gafney and Sheriff Ozzie Knezovich, Co-Chairs**

**Brief outline of recent activity:** Co-Chair Gaffney met with CJTC Executive Director Sue Rahr in August to discuss how to manage/restructure the LEET Committee to more closely replicate the significant contributions made by the old BLETSE (which the Governor dissolved) which LEET was intended to replace. This effort is thought necessary because the meeting structure at WASPC conferences lends itself to briefings and presentations, but not to action.

**Brief outline of upcoming activities:** The LEET will be standing up working sub-committees to address issues raised by WASPC, Members, and CJTC between WASPC conferences, with those activities and recommendations briefed at the conferences. A list of volunteers for those sub-committees is being developed, and the first sub-committee chair has also volunteered. Initial efforts will address identification of issues related to training and education, such as the Reserve Officer program.

**Recommendations and/or action to be taken:** Develop momentum for sub-committee efforts, hold sub-committee work sessions, prepare reports for November WASPC conference.

**Legislative Committee—Chief Steve Strachan and Chief Cliff Cook, Co-Chairs**

To be discussed at the September 12, 2014 Board Meeting.

**Membership Committee—Chief Rex Caldwell, Chair**

**Brief outline of recent activity:** The Committee hosted the new members' dinner presentation at the Spring Conference in Spokane, WA and presented Life Membership Awards to Mark Ericks and Randy Stegmeier at the conference. We also presented the Life Membership Award to the family of Mike Humphreys posthumously in honor of his service to Washington State Law Enforcement. The committee "meets" via email as needed to review applications.

**Brief outline of upcoming activities:** The committee will once again host the new members' dinner presentation at the Fall Conference in Chelan.

**Model Policy Committee—Chief John Vinson and Chief Bob Metzger, Co-Chairs**

No activity to report.

**NIBRS Advisory Committee—Captain Dick Reed and Deb Shay, Co-Chairs**

**Brief outline of recent activity:** Nothing since last meeting in the Fall.

**Brief outline of upcoming activities:** Further discussion on compliance dates for agencies and discussion of possible legislative language clean up with regards to the reporting of DV and Hate/Bias.

**Recommendations and/or action to be taken:** None at this time.

**Professional Services Committee—Chief Jeff Myers and Sheriff Tom Jones, Co-Chairs**

**Brief outline of recent activity:** LEMAP – Reports completed for assessments conducted for Walla Walla PD. Accreditation – On site assessments completed at Benton County SO and Othello PD. Accreditation manager/assessor training delivered at CWU on 8/13 to 50 attendees, many of which were new agencies. Executive Search – Milton PD recruitment completed and searches for Woodland and Wapato PD currently in progress. WATPA – site visits completed in eastern and western Washington for 2013-15 grant recipients. Work completed to prepare for 5% budget reduction; options will be presented to the WATPA Board at their 9/17 meeting.

**Brief outline of upcoming activities:** Upcoming onsite scheduled at Pacific and Ephrata (new accreditations) and Lakewood (CALEA transition) scheduled before October 1. Bremerton PD (new accreditation) tentatively scheduled in October; several others in process and pending mock assessments before scheduling of onsite. Western Washington Accreditation manager/assessor training session set for 11/5/2014. Interviews for Woodland Chief scheduled for September 29/30; Wapato applicant screening scheduled for 10/1/2014 with interviews on October 20/21. Wapato and Colfax recently inquired for fall/winter LEMAP assessments.

**Recommendations and/or action to be taken:** Committee will be considering a new accreditation standard, at the request of the WASPC Board (5/2014) that covers officer handling of Domestic Violence investigations where the victim is being treated in a medical facility. Committee will also need to discuss replacement recommendation for retiring Accreditation Commissioner (Chair) Sheriff Garry Lucas.

**Small Agency Committee—Chief Bonnie Bowers, Chair**

No activity to report.

**Sex Offender Registration and Notification Committee—Sheriff Mark Brown, Chair**

**Brief outline of recent activity:** The committee met on June 26, 2014, and discussed the following matters.

Perhaps the most important item of discussion was the recommended re-introduction of legislation “language clean-up” bill designed, among other things, to bring us more in line with federal mandates. The main focus of this proposal (formally Senate Bill 5735) would: 1) require RSO visitation time of 10 days (or more) to be reported to respective Sheriff of the County where this visitation occurs; 2) require RSOs to register when they are on DOC work release, EHM or other alternative form of confinement; 3) Require RSOs traveling outside the US to provide 21 days prior notice to the respective County Sheriff’s Office who will coordinate providing this information to the US Marshal for notification to the particular country being visited.

Address verification funds may be used for staff, equipment, training, conferences, or anything else needed to meet the requirements of “face to face” verification. Also we have done away with the option of “combining counties with 100 offenders or more” for purposes of funding distribution. In the future each individual county will get their respective allocation according formula calculations.

There is no update regarding the “public disclosure” injunctions on Level I information.

Discussion is ongoing about what to do with RSOs who travel outside their respective registered address locations with companies, fishing boats, etc. Different agencies have different requirements. Some agencies are reporting them as transient while they are away; some agencies have them report their location weekly; others may be required to produce a “log” of their travels.

**Brief outline of upcoming activities:**

RSO Coordinators’ Conference is scheduled for October 6<sup>th</sup> through the 8<sup>th</sup> in Wenatchee. Go to [www.waspc.org](http://www.waspc.org), LE Resources/RSO Resource Center; then click on “Training” to register for the conference. The cost of the hotel room will be provided by grant funding (same as last year). Lunch will be provided on Tuesday and Wednesday. There will also be refreshments at the “meet and greet” on Monday, late afternoon. Breakfasts are provided at all hotels. Individual agencies will need to cover transportation and dinners for their participants.

**Technology Committee—Vacant and Captain Dick Reed, Co-Chairs**

No report.

**Traffic Safety Committee—Sheriff Rick Scott and Chief Bill Drake, Co-Chairs**

**Brief outline of recent activity:** WASPC traffic safety grants for emergency funding was administered this past month. Mini-grants were funded from residual funds, as well as some requests which were not granted in the “first round.”

Washington Impaired Driver Advisory Council (WIDAC) is continuing its quarterly meeting schedule. WIDAC composed of multi-discipline members from LE, WTSC, NHTSA, MADD, DOT, and substance abuse prevention groups. Chief Drake attended this quarter.

Most importantly, Sheriff Ken Bancroft resigned his position with the WASPC Traffic Safety Committee as Co-Chair this past month. His position has been filled by Sheriff Rick Scott.

**Brief outline of upcoming activities:** WIDAC meetings.

**Recommendations and/or action to be taken:** None at this time.

Kim Goodman commented on the temporary employee, Barb Lally. Barb has been tasked with conducting a SECTOR survey.

**Garry Lucas made the motion to approve the Standing Committee Reports as presented. Ken Thomas seconded the motion. Motion carried.**

**OLD BUSINESS:**

**NEW BUSINESS:**

**SEX OFFENDER POLICY BOARD REPRESENTATION—MITCH BARKER**

In 2008, the legislature passed SSB 6596 to create the Sex Offender Policy Board (SOPB). The Legislature's intent was to promote a coordinated and integrated response to sex offender management and create an entity to respond to issues that arise, such as integrating state and federal laws, in a way that enhances the state's interest in protecting the community with an emphasis on public safety.

As with the original Engrossed Substitute Senate Bill 5891, effective July 1, 2011, directs the Sentencing Guidelines Commission (SGC) to establish and maintain SOPB. The Board is assigned a wide variety of duties that range from conducting individual case reviews to undertaking projects that inform policy related to sex offenders.

In July 2010, Chief Ed Holmes was appointed to the Board. In October 2010, Joanna Arlow (WASPC's Policy Director) was appointed to the Board. Her appointment removed Chief Holmes from the Board. Ms. Arlow left WASPC in 2012, since that time, Ms. Dawn Larsen has been serving as WASPC's representative on the Board.

Executive Director Barker requested direction from the Board regarding who should represent WASPC on the Sex Offender Policy Board.

**Ken Thomas made the motion to appoint James McMahan to serve as the WASPC representative on the Sex Offender Policy Board. Tom Robbins seconded the motion. Motion carried.**

#### **POTENTIAL IMPEACHMENT DISCLOSURE POLICY—JAMES MCMAHAN**

It has been requested that WASPC have the Model Policy Committee to review the current Potential Impeachment Disclosure Policy. During the review process, the Committee should identify revisions to bring the WASPC Policy more in line with the Washington Association of Prosecuting Attorneys (WAPA) policy.

Mr. McMahan outlined the WASPC Policy for revisions to model policies.

Clarification on model policies was provided.

Pierce County has suggested the following addition to the WASPC Policy:

*Consistent with the WAPA model policy on “Disclosure of Potential Impeachment Evidence for Recurring Investigative or Professional Witnesses,” the standard for disclosure of potential impeachment evidence depends on what a reasonable person could believe. It does not necessarily reflect the belief of the law enforcement agency or of the prosecution. Consequently, disclosure may be required in cases where the law enforcement agency believes that no misconduct occurred, if a reasonable person could draw a different conclusion.*

Discussion on the Potential Impeachment Disclosure Policy occurred.

**Ken Thomas made a motion to forward the Potential Impeachment Disclosure Policy to the Model Policy Committee for review and possible revision. Tom Robbins seconded the motion. Motion failed (0-9). The policy will not be forwarded to the Model Policy Committee.**

#### **2015 LEGISLATIVE AGENDA—JAMES MCMAHAN**

The WASPC Legislative Committee proposes the following items comprise the 2015 WASPC Legislative Agenda:

1. Authorize the Use of Warrant Officers in Cities with a Population of Less than 400,000.
2. Improve Sex Offender Registration Laws.
3. Facilitate law enforcement use of body-worn cameras.
4. Continue Funding for Statewide Law Enforcement Programs such as Victim Notification, Jail Booking and Reporting System, Sex Offender Address Verification, Uniform Crime Reporting, and Auto Theft Prevention Authority Task Forces.

Items that WASPC may support includes: making the extraction of hash oil from Marijuana a felony; and exempting address/contact information for un-missing persons from public disclosure.

**Garry Lucas made the motion to adopt the 2015 Legislative Agenda as presented. Ken Hohenberg seconded the motion. Motion carried. Director Barker clarified that the approval is to take the proposed 2015 Legislative Agenda to the membership at the 2014 Fall Conference for ratification.**

#### **2016 AND 2017 FALL CONFERENCE CONTRACTS—KIM GOODMAN**

The 2014 WATPA Conference was scheduled to occur at Campbell's Resort. As a result of state budget cuts, the conference was canceled. As part of the cancellation negotiations, WASPC agreed to consider signing contracts for the 2016 and 2017 Fall Training Conferences to be held at Campbell's. Board approval is needed before these contracts may be signed.

As WASPC has held several successful conferences at Campbell's, staff recommended that the 2016 and 2017 Fall Training Conferences be held at Campbell's Resort on Lake Chelan.

**Ken Hohenberg made the motion to hold the 2016 and 2017 Fall Training Conferences at Campbell's Resort. Tom Robbins seconded the motion. Motion carried.**

#### **AMICUS BRIEF—MITCH BARKER**

WASPC received a request to join an amicus brief on a school district case, *Predisik v. Spokane School District*. The case is regarding misconduct investigations; however, the outcome may impact law enforcement internal investigations.

**Mark Couey made the motion for Leo Poort to represent WASPC for the purposes of this Amicus Brief. Garry Lucas seconded the motion. Motion carried.**

#### **GOOD OF THE ORDER:**

#### **APPROVAL OF MEMBERSHIP—CHIEF REX CALDWELL**

The Membership Committee has recommended approval of the following applications:

#### **ACTIVE MEMBERSHIP APPLICATIONS (7):**

- Albert Escalera, Chief, Sunnyside Police Department
  - Sponsored by: Ken Hohenberg, Chief, Kennewick Police Department
- Mike Hartnett, Marshal, Pe Ell Police Department
  - Sponsored by: Steve Mansfield, Sheriff, Lewis County Sheriff's Office
- Mike Kessler, Chief, Springdale Police Department
  - Sponsored by: Rory Gilliland, Chief, Nooksack Tribal Police Department
- Jim Montgomery, Chief, Bellevue Police Department
  - Sponsored by: John Urquhart, Sheriff, King County Sheriff's Office



- Rick Norrie, Marshal, Coupeville Marshal's Office
  - Sponsored by: Mark Brown, Sheriff, Island County Sheriff's Office
- Kathleen O'Toole, Chief, Seattle Police Department
  - Sponsored by: John Batiste, Chief, WA State Patrol
- William Shields, Chief, Uniontown Police Department
  - Sponsored by: Brett Myers, Sheriff, Whitman County Sheriff's Office

**TRANSFERS FROM ASSOCIATE TO ACTIVE (4):**

- Kelly Busey, Chief, Gig Harbor Police Department
  - Associate Member Since 1/15/14
- Mark Mears, Chief, Fife Police Department
  - Associate Member Since 1/18/06
- Phil Schenck, Chief, Othello Police Department
  - Associate Member Since 5/20/02
- Dan Templeman, Chief, Everett Police Department
  - Associate Member Since 3/13/13

**ASSOCIATE MEMBERSHIP APPLICATIONS (8):**

- Nelson Beazley, Operations Bureau Chief, Snohomish County Sheriff's Office
  - Sponsored by: Ty Trenary, Sheriff, Snohomish County Sheriff's Office
- Bill Cooper, Chief (Retired), NW University
  - Sponsored by: Eric Olsen, Chief, Kirkland Police Department
- Joanna Eide, Criminal Justice Liaison, WA Department of Fish and Wildlife
  - Sponsored by: Steve Crown, Chief, WA Department of Fish and Wildlife
- Rick Felici, Detective, Island County Sheriff's Office
  - Sponsored by: Mark Brown, Sheriff, Island County Sheriff's Office
- Teri Garden, Captain, Oak Harbor Police Department
  - Sponsored by: Ed Green, Chief, Oak Harbor Police Department
- John Gese, Patrol Chief, Kitsap County Sheriff's Office
  - Sponsored by: Steve Boyer, Sheriff, Kitsap County Sheriff's Office
- Kristopher Nowak, Sergeant, Vancouver Police Department
  - Sponsored by: James McElvain, Ph.D., Chief, Vancouver Police Department
- Trent Stephens, Deputy Chief, Pierce Transit Department of Public Safety
  - Sponsored By: Rod Baker, Chief, Pierce Transit Department of Public Safety

**AFFILIATE MEMBERSHIP APPLICATIONS (1):**

- Jason Hollingsworth, Vice President—Law Enforcement, Intellicheck Mobilisa
  - Sponsored by: Tony Hernandez, Chief, Milton Police Department

**Ken Hohenberg made the motion to approve the membership applications and transfers as recommended by the Membership Committee, with the exception of Trent Stephens. Deputy Chief Stephens' current sponsor is no longer an active member. Mr. Stephens' application will be reconsidered once an active member sponsor has been identified. Garry Lucas seconded the motion. Motion carried.**

**2014-2015 MEETING SCHEDULE—KIM GOODMAN**

- November 18, 2014, Campbell's Resort, Chelan (Conference)
- January 14, 2015, WASPC Office, Lacey
- March 18, 2015, WASPC Office, Lacey
- May 19, 2015, Spokane Convention Center, Spokane (Conference)
- September 17-18, 2015, Alpen Rose Inn (Retreat)

**CRASH LOGIC/APPRISS MARKETING AGREEMENT—MITCH BARKER**

**Garry Lucas made the motion to approve the Crash Logic/Appriss Marketing Agreement as discussed in the Executive Board Retreat. Mark Couey seconded the motion. Motion carried.**

**CHIEF SCHLICKER—PRESIDENT ERIC OLSEN**

WASPC was recently informed that Chief Schlicker was terminated from his agency. This creates a vacancy on the Executive Board. The standard process will be followed to identify a replacement.

**THANK YOU—PRESIDENT ERIC OLSEN**

President Olsen thanked the Board for their attendance and participation in the 2014 Executive Board Retreat. Lunch will be served in the dining area.

**ADJOURN:**

**Ken Hohenberg made the motion to adjourn the meeting. Garry Lucas seconded the motion. The meeting was adjourned.**