

# WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS

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



## EXECUTIVE BOARD MEETING WASPC OFFICE | LACEY, WA JANUARY 15, 2014 | 10:00 A.M.

| Board Members   | Agency                                      | Staff        | Agency |
|-----------------|---|--------------|--------|
| Paul Ayers      | Issaquah Police Department                  | Mitch Barker | WASPC  |
| Ken Hohenberg   | Kennewick Police Department                 | Jamie Yoder  | WASPC  |
| Casey Salisbury | Mason County Sheriff's Office               | Kim Goodman  | WASPC  |
| Tom Robbins     | Wenatchee Police Department                 | Mike Painter | WASPC  |
| Eric Olsen      | Kirkland Police Department                  | Dawn Larsen  | WASPC  |
| Ed Holmes       | Mercer Island Police Department             | Don Pierce   | WASPC  |
| Tom Schlicker   | Swinomish Police Department                 | Joan Smith   | WASPC  |
| Steve Boyer     | Kitsap County Sheriff's Office              |              |        |
| Mark Couey      | WA Office of the Insurance Commissioner—SIU |              |        |
| John Batiste    | WA State Patrol                             |              |        |
| Laura Laughlin  | FBI—Seattle                                 |              |        |
| Guests          | Agency                                      |              |        |
| Judith Heilman  | Mayors Against Illegal Guns                 |              |        |
| Dusty Pierpoint | Lacey Police Department                     |              |        |
| Sue Rahr        | WSCJTC                                      |              |        |
| Bob Torgerson   | Aberdeen Police Department                  |              |        |
| Glenn Schaffer  | Chehalis Police Department                  |              |        |
| Randy Kaut      | Chehalis Police Department                  |              |        |
| David Hoover    | Mayors Against Illegal Guns                 |              |        |
| Meera Bhardwaj  | Mayors Against Illegal Guns                 |              |        |
| Ryan Spurling   | Mason County Sheriff's Office               |              |        |

### **CALL TO ORDER:**

### **PRESIDENTIAL REMARKS AND INTRODUCTIONS**

President Elect Eric Olsen called the meeting to order at 10:04 A.M. Self-introductions followed.

### **APPROVAL OF MINUTES**

**John Batiste made the motion to approve the November 19, 2013 minutes as presented. Tom Robbins seconded the motion. Motion carried.**

|  |  |   |  |   |
|--|--|---|--|---|
| President<br><b>OZZIE KNEZOVICH</b><br><i>Sheriff – Spokane County</i> | President Elect<br><b>ERIC OLSEN</b><br><i>Chief – Kirkland</i>                | Vice President<br><b>CASEY SALISBURY</b><br><i>Sheriff – Mason County</i><br><i>Executive Board</i> | Past President<br><b>ED HOLMES</b><br><i>Chief – Mercer Island</i> | Treasurer<br><b>PAUL AYERS</b><br><i>Chief – Issaquah</i> |
| <b>TOM ROBBINS</b><br><i>Chief – Wenatchee</i>                         | <b>TOM SCHLICHER</b><br><i>Chief – Swinomish</i>                               | <b>KEN HOHENBERG</b><br><i>Chief – Kennewick</i>  | <b>STEVE BOYER</b><br><i>Sheriff – Kitsap County</i>               | <b>JOHN SNAZA</b><br><i>Sheriff – Thurston County</i>     |
| <b>GARRY LUCAS</b><br><i>Sheriff – Clark County</i>                    | <b>MARK COUEY</b><br><i>Director—OIC</i><br><i>Special Investigations Unit</i> | <b>JOHN BATISTE</b><br><i>Chief – WA State Patrol</i>   | <b>LAURA LAUGHLIN</b><br><i>SAC – FBI, Seattle</i>                 | <b>MITCH BARKER</b><br><i>Executive Director</i>          |

**PRESENTATIONS:**

**MAYORS AGAINST ILLEGAL GUNS**

Judith Heilman, Meera Bhardwaj, and Dave Hoover made a presentation on Mayors Against Illegal Guns. The organization supports background checks for all gun sales.

Please note that Mayors Against Illegal Guns is not associated with the Initiative 594 campaign.

Executive Director Barker commented on the presentation, reminding attendees that as an association, WASPC has supported the concept of background checks on all firearms purchases. Additionally, WASPC does not have a position on I-594.

**REPORTS:**

**FINANCE AND PERSONNEL COMMITTEE—CHIEF PAUL AYERS**

An additional \$88,000 was paid toward the mortgage principal in 2013. If the Association continues to make accelerated payments, the building mortgage could be retired as early as 2016. The mortgage term is through 2032.

Cash on hand is adequate for operations. Revenues and Expenses were lower in 2013. Expenses have been monitored and are in line with the reduction of revenues. Programmatic changes in 2013 lead to the reduction (Protective Order Program funding, Methamphetamine Program and Stranger Rape DNA Program ended in 2012). Also, the Rural Drug Task Force funding ended in June 2013.

WASPC did have one long-term employee retire in December 2013. Expenses relating to PTO payout will be realized in 2013.

Not shown on the finance documents is a SECTOR equipment purchase made in December 2013. This purchase will be reflected in year-end documents.

**Ken Hohenberg made the motion to approve the Finance and Personnel Committee Report as presented. John Batiste seconded the motion. Motion carried.**

**COMMITTEE REPORTS—SHERIFF CASEY SALISBURY**

Sheriff Salisbury outlined Committee Reports as provided to the Board.

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

No report provided.

**Corrections Committee—Sheriff Ken Bancroft and Chief Vacant, Co-Chairs**

No activity to report.

*\*Chief Brian Wilson is retiring. A replacement co-chair will need to be appointed. A GTWO requesting emails of interest will be distributed shortly.*

**Finance and Personnel Committee—Chief Paul Ayers, Chair**

As reported by Chief Paul Ayers, WASPC Treasurer.

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

**Brief outline of recent activity:** The WAGang criminal street gang database workgroup continues to fine tune the database for implementation. The go-live date is to occur within the next two weeks. I (Chief Thomas) am told no later than the end of January. The beta-testing of the data base is done and WSIN is making the final tweaks. On Friday, January 10th the workgroup will be meeting to make the final policy and procedure recommendations to our Committee oversight group. The state-wide gatekeepers have been identified and we are putting the training together for data entry. All regions of the state are covered with identified gatekeepers.

**Brief outline of upcoming activities:** The main focus of our committee is the WAGang Database right now.

**Recommendations and/or action to be taken:** None

Executive Director Barker indicated that a bill has been dropped that would provide funding for the database.

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

No activity to report.

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

**Brief outline of recent activity:** Committee leadership has been working with CJTC and BLEA leaders to finalize a five-year longitudinal study of BLEA graduate performance and perceptions of the academy. Committee leadership began a survey process to help inform CJTC/BLEA regarding priorities for Core Competencies from the perspective of agency leaders to inform refinement of BLEA curriculum.

**Brief outline of upcoming activities:** 1. During the November meeting at the WASPC conference, a standing subcommittee structure was proposed and accepted. Formation of those committees is underway. 2. Expand and complete the Core Competencies survey. 3. Final reporting on the longitudinal BLEA study.

**Recommendations and/or action to be taken:** Approve amendment of the committee charter to reflect addition of Training as a focus and Corrections as a subject area of coverage for the committee.

*\*Revised Committee Charter to be considered to be considered by WASPC Board.*

Sue Rahr commented that the Criminal Justice Training Commission will be taking over the longitudinal study of BLEA. The Committee continues to be in a state of flux.

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

To be discussed later in the meeting.

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

**Brief outline of recent activity:** The committee held a meeting at the fall conference in Chelan to present a “new members orientation” on Monday night November 18 and then again Tuesday morning the 19th to discuss business. In the time since the fall conference, we have “met” via email to review applicants for varying membership levels.

**Brief outline of upcoming activities:** The committee will continue to meet as needed via email to review applications and hold a new member function at the spring conference coming in May 2014.

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

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

No report provided.

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

No report provided.

*\*Revised Committee Charter to be considered to be considered by WASPC Board.*

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

**Brief outline of recent activity:** LEMAP – Reports completed for assessments conducted in the fall at Bellingham PD, Snohomish County SO and Puyallup PD. Accreditation – On site completed at Spokane PD on 12/12/2013. Upcoming onsite scheduled at Cheney and Burlington

PD; numerous others in process and pending onsite before the spring conference. Executive Search – Milton PD in progress and working on preliminary discussion with Medina PD.

**Brief outline of upcoming activities:** See above

**Recommendations and/or action to be taken:** Chehalis PD is appealing your decision, based upon recommendation by the Accreditation Commission, that they be re-accredited. Information and a timeline of events are included in meeting materials.

#### **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 WASPC website has been redesigned (thanks Jamie!) and looks great. The Registered Sex Offender Resource Section has been moved and is now under the “Member Resource” tab. There you will also find links to upcoming RSO related trainings.

The committee Co-Chairs will be monitoring this year’s legislative session to see if SB5735 will be “reactivated” from last year. As you may recall this was basically a language clean-up bill that was subsequently amended, and those amendments substantially changed the intent of what was originally asked for; hopefully if it is brought up again for consideration, it will not be radically changed from its original form and we can support it.

**Brief outline of upcoming activities:** STATIC 99R training will be held Tuesday, March 11<sup>th</sup>, 9:30-3:30 pm (with lunch break), WASPC training room in Lacey. Offender Watch User Group meeting and SONAR committee meeting will be held Wednesday, March 12, 9:30-3:00 pm (lunch will be catered \$10/person) at WASPC training room in Lacey. RSO Coordinator’s Conference will be held in Wenatchee, October 6<sup>th</sup> - 9<sup>th</sup>.

**Recommendations and/or action to be taken:** We will continue to monitor legislative bills that would affect sex offenders in Washington State.

#### **Technology Committee—Chief Brad Blackburn and Captain Dick Reed, Co-Chairs**

No report provided.

#### **Traffic Safety Committee—Sheriff Ken Bancroft and Chief Bill Drake, Co-Chairs**

No report provided.

Kim Goodman indicated that the Committee will hold a meeting on January 29, 2014 to award FFY 2014 Traffic Safety Grants.

Chief Robbins commented on the Target Zero Taskforce issue that is percolating. The Traffic Safety Commission is looking at how best to LEAN the program.

**University Policing Committee—Chief Ed Sorger and Chief Tim Walters, Co-Chairs**

No report provided.

**OLD BUSINESS:**

**LERN AGREEMENT—MITCH BARKER**

As a result of the changes in committee leadership, the Technology Committee continues to review this issue. It is hopeful that a proposed agreement will be presented at the next board meeting.

**NEW BUSINESS:**

**FALL 2015 CONFERENCE CONTRACT—JAMIE YODER**

WASPC staff recommends that the 2015 Fall Training Conference be held at Campbell's Resort on Lake Chelan. The proposal from Campbell's is in-line with what we have experienced at Campbell's in the past. The Association has had several successful fall conferences at this venue. Campbell's is a cost effective location for both the Association and our members.

**Ed Holmes made the motion for staff to enter a contractual agreement to hold the 2015 Fall Training Conference at Campbell's Resort on Lake Chelan. Ken Hohenberg seconded the motion. Motion carried.**

**WASPC ANNUAL REPORT—MITCH BARKER**

Executive Director Barker commented on the Annual Report. Staff request Board approval of the report prior to distributing the document to the membership.

**Mark Couey made the motion to approve the WASPC 2013 Annual Report as presented. John Batiste seconded the motion. Motion carried.**

**CHEHALIS POLICE DEPARTMENT ACCREDITATION APPEAL—MIKE PAINTER**

Chief Schaffer from Chehalis Police Department outlined his case and reason for his appeal. At the time of the November 2013 Accreditation Commission and Executive Board Meeting, the Chehalis Police Department was not in compliance with standard 11.7. The Commission recommended that Chehalis Police Department not be re-accredited at that time; and, that the agency's accreditation status be suspended for one year. The Executive Board approved the Commission's recommendation at that time.

Chief Schaffer has appealed to the Accreditation Commission and now the Board to reconsider the previous decision. In the Spring of 2013, the Chief knew that his agency was not in compliance with standard 11.7 and submitted a memo to the accreditation file indicating that compliance would be met by the end of 2013. As of December 2013, the Chehalis Police Department is in compliance with all standards. However; at the time of the Accreditation Commission meeting, the agency was not in compliance. The Chief was not aware that compliance was required by the Commission Meeting, not the end of the calendar year.

Additionally, the Commission applied the “one year suspension” rule before the Accreditation Committee and Executive Board approved the rule. The one year suspension should not be retroactively applied.

The Board called for a ten minute recess.

Additional clarification and discussion on this matter occurred. It was confirmed that the Chehalis Police Department is in compliance, as of December 16, 2013, with all WASPC Accreditation Standards.

**Ken Hohenberg made the motion to refer this issue back to the Accreditation Commission for further consideration. The Commission should note that the one year suspension rule was not in effect at the time of its consideration of the Chehalis Police Department’s re-accreditation. Tom Robbins seconded the motion. Motion carried.**

Executive Director Barker commented that the Board should expect to see further clarification on the one year suspension rule at a later meeting.

#### **LAW ENFORCEMENT TRAINING COMMITTEE CHARTER—JAMIE YODER**

The Law Enforcement Training Committee has submitted a revised charter for consideration by the Board. The Committee would like to be called the Law Enforcement Training and Education Committee. Additionally, the Committee would like to incorporate corrections into its purpose, authority, and duties.

Brief discussion regarding the addition of ethics into the Charter occurred.

**Ed Holmes made the motion to approve the Law Enforcement Training Committee Charter as submitted. Mark Couey seconded the motion. Motion carried.**

#### **NIBRS ADVISORY COMMITTEE CHARTER—JAMIE YODER**

The NIBRS Advisory Committee has submitted a charter for consideration by the Board. The Committee was formed last year. The purpose of the Committee is to have an open discussion with regards to the gathering of crime statistics, dissemination and also to monitor agency compliance with the reporting of such statistics

**Ken Hohenberg made the motion to approve the NIBRS Advisory Committee Charter as submitted. Mark Couey seconded the motion. Motion carried.**

**AMICUS BRIEF—MITCH BARKER**

The WASPC Legal Advisors have requested financial support to publish the brief, as is required in the amicus process.

As summarized by Leo Poort:

*The Blondin case was filed in 2009. After substantial litigation, it was dismissed by Judge Lasnik on summary judgment. Recently, the Ninth Circuit reversed Judge Lasnik's decision on all counts. The appellate holding impliedly referenced our circuit's new holding that tasers are "intermediate force," and explicitly referenced on an even newer holding that taser use against a passive resister is always unreasonable.*

*The reason for WASPC's concern and shared interest with WASAMA concerning this case is that we believe that both holdings are wrong...violating the flexible 4th Amendment inquiry articulated in Graham...and as a result, the road going forward for officers is dangerous and unclear in volatile circumstances.*

WASAMA will be covering half of the publication expenses. Total expenses are estimated at \$1,200. Staff recommends approval of the funding request.

**Ed Holmes made the motion to donate up to \$600 to support publication efforts of the Amicus Brief in *Gravelet-Blondin v. City of Snohomish, et al., No. 12-35121 (9<sup>th</sup> Cir. 2013)* case. John Batiste seconded the motion. Motion carried.**

**GOOD OF THE ORDER:**

**APPROVAL OF MEMBERSHIP—CHIEF REX CALDWELL, VIA WRITTEN CORRESPONDENCE**

The Membership Committee has recommended approval of the following applications and nomination:

**ACTIVE MEMBERSHIP APPLICATIONS (1):**

- James McElvain, Ph.D., Chief, Vancouver Police Department
  - Sponsored by: Bob Richardson, Chief, Battle Ground Police Department

**LIFE MEMBERSHIP NOMINATIONS (1):**

- Mark Ericks, Retired Chief/U.S. Marshal,  
Bothell Police Department/U.S. Marshal's Service
  - Nominated by: Rex Caldwell, Chief, Mukilteo Police Department
  - Nominated by: Carol Cummings, Chief, Bothell Police Department



**ASSOCIATE MEMBERSHIP APPLICATIONS (7):**

- Kelly Busey, Lieutenant, Gig Harbor Police Department
  - Sponsored by: Mike Davis, Chief, Gig Harbor Police Department
- Doug Chadwick, Chief Criminal Deputy, Whatcom County Sheriff's Office
  - Sponsored by: Bill Elfo, Sheriff, Whatcom County Sheriff's Office
- George (Bill) Hebner, Captain, Stillaguamish Tribal Police
  - Sponsored by: Joe Orford, Chief, Stillaguamish Tribal Police
- Michael Johnson, Deputy Chief, Bellevue Police Department
  - Sponsored by: Linda Pillo, Chief, Bellevue Police Department
- Joshua Keliikoa, Sergeant, U.S. Department of Veteran's Affairs
  - Sponsored by: Gerald Casey, Chief, WA Department of Veteran's Affairs
- Jim Lever, Deputy Chief, Everett Police Department
  - Sponsored by: Kathy Attwood, Chief, Everett Police Department
- Ryan Spurling, Chief Criminal Deputy, Mason County Sheriff's Office
  - Sponsored by: Casey Salisbury, Sheriff, Mason County Sheriff's Office

**Mark Couey made the motion to approve the membership applications and nomination as recommended by the Membership Committee. Tom Schlicker seconded the motion. Motion carried.**

**2014 LAW AND JUSTICE DAY**

Please mark your calendar for this important event and please wear your uniform. Law and Justice Day will be held on February 25<sup>th</sup> at the Capitol Campus. A shuttle from the WASPC Office will be provided.

Executive Director Barker provided a brief legislative update.

**Priority Items:**

- Ortega Fix—The bill is HB 2057 and was heard in Public Safety on January 14, 2014. There was a good panel of support and no opposition.
- Officer Accountability—The bill will be introduced this Thursday or Friday and will have a hearing in Senate Law and Justice next Friday. Senator Padden is the prime sponsor and Senator Kline is also a sponsor.
- Liquor Loss Reporting—A bill on this topic was heard yesterday. WASPC testified with concerns. The current bill is okay as it relates to sanctions but there is not a triggering mechanism to determine who is having excessive losses. We have an amendment prepared to offer when the bill is on the floor.

**2014 EXECUTIVE BOARD MEETING SCHEDULE**

- March 19, 2014, WASPC Office (Joint Lunch with CJTC at 12:00 P.M.)
- May 20, 2014, Spring Exposition and Training Conference, Spokane
- September 11-12, 2014, Alpen Rose Inn, Leavenworth
- November 18, 2014, Campbell's Resort, Chelan

**ADJOURN:**

**Ed Holmes made the motion to adjourn the meeting. Steve Boyer seconded the motion. Motion carried. The meeting was adjourned at 12:10 P.M.**