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

EXECUTIVE BOARD MEETING
WASPC OFFICE—LACEY, WA
JANUARY 13, 2010—11:00 AM

Board Members	Agency	Guests	Agency
John Didion	Pacific County Sheriff's Office	Mark Harris	WA State Gambling Commission
Randy Stegmeier	Western WA University Police Dept.	Marvin Wolff	Whatcom County Sheriff's Office
Dave Karnitz**	WA State Patrol	Rick Johnson	Goldendale Police Department
James Lever**	WA State Patrol	Michael Parsons	WA CJTC
Bill Elfo	Whatcom County Sheriff's Office	Debbie Mealy	WA CJTC
Colleen Wilson	Port of Seattle Police Department	Craig Thayer	Stevens County Sheriff's Office
Tom Schlicker	Swinomish Police Department	Don Pierce	WASPC
Terry Davenport	Shelton Police Department	Dawn Larsen	WASPC
Bruce Bjork	WA Fish & Wildlife, Enforcement	Joanna Arlow	WASPC
Ed Holmes	Mercer Island Police Department	Tom Corzine	WASPC
Mike Harum	Chelan County Sheriff's Office	Jamie Yoder	WASPC
Mike Humphreys*	Walla Walla County Sheriff's Office	Kim Goodman	WASPC
		Joan Smith	WASPC
**Representing Chief John Batiste			
*Via Conference Call			

CALL TO ORDER:

PRESIDENTIAL REMARKS AND INTRODUCTIONS:

President John Didion called the meeting to order at 11:05 AM. Self Introductions followed.

APPROVAL OF MINUTES:

Bruce Bjork made the motion to approve the November 17, 2009 minutes as written. Bill Elfo seconded the motion. Motion carried.

REPORTS:

FINANCE AND PERSONNEL COMMITTEE—CHIEF TERRY DAVENPORT

The financial statements provided to members of the board show no significant changes from the November 2009 statements.

$134,000 has been deposited into WASPC's investment account this year. The balance as of October 2009 is $514,000.

The projected net income from the Fall Conference is approximately $20,000.

President
JOHN DIDION
Sheriff – Pacific County

President Elect
BRUCE BJORK
Chief – WA Fish & Wildlife

Vice President
MIKE HARUM
Sheriff – Chelan County

Past President
COLLEEN WILSON
Chief – Port of Seattle

Treasurer
TERRY DAVENPORT
Chief – Shelton

Executive Board

ED HOLMES
Chief – Mercer Island

TOM SCHLICKER
Chief – Swinomish

SAM GRANATO
Chief – Yakima

SUE RAHR
Sheriff – King County

BILL ELFO
Sheriff – Whatcom County

MIKE HUMPHREYS
Sheriff – Walla Walla County

RANDY STEGMEIER
Chief – Western WA University

JOHN BATISTE
Chief – WA State Patrol

LAURA LAUGHLIN
SAC – FBI, Seattle

DONALD PIERCE
Executive Director

Approximately $12,500 was reported for LEMAP and Accreditation fees in December 2009.

Tom Schlicker made the motion to approve the Finance and Personnel (Treasurer's) Report as presented. Randy Stegmeier seconded the motion. Motion carried.

LEGISLATIVE COMMITTEE—EXECUTIVE DIRECTOR DON PIERCE AND POLICY DIRECTOR JOANNA ARLOW

Legislation on the "Ramos Fix" was outlined. Proposed legislation repeals the 90-day check in and in its place codify the current address verification program. The house bill was heard on January 12 and the senate bill will be heard on January 19.

There is a house bill and senate bill to protect information entered into the OffenderWatch program. The legislation will protect the public from individuals seeking to determine who has registered in the program. The senate bill will be heard on January 19. The house bill is not currently scheduled for a hearing.

WASPC is pursuing legislation to exempt from public disclosure any police agencies' list of alarms that they will not respond to. WASPC has received good response from this legislation. Director Pierce and Jo Arlow have talked with member agencies. Member agencies are supportive of the legislation. There is concern that the legislation could be modified to require police agencies to respond to all alarm calls. Member agencies are not supportive of such legislation.

Funding to continue the mapping of community colleges is included in the Governor's Budget. Additionally, there is a budget proviso requiring the Office of the Superintendent of Public Instruction (OSPI) to work with WASPC on school remodels and new construction. OSPI has submitted an agency request for funding. WASPC will help to support this funding request.

WASPC passed a resolution condemning the Supreme Court's decision on the LaFrance case in Kitsap County. Both sides of this case have indicated they will be submitting legislation. After great discussion with WAPA, WASPC has come to support a bill that would amend the arbitration statute so that an arbitrator couldn't substitute their judgment as it related to disciplinary actions for that of the appointing authority on a dishonesty case. There seems to be strong support for this legislation. WASPC did file an Amicus Brief on this case. It is unlikely anything will come of this before the session adjourns.

Sheriff Elfo request information on the DUI impound legislation. WASPC has indicated support of the legislation, conceptually.

The recommendations generated by the Governor appointed taskforce to address the recent Lakewood police shootings were discussed. Regardless of the recommendations for system improvements, the ultimate responsibility for these murders is on Maurice Clemmons. We need to be very thoughtful about changes to the criminal justice system because of this one act of criminality. Those involved in policy formulation must acknowledge and act upon the theory that those who violate the law must be held accountable. Although rehabilitation is important, our

system only works when there is a clear understanding that punishment or "just desserts" is an important concept.

- The State of Washington needs to continue to study the Interstate Compact and propose changes. Authority needs to be given to the receiving state to sanction, hold and return those individuals who violate the terms of their release regardless of whether or not there is new criminal behavior.

  There is a bill to suspend the Interstate Compact. If the Compact is suspended there will be no tracking of offenders as they come and go from our State. Legislators need to be educated on the ramifications of suspending the Interstate Compact.

- The Department of Corrections should explore the utilization of the State Victim Notification System as a tool to make certain the Department is notified when an offender in Community Custody is released from jail. More specifically, a one year sanction

- The Department of Corrections should pursue authority for enhanced administrative penalties when an offender in Community Custody assaults a law enforcement officer or a community corrections officer.

- A more comprehensive system of computer alerts should be developed so that a law enforcement officer knows whether an individual they are contacting has a history of violent criminal behavior.

- The state constitution should be amended to allow the denial of bail for those offenders facing a "third strike" and thus life imprisonment.

- The benefits for survivors of law enforcement officers killed in the line of duty should be enhanced. This should include pension benefits and educational benefits for the survivors.

- Pre-trial services including a validated risk assessment tool should be available to all judges who must make pre-trial release decisions.

- A work group should be formed to study the bail bond system and make recommendations for improvements.

- A validated tool for offender competency hearings should be developed and its use should be mandated. The standard for civil commitment for those who have committed felony crimes but are incompetent to stand trial should be changed so those individuals can receive treatment and at the same time the public can be protected from their continued criminality.

  Discussion about "guilty but mentally ill" occurred.

- Create a safety review board to address release of civilly committed incompetent felony offenders and persons found not guilty by reason of insanity.

- WASPC should seek federal funding to initiate research into the factors that are common to officer involved shootings. This would include a review of armed confrontations with police for the past five years.

- More discretion should be given to Police Chiefs and Sheriffs with regard to denying Concealed Pistol Licenses to mentally ill offenders. Legislation should be considered to hold those who knowingly provide firearms illegally more accountable.

- Legislation should be pursued that gives law enforcement officers and survivors enough privacy to avoid harassment. Personal information of criminal justice employees should be exempt from public disclosure when that information could be used to locate and harass or retaliate against that employee.

  The Governor supports all of the recommendations submitted by the task force.

  Sheriff Didion commended Executive Director Pierce for his work on this taskforce. Director Pierce has represented our Association at the highest level.

Legislation for the safe collection of drugs and disposal has been introduced. This legislation is highly complicated. WASPC currently has no position. WASPC will continue its position of no position.

One of WASPC's priority items is to support the establishment of pseudoephedrine as a controlled substance. The Consumer Health Products Association is supporting NPLEx: the National Precursor Log Exchange. If WASPC supports legislation to permit this system in Washington State the group will install computers and readers for every point of sale of pseudoephedrine and replace paper logs. If the system ever goes away, pseudoephedrine will cease to be sold in Washington State. Additional discussion and clarification on this issue occurred. The system will be operated by Appriss. Director Pierce indicated that drug task force members may not be pleased with this decision as they strongly support the establishment of pseudoephedrine as a controlled substance.

Mike Harum made the motion to change from support to no position on the establishment of pseudoephedrine as a controlled substance and to support the National Precursor Log Exchange. Bill Elfo seconded the motion. Motion carried.

Director Pierce would appreciate board members in uniform attending and testifying at the Public Safety and Emergency Preparedness Hearing today at 1:30 PM. Sheriff Mike Harum and Chief Bruce Bjork will attend. WASPC opposes the legalization of marijuana, a topic of discussion at the hearing.

Discussion on criminal street gang legislation occurred. OSPI's submitted legislation establishes "gang free" zones within 1,000 feet of schools. The legislation requires officers to enforce the "gang free" zone once schools have notified, in writing, individuals that they are not permitted within 1,000 feet of the school premise. WASPC opposes the "gang free" zone language as it is currently written. Conceptually, WASPC supports legislation that allows law enforcement to establish an individual as a gang member and enforce sanctions. Additional discussion and clarification on this issue occurred.

Another piece of legislation related to gangs is to enhance penalties for criminal street gang intimidation. The legislation will change criminal street gang intimidation from a gross misdemeanor to a class C felony.

Director Pierce testified in opposition of HB 2497 which makes homeless persons part of malicious harassment. Director Pierce agreed with the ACLU in that we should be working to get people off the streets. The ability to enhance penalties may be available under the vulnerable persons statute.

In the past WASPC has taken no position on legislation limiting the availability to law enforcement equipment and vehicles. WASPC is supportive of legislation that requires agencies to remove equipment, lights, and stickers from vehicles before they can be sold.

Policy Director Arlow outlined legislation regarding the restraint/shackling of pregnant women. The work group focusing on this issue was under the impression that introduced legislation would mirror New York's laws. That was not the case. The legislation that was introduced prohibited the restraint of any known pregnant women at any point. A newer version of the legislation states that WASPC will conduct training on the new laws. WASPC does not support the legislation as it is currently written.

Law and Justice Day is scheduled for Friday, March 5th at the Capital. The following individuals have been confirmed as speakers: Governor Christine Gregoire, Attorney General Rob McKenna, House Speaker Frank Chopp, Senate Majority Leader Lisa Brown, Ways & Means Committee Chairpersons Kelli Linville and Margarita Prentice, and DOC Secretary Eldon Vail.

If you have signed up for 'adopt-an-issue' you should be receiving emails.

Chief Bjork outlined the Governor's Natural Resources Reform Package and Governor request legislation to establish MOU's allowing cross enforcement coverage between the State Parks Department, Fish and Wildlife and the Department of Natural Resources. This will allow Fish and Wildlife officers to enforce Parks and Department of Natural Resource WAC's. This legislation would not change the limited authority of Parks and Department of Natural Resource officers. Additional discussion and clarification on this item occurred. Chief Bjork also expressed concerns regarding RCW 10.93, the mutual police powers act and the need to review the title prior to the 2011 legislative session.

OLD BUSINESS:

BASIC LAW ENFORCEMENT TRAINING STUDY—PRESIDENT JOHN DIDION

The task force continues to meet regularly. The purpose of the task force is to review this issue, basic law enforcement training, by a group of experienced professionals and to provide recommendations to the appropriate entity. The task force met this morning to more clearly define the direction the task force will be recommending. The task force sent a letter to the Governor essentially supporting construction of the CJTC dormitory.

NEW BUSINESS:

DOC REQUEST FOR USE OF LERN—CHIEF RICK JOHNSON

Chief Rick Johnson outlined a request by the Washington Department of Corrections for use of LERN. Permission for LERN usage is controlled by the WASPC Intelligence/Homeland Security/Technology Committee. The Committee recommends approval of the Department of Corrections' request.

Additional discussion and clarification regarding the approval process occurred.

The Washington State Patrol holds the LERN license; WASPC and the State Patrol have an inner-local agreement granting licensing authority to WASPC.

Sam Granato made the motion to approve the Department of Corrections' request for use of LERN. Colleen Wilson seconded the motion. Motion carried.

OFFICER DEATH RESPONSE TEAM—EXECUTIVE DIRECTOR DON PIERCE

Executive Director Pierce has received feedback indicating that it would be helpful for WASPC to be involved in the Behind the Badge Foundation during situations when law enforcement officers are killed. The idea would be to have Chiefs and Sheriffs assist the Chief or Sheriff handling such situations. The Behind the Badge Foundation is looking forward to working with WASPC to better serve the law enforcement community in these situations.

Additional discussion and clarification occurred.

Colleen Wilson, Bruce Bjork, and Mike Harum volunteered to meet with the Behind the Badge Foundation to coordinate efforts. Tom Corzine will be the WASPC Staff Liaison for this group.

WASPC FACEBOOK PAGE—EXECUTIVE DIRECTOR DON PIERCE

WASPC has a new and exciting opportunity for our members to keep informed about current Association events. To keep up with the ever-evolving world of technology WASPC staff created a WASPC Facebook page. Staff will use the page to post news, events, and Association updates. Director Pierce is already using the page to inform fans of happenings at the Legislature.

Unless the Board objects, WASPC will inform the membership of this new communication tool via GTWO.

The Board unanimously agreed to utilize this communication tool.

GOOD OF THE ORDER:

MEMBERSHIP—CHIEF ERIC OLSEN VIA WRITTEN CORRESPONDENCE

The membership committee has recommended approval of the following membership applications:

ACTIVE MEMBERSHIP APPLICATIONS (5):

- Richard Ackerman, Chief, Quincy Police Department
  - Sponsored by: Dean Mitchell, Chief, Moses Lake Police Department
- Bill Derbonne, Chief, Asotin Police Department
  - Sponsored by: Joel Hastings, Chief, Clarkston Police Department
- Dan Duenas, Chief, Puyallup Tribal Police Department
  - Sponsored by: Gary James, Chief, Lummi Tribal Police Department
- Sean Gallagher, Chief, Tenino Police Department
  - Sponsored by: Todd Stancil, Chief, Yelm Police Department
- Joseph Orford, Stillaguamish Police Department
  - Sponsored by: Ty Trenary, Chief, Stanwood Police Department

ASSOCIATE MEMBERSHIP APPLICATIONS (8):

- Jerry Bates, Detective Sergeant, Pierce County Sheriff's Office
  - Sponsored by: Paul Pastor, Sheriff, Pierce County Sheriff's Office
- Mike Catlett, Commander, Tulalip Tribal Police Department
  - Sponsored by: John Goss Jr., Chief, Tulalip Tribal Police Department
- Karen Daniels
  - Sponsored by: Gary Edwards, Life Member
- Carlos Echevarria, Commander, Tulalip Tribal Police Department
  - Sponsored by: John Goss Jr., Chief, Tulalip Tribal Police Department
- Lonnie Hatman, Director, South Puget Sound Community College-Campus Security
  - Sponsored by: Gary Michel, Chief, Olympia Police Department
- Mark Layhew, Retired Chief, Formerly of the Simi Valley Police Department
  - Sponsored by: Paul Ayers, Chief, Issaquah Police Department
- William Ter-Veen, Deputy, Snohomish County Sheriff's Office
  - Sponsored by: John Lovick, Sheriff, Snohomish County Sheriff's Office
- Garret Ward, Researcher/Plan Manager, WA Department of Fish & Wildlife
  - Sponsored by: Bruce Bjork, Chief, WA Department of Fish & Wildlife

Bruce Bjork made the motion to approve the membership applications as recommended by the Membership Committee. Ed Holmes seconded the motion. Motion carried.

NEXT MEETING—March 18, 2010 at 10:00 AM at a location to be determined in Pacific County.

ADJOURN:

President Didion adjourned the meeting at 1:00 PM.