



Nonlethal Pursuit Pass Training Program

AFFIDAVIT



All pass holders must read, sign, and adhere to all conditions of this affidavit and the conditions described on the Pass prescribed by the Department Captain prior to participation. All persons applying to participate in the Nonlethal Pursuit Pass Training Program are required to submit to and pass a law enforcement background check.

Conditions:

- A. Prior to exercising the authority granted under a Pass, a signed affidavit from each individual handler is required. Passes are only valid only when an affidavit is signed by the pass holder and on file and when the Pass is approved by the designated Washington Department of Fish and Wildlife (WDFW) Regional Enforcement Captain. Renewal of subsequent 30-day passes will require approval from the designated Washington Department of Fish and Wildlife (WDFW) Regional Enforcement Captain. Pass holders need only sign the Affidavit once per calendar year.
- B. The following items will preclude any person from participating in the Non-Lethal Pursuit Pass program:
 - A conviction within the last ten (10) years of any criminal offense under RCW Chapters 77.15 (WDFW Enforcement), 76.48 (Specialized Forest Products), 16.52 (Animal Cruelty), or an equivalent offense in another state;
 - Found to have committed, or to have paid, any infraction for a violation of Chapter 77.15, except recreational fishing under RCW 77.15.160, in the last ten (10) years;
 - A conviction within the last ten (10) years of any crime of dishonesty;
 - A conviction of any felony in this or any other state, or released from custody pursuant to any felony conviction in this or any other state, within the last ten (10) years;
 - A conviction or found to have committed, any criminal or civil violation where WDFW obtains a report from the citing authority that alleges the applicant was deceptive, untruthful, or obstructed a law enforcement officer in the course of the officer's duties, other than violations of RCWs 46.61.050, and 46.61.400, within the last ten (10) years;
 - A conviction of Unlawful Possession of a Firearm under RCW 9.41.040, or has been convicted of any felony offense and the applicant has not successfully petitioned to have the applicant's firearm rights restored, or is otherwise ineligible to possess a firearm for any reason provided in RCW 9.41.040; and/or
 - A current hunting or fishing license revocation or a current suspension of hunting or fishing license privileges in Washington or in another state.
- C. Applicants disqualified for the reasons stated above will be notified. Such notification will constitute WDFW's denial of the pass holder until such time the application is corrected, or applicant qualifies. Applicants are encouraged to determine applicability prior to submitting requests to WDFW. Any person who has been denied initial admission into the nonlethal pursuit training pass program, or renewal of his or her application to be placed on the list of screened nonlethal pursuit handlers, has the right to an administrative hearing to contest the agency action pursuant to RCW Chapter 34.05. An applicant denied a training pass may request an informal review within thirty (30) days of receipt of the application denial. The request for an informal review shall be served on the Chief of the Enforcement Program in writing. The Chief may ask the applicant and WDFW for additional information before ruling on the informal appeal and shall respond to the informal appeal in writing. The applicant must

seek an appeal pursuant to RCW Chapter 34.05 no later than thirty days (30) from receipt of the notice of denial of the training pass, or thirty days from receipt of the decision on the informal review, whichever is later. The date of receipt shall be five days (5) after any written notice or decision is mailed to the applicant. Initial nonlethal pursuit training pass applicants who fail to submit the application fee or who submit an incomplete application will have their application returned and will require the applicant to reapply. Denial of admission on these grounds does not trigger the right to appeal pursuant to RCW Chapter 34.05.

- D. WDFW Police may request an initial training evaluation prior to any pass training.
- E. A Nonlethal Training Pass authorizes a maximum of four (4) immediate family member present while participating in a training exercise. "Immediate family member" shall be limited to spouses and domestic partners, children and stepchildren, siblings, parents, and step-parents. These privileges authorize the use of dogs by designated and approved handlers only. The privileges granted to the Pass Holder may not be transferred to any other person.
- F. Training Pass holders shall maintain a logbook of training activities during each training period. Logbooks must be completed in its entirety before leaving the training area. If submission is unavailable due to cellular service limitations, the pass holder will submit the online entry as soon as submission is accessible. Online submission of logbooks is required within ten (10) days after the training activity. Paper logbook entries must be delivered or postmarked to the Washington WDFW Enforcement program within ten (10) days after the training activity occurred. Logbook entries must be mailed to;

WDFW Enforcement Program
Nonlethal Pursuit Training Pass
Program 1111 Washington Way SE
Olympia, WA 98501

- G. Pass holders may not disclose training locations or logbook information with anyone outside the Department. Pass holders cannot use their knowledge to guide hunters to cougars or other wildlife, or intentionally drive cougars to known waiting hunters.
- H. Pass holders may not kill or injure animals while engaged in the training activity unless in acts of self-defense. The pass holder will contact the training area Sergeant as soon as possible to report an incident that involves an act of self-defense. The pass holder must also include all detailed incident information during the required logbook submission.
- I. Working Dog involved incident that leads to injury or kills wild or domestic animals to report an incident that leads to injury or death of wild or domestic animals while on a training exercise, to include the dogs used during the training. The pass holder must also include all detailed incident information during the required logbook submission.
- J. If a firearm is discharged or an animal is killed at any point during a training activity, the training pass granted pursuant to WAC 220-412-130 subsection (11) shall be placed on hold until reinstated by the Department Captain or training area Sergeant. Before a training pass may be reinstated or reissued, WDFW Police shall investigate the circumstances to determine if it was unlawful or a result of not meeting the best practices of dog handling.
- K. Any training pass holder engaged in training activities is required to carry either bear spray or an air horn so that non-lethal means are available to mitigate wildlife interactions.
- L. Pass holders may not use bait, traps, snares or calling device to lure at any time or under any circumstance to attract cougar or other wildlife for the purpose of this training.
- M. The Pass does not authorize trespass.
- N. While exercising privileges associated with the Pass, the Pass Holder provides consent for WDFW personnel to search for wildlife and/or parts thereof in all vehicles involved with the working dog activity authorized by the Pass.
- O. WDFW is not liable for death or damage to personal property to include working dogs. Pursuit Pass holder is liable for damages inflicted during the training pass activity.

- P. A Non-Lethal Pursuit Training Pass, issued at the Captain’s discretion, will be issued for a period of up to thirty (30) days, with an option for a thirty (30) day renewal at the request of the Training Pass holder. This training pass will detail the timeframe and geographic scope of the training area that is acceptable to the Captain and the training pass holder. A Department Captain may, at any time, change the geographic scope or timeframe of the training pass to address management or emergent needs, and retains the discretion to terminate a training pass.
- Q. Prior to engaging in a training exercise within the limitations of the training pass, the training pass holder will communicate with a Department Sergeant with oversight of the training area. The training pass holder shall keep the Department Sergeant apprised of regular training activities, and the Sergeant shall keep the training pass holder apprised of any operational or logistical concerns or restrictions.
- R. The Nonlethal Pursuit Training Pass does not supersede or overrule any city, county or state firearms regulations. Passes may be suspended, revoked, canceled, or conditioned at the discretion of WDFW. The permittee(s) shall each abide by all conditions set forth. Failure to comply with these conditions may constitute a violation of RCWs 77.15.010, 77.15.194, 77.12.240, 77.15.245, and 77.36.030, and WACs 220-417-040 and 220-440-210.
- S. **Violation of any pass provision may result in immediate pass revocation and termination in the Nonlethal Training Dog Program, in addition to possible criminal charges.**

Please email or mail to:

Natural Resource Building
 WDFW Enforcement Program
 Nonlethal Pursuit Pass Program
 1111 Washington Way SE
 Olympia, WA 98504

By my signature, I agree to adhere to all the conditions identified on this affidavit and the Pass I may participate on.

Signature of Pass Holder	
Printed Full Name (Print Clearly)	Date