

October 13, 2019

Sue Rahr, Director
Criminal Justice Training Commission
19010 1st Avenue South
Burien, Washington 98148

DELIVERED VIA EMAIL

Dear Director Rahr,

The Washington Council of Police & Sheriffs (WACOPS) has appreciated the open, honest, and often challenging dialogue you have facilitated on the rule development required by the passage of I-940 and SHB 1064. We have said it many times, but will reiterate it again here, passage of these landmark pieces of legislation has had a significant and meaningful impact on law enforcement as a profession and all of us, no matter our profession, enjoying the lifestyle Washington State provides. We look forward to the future and our continued work with you and community organizations during the annual LETCSA Summits and other opportunities.

The current work before us is the drafting and final adoption of the rules specific to the independent investigation of an officer's use of deadly force. We are writing today to be clear about our position regarding the draft and its final content. We want to remind the CJTC that it is limited to the authority granted it by Chapters 1 and 4 Laws of 2019. We appreciate that you heard us and removed the early drafted Guidelines document and a mandate of credentialing.

At last week's Stakeholder meeting we participated in a discussion to mandate every department in our state to launch a two-person civilian team into every use of deadly force investigation. The required qualifications of the civilians, how a department would select them, and their specific role and access was unclear, undeveloped, and in dispute even among the community organizations requesting it. We stated then, and reiterate again, we believe such a mandate is beyond the scope of this rule. The fact that there is no reference in any documents related to the passage of your authorizing statutes regarding this significant public policy is important and should not be overlooked. But for historical context, we want to point out that even the community organizations didn't bring this, or any version of this, up until late in September; well into the drafting and discussions about independent investigations. We respect their suggestion and understand why they want this. We said in our written edits submitted previously and reiterated in both the October meetings that we believe this public policy is best developed in direct conjunction with the community and the local department. Some departments, for example Tacoma and Seattle, have done versions of this already. Others have as well. Our opposition is consistent with our expectation that the final rule be within the granted authority. We believe this not anywhere near ready for a statewide launch and is beyond the scope of this rulemaking.

Thank you for the hard work you've done and the excellent and professional work of your staff. We look forward to our continued work together through this process and the next. You may reach me at ttaylor@wacops.org or 360-352-8224.

Sincerely,



Teresa Taylor
Executive Director