



Nonlethal Pursuit Pass Program Procedures & Process



This document is intended to help you navigate the application and training process. For specific questions or related inquiries contact Becky Elder becky.elder@dfw.wa.gov

STEP 1: Application Process

Contacting your local enforcement Captain and Sergeant is highly recommended to begin developing a working relationship.

- Read WAC 220-412-130 and keep for future reference
 - Submit completed and signed application
 - Submit and sign affidavit
 - Include 25\$ background check fee (check or money order)
 - Provide copy of current driver's license
 - Provide current proof of vehicle liability insurance
 - Provide a copy of a valid hunting license – Optional
 - Provide a list of references – Optional
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- WDFW Police may request an initial training evaluation once the application is received and reviewed.
 - Acceptance into the program does not automatically allow for the issuance of a pass.
 - In the event that the maximum number of fifty (50) applicants are approved, additional applicants will be placed on a waiting list in the order that their applications were received.
 - Applications will be reviewed, and background checks run monthly. Applicants will receive a formal printed letter and email providing a decision and next steps an applicant may wish to take. Rule booklet will be provided.
 - All application materials are valid for one calendar year. Pass holders will need to sign the Affidavit once per calendar year and submit a 25\$ check/money order for an annual background check.
 - Applications that include individuals disqualified 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.

Enrollment Related Rule Language

WAC 220-412-130 Subsection (2) The nonlethal pursuit training pass program emphasizes safe, ethical, responsible, and lawful hound handling practices as well as detection of specific wildlife species by dogs. The goal of the nonlethal pursuit training pass program includes improving dog handler/department relations, effective detection of target species when requested by the department, and the ethical treatment of working dogs and wildlife. The yearly application cost to be considered for placement on the list of screened nonlethal pursuit handlers shall be twenty-five dollars and will cover the cost of an application review and a background check. This cost will occur annually when renewing an application to be on the list of screened nonlethal pursuit handlers. The WDFW enforcement program shall determine the nonlethal pursuit program's requirements and curriculum in consultation with stakeholders including, but not limited to, working dog handlers and wildlife conservation organizations in Washington state.

WAC 220-412-130 Subsection (3) Working dog handlers are held to the highest ethical standards as these individuals may be asked to perform as agents of the state under RCW [77.12.077](#). As such, they may be

ambassadors for the department and the working dog community. Criteria to be considered include the following:

- (a) Currently own and train working dogs on scent detection and tracking;
- (b) Maintain health records of working dogs;
- (c) An active working knowledge of predator detection and pursuit training techniques;
- (d) Hold a current driver's license;
- (e) Up-to-date vehicle registration and vehicle insurance for any vehicle used to transport working dogs;
- (f) Understanding of best practices in dog handling equipment and proper usage; and
- (g) Working knowledge of terrain navigation and digital mapping equipment.

Initial approved applicants on the list of screened nonlethal pursuit handlers and individuals reapplying to be approved on the list of screened nonlethal pursuit handlers must annually submit to a criminal background check, and the department shall deny entry into the nonlethal pursuit training pass program to those applicants who have:

- Been convicted within the last ten years of any criminal offense under chapter [77.15](#) RCW (WDFW enforcement), 76.48 (specialized forest products), or 16.52 (animal cruelty) RCW;
- Been found to have committed, or to have paid, any infraction for a violation of chapter [77.15](#) RCW except recreational fishing under RCW [77.15.160](#), in the last ten years;
- Been convicted within the last ten years of any crime of dishonesty;
- Been convicted of any felony, or released from custody pursuant to any felony conviction, within the last ten years;
- Been convicted of, or been found to have committed, any criminal or civil violation where the department 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 RCW [46.61.050](#) and [46.61.400](#), within the last ten years;
- Been convicted 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](#);
- A current hunting or fishing license revocation or a current suspension of hunting or fishing license privileges in Washington or in another state.

An applicant must disclose to WDFW at the time of application whether the applicant is aware of any pending criminal charges in any municipal, state, or federal court. The department may defer approval or denial on an application until such criminal charges have been adjudicated.

The department may, based on the results of a criminal background check or based on information it has received involving active investigations or pending charges, deny an application, at its discretion, if it believes the applicant does not meet the high ethical standards of the program, or would not be a suitable state agent or ambassador for the department and the working dog community.

WAC 220-412-130 Subsection (7) Nonlethal pursuit training pass applicants will be required to complete an agency affidavit which specifies that the applicant has read, understands, and will comply with the program rules and ethical standards required of the program. This affidavit must be signed, dated, and returned along with a copy of the applicant's driver's license, current proof of vehicle liability insurance, and a copy of a valid hunting license. Submission of false or fraudulent information is grounds for removal from the program.

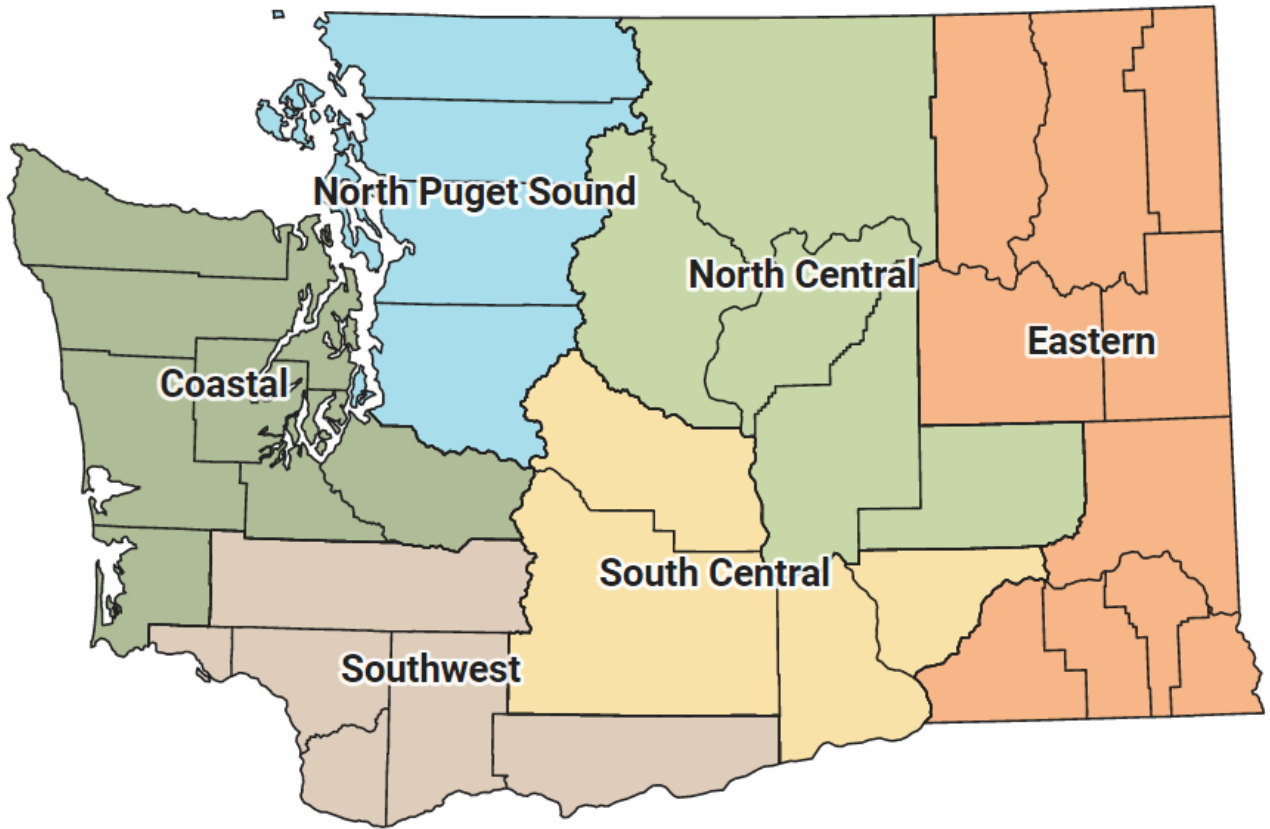
WAC 220-412-130 Subsection (9) Any person who has been denied initial admission into the nonlethal pursuit training pass program, or renewal of his or her application to be placed on the list of screened nonlethal pursuit handlers, has the right to an administrative hearing to contest the agency action pursuant to chapter [34.05](#) RCW. An applicant denied a training pass may request an informal review within thirty

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 department for additional information before ruling on the informal appeal and shall respond to the informal appeal in writing. The applicant shall have initiated the formal appeal no later than thirty days 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. Date of receipt shall be five days 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. Denial of admission on these grounds does not trigger the right to an administrative hearing.

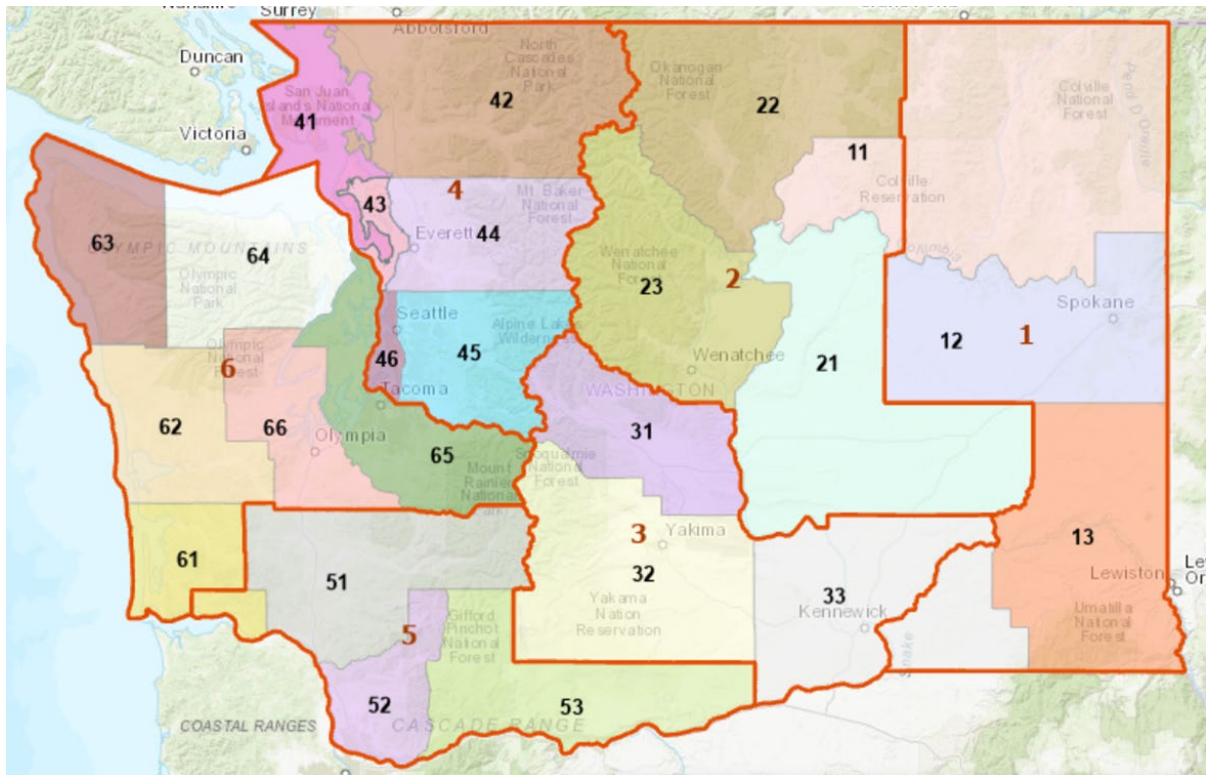
WAC 220-412-130 Subsection (10) Training program enrollment – The department will authorize no more than fifty valid training pass holders to participate in the program annually on a statewide basis. Training passes issued by the department for training activities shall be geographically limited to no more than nine training passes at a time per WDFW region, and no more than three training passes at a time per enforcement detachment.

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.



WDFW Regions: 9 or fewer training passes at a time per WDFW Region.



WDFW Police Detachments: 3 or fewer training passes at a time per Detachment.

STEP 2: Pre-Training Exercise

Once accepted into the Nonlethal Pursuit Pass Program.

- Contact and organize initial meetings with the department captain – Contact information will be provided to you with your acceptance letter into the program.
- Contact and acquire overseeing sergeant contact information.
- Acquire bear spray and/or an air horn.
- Familiarize yourself with the logbook reporting tool online under the Enforcement tab of the WDFW website.
- Familiarize yourself with all related WAC rules (Rule Handbook)
- At the captain's discretion, acquire training pass in online or paper form from department captain detailing geographic scope and pass time frame. Note: The pass does not authorize trespass.

Prior to Engagement Related Rule Language

WAC 220-412-130 Subsection (11) Prior to engaging in any nonlethal pursuit training activity, a member of the nonlethal pursuit training pass program shall obtain from the department captain with oversight responsibility for the area proposed to be used for training a nonlethal pursuit training pass, which will be in via paper or electronic format. A nonlethal pursuit training pass, issued at the captain's discretion, will be issued for a period of up to thirty days, with an option for a thirty-day renewal at the request of the training pass holder. This training pass will detail the time frame and geographic scope of the training area that is acceptable to the captain and the training pass holder. 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. A department captain may, at any time, change the geographic scope or time frame of the training pass to address management or emergent needs, and retains the discretion to terminate a training pass. The department captain shall restrict training pass scope for certain game management units (GMU's) during big game hunting seasons when prudent.

WAC 220-412-130 Subsection (12) Any training pass holder engaged in training activities is required to carry either pepper spray or an air horn so that nonlethal means are available to mitigate wildlife interactions.

WAC 220-412-130 Subsection (13) Training pass holders will be allowed to have up to four immediate family members present while participating in a training exercise with a nonlethal pursuit training pass. "Immediate family member" shall be limited to spouses and domestic partners, children and step-children, siblings, parents, and step-parents. Additionally, the owner of real property who has granted permission to the training pass holder to use said lands for a training exercise with a nonlethal pursuit training pass may be present with the training pass holder or may designate a representative in writing. Corporate landowners may designate security personnel or contractors to accompany a training pass holder participating in a training exercise with a nonlethal pursuit training pass. A department sergeant with oversight of the training area may authorize, in advance, additional observers of a training pass holder participating in a training exercise with a nonlethal pursuit training pass.

- Pass holders may not kill or injure domestic or wild animals while engaged in the training activity unless in acts of self-defense. 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.
- 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.

STEP 3: Exercise

- Contact the sergeant overseeing the training area prior to engaging in a training within the appropriate timeframe as defined by the training sergeant.
- Confirm training pass (online or paper form) is on your persons.
- Confirm you have bear spray and/or air horn on your persons.
- Do not use bait, traps, snares or calling device to lure at any time or under any circumstance.
- During the training exercise upon any observation of tracks of more than one cougar or visually observing the presence of spotted kittens, the handler shall terminate the current training pass activity and report the observations to the training area sergeant.
- During the training exercise if a firearm is used contact the training area sergeant immediately or as soon as cellular service is available. Follow all related Nonlethal Training Rules.
- If a game species is located during the training exercise including a cougar you cannot guide or drive the animal to areas where hunting is permitted of that species.
- If a game species is located during the training exercise including a cougar you cannot disclose this information. 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.
- You may not kill or injure domestic or wild animals while engaged in the training activity unless in acts of self-defense. If this occurs, follow all related Nonlethal Training Rules.
- A Non-Lethal Pursuit Training Pass Program participant who purchases a cougar harvest tag in Washington State cannot fill a cougar tag 72 hours before or after a training exercise.

Training Exercise Related Rule Language

WAC 220-412-130 Subsection (4) If a firearm is discharged at any point during a training activity, the training pass granted pursuant to subsection (11) of this section 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 of the discharge to determine if it was unlawful or a result of not meeting the best practices of dog handling.

WAC 220-412-130 Subsection (5) A nonlethal pursuit training pass program participant who purchases a cougar harvest tag in Washington state cannot fill a cougar tag seventy-two hours before or after a training exercise.

WAC 220-412-130 Subsection (6) An individual who holds a current nonlethal pursuit training pass and is found to have any of the invalidating circumstances addressed in subsections (3) through (5) of this section, shall be removed from the program and the training pass revoked. If the department learns of a new pending criminal charge or incident involving a current training pass applicant which could lead to an invalidating circumstance addressed in subsections (3) through (5), the department may suspend the training pass applicant's participation in the program until resolution of the charge or incident.

WAC 220-412-130 Subsection (13) Training pass holders will be allowed to have up to four immediate family members present while participating in a training exercise with a nonlethal pursuit training pass. "Immediate family member" shall be limited to spouses and domestic partners, children and step-children, siblings, parents, and step-parents. Additionally, the owner of real property who has granted permission to the training pass holder to use said lands for a training exercise with a nonlethal pursuit training pass may be present with the training pass holder or may designate a representative in writing. Corporate landowners may designate security personnel or contractors to accompany a training pass holder participating in a training exercise with a nonlethal pursuit training pass. A department sergeant with oversight of the training area may authorize, in advance, additional observers of a training pass holder participating in a training exercise with a nonlethal pursuit training pass.

WAC 220-412-130 Subsection (14) As a best practice in dog handling, training pass holders shall not knowingly engage in the pursuit of spotted kittens or cougars with spotted kittens. Upon any observation of tracks of more than one cougar or visually observing the presence of spotted kittens during a training exercise, the handler shall terminate the current training pass activity and report the observations to the training area sergeant. The sergeant may choose to subsequently limit future training activities in the area.

- Pass holders may not kill or injure domestic or wild animals while engaged in the training activity unless in acts of self-defense. 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.
- Pass holders may not use bait, traps, snares or calling device to lure at any time or under any circumstance to attract cougar.
- 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.
- The Pass does not authorize trespass.
- 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.
- 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.

STEP 4: Post Exercise

- Provide any pertinent or warranted activity that occurred during the exercise to the sergeant overseeing the training area in a timely manner
- 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 logbook submission was unavailable due to cellular service limitations, the pass holder will submit the online entry as soon as submission is accessible.
- Contact the sergeant overseeing the training area within the appropriate timeframe as defined by the training sergeant for future training exercises
- Do not disclose logbook information to those outside the Department
- If warranted contact the department captain to request an optional renewal of the training pass after the initial pass expires (training passes issued for a period of up to 30 days)

Training Exercise Related Rule Language

WAC 220-412-130 Subsection (8) The enforcement program nonlethal pursuit training pass program coordinator will maintain open communications with landowners and the community. The department will investigate written accusations about nonlethal pursuit program participants and determine whether such complaints have merit and/or warrant enforcement or administrative action.

WAC 220-412-130 Subsection (15) Training pass holders shall maintain a logbook of training activities under the nonlethal pursuit training program. Logbooks shall be made using a template made by the department to be uploaded online or downloaded and printed. Entries in the logbook shall include:

- (a) Training pass holder's name, names of those accompanying or observing the training exercise, and number of dogs trained or participating;
 - (b) Date and location of the training, including the names of any roads traveled, trails traveled, or routes taken. The entry shall specify the owners of any land traversed;
 - (c) If any cougars were detected, the logbook must contain the corresponding GPS coordinates; and
 - (d) The discharge of any firearms, identification of the firearms, and the person responsible for the discharge.
- 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;
- Natural Resource Building
WDFW Enforcement Program
Nonlethal Pursuit Training Pass Program
1111 Washington Way SE
Olympia, WA 98501
- Logbooks are required to be completed for each training trip before leaving the field. Logbook pages must be provided to the department through an online reporting system or postmarked within ten days following any calendar month in which the training pass activity took place.