

WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS

3060 Willamette Drive NE Lacey, WA 98516 ~ Phone: (360) 486-2380 ~ Fax: (360) 486-2381 ~ Website: www.waspc.org

Serving the Law Enforcement Community and the Citizens of Washington



May 14, 2019

Greetings from Your Executive Director:

We have an action packed newsletter this week- lots of information and will follow up with **detailed information on legislative bills and outcomes** at the Spokane conference next week. Also note that the **Criminal Justice Training Commission hearing was scheduled for 1:00 PM in Spokane** on Thursday, May 23 immediately following the end of the conference. We have just been notified that the CJTC will be holding their meeting in Room 205 from 1:00 to 3:00 PM on Thursday the 23rd.

As I have mentioned before, we will have a **panel on the new 1639 requirements** which go into effect July 1. I have attached a 2-page "[Firearms Law Changes](#)" document that was produced by Jamie Weimer in our office with assistance from many sources. We have made it easy to read and as explanatory as possible. The document is not intended to provide legal counsel, but rather is intended to 1) provide an outline for you to meet with your City or County Attorney to make sure you are on the same page about the changes, and 2) to provide to your staff to use and better understand the changes and new responsibilities. Keep in mind that we (WASPC) have no direct authority or responsibility for interpretation of the changes, or to provide information to Firearms dealers. However, there is no single source to do that, and we are attempting to provide support for you to get the information from your legal advisor and to at least point you in the right direction. We will also have this document for you at the conference.

I am also attaching, with Sheriff Rob Snaza's permission, a [PowerPoint](#) developed by the Sheriff's team for their employees. There is also a [sample certification](#) that has been developed and provided to you by the Sheriff. The new law requires "proof of training" for delivery of a what is defined as a semi-automatic assault rifle. As the 2-page sheet above explains, and as most of you are aware, there is no single entity responsible for providing, approving, certifying, or tracking this training. Sheriff Snaza, in an effort to clearly and transparently show that he is providing this training to his employees, developed the attached PowerPoint to provide the training in conformity with the law, so each of his employees can show it was taken.

Sheriff Snaza consented that this be provided to our members for their information and to utilize if you wish, but (sorry to be repetitive) in consultation with your legal advisor. Questions? Let me know, and many thanks to Sheriff Rob Snaza for his work and willingness to provide the information to all of us. Below is the letter his Chief Deputy sent to employees--

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LEWIS COUNTY SHERIFF'S OFFICE
MEMORANDUM



"Public Safety through Professional Service"

TO: Sheriff's Officer Personnel
FROM: Chief Deputy Dustin G. Breen
DATE: April 16, 2019
RE: I-1639 Training Requirement

Greetings all,

As many of you are aware, with the passage of I-1639 there is a training requirement taking effect July 1, 2019. In order to purchase/transfer a semi-automatic rifle, you will need to have completed a course covering certain firearms-related topics spelled out in the RCW within five years of purchase/transfer. Sheriff Snaza and the command team have been working on ideas of how we may bring this type of course to the public to support the views of our Sheriff, and our agency approach, to the Second Amendment and responsible firearms ownership.

Sheriff Snaza wanted to ensure wherever our exploration takes us in regards to a public course, we first look at doing something internally. As a result, a course has been designed to meet all the requirements put forth under I-1639 and now placed into RCW for an effective date in July. This course has been reviewed by the Prosecutor's Office and deemed to meet the requirements necessary under the new law.

Attached are two documents, one is the training PowerPoint itself, and the other a certification sheet. Employees wanting to partake in this opportunity need to view the PowerPoint in its entirety. Once done, the certification sheet must be completed, perjury statement signed, and the signed original certification sheet returned to me via interoffice mail. Once I have received the certification sheet, a certificate will be issued to you, which you will need to present any time you purchase a semi-automatic rifle after July 1, 2019.

At this time, the training is limited to only LCSO employees, regardless of assignment. Please do not disseminate these materials outside of the LCSO.

Please let me know if you have any questions,

DGB

Lewis County Sheriff's Office Mission Statement:

Being a committed community partner, providing professional service to enhance the safety, security, and quality of life in Lewis County.

Last week I sent out the **draft rules as submitted by CJTC staff**, and asked for any questions. Here are two that I received below along with answers after asking CJTC staff for clarification:

Question: Could you inquire if under the new section of WAC 139-11-020 (2) as it discusses peace officers certified prior to December 7, 2019 and lateral peace officers certified after December 7, 2019 a requirement to complete 40 Hrs. of training and that this first cycle of training must be completed by January 1, 2028. The question would be if I'm a currently certified peace officer am I then not required to take any of this training until late 2027, as long as I complete it by January 1, 2028 or am I misunderstanding what is written? Thanks in advance for this clarification.

Answer from CJTC: The answer about having until 2028 to complete the 40-hour in-service is technically correct. It's going to take until 2028 to get through all 10,000 officers, we think. We HOPE that our cadre of regional trainers will be able to do it faster, but we didn't want to set law based on hope. We will also try to prioritize who gets into the 40-hour in-service, such as FTO's and officers with more than 10 years since BLEA. The more recently trained, who had a lot of de-escalation training in their academy will be a lower priority. How we do this prioritization is currently unknown. We will work with our cadre of trainers who I hope will be ambassadors/liasons with their agencies to make good decisions about prioritizing training.

My comment: I have received feedback from several Chiefs and Sheriffs that they do not want to be, in effect, penalized for already doing a lot of de-escalation and implicit bias training, and possibly sending those trained to duplicative or repetitive training. The answer above relates to that in some ways- in other words, CJTC is saying that departments and employees who have already had a lot of this training recently will be scheduled later after those who have not, in order to reduce the impact.

Question: I see the mandates, but wonder where the training dollars are going to come from. Many departments, like my own, aren't able to simply add another 40 or even 16 hours of training without incurring significant overtime costs or shorting our staffing on the street (making the community less safe during those times). What discussions have been had regarding funding for the additional training?

Additionally, how much time will the 200 hour requirement add to the BLEA? Those are significant costs shouldered by CJTC and local agencies who are paying salary and benefits during this training time.

Answer from CJTC: Yes, the Commission bears the cost of delivering the 40 hour in-service training. It is not yet known how much funding will be needed or budgeted for backfill overtime. There has been discussion about establishing a grant type fund that agencies would allow agencies to request backfill reimbursement but no commitment. BLEA will remain at 720 hours.

I have attached a significant [Washington Supreme Court opinion](#) published last week in the case of BARR VS. SNOHOMISH COUNTY SHERIFF. The issue is the denial of a CPL to a person who

committed Class A felonies as a juvenile. WASPC, after approval from our Board, provided an amicus on this case. The Snohomish County Sheriff prevailed in this case, unanimously, supporting the denial of the CPL based on that record.

This week, Port of Seattle Chief Rod Covey sent the message below to his colleagues in King County as we start Police Week. With his permission I am providing it to all of us, along with his message to his fellow employees sharing the **importance of Police Week**. Thank you to Chief Covey for allowing me to send this to you. I know many of you have written and shared these types of messages already with your teams and departments, but I wanted to offer it as an example if it is of any assistance as you develop your message.

Yesterday, I mentioned the importance of Chiefs and Sheriffs throughout the country sending out a message this week about Peace Officer Memorial Day. It is an opportunity that we only get once a year - but that we do get every year - to bring attention and honor to the men and women that serve in our ranks. It was important to get this out to those we serve in our communities so that they understand the kind of risk that comes with this job. It is also important that they see the sacrifices being made all around the country in order to keep people safe from those who would wish to do harm to others.

I think it is imperative that we also share this message with the other employees working within our state, city or county government. I know growing up in state government in Arizona, there were always comments from employees in other state agencies who complained when our officers got a little more pay, or a little different benefit. They complained how the officers were treated differently from other state employees. This is a way of gently reminding others that there is a difference....a lot of them in fact. All government employees are important in serving their communities, but our employees are one of the few that have walls and monuments built where names are permanently engraved so that others in the future can come to remember the sacrifice of these selfless public servants.

And if possible, where you can, it is important to get this to your local media. I know that it appears that at times they stand against us, but they really aren't the enemy - at least, most of them aren't. But they can only report on what they know, what they are given to work with. Give them something positive to work with, and most of them will do great things with the information. Most people - including members of the media - still love law enforcement and appreciate our service.

I mentioned that while working at the Arizona Department of Public Safety, 20 of my colleagues were killed in the line of duty. Many were personal friends, most were people I had trained or supervised. They were all my brothers in this profession. Peace Officer Memorial Day needs to continue to grow in our communities so that the people we serve, come to honor and respect our officers when they are alive, as much as they do when one of ours is lost in the service of others.

I put this together a couple of years ago and have updated the information for this year. Feel free to use any of the content to construct your own personalized message. I sent this out on Monday to over 2000 employees at the Port of Seattle, as well as to our elected commissioners. I will also add a personal message to this and send it out to all members of my department. I encourage to you do the same and not let this moment pass you by.

All my best, Rod

There are more than 900,000 sworn law enforcement officers now serving in the United States, which is the highest figure ever. Over the decades, crime fighting has taken its toll. Since the first recorded police death in 1786, there have been over 21,000 law enforcement officers killed in the line of duty. Currently, there are 21,910 names engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC. 292 of those were officers working in the State of Washington. A total of 1,582 law enforcement officers died in the line of duty during the past 10 years, an average of one death every 55 hours or 158 per year.

There were 158 law enforcement officers killed in the line of duty in 2018. This includes Kent Police Officer Diego Moreno who was killed during a pursuit on July 22, 2018. He was 35 and had been with the Kent PD for eight years. So far in 2019, 35 officers have died on duty. This includes Kittitas County Deputy Sheriff Ryan Shane Thompson who was shot and killed on March 19 when a pursuit ended in the city of Kittitas. Deputy Thompson was 42 years old and had been in policing for almost 15 years. Also killed this year was Cowlitz County Deputy Sheriff Justin Richard DeRosier. He was only 29 years old when he was shot and killed on April 14 while responding to investigate reports of a disabled motor home. He had been in policing for six years. All three of these officers left behind a wife and children. (NOTE: I drafted this on Friday, May 3. Two officers were shot and killed the following weekend raising the number of officers killed so far this year to 37. On May 7th, a Tennessee State Trooper was killed in the line of duty raising this number to 38.)

In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, as National Police Week. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others.

While not a perfect profession, the overwhelming number of men and women serving as law enforcement officers are incredibly honorable and committed to a noble calling of serving and protecting others. It is this kind of opportunity to do something meaningful with one's life that caused my daughter to pin on a badge over five years ago. For over 42 years, I have worked alongside similar men and women who pinned on a badge and went out to make their part of the world a safer place. Along the way, I saw 20 of them lose their lives; many were personal friends. These were men who I trained, supervised

and with whom I worked with at the Arizona State Patrol. These were noble and principled officers as are those who carried on after their passing.

The Port of Seattle Police Department (POSPD) is made up of these same kinds of men and women. They are the kind of people who will protect the rights of everyone and risk their lives to protect strangers. Some of them are your friends and all of them are your colleagues. Some of them have been at the Port for decades, but almost 30 of them have joined our ranks within the past two years. So if you see a new face wearing one of our uniforms, I encourage you to go up to the officer and introduce yourself.

And on Wednesday, May 15, please take a moment to remember the men and women who have been lost while serving their community. Remember their families and loved ones who have carried on after their sacrifice. Also, please reach out to the police officers you work with here at the Port. Reach out to the officers who serve in the town in which you live and let them know how much you appreciate the very difficult work they do. You can do this by email, by a text, by a phone call or with a handshake when you see them in the airport or around the seaport. I promise you that every one of them will appreciate your message of support and thanks.

Rod

Many WASPC members attended the ceremony last week in **Olympia for the Law Enforcement Memorial** - here is a [link](#) to the ceremony.

Finally, at Cowlitz County Deputy Justin DeRosier's service, I previously mentioned the **powerful message from Cowlitz County Undersheriff Darren Ullman**- I have attached his remarks, titled "[We Are Peace Officers](#)" and they are worth reading.

Many thanks to each of you for what you do, and know it is an honor to work with you!

WORK HARD- HAVE FUN- STAY SAFE

Steven D. Strachan, Executive Director
Washington Association of Sheriffs & Police Chiefs
3060 Willamette Drive NE
Lacey, WA 98516
steve@waspc.org
360-486-2380