

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 MINUTES

January 10, 2017 | WASPC Office | 3060 Willamette Dr. NE
Lacey, Washington
10:00 AM to 12:00 PM

CALL TO ORDER

President Ken Hohenberg opened the meeting at 10:00 AM. There was a quorum present with the following Board members in attendance:

Sheriff Casey Salisbury, Mason County	Chief Bonnie Bowers, Anacortes PD
Chief Ken Hohenberg, Kennewick PD	Chief Steve Strachan, Bremerton PD
Sheriff John Turner, Walla Walla County (by phone)	Chief Dusty Pierpoint, Lacey PD
Mark Couey, Director, Special Investigations Unit, Office of the Insurance Commissioner	Sheriff Brian Burnett, Chelan County (by phone)
Sheriff Mark Nelson, Cowlitz County	Chief Robert Torgerson, Aberdeen PD
Sheriff John Snaza, Thurston County (by phone)	Jay Tabb, SAC, FBI Seattle Office

The following WASPC staff were attendance:

- Mitch Barker, Executive Director
- Kim Goodman, Chief of Staff
- Ned Newlin, Jail Services Liaison (by phone)
- Joan Smith, Program Manager, CJIS
- Deb Gregory, Executive Assistant

The following guests were in attendance:

- Tim Braniff, Undersheriff, Thurston County
- Travis Adams, Lieutenant, Mason County
- Tom McBride, Executive Secretary, WA Association of Prosecuting Attorneys
- Tim Schellberg, Gordon Thomas Honeywell (GTH)

Presidential Remarks & Introductions – President Ken Hohenberg

President Ken Hohenberg welcomed everyone to the meeting and the new year. Introductions were made around the room.

Approval of the 11/15/16 E-Board Retreat and Regular Meeting Minutes

Motion: Sheriff Mark Nelson moved to approve the 11/15/16 meeting minutes as submitted. Mark Couey seconded. The motion to approve carried.

Finance & Personnel Committee Report

Chief Robert Torgerson, WASPC Treasurer presented the Finance and Personnel Committee report.

The Finance Committee met with our representative from Morgan Stanley in December to review our investment portfolio. Our representative expects continued volatility in the market over the next year. He is reviewing our investment policy and will meet with the committee again in March to possibly make recommendations for adjustments to our portfolio.

The annual A133 and financial statement audit for 2016 is scheduled for the end of April. Mitch and Kim will be meeting with Clark Nuber to discuss scope and any concerns later this month.

We are in the process of closing our books for December. There will be an additional posting for December payroll, taxes and fees (\$164,928.86) once month-end procedures have been completed.

Vouchers written (38256 through 38452) for the period 11/15/2016 through 01/06/2017 total \$2,824,450.23.

Motion: Chief Bonnie Bowers moved to approve the Finance & Personnel Committee report as submitted. Chief Dusty Pierpoint seconded. The motion to approve carried.

Jail Services Report – Ned Newlin

Medicaid Suspension

Continuing work with the Health Care Authority (HCA) on SSB 6430, Medicaid Suspension through the policy and training/outreach work groups. Medicaid suspension for those incarcerated begins July 1, 2017. Currently, Medicaid benefits are terminated, requiring individuals to reenroll after release. Suspension will allow for an individual to access Medicaid immediately after release without reapplying and should help with reentry.

State Jail Standards

Ned attended and briefed the House Public Safety Committee work group sessions regarding WASPC's Jail Accreditation Standards and LEMAP programs. It is likely that we have done enough work to educate on the need to incentivize our jails to work toward LEMAP/ Accreditation versus state-mandated jail standards and it is unlikely we will see legislation this session.

Jail Training

Continued training coordination with partners, including WA Counties Risk Pool, National Institute of Corrections, DSHS Office of Forensic Mental Health Services, and the Health Care Authority for jail training. Upcoming events include:

- 1.) Corrections Legal Seminar, March 30-31, 2017 at the Lewis County Sheriff's Office, Carrie Hill and Elmer Dickens, Ethical Legal Survival Institute (ESLI).

- 2.) Gordon Graham's "Managing Risks in Your Jail Operations" Course -- May 4, 2017 at the Confluence Technology Center, Wenatchee (in-person for WCRP members) and via webinar (all others). Registration is through WCRP website.
- 3.) Spring Conference Jail Training Session – Wednesday, May 24th, 2017.
- 4.) Pilot Jail Health Care Training – June 12-16, 2017 at WASPC, facilitated by Dr. Marc Stern and Ned Newlin. Attendees, by invitation only, are: Cowlitz, Grays Harbor, Lewis, Mason, Pacific, and Thurston County Jails and the Hoquiam PD Jail. Target audience: Jail operations policy maker and the health care policy maker from the jail.

Regional Jail Meetings

Currently, there is a group of jail managers that meet quarterly from the western Washington area. Next meeting is February 17th at Bass Pro in Tacoma. Ned would like to get an Eastern Washington group going in 2017.

WASPC/DOC Jail Information Sharing Workgroup

We have established an informal workgroup between our jails and DOC with the goal of enhancing health care information exchange. Our first meeting was in December, with work continuing through 2017.

Sentencing Guidelines Commission

The Commission will have a bill this year regarding a Second Look for those sentenced under 3-Strikes. The Commission will likely be involved in discussions concerning reducing the complexities of the Sentencing Reform Act (SRA), which has been raised by DOC.

Select Committee on Quality Improvement in State Hospitals (SCQISH) – ESSB 6656

The select committee has made several recommendations to improve our state hospitals, which if implemented and funded, should provide better treatment, both in a community setting and in the hospitals, and reduced wait time in jails for forensic services. Most of the \$300 million increase in mental health funding in the Governor's biennial budget proposal for 2017-2019 includes funding for the recommendations.

Jail Diversion Study

Washington State Office of Financial Management (OFM) engaged Joplin Consulting to identify opportunities to enhance or expand jail diversion for people in the state who have mental illness. WASPC participated in the scoping sessions for the report. The report made several key findings and twenty-four (24) recommendations, prioritized into three tiers. The key findings were: limited availability of crisis services; low use of evidence-based screening and assessment tools; insufficient enrollment of jail inmates in Medicaid prior to release; weaknesses in mental health courts; emerging attention to High Utilizers of Multiple System (HUMS); uneven coordination among jails, providers and health plans; inadequate community-based resources; and limited time allowed by law for competency restoration of misdemeanants. The full report, *Jail Diversion for People with Mental Illness in Washington State*, can be found at OFM's website.

Ned will be attending the following conferences.

- Western State Sheriffs' Association, March 5-8 in Reno.
- American Jail Association, April 9-12 in Orlando.
- National Sheriffs' Association Annual Conference, June 23-28 in Reno.

President Hohenberg thanked Ned for the report and the good work he continues to do for WASPC.

HB 1448 Model Policy on Police Referrals/Suicide Reports Update - Mitch Barker

HB 1448 includes two mandates. The first is that all police agencies in the state must adopt policies relating to how they contact suicidal or potentially suicidal people in the field, and second, to work on a model policy to carry it out when funded.

When WASPC was initially contacted by the legislature to develop this model policy, there was no funding attached to do the work. An emergency appropriation was made available allowing WASPC to conduct outreach with interested citizens, law enforcement and the health care community. Four meetings were held across the state with Model Policy Co-Chairs Bob Metzger, Pasco Police Chief, and John Vinson, UW Police Department Chief attending the meetings. There was good participation at each venue.

A draft of the policy has been circulated to the Co-Chairs for review and comment. The next step is for the draft policy to be reviewed and approved by the Executive Board at their March or May meeting for ratification by WASPC membership at the spring conference in May in Spokane.

Registered Sex Offender (RSO) Model Policy Updates – Mitch Barker

With the passage of SSB 5154 in 2015, the Sex Offender Policy Board (SOPB) was directed to make findings and recommendations in four areas. One of those areas was regarding the ability of registered sex offenders and kidnapping offenders to petition for review of their assigned risk level classification and whether such a review process should be conducted according to a uniform statewide standard.

WASPC is recommending that the Board authorize the Model Policy and SONAR Committees to prepare revisions to the Model Policy for Washington State Law Enforcement: Adult and Juvenile Sex Offender Registration and Community Notification.

Motion: Chief Dusty Pierpoint moved to approve the recommendation as submitted. Chief Bonnie Bowers seconded. The motion to approve carried.

2017 WASPC Legislative Agenda – Mitch Barker

Mitch provided a brief recap of WASPC's legislative agenda for 2017. There are two primary issues of importance:

- Reinstate a Version of the Public Safety Education Account (PSEA)
- Provide Funding to Combat Criminal Street Gangs

Funding to combat criminal street gangs would provide one-time funding to populate the WAGang database and on-going funding for prevention at the community level. A number of

legislators are working to move this bill through the process. While it doesn't provide a lot of funding, it will be helpful to the overall effort.

Hate Crime Bill – Is similar to a bill that was introduced during last year's session. It is a well-intentioned bill but Mitch has advised the sponsor that while WASPC will not oppose the bill, it would not support either. Unless the Board directs WASPC staff otherwise, we will plan to silent on this bill. Tom McBride from WAPA said they have a similar position. They will continue to monitor the bill.

Gun Bill from the Attorney General – WASPC has chosen to stay silent on any assault weapon debate except at the federal level.

Purchase of Militarized Weapons – Tom McBride shared that the process being considered would put the responsibility for licensing those weapons with local law enforcement. There is also discussion about creating a Gun division within the WSP. Discussion followed about the proposed bill and the potential impacts on local law enforcement agencies. Sheriff John Snaza asked if this bill is one that we should address at the February 7 Law & Justice Day. Mitch responded that it is too early to know when and if the bill will move out of committee, but that both he and James McMahan will continue to monitor it and advise the Board if anything changes.

Department of Licensing Backlog of paper Pistol Transfer Application records – This past December, WASPC sent out a GTWO notice from the Department of Licensing about a backlog of paper Pistol Transfer Application (PTA) records waiting manual data entry into the Firearms System by their staff. To eliminate the backlog, DOL is requesting funding during the 2017 session to eliminate the backlog and make enhancements to the Firearms Online System for firearms dealers to submit PTA's electronically. Governor Inslee included \$382,000 for funding of this project in his proposed budget submitted to the Legislature for consideration. DOL has also implemented system changes to improve both the quality of the data entered and the processing speed. WASPC will be supportive of the funding to help eliminate the backlogged applications.

Seizure and Forfeiture of Property - There are three (3) bills dealing with seizure and forfeiture of property in the criminal world. We will oppose the bills and monitor their progress.

Marijuana Bills – There is a bill being proposed that would allow delivery of marijuana and marijuana-infused products from brick and mortar stores out into the communities not exceeding twice what an individual can possess. There is also a change being proposed in the current marijuana statutes to eliminate all prohibitions on marijuana advertising.

Another bill, HB 1060, would authorize parents, guardians, and primary caregivers to administer marijuana to a student for medical purposes while the student is on school grounds, aboard a school bus, or attending a school-sponsored event.

Mitch requested the Board's direction relative to marijuana legislation and whether WASPC continues to oppose these changes or just decide that marijuana is now just like alcohol or tobacco.

After discussion, the Board agreed to oppose this bill and monitor regardless of whether the student carries an approved medical marijuana card or not.

Incentivized Testimony - Tom McBride discussed the incentivized testimony bill and described that before incentivized testimony can be heard, it would have to go through a pre-trial suppression hearing and if the witness is not judged to be credible, the testimony is suppressed. The WA Association of Prosecuting Attorneys is currently deciding whether to continue opposing the bill or whether to come up with a narrower definition of "informant". There is a hearing on the bill at 8:00 AM, January 11, 2017. Tom noted that this bill affects how law enforcement can conduct investigations and bears close monitoring.

Mitch reminded everyone that while he and James testify at legislative hearings, it is critical that legislators hear from their local law enforcement officials directly. Please take time to contact your legislators either in person, by phone, or other methods to provide them with your input. Legislators listen to that.

Update on Deadly Force Task Force

Chief Ken Hohenberg provided an update on the status of the task force. Lieutenant Travis Adams of Mason County attended each of the meetings with the Chief. Several bills have now been introduced in the legislature as an off-shoot of the task force. The bills will be monitored closely.

Upcoming Executive Board Vacancy

Chief Bonnie Bowers will be retiring in April creating a Chief vacancy on the Board. Chief Bowers' position runs through May 2019. Typically, with a mid-term vacancy for a Board position, the President can appoint someone to complete the unexpired term. With there being just two months between Chief Bowers' departure and the spring conference, Mitch is recommending that the President keep the position vacant and let people bring their names forward for consideration by the membership at the spring conference in May in Spokane. President Hohenberg concurred and said his only concern is that we make sure to announce the vacancy well in advance of the conference in May to ensure that all Chiefs who may be interested can submit their name. WASPC staff will get a message out, and send several reminders between now and May.

Approval of Membership

The Membership Committee has received a number of member applications that have been reviewed and approved. It is the recommendation of the Membership Committee that the Executive Board approve all of the applications as submitted.

Motion: Chief Dusty Pierpoint moved to approve all membership applications as submitted by the Membership Committee. Chief Bonnie Bowers seconded. The motion to approve carried.

Sheriff Casey Salisbury reminded the Board that he is chairing the Past Presidents Committee and one of the tasks is to constantly do outreach to new Chiefs and Sheriffs. With Sheriffs, it is easier to keep track of newly elected or appointed Sheriffs but with Chiefs, it is much more difficult as there is a lot of movement between agencies. Sheriff Salisbury asked that if you are aware of new Chiefs or Sheriffs, please contact either him or Deb Gregory of WASPC staff so that we do the appropriate outreach and get these individuals signed up for membership. Or in the case of movement between agencies, that memberships are appropriately transferred.

Sheriff Salisbury invited everyone to attend the Mason County Law Enforcement monthly meeting the last Friday of January at Little Creek Casino in Shelton to hear Assistant Chief Bob Merner of Seattle PD make a presentation on the Boston bombing. Chief Merner was working in Boston when the bombing occurred and will have many good insights. Everyone is welcome to attend.

President Hohenberg reminded everyone of Law & Justice Day on Tuesday, February 7, 2017. It will begin with Governor Jay Inslee addressing our group beginning at 9:00 AM.

There being no further business to discuss, the meeting adjourned at 11:57 AM.

Respectfully submitted,

Deb Gregory
Executive Assistant