

# 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 MARCH 19, 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	Joan Smith	WASPC
Ed Holmes	Mercer Island Police Department	Raeanne Myers	WASPC
Tom Schlicker	Swinomish Police Department		
Steve Boyer	Kitsap County Sheriff's Office		
Mark Couey	WA Office of the Insurance Commissioner—SIU		
Shawn Berry	WA State Patrol (for Chief Batiste)		
Garry Lucas	Clark County Sheriff's Office		
Ozzie Knezovich	Spokane County Sheriff's Office		
John Snaza	Thurston County Sheriff's Office		
Guests	Agency		
Laura Wells	Fight Crime: Invest in Kids		
Sue Rahr	CJTC		
Bob Torgerson	Aberdeen Police Department		
Gary Simpson	Kitsap County Sheriff's Office		

### CALL TO ORDER:

### PRESIDENTIAL REMARKS AND INTRODUCTIONS

President Knezovich called the meeting to order at 10:12 A.M. Self-introductions followed.

### APPROVAL OF MINUTES

**John Snaza made the motion to approve the January 15, 2014 minutes as presented. Garry Lucas seconded the motion. Motion carried.**

President <b>OZZIE KNEZOVICH</b> <i>Sheriff – Spokane County</i>	President Elect <b>ERIC OLSEN</b> <i>Chief – Kirkland</i>	Vice President <b>CASEY SALISBURY</b> <i>Sheriff – Mason County</i> Executive Board	Past President <b>ED HOLMES</b> <i>Chief – Mercer Island</i>	Treasurer <b>PAUL AYERS</b> <i>Chief – Issaquah</i>
<b>TOM ROBBINS</b> <i>Chief – Wenatchee</i>	<b>TOM SCHLICHER</b> <i>Chief – Swinomish</i>	<b>KEN HOHENBERG</b> <i>Chief – Kennewick</i>	<b>STEVE BOYER</b> <i>Sheriff – Kitsap 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>MITCH BARKER</b> <i>Executive Director</i>	

**REPORTS:**

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

Kim Goodman provided information on the ongoing sales tax audit. The administrative law judge presiding over our case declined to accept the original settlement offer. A revised offer has been submitted. The revised settlement offer indicates that WASPC will pay sales tax on a go forward basis starting 60-90 days from the final determination; and, will adjust the amount of B&O tax WASPC will pay depending on wholesale or retail rates. If the settlement is not accepted and WASPC has to pay the assessment, we would need to collect \$400K from the Department of Corrections and local agencies for services performed that sales tax was not collected on. We should receive a response in the next month.

Ms. Goodman indicated that WASPC's full service offices will be closing. Business in these offices is not sufficient. There are two employees to be considered in the closing of these offices.

Chief Ayers stated that three (Chiefs Cox, McNannay, and Nierman) scholarship applications were received. The Finance and Personnel Committee recommends that all three individuals are awarded scholarships. To offset this, only one scholarship will be awarded to the 2014 Fall Training Conference. The decision makers in this process are representatives from the Finance and Personnel, Membership, and Small Agency Committees. No Board action is required.

The Finance and Personnel Committee would like a thirty minute executive session to discuss possible litigation. Following the regular agenda, the Board will hold an executive session.

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

**LEGISLATIVE COMMITTEE REPORT—MITCH BARKER**

Executive Director Barker outlined the Legislative Update as provided to Board Members.

- Law Enforcement Officer Accountability Act. This bill died early in the Session in the Senate Law and Justice Committee. There was not enough support to get it out of committee due to WACOPS, FOP, and COMPAS opposition.
- Reporting of Retail Theft to LCB. This bill HB2155 passed the Legislature and will be signed by the Governor. It does not require reporting to the LCB but does implement a mechanism to deal with retail theft of spirits. An amendment to require mandatory reporting failed on the floor of the Senate.
- Ortega Fix. This bill HB2057 implements the Ortega fix and was signed into law on March 12<sup>th</sup> by the Governor.
- Unmanned Aerial Vehicles. A number of bills were introduced this session regarding unmanned aerial vehicles and other "extraordinary sensing devices." HB2789 ultimately

passed both Chambers and does put some restrictions on the use of UAVs. The Senate made the changes that WASPC was most concerned about so the bill is probably the best we could for which we could hope.

- Medical Marijuana. After much controversy the Legislature failed to make any changes to the Medical Marijuana law. This will leave the whole system in flux for another year and it invites intervention by the Federal Authorities.
- General Authority. General authority was not expanded to any other agencies this Session.

Extensive discussion regarding general authority occurred.

- Search Warrants. Legislation was passed to streamline the process of obtaining a search warrant by expanding the number of judges available and allowing for electronic submission of affidavits.
- Budget. There were no major changes to the budget.

Sue Rahr added comments on impacts to the CJTC based on the state budget. Local agencies will now be required to match 25% for corrections academy costs.

Don Pierce will be retiring effective May 31, 2014. WASPC will be hiring a policy director to fill Don's position.

Sue Rahr commented that funding has been provided for a ½ time employee to begin tracking reserve officers in Washington State.

## **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**

#### **Brief outline of recent activity: SSB 6014—BUI Legislation**

SSB 6014 just passed the House and will be returned to the Senate for ratification of amendments to the bill while in the House. SSB 6014 removes implied consent provisions in BUI statutes relating to blood draws due to the Missouri v. McNeely decision handed down by the U.S. Supreme Court last year. In that case, the court held that the metabolization of alcohol does not by itself create an exigent circumstance, which made implied consent for blood draws improper. SSB 6014 aligns Washington BUI laws with federal case law and allows a blood test only when:

- A person gives consent and waives the warrant requirement;-An officer obtains a search warrant for a blood draw; or

- Exigent circumstances exist.

This technical change has received broad support from all stakeholders, including law enforcement, the courts, WAPA, the defense bar, and the boating community. You can access a copy of the bill at: <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=6014&year=2014>. The bill will go to the Governor for signature so long as the Senate ratifies the House amendments to the bill by 5:00 p.m. on March 13th (last day of regular session).

Update: SSB 6014 passed the Senate Floor in concurrence with House, 49-0.

**Brief outline of upcoming activities:** Committee to meet at WASPC Spring Conference

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

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

No activity to report.

*\*There have been no responses to the GTWO requesting a Police Chief Co-Chair.*

#### **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**

Sheriff Knezovich indicated that the WA Gang data base is nearly completed. The Legislature did not provide funding for this. Mitch indicated that funding for the database may be considered as a legislative priority for WASPC during the 2015 session.

Sheriff Knezovich also commented on the intelligence survey distributed via GTWO.

#### **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**

No report provided.

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

As reported by Executive Director Barker.

**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, 2013 and then again Tuesday morning 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 reception at the Spring Conference coming in May 2014.

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

Sheriff Salisbury commented that a number of Sheriffs will be transitioning during this election.

**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.

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

**Brief outline of recent activity:**

LEMAP – No activity, lots of inquiries and it appears that Sunnyside PD will be part of a LEMAP in late April and Walla Walla PD is in the final stages of scheduling an assessment for later in the spring or summer.

Accreditation—On sites completed at Cheney, Burlington PD, Gambling Commission (new agency), Spokane County SO, Kennewick PD and Grant County SO (new agency).

Executive Search—Medina PD in progress with interviews scheduled March 26-28. Meeting with Shelton PD on 3/25. Inquiry and information forwarded to Othello PD.

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

**Recommendations and/or action to be taken:** Accreditation Manager position on the Accreditation Commission was recently vacated by Jason Wilson after he was promoted outside of the police department.

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

No activity to report.

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

No report provided.

**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**

**Brief outline of recent activity:** During this reporting period, we met on January 29th at 1000 hours for awarding traffic safety grant funding for the year 2014. Grants totaling over \$220,000 for equipment were divided among seventy-five applicants. Additionally, “multi-jurisdictional” grants totaling \$29,930 were divided among five applicants. Funding restrictions did not allow award of “mini-grants” at this time. However, it is hoped this may be re-visited in the summer if some grant funds are returned from award recipients (which normally occurs each year). We continue to support the WIDAC and other meetings as they occur.

**Brief outline of upcoming activities:** Meeting scheduled to occur at the Spring WASPC in Spokane.

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

Sheriff Salisbury commented on the ongoing Target Zero discussions.

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

**Brief outline of recent activity:** Committee is in discussion about Initiative 502 and enforcement on campuses that are guided by Federal Laws and/or mandates. Updates on information sharing between local jurisdictions and campus police as it relates to student conduct code violations off campus. Information sharing on Record Management Systems utilized by each university and how it incorporates CLERY data collection. Policy standards for university policing and Lexipol.

**Brief outline of upcoming activities:** Chiefs from the University Policing Committee will be meeting at Central Washington University on April 1, 2014 for semiannual updates and concerns at each institution.

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

**OLD BUSINESS:**

**LERN AGREEMENT—MITCH BARKER**

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:**

**SPRING 2014 EXPOSITION AND TRAINING CONFERENCE—JAMIE YODER**

There are 137 individuals registered for the upcoming conference. Staff expects registration to hit 225-250. Lodging at the Double Tree has sold out. Overflow arrangements have been made at the Red Lion. The training agenda is set and planning for the conference is going well.

**NIBRS ADVISORY COMMITTEE RECOMMENDATIONS—KIM GOODMAN**

Kim Goodman outlined the information provided to the Board.

In order to move forward with a NIBRS-only publication and data dissemination, the following progression is proposed by the WASPC NIBRS Advisory Committee:

1. The 2013 Crime in Washington (published in 2014) will be completed using the same format as the 2012 edition with different sections for NIBRS and Summary statistics; all data will be forward to the FBI and the WA State Treasurer for the criminal justice assistance funding calculations.
2. The 2014 Crime in Washington (published in 2015) will be published with NIBRS data only; all data will be forward to the FBI and the WA State Treasurer for the criminal justice assistance funding calculations.
3. The 2015 Crime in Washington (published in 2016) will be published with NIBRS data only; all data will be forwarded to the FBI only.

**Ed Holmes made the motion to accept the NIBRS Advisory Committee's aforementioned recommendation. John Snaza seconded the motion. Motion carried.**

**BLONDIN V. SHELTON, SNOHOMISH—MITCH BARKER**

Executive Director Barker informed the Board that the Supreme Court has declined to hear the case as outlined in the Amicus Brief WASPC participated in. At the January 2014 meeting, the Board elected to support the cause by donating \$600 to printing/publishing fees.

This is an unfortunate outcome.

**WASPC TREASURER—MITCH BARKER**

Chief Paul Ayers has announced his retirement. As Chief Ayers' term as Treasurer is up for election this Spring, WASPC will not appoint an interim. A GTWO will be sent informing interested individuals how to run for this position at the upcoming Conference.

**PUBLIC DISCLOSURE—KIM GOODMAN**

Kim Goodman provided a brief synopsis of the public disclosure request to release sex offender registration information. WASPC intended to release the information to the requestor. Prior to WASPC's release of the information, two temporary restraining orders preventing the release of the requested records were granted. WASPC will continue to work with our legal counsel on this matter.

Executive Director Barker stated that likely, the determination on releasing level I offender information will require a Supreme Court Decision.

**ACCREDITATION COMMISSION RECOMMENDATION—MIKE PAINTER**

With Jason Wilson's resignation from the WASPC Accreditation Commission, a vacancy for an experienced accreditation manager on the Commission was created. WASPC received three emails of interest from qualified individuals. Emails of interest were received from Captain Cherrie Harris, Kirkland Police Department; Detective Deb Coleman, Everett Police Department; and Commander Craig Littrell, Kennewick Police Department.

Discussion occurred.

**Ken Hohenberg made the motion to appoint Detective Deb Coleman to the WASPC Accreditation Commission. Ed Holmes Seconded the motion. Chief Eric Olsen abstained from the vote. 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 (2):**

- Manfred Harpole, Supervisory Air Marshal, Federal Air Marshal Service
  - Sponsored by Colleen Wilson, Chief, Port of Seattle Police Department
- Mark Langford, Chief, Milton Police Department
  - Sponsored by Bill Rhoads, Outgoing Chief, Milton Police Department

**TRANSFERS FROM ASSOCIATE TO ACTIVE (3):**

- Kal Fuller, Chief, Grandview Police Department
  - Associate Member Since 3/12/14
- Andy Hwang, ~~Interim~~ Chief, Federal Way Police Department
  - Associate Member Since 4/18/07
- David Trullillo, Director, WA Gambling Commission
  - Associate Member Since 11/15/11



**ASSOCIATE MEMBERSHIP APPLICATIONS (3):**

- Jessica Kulaas, Administrative Manager, Sumner Police Department
  - Brad Moericke, Chief, Sumner Police Department
- Terry Liebrecht, Captain, WA State Patrol
  - Sponsored by John Batiste, Chief, WA State Patrol
- Jon Mattsen, Sergeant, King County Sheriff's Office
  - Sponsored by John Urquhart, Sheriff, King County Sheriff's Office

**Ed Holmes made the motion to approve the membership applications and transfers as recommended by the Membership Committee. Eric Olsen seconded the motion. Motion carried.**

**2014 EXECUTIVE BOARD MEETING SCHEDULE**

- May 20, 2014, Spring Exposition and Training Conference, Spokane
- September 11-12, 2014, Alpen Rose Inn, Leavenworth
- November 18, 2014, Campbell's Resort, Chelan

**BUSINESS FROM THE FLOOR**

- Sue Rahr indicated that the CJTC's request for funding for four additional BLEA academies was not included in the budget. That being said, the CJTC is going to schedule the four additional academies and request reimbursement in the next funding cycle.

The CJTC is in the process of hiring additional TAC officers. Please encourage your peers to consider sharing their experienced officers with the CJTC.

- Sheriff Knezovich raised a question about certification for a non-certified individual who will be supervising certified individuals. This individual has requested a certification waiver. Garry Lucas commented on the certification process. There is a process in place for the particular situation Sheriff Knezovich is referring to.

**EXECUTIVE SESSION:**

The Board met in executive session to discuss potential litigation. The executive session began at 11:28 A.M. and ended at 12:04 P.M.

**ADJOURN:**

**Ed Holmes made the motion to adjourn the meeting. Ken Hohenberg seconded the motion. Motion carried. The meeting was adjourned at 12:05 P.M.**