

# Governor's Task Force on Independent Investigations of Police Use of Force

**Office of the Governor**

Submitted: December 21, 2020



— WASHINGTON GOVERNOR —

**JAY INSLEE**

# Contents

Task force membership .....	3
Advisory group membership.....	5
Task force staff.....	5
Introduction.....	6
Recommendations .....	6
Purpose of the legislation.....	6
Purpose of the agency.....	7
Organization and structure .....	7
Types of cases and prioritization .....	7
Scope of the investigation.....	8
The director.....	8
The investigators.....	10
Other agency staff.....	12
Authority and powers .....	12
Data collection.....	13
Scope and frequency of reporting.....	13
Prosecution.....	14
Responsibility to families and communities.....	14
The advisory board.....	15
Responsibility of the involved agency.....	16
The transition period .....	16
Meeting schedule.....	18
Member statements .....	22
Appendices.....	33
Appendix A – Voting summary.....	34

To accommodate a person with a disability, you can get this document in alternate formats by calling the Office of the Governor at 360-902-4111. TTY/TDD users can contact OFM through the Washington Relay Service at 711 or 1-800-833-6388. You can also visit the [governor's website](#).

# Task force membership

**Ben Krauss, PhD**

Principal | AdaptiveTrainingSolutions.com

**Brian Moreno**

Commissioner | Washington State Commission on Hispanic Affairs

**Chris Jordan**

Director | Fab-5

**Darrell Lowe**

Chief | Redmond Police Department

**Emma Catague**

Commissioner, Community Police Commission | Program supervisor, Filipino Community of Seattle

**Eric Richey**

Whatcom county prosecuting attorney | Washington Association of Prosecuting Attorneys

**James Schrimpsheer**

Chief | Algona Police Department & Vice President | Washington State Fraternal Order of Police

**Jay Westwind Wolf Hollingsworth**

Chair | John T. Williams Organizing Committee

**Jordan Chaney**

Owner | Poet Jordan

**Katrina Johnson**

Charleena Lyles' cousin and family spokesperson | Families are the Frontline

**Kimberly Mosolf**

Director of treatment facilities program | Disability Rights Washington

**Livio De La Cruz**

Board member | Black Lives Matter Seattle – King County

**Monisha Harrell**

Chair | Equal Rights Washington

**Nina Martinez**

Board chair | Latino Civic Alliance

**Puao Savusa**

Community engagement specialist, City of Seattle Office of Police Accountability | Member, Commission on Asian Pacific America Affairs

**Sanetta Hunter**

Affected family member | Charged for Change

**Spike Unruh**

President | Washington State Patrol Troopers Association

**Teri Rogers Kemp**

Panel attorney, King County Department of Public Defense | Member, WDA/WACDL Legislative Committee

**Tim Reynon**

Member | Puyallup Tribe

**Tyus Reed**

Juvenile justice reform advocate

**Teresa Taylor**

Executive director | Washington Council of Police and Sheriffs

**Waldo Waldron-Ramsey**

Criminal justice chair | NAACP Alaska Oregon Washington State-Area Conference

**Walter Kendricks**

Pastor, Morning Star Missionary Baptist Church | Commissioner, Washington State Commission on African American Affairs

## Advisory group membership

- **Craig Bill**, executive director | Governor’s Office for Indian Affairs
- **Deborah Jacobs**, police accountability consultant and oversight expert
- **Edward Prince**, executive director | Commission on African American Affairs
- **Jim Bloss**, representative | National Alliance on Mental Illness (NAMI) – Washington State
- **John Hutchings**, chair | Thurston County Commission
- **Judge Frank E. Cuthbertson (ret.)**
- **María Sigüenza**, executive director | Commission on Hispanic Affairs
- **Monica Alexander**, division manager | Criminal Justice Training Commission
- **Rob Huss**, assistant chief | Washington State Patrol
- **Sharon Swanson**, government relations advocate | Association of Washington Cities
- **Toshiko Hasegawa**, executive director | Commission on Asian Pacific America Affairs
- **Yasmin Trudeau**, legislative director | Office of the Attorney General

## Task force staff

- **Sonja Hallum**, senior policy advisor | Office of the Governor
- **Dontae Payne**, regional representative | Office of the Governor
- **Leah Landon**, forecast and research analyst | Office of Financial Management
- **LueRachelle Brim-Atkins**, facilitator | Brim-Donahoe & Associates

# Introduction

In June 2020, Gov. Jay Inslee convened a task force of community, law enforcement, and other members to provide recommendations to the governor which would be used as input in the development of legislation on independent investigations of police use of force. This report contains the final recommendations of the task force as well as the task force meeting schedule, voting process, and statements from task force and advisory group members.

Task force and advisory group members provided input into areas of focus for the investigation and prosecution systems. During the 12 task force meetings, members heard from presenters within Washington and across the world. They engaged in discussions with experts from Canada, England and Wales, Chicago, New York and San Francisco. Members reviewed legal and policy considerations, and the history of racism in policing. Members also met with several members of the Washington State Senate and House of Representatives. The task force discussed the recommendations and all recommendations receiving a majority vote of the task force members are included in this report.

The task force was assisted in its work by Dr. Todd Foglesong and Matthew Torigian from the Munk School of Global Affairs and Public Policy at the University of Toronto and the K&L Gates Law Firm in Seattle, as well as many other individuals and experts whose contributions were greatly appreciated.

## Recommendations

### Overview

The task force recommends the creation of an independent, statewide agency that will be responsible for investigating police use of force and other serious incidents involving police. An advisory board of community members should provide input on the hiring of the agency director and a special prosecutor.

### Purpose of the legislation

The majority of task force members agreed that the following items are important and are the purpose of the legislation being put forth for the 2021 legislative session. The majority of task force members recommend that the legislation emphasize the following:

- Investigations be conducted through an anti-racist lens.
- The investigation process must be fair, thorough and unbiased.
- Community and government entities with a role in the investigation should be transparent.
- Police must treat the family of the person killed or injured with respect and dignity.
- Investigations must be credible and completed in a timely manner.
- The director, investigators, and all staff must be people of high integrity and character.

- Acknowledge the history of systemic racism in our criminal justice and policing systems.
- The investigation unit should be led by a director whose values and background ensure he or she actively works against racism, will call out racism and take action if identified in any investigation, will use a multi-sector lens to develop strategies, understands and is able to collaborate with others including the community, understands trauma informed interviewing and will ensure the investigations will be fair, thorough and impartial. Investigations should be trauma-informed, with an understanding of mental health.
- Pursuit of systemic justice.
- The organization shall be accountable to community led anti-racist organizations.
- Independent investigations are those that do not involve police investigating police.

## Purpose of the agency

The majority of task force members recommend that the purpose of the agency be to:

- Conduct independent, fair and thorough criminal investigations of police use of force that are transparent and accountable.
- Establish real and lasting change in policing.

## Organization and structure

The majority of task force members recommend the following regarding the agency conducting investigations of police use of force:

- The agency be a separate cabinet agency under the Office of the Governor.
- The agency should have one headquarters office with regional response teams responsible for being first on-site to secure the scene.

## Types of cases and prioritization

### Cases to be investigated

The majority of task force members recommend that the agency conduct investigations of all police incidents involving:

- Deadly/lethal force
- In-custody deaths
- Serious use of force/bodily harm
- Sexual assault

- Ability to expand scope in the future
- Retroactive investigations/audits<sup>1</sup>

### Order of prioritization

The majority of task force members recommend that if prioritization of cases is necessary, the following order be used:

**Top priority:** Deadly/lethal force, in-custody deaths, retroactive investigations.

**Medium priority:** All other cases within the scope of cases to be investigated, including sexual assault committed while on-duty or in-custody.

### Scope of the investigation

The majority of task force members recommend that the investigative agency have the authority to investigate the following:

- All circumstances surrounding the incident.
- The use of force, as well as any criminal misconduct uncovered during the investigation.
- The investigators must have reasonable guidance to allow the flexibility to look at prior events as needed.
- The officer's history.

### The director

#### Hiring requirements

The majority of task force members recommend the following requirements be considered during the hiring of the agency's director:

- Must be informed by community/advisory board input.
- No current or former commissioned law enforcement.
- Must include a background check that includes social media and affiliations to check for racial bias.
- Must include conflict of interest vetting.
- Must include a check of prior disciplinary action and bias complaints.

---

<sup>1</sup> "Retroactive investigations/audits" refers to reopening and conducting independent investigations of past police use of force cases, including homicides which happened before and under Initiative 940.

## Qualifications

The majority of task force members recommend that the following be minimum qualifications for those seeking the position of the investigative agency's director:

- Civilian
- Trustworthy
- Experienced in investigations
- Experience and understanding of mental health issues
- Experience and understanding of trauma-informed interviewing
- Experience with community leadership
- Legal experience or background
- Skills in anti-oppression and anti-racist analysis and addressing systemic inequities
- Experience working with Black, Indigenous, and People of Color<sup>2</sup> communities

## Training requirements

The majority of task force members recommend that once hired, the director should take part in the following trainings and training topics:

- Conflict resolution
- Crisis intervention
- Critical race theory timeline<sup>3</sup>
- De-escalation
- Force science<sup>4</sup>
- Homicide investigations
- Knowledge of Washington practices regarding criminal investigations
- Implicit and explicit bias training

---

<sup>2</sup> Elsewhere in this report the term BIPOC is used to refer to Black, Indigenous, and People of Color.

<sup>3</sup> B. Demczuk, *Critical Race Theory Timeline* (2018)

<https://www.governor.wa.gov/sites/default/files/Dr.BernardDemczukCriticalRaceTheoryTimeline.pdf>

<sup>4</sup> The definition of force science used by the task force is the study of the actual physical and psychological dynamics of all force encounters through research of human behaviors during rapidly unfolding, high-stress confrontations.

- Intercultural competency
- Interviewing techniques
- Sexual assault investigations
- The use of a racial equity lens
- Tribal sovereignty and the history of Native Americans with the justice system
- Undoing institutional racism training
- Additional training determined by the evolving needs of Washington residents

## The investigators

The majority of task force members recommend that:

- The agency be prohibited from hiring current and former law enforcement officers.
- There should be a five-year ramp-up period, during which former law enforcement may serve with the agency if they are at least 24 months removed from commissioned service and have a clean disciplinary record.

## Hiring requirements

The majority of task force members recommend several requirements for consideration during the hiring of the agency's investigators:

- Must include a background check that includes social media and affiliations to check for racial bias.
  - Background check should screen for hate group affiliations.
- Must include conflict of interest vetting.
- Must include a check of prior disciplinary action and bias complaints.
- The advisory board should provide input on the hiring process and hiring goals such as diversity, though not necessarily on each individual hiring decision.

## Qualifications

The majority of task force members recommend the following be considered as minimum qualifications for those seeking a position as an investigator within the agency:

- Trustworthy
- Experienced in investigations

- Experience and understanding of mental health issues
- Experience and understanding of trauma-informed interviewing
- Legal experience or background
- De-escalation
- Knowledge of Washington practices

### Training requirements

The majority of task force members recommend that all investigators, once hired, should take part in the following trainings and training topics:<sup>5</sup>

- Conflict resolution
- Crisis intervention
- Critical race theory timeline<sup>6</sup>
- De-escalation
- Force response simulation training
- Force science
- Homicide investigations
- Implicit and explicit bias training
- Intercultural competency
- Interviewing techniques
- Sexual assault investigations
- Undoing institutional racism training

---

<sup>5</sup> Due to time constraints, the group was unable to vote on three items regarding investigator training requirements. However, the following recommendations were approved by a majority of task force members on worksheets provided prior to the meetings on recommendations and task force members have requested their inclusion in the report.

- 13.20 – the investigative and prosecutorial teams shall receive anti-racist training every three years. the investigators shall be civilian.
- 13.21 – the agency must have a path to being completely civilian staffed.
- 13.25 – mental health credentials

<sup>6</sup> B. Demczuk, *Critical Race Theory Timeline* (2018)

<https://www.governor.wa.gov/sites/default/files/Dr.BernardDemczukCriticalRaceTheoryTimeline.pdf>

- Use of a racial equity toolkit
- Mental health credentials
- Investigative and prosecutorial teams shall receive anti-racist training every three years

## Other agency staff

The majority of task force members recommend that in addition to the director and investigators, the investigative agency include the following positions:

- Community relations
- Family liaison
- Communications/media
- Forensic scientist
- Tribal liaison
- Crime scene investigators
- Crime analyst
- Intelligence analyst
- Mental health experts
- Social media and IT investigators
- Bi-lingual staff, translators, or interpreters as needed
- Additional staff determined by the evolving needs of Washington residents

## Authority and powers

The majority of task force members recommend that the investigative teams have access to, or the ability to obtain, the following:

- Access to involved agency's administrative records.
  - When accessing administrative records, the investigative team must have a process to protect the admissibility of the investigation's findings by filtering out administratively compelled statements which would violate the Fifth Amendment.
- A judge, magistrate, and prosecutor.

- Subpoena power.
- Ability to secure warrants.
- Any powers and authority needed to legally secure a crime scene over the objection of an involved agency.
- The agency can investigate all officers, prison guards, sheriffs, and all other “peace” officers.

## Data collection

The majority of task force members recommend that the agency collect data on<sup>7</sup> the following:

- Police use of force.
- Victim demographics.
- Officer demographics.
- Any use of deadly/lethal force.
- In addition, the agency should have an ongoing collection of feedback from those who have used the agency’s victim/family services.

## Scope and frequency of reporting

The majority of task force members recommend that the agency report on the following:

- A final case report, regardless of prosecution.
- An annual report to the agency’s advisory board that includes a briefing from the director. This should also be made public and added to the agency’s website.
- Reports on patterns and practices in local jurisdictions.
- Recommendations for policy changes based on incidents or patterns.
- A data dashboard available to the public on the agency’s website with case status updates.
- If victim is a tribal member, the tribe must receive consistent updates as well.<sup>8</sup>

---

<sup>7</sup> The task force discussed that the Office of the Attorney General is putting forth a bill in the 2021 legislative session that would direct the Washington State University to collect data on police use of force in Washington. There was general agreement by the majority of task force members that the new agency proposed by these recommendations should have at least, a memorandum of understanding with Washington State University that allows regular data transfers to the agency. However, there was not a formal vote on this proposal.

<sup>8</sup> This recommendation was approved by the majority of task force members in this section. Because it relates to other areas of the bill, it will also be noted in that location of the bill.

## Prosecution

Regarding prosecution, a majority of the task force members recommend the following:

- The decision to prosecute should be the decision of the entity with prosecutorial authority.
- There should be a conflict presumed when a local county prosecutor handles the case.
- The prosecutorial agency should be independent and not reliant on law enforcement to make its other cases or do its other work.
  - The prosecutor should not depend on a working relationship with law enforcement and should be equipped to prosecute these cases in a way that is constitutionally compliant.
- A special prosecutor designated by the governor for all agency-investigated cases.
- Hiring of this special prosecutor would receive input from our advisory committee.

## Training

The majority of task force members recommend that the prosecutor overseeing these cases have, or receive training, in the following areas:

- Training on the uniqueness and challenges of bringing charges against law enforcement officers.
- The training should include many of the suggested foundational elements noted for the director, investigators and staff. Although the prosecutor may not need the level of technical training around investigations, they should have access to the same types of race and mental health related trainings.
- The prosecutor must receive the same anti-racism training and tools as the rest of the agency.
- The prosecutor must receive the same or similar anti-racism vetting, background checks, and conflict of interest checks.
- The prosecutor must be qualified to serve as a prosecutor (attorney with some relevant criminal trial experience).

## Metrics to report

The majority of task force members recommend that the prosecutor file a public report justifying any decision to not prosecute. If a decision is made to prosecute, no report is necessary as they will later have to prove the case in court.

## Responsibility to families and communities

The majority of task force members recommend that when working with families and communities, the investigative agency ensure the following:

- The family should be consulted on their specific needs.
- On-staff or contracted translator (including ASL).
- Assistance of family liaison.
- Family/victim receives notification prior to any media releases.
- If tribal member is involved, a tribal liaison should consult with the tribe on their specific needs and make contact within 24 hours to ensure the proper protocols and ceremonies for the deceased are taken care of.
- If victim is a tribal member, the tribe must receive consistent updates as well.<sup>9</sup>
- The family will be contacted at least monthly, even if there is no new information.
- Provide funding for a grief counselor or a mental health therapist to families if they choose.
- Investigate threats and acts of intimidation by police and police associates against impacted families.

## The advisory board

### Membership

The majority of task force members recommend that the agency's advisory board be:

- A panel of community members and law enforcement, with a supermajority of community members.
- Members of the advisory board should:
  - Be appointed by the governor's office, similar to other commissions.
  - Have term limits, these term limits should mimic other commissions as much as possible (universities, clemency board, etc.) and be staggered.

The majority of task force members recommend that the advisory board include the following members:

- Community members

---

<sup>9</sup> This recommendation was approved by the majority of task force members in the section on scope and frequency of reporting. Because it relates to this area, it is being included here.

- BIPOC members
- Impacted family members
- Tribal members
- Law enforcement officers
- At least one public defender
- A credentialed mental health expert

### Responsibilities

The majority of task force members recommend that the advisory board:

- Must approach their work from an anti-racist perspective and use a racial equity lens. Members of the advisory board must be provided with anti-racist training.

In addition, the majority of task force members recommend that the advisory board be responsible for the following:

- Hiring Input:
  - The advisory board should vet applicants for the director and send three names to the governor, who hires the director.
  - The agency director will utilize a subset of the advisory board that is used for interviewing staff and as a sounding board for performance reviews.

### Responsibility of the involved agency

The majority of task force members recommend that:

- The involved agency/department should be responsible for contacting the investigative agency within one hour.
- Failure to contact the investigative agency within this time should result in sanctions for the agency/department.

### The transition period

The majority of task force members recognize that it will take time for a new investigative agency to be created and to be ready to accept cases for investigation. The majority of task force members recommend that the following changes be considered in the interim:

- The Criminal Justice Training Commission (CJTC) should revisit the task force's concerns regarding about how to ensure conflict of interest and the standardization process.

- The community member is a member of the Independent Investigation Teams (IIT) and is subject to the same conflict of interest vetting as other members of the team. The current tool created by the CJTC could be applied here.
- A consistent way for selecting community members of IITs in Washington should be created.
- There must be penalties for agencies who fail to follow IIT, and oversight/enforcement of this by AGP. There also must be improvements in the communication with families, which is required under I940.
  - Add an enforcement piece to the current rules for agencies who are not following the rules now.
- An officer involved shooting is an inherent conflict of interest for the county prosecutor.
- The Legislature should task the CJTC with meeting with stakeholders and impacted families to develop improvements that will ensure completely independent investigations are conducted and those doing the investigation are free of any conflicts of interest.
- IITs need to prioritize communications with the victim's family and tribe if relevant, follow I940 (family liaison). IITs also should provide the makeup of the team and provide regular public updates.
- The agency should assign a family liaison to the victim's family to work with them. This person should have an appropriate skill set, that may include being a social worker, grief counselor, etc. In addition, a translator or interpreter should be available for the family if appropriate, and Tribal Liaisons should be assigned if applicable. In addition, a translator or interpreter should be available for the family if appropriate.

# Meeting Schedule

The task force met a total of 12 times between July 9, 2020 and November 5, 2020. Due to the COVID-19 pandemic, meetings were held virtually. Each meeting was livestreamed on TVW, and all recordings, agenda, and minutes are available on the [governor's website](#). A breakdown of each meeting and its content is below.

## Mtg. 1 – July 9, 2020

Task force members attended the first meeting and discussed the development of [ground rules](#) and [guiding principles](#). Prior to the initial meeting, task force staff asked members what they felt the ground rules and guiding principles for the group should be. Using these responses, staff drafted both documents for our review during the first meeting. The finalized documents were used throughout the process and guided our recommendations.

In addition to establishing the foundation for our work, legislators spoke on the relevant topics they would be presenting during the 2021 legislative session.

## Mtg. 2 – July 23, 2020

Advisory group members joined the second meeting and introduced themselves to other members. Steve Strachan and Leslie Cushman gave meeting attendees an overview of the background of I-940. Monica Alexander, an advisory group member with the Criminal Justice Training Commission, also gave an overview of the current investigative process.

### Guests:

- Steve Strachan, executive director of the Washington Association of Sheriffs and Police Chiefs
- Leslie Cushman, I-940 Campaign

## Mtg. 3 – August 6, 2020

Dr. Demczuk and Dr. Jacobs-Thompson presented on the [History of Race and Policing](#) and the [Critical Race Theory Timeline](#).

### Guests:

- Dr. Bernard Demczuk, University of the District of Columbia
- Dr. Sharita Jacobs-Thompson, Montgomery College

## **Mtg. 4 – August 20, 2020**

Dr. Foglesong and Matthew Torigian provided an overview of different examples of investigative systems. After this overview, Andrew Lah and Joseph Martino provided overviews of their two systems before taking questions from members. Hearing from practitioners in San Francisco and Ontario gave members an idea of how an independent investigative system might look within a larger agency or as its own freestanding entity.

### **Guests:**

- Dr. Todd Foglesong, Munk School of Global Affairs and Public Policy, University of Toronto
- Matthew Torigian, Munk School of Global Affairs and Public Policy, University of Toronto
- Andrew Lah, former managing attorney of the San Francisco Independent Investigations Bureau
- Joseph Martino, director of the Special Investigations Unit - Ontario, Canada

## **Mtg. 5 – September 3, 2020**

Dr. Todd Foglesong discussed the importance of jurisdiction and powers with members. Following this discussion and a brief Q&A, members heard from Wanda Maldonado-Perez and Nick Hardwick. Members were given an overview of the different jurisdictions and powers of these two investigative bodies and able to ask questions of the presenters.

### **Guests:**

- Dr. Todd Foglesong, Munk School of Global Affairs and Public Policy, University of Toronto
- Wanda Maldonado-Perez, former chief of New York's Office of Special Investigations
- Nick Hardwick, former commissioner of England and Wales's Independent Office for Police Conduct

## **Mtg. 6 – September 17, 2020**

Members discussed the concepts of transparency, community relations and oversight with Dr. Todd Foglesong. In addition, members were given an overview of the community-related components of the Special Investigations Unit (SIU) in Ontario, Canada by Joseph Martino. Monica Hudon joined Joseph and was able to speak to the ways the SIU works with the media and community. Nickie Buchok also joined and talked with members about their program for affected persons.

### **Guests:**

- Dr. Todd Foglesong, Munk School of Global Affairs and Public Policy, University of Toronto
- Joseph Martino, director of the Ontario Special Investigations Unit
- Monica Hudon, communications coordinator for the Ontario Special Investigations Unit

- Nickie Buchok, manager of the Ontario Special Investigations Unit's Affected Persons Program

## **Mtg. 7 – October 1, 2020**

At the request of multiple task force members, this meeting was an open group discussion focused on five questions posed by a member. The goal of the discussion was ensuring that investigations are conducted using an anti-racist and anti-oppressive lens and ensuring that the director and agency staff do not have racist biases or motives.

1. What parameters would you put in place to make sure the director of this new independent office will manage the workplace so that it is anti-racist and anti-oppressive for every investigation?
2. What investigation requirements would you put in place so that the investigators were vigilant about identifying and recognizing any racial bias and motive of the involved officer? To what extent should the criminal investigation include social media and prior bias complaints?
3. If persons with law enforcement background must be involved in the investigation due to their special skills, what are your ideas to select staff and investigators who do not have a bias toward police, including screening out white nationalists and white nationalist sympathizers?
4. How can we recognize and address the interplay of ableism and the stigma, fear and pathology of people with mental health differences, and in particular how these are present in uses of deadly force against Black and Brown people?
5. Please identify any laws that must be created, amended, or repealed in order to accomplish the outcomes of #'s 1, 2, 3, and 4.

## **Mtg. 8 – October 6, 2020**

Legislators from the House and Senate joined this meeting to discuss legislation they anticipated in the upcoming legislative session related to policing.

### **Guests:**

- Senator Manka Dhingra
- Senator Jamie Pedersen
- Representative Debra Entenman
- Representative Roger Goodman
- Representative Jesse Johnson
- Representative Debra Lekanoff

- Representative John Lovick
- Representative Bill Ramos
- Representative My-Linh Thai

## **Mtg. 9 – October 15, 2020**

Task force members were joined by Detective John Allgire and Chief Eric Drever who provided an overview of how homicide investigations progress, and what tools and resources are needed for investigations.

The remainder meeting was focused on prosecution and the options the task force may have for prosecutions within the new investigative agency. Representatives from the Office of the Attorney General, the Washington Association of Prosecuting Attorneys, and K&L Gates Law Firm joined and provided insight on what options might be available and potential legal issues.

### **Guests:**

- John Allgire, homicide detective - Whatcom County Sheriff's Office
- Eric Drever, chief - Tukwila Police Department
- Elizabeth Thomas, K&L Gates Law Firm
- Bart Freedman, K&L Gates Law Firm
- Mike McKay, K&L Gates Law Firm
- John Hillman, Office of the Attorney General

## **Mtg. 10 – October 29, 2020**

Task force members began discussing recommendations. At this meeting, task force members voted on the purpose of the legislation, purpose of the organization, the scope of the agency and the hiring of the director.

## **Mtg. 11 – November 2, 2020**

This meeting was focused on recommendations surrounding the hiring of the director and investigators.

## **Mtg. 12 – November 5, 2020**

The final meeting focused on recommendations surrounding other staff members the investigative agency would need, the scope of investigations, powers and authority, the agency's advisory board, the agency's responsibility to families and communities, and the transition period between the current investigative system and the new agency.

## Member Statements

Task force and advisory group members were offered the opportunity to provide individual statements or comments for inclusion in the report. The following are statements from task force and advisory group members who submitted an individual statement for inclusion in the report.

### Ben Krauss

I would like to present three important points as we move the Governor’s Task Force on Independent Investigations of Police Use of Force’s final report forward. There is a strong need for 1) evidence-based practices<sup>10</sup> 2) leveraging a robust and comprehensive guide<sup>11</sup> and the foundation of 3) empathy and respect for everyone.

**We need evidence-based policing.** We need to use *“data, analysis, and research to complement experience and professional judgment, in order to provide the best possible police service to the public”*.<sup>12</sup> The governor’s task force has called for significant policing reform and change. Because of the significant impact law enforcement has on all communities, decision-makers need to ensure that sound, scientifically valid evidence-based policing practices are utilized.

**We need to leverage a robust and comprehensive guide.**<sup>1</sup> The President’s Task Force on 21st Century Policing Report notes *“Trust between law enforcement agencies and the people they protect and serve is essential in a democracy. It is key to the stability of our communities, the integrity of our criminal justice system, and the safe and effective delivery of policing services”*.<sup>13</sup> The challenges in Washington are not unique. I suggest leveraging the recommendations articulated in this report.

**We need to encourage and lead with empathy and respect for everyone:** We need to focus on our common humanity and the value of all life, especially communities of color and other marginalized groups. I also recognize that police deserve the same respect and dignity that everyone deserves. We need to ensure empathy for everyone, regardless of our differences.

Thank you for the opportunity to have served on the governor’s task force. I deeply appreciate the learning, service and civic engagement.

### Darrell Lowe

I want to express my gratitude for the opportunity to be involved with this task force, and to thank my fellow task force and advisory members for opening my eyes even wider to the issues we face. Thank you for sharing your experiences and perspectives, and, most importantly, thank you for sharing your passion.

---

<sup>10</sup> President’s Task Force on 21st Century Policing, Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2015.

<sup>11</sup> U.S. Department of Justice Office of Community Oriented Policing Services

<sup>12</sup> Source: U.S., Department of Justice, Office of Justice Programs, National Institute of Justice, EVIDENCE-BASED POLICING IN 45 SMALL BYTES, Gary Cordner, May 2020

<sup>13</sup> The President’s Task Force on 21st Century Policing recommendations, each with action items, are organized around six main topic areas or “pillars:” Building Trust and Legitimacy, Policy and Oversight, Technology and Social Media, Community Policing and Crime Reduction, Officer Training and Education, and Officer Safety and Wellness.

As the representative for the Washington Association of Sheriffs and Police Chiefs (WASPC), I acknowledge and apologize for the past transgressions of those in our chosen profession.

We find ourselves in this space because of the actions of a few, and the flaws of our justice I would like to remind us that ALL is ALL (this includes law enforcement). Those involved in this new investigative system need to understand, respect, and represent the most honest and impartial structure possible.

In my opinion, for this to occur, it must include members from as many qualified groups as possible. It should not exclude law enforcement, nor should it exclude non-law enforcement. We are better together. The result of this, us vs. them division is us getting to this space, and this division must end. As has been pointed out, each group brings a much-needed perspective to the table. Just as our ground rules stated, WE MUST believe that all parties involved come to the table with good intentions. If not, we will continue this circle of mistrust.

This new investigative body must include both non-law enforcement and those with law enforcement experience if it is to be accepted and viewed as legitimate.

## Emma Catague

I want to thank the governor for asking me to sit on this task force. It was an honor to serve and stand with the other community members as we did this important work.

I have a long career of working in partnership with law enforcement from my years of work on anti-human trafficking, domestic violence, and sexual assault. I have depended on positive relationships with law enforcement locally, throughout the state, and with nationally. I am writing this because I want to emphasize the good work that law enforcement does, and to differentiate that work from the issues before the task force.

The task force was asked by Governor Inslee to evaluate how to bring independence to criminal investigations of police use of force. While law enforcement conducts criminal investigations everyday into crimes where the suspect is a member of the public, we are looking at crimes where the suspect is a member of the law enforcement community. During the task force meetings, I made clear my position that police cannot and should not investigate their colleagues. It is not possible to be impartial and fair in that work. This is not meant to disrespect the work of law enforcement. It is to provide a credible process that the public and police can trust, for transparency and accountability.

For that reason, I support a state-wide independent agency dedicated to performing criminal investigations. I support a staff that is non law enforcement professional criminal investigators, and a state-wide prosecutor that is independent from the local county prosecutors.

During the task force I advocated for the victims and their families, and I support the recommendations that provide services for them.

I also supported the overall goal of anti-oppression and anti-racist trainings so that the director, agency staff, prosecutor, and the advisory board, are all well versed in what systemic racism is, and what tools and skills are needed to undo the harms and create processes that mitigate and address the impact of systemic racism.

The recommendations also include a provision very important to the community, bringing the skills and impartiality of this new independent agency to open up cases and reconsider past investigations, so that justice will be served.

The task force met for hours, and we all worked hard. I support these recommendations and encourage the governor to embrace them and the Legislature to enact them. They are meant to address systemic racism and address parts of a system that hasn't worked well for underrepresented and marginalized community. This is meant to change the status quo and bring some balance to the power dynamics. Bold work is needed, and I think the task force got this right.

## Jay Westwind Wolf Hollingsworth

Is this going to make the situation look better, or to change the situation? How much of the proposal will be made into law? Will we be able to train guardians instead of killers? Can we make the critical shift needed to make that happen?

We've gone away into the correct direction. Provide definitions and specify where ambiguity exists. Codify in Law to make a strong legal statement for the structure, policies with the Authority as intended.

We agree with our friends at the Washington Coalition for Police Accountability and their 4 priorities for police reforms. To go further into the training and policy making forged into the Union Contracts with police officer's addition recommendations follow:

1. Preference in all contracts to regard all life as paramount; to be precious and hold themselves as second to the life of others. Deadly force must be a last resort.
2. Stop training officers to fear. Instead train to protect without guns. De-escalation, Dis-arming instead of just shooting anyone seen as a threat.
3. Limit qualified immunity to only when a gun is in someone's hand and firing.
4. Crime prevention is a myth with minimal effectiveness and cannot be achieved with deadly force.
5. A Statewide Ban on all technology surveillance cameras and software. The right to privacy and unlawful search and seizure is US Constitutionally protected. The right to protest is also protected speech and using surveillance technology is also unlawful.

Can we build a society that cares for and supports one another? I believe that is the goal in the creation of the USA; "In order to create a more perfect union..." Mistrust in police comes from these things being ignored. We must have officials who hold these truths to be paramount and must not allow officials to judge people as 'bad' or "undesirable" or "worthless" because they have committed a crime.

Also, having a reduction of the "war on ..." and laws that make people into felons must be a legislative focus. Let's give police a lot less things to do!

## Jim Bloss

On behalf of NAMI Washington, I wish to thank the members and task force staff for their dedication and professionalism during this process. I am appreciative of the frequent comments and recommendations to include mental illness in the independent investigation process. We at NAMI believe the likelihood of some form of mental and/or behavioral illness will be found as a factor in most crisis situations, making this support by the task force especially relevant.

## Jordan Chaney

For the last four months, I have had the pleasure and the honor of being part of this task force. When George Floyd was murdered it shifted the consciousness and moral compass of our country and the world.

In those first few weeks of shock and rage, I lost myself. I needed more than just protesting to help process Floyd's death; his lynching. Contributing ideas and learning about the laws and systems that produce the epidemic of unjust Black deaths as we know it, has been an honest way to channel my energy.

I immediately began working with the family of Gordon Whitaker who was killed by Kennewick Police Department in February 2020. His daughter, Juliet Green, and other family members had not been contacted by investigators. The responsible police departments, coroner, nor the prosecutor had contacted the family for debriefing. A meeting took almost 7 months and it wasn't until I was on this task force and initiated it.

Juliet asked honest and fair questions of the prosecutor. It was sad to watch a daughter ask questions about her dad 7 months after her his life was taken. My argument on this task force is that the police use of force continues its impact in the form of psychological and emotional trauma of the victim's family and overall community.

I feel that the law we are working on should bring humanizing addendums out of respect for the family and community, and more importantly out of respect for the life taken, to the forefront.

Our law should have a victim's or family member's name in it to bring us one step closer to making it feel more humanized and compassionate. This law should feel more like a spirit and less like a system. I propose the Juliet Standard, to put humanizing language in the bill or policy or agency that we are creating.

My hope is that whoever is involved in the process understands that they need to treat impacted families and communities with compassion. Providing a mental health therapist or a grief counselor to the family is the minimum, embedding real people into this very real law is ideal and I feel that it would show impacted communities a different level of respect and dignity and that is important.

## Katrina Johnson

I want to thank the governor for asking me to serve on this task force. I sat on the task force as an impacted family member, as a Black woman and parent, and as an activist working across the nation with Families Are the Frontline.

The work was challenging on all levels and I stayed at the table because of my personal commitment to my family and other families, that they are not just a statistic in this work, but the reason for the work. My goal was to make sure the voices of families were heard.

Independent investigations are important to families because of two values. One, sanctity of life, and two, no one is above the law. Sanctity of life requires processes that demonstrate dignity and respect for the persons injured or families of loved ones lost to police violence. No one is above the law means a system that will provide accountability.

I support the task force recommendations and want to identify those that are most important to families.

First, I support a state-wide agency for criminal investigations of injuries and deaths caused by police use of force, in addition to custodial injuries and deaths. To have impartial, unbiased, and fair investigations, the director must not be former law enforcement, and the investigators must be non-law enforcement professional criminal investigators. This is because police cannot and should not investigate themselves. The current I-940 system is inadequate and results in investigations that are not rigorous or complete. I support a five-year transition plan from law enforcement, to non-law enforcement.

Second, I support staffing that supports the families and recognizes them as victims. This staffing would include trauma and grief counseling, a family liaison, community outreach, and media. It will be important to have media requirements to not villainize the victims.

Lastly, I support an advisory board that includes families and has a super majority of community members. The system must serve the community, and this will be a good first step.

## Kimberly Mosolf

Disability Rights Washington (DRW) is a non-profit organization that works to advance the dignity, equality, and self-determination of people with disabilities statewide. People with disabilities—especially behavioral health issues—are injured and killed by police at disproportionately high rates.<sup>14</sup> These statistics are worse for Black, Indigenous, and People of Color with disabilities. DRW has been advocating to reduce police violence and re-examine policing since sitting on the 2016 Joint Legislative Task Force on the Use of Deadly Force in Community Policing.

DRW is honored to continue this work through serving on this task force, especially as the only member formally representing people with disabilities. The task force members' frank and difficult discussions about the policing of Washington's marginalized communities has been invaluable. Since the 2016 Joint Legislative Task Force, we have made progress in publicly recognizing the history of

---

<sup>14</sup> The Ruderman Family Foundation, Media Coverage of Law Enforcement Use of Force and Disability, 2016 [https://rudermanfoundation.org/wp-content/uploads/2017/08/MediaStudy-PoliceDisability\\_final-final.pdf](https://rudermanfoundation.org/wp-content/uploads/2017/08/MediaStudy-PoliceDisability_final-final.pdf).

racism, ableism, and other forms of oppression in policing, and the role this plays in police violence and accountability. Our progress is evidenced in the recommendations of the Governor’s Task Force on Independent Investigations.

DRW strongly urges the governor to follow the recommendations of this task force. Legislation must define and describe independent investigations of police force just as this task force has done: a separate investigative agency with qualified staff who are not current or former law enforcement; authority and power to thoroughly investigate deadly and serious use of force, in-custody deaths, sexual assault, and pre and post Initiative-940 cases; a special prosecutor to avoid the inherent conflict of interest held by local county prosecutors; staff with skills to respect the humanity of the victim and meet the needs of grieving family; transparency and accountability to community through an advisory board and public reporting; and a commitment to undertaking all actions from an anti-racist, anti-oppressive perspective.

DRW has appreciated the opportunity to learn from other task force members and to share our perspective. By translating the task force’s recommendations into law, Washington has an opportunity to recognize and take on systemic racism and oppression in policing, and to prioritize public trust. We look forward to the work this brings.

## Livio De La Cruz

Many task force members were deeply involved in drafting, advocating for, implementing, and monitoring the results of Initiative 940. From this informed perspective, we brought to Governor Inslee’s attention that police accountability is still out of reach in Washington, due to our state’s inability to conduct unbiased criminal investigations of police.

Washington has not convicted a police officer of homicide in over 80 years,<sup>15</sup> despite the fact that police on average kill over 30 people per year statewide.<sup>16</sup> Those who oppose efforts to lower this death toll have argued that we should be satisfied with the one (just one!) criminal prosecution filed<sup>17</sup> since I-940 went into effect almost a year ago. We learned from monitoring I-940 that the obstacles to accountability aren’t just legal—they’re cultural. Police and prosecutors are *strongly* biased in favor of anyone with a badge, and they predominantly see civilian deaths as acceptable, even favorable, outcomes. This attitude is the product of racist, ableist, and classist biases from our society’s culture.

We task force members spent months researching how to best solve this problem. We met with experts on law, policy, and criminal justice. We spoke with public officials in other states and abroad about the models in their jurisdictions. We even studied the history of racism in American policing. We worked hard to produce an innovative, modern system through a coherent set of recommendations, and we stressed over the feasibility and constitutionality of our proposals.

---

<sup>15</sup> Sara Jean Green et al., *Auburn police officer charged with murder in 2019 shooting*, THE SEATTLE TIMES (Aug. 20, 2020 10:08 AM), <https://www.seattletimes.com/seattle-news/crime/auburn-police-officer-charged-with-murder-in-2019-shooting/> [<https://web.archive.org/web/20200830175752/https://www.seattletimes.com/seattle-news/crime/auburn-police-officer-charged-with-murder-in-2019-shooting/>] (“In 1938, three Seattle officers were charged and convicted in the beating death of Berry Lawson, a Black dishwasher.”).

<sup>16</sup> State Comparison Tool, MAPPING POLICE VIOLENCE (last visited Nov. 12, 2020) <https://mappingpoliceviolence.org/states> (reporting 217 police-caused deaths from Jan. 2013 to Dec. 2019).

<sup>17</sup> Green, *supra* note 1 (“King County . . . charging Auburn police Officer Jeffrey Nelson with second-degree murder and first-degree assault in the May 2019 fatal shooting of 26-year-old Jesse Sarey.”).

It seems that most great stories of transformative legislation are from generations ago. Unfortunately, today's era is largely defined by legislative wimpiness. Our recommendations bring forth a chance to prove that our democracy is still capable of solving hard problems.

## **Monisha Harrell**

2020 has been a remarkable year of reckoning stemming from systemic inequities that we have collectively avoided and pushed aside for far too long. Institutional racism, educational disparities, access to healthcare, and regressive revenue structures all meeting in a perfect storm. Pay now or pay later, but as we have learned from this year the interest on the cost of inaction is too high.

The history of policing in the United States has deep roots in racism, homophobia, and transphobia. This fact might make some uncomfortable, but hopefully that discomfort spurs action. When we know better, we must do better — that is our responsibility. We did not create these inequitable systems, but we become responsible when we knowingly allow them to exist and flourish without being willing to fix and repair.

Law enforcement is one of the only government functions that has the power to take away life and deny liberty, an extraordinary responsibility that requires the highest levels of integrity, transparency, and accountability.

- We build integrity into the system by ensuring that law enforcement doesn't investigate law enforcement in lethal use of force deaths. These are murder investigations. We must ensure professional, fair, and unbiased work.
- We build transparency by providing real civilian input and oversight — this is part of our values as a government of checks and balances. Absolute power corrupts absolutely.
- We build accountability by respecting the humanity and dignity of all those involved, including the victim and impacted family members.

We do this work on behalf of the impacted family members who have lost loved ones to police violence. We will continue to center their voices, needs, and experiences as we move forward.

A tremendous thank you to Governor Jay Inslee and his team for assembling and leading this task force. The final recommendations were born from an intense process of world-class research, the sharing of deeply personal experiences, and hours of challenging and thoughtful discussion.

I urge the Legislature enact this work in 2021, and begin the process of healing, building, and repairing Washingtonians trust in our governance systems.

## **Nina Martinez**

The Latino Civic Alliance (LCA) is a state-wide organization advocating for Latinos. We took a leadership role on policing issues after Antonio Zambrano-Montes was killed in 2015 in Pasco, Washington. We continued to work on the issue of police culture and police use of force and disproportionate impact to Latinos. LCA was on the 2016 Legislative Task Force on Use of Deadly Force, I was on the I-940 Campaign Leadership Committee, worked on implementation of I-940 with the CJTC, served on the AGO Hate Crime Task Force, and am a member of the Washington Coalition for Police Accountability, working on legislation for the 2021 session.

In 2019, ten of the 41 deaths from police use of deadly force were Latinos, and yet Latinos are just 13% of the State population. Many of these persons killed were experiencing mental health crisis. The overrepresentation in the data carries over to other processes of the criminal system, including criminal investigations.

The task force work was how to assure that criminal investigation of deaths or injuries from police use of deadly force is independent, so that they are fair, credible, transparent, and impartial. To achieve this, I support the formation of a state-wide agency dedicated to criminal investigations and staffed by non-law enforcement professional criminal investigators.

Equally important is prosecution, and I support a prosecutor at a state-wide level, who has no connection to or working relationship with county prosecutors. County prosecutors are part of the local criminal justice system and currently depend on law enforcement to prosecute all cases. This is a conflict of interest. The creation of an independent prosecutor will add credibility and increase trust in the process.

This new agency will recognize and respect victims and their families, which has been ignored.

We need mental health expertise, language and cultural competency, family liaisons, trauma services, tribal liaisons. The director, staff, and the prosecutors should receive anti-oppression training and approach their work with humility. If Latinos and people of color are to receive justice, the system must value the sanctity of life.

I look forward to helping the governor get these recommendations enacted into law.

## **Sanetta Hunter**

I would like to thank Governor Inslee for the tremendous opportunity to serve on this task force. Over the last several months, I have had the pleasure of working with some of the most talented, intelligent and gifted individuals from all around the state. We worked hard and long in hopes of stopping the pain so many families of color are experiencing. I came to this work because of personal and professional experiences. Working in the criminal justice field since 1986, I have seen police officers perform at their absolute best and their worst. This system is both flawed and just. I have witnessed some of the best prosecutors in the county bring justice to hurting families. Yet, I know that system needs tremendous reform. The police are a major part of that necessary reform. My son was assaulted by a police officer, who has not taken responsibility for his actions. Despite the fact, the city has been sued at least twice due to his behavior and they have paid over 1 million dollars in judgements, they continue to condone his behavior. Working in the system had no impact on my son's false arrest, not did it prevent him suffering this travesty of injustice. As a result, I and other families like mine are on a pursuit for change. We sincerely hope that this legislation and others like it will be the beginning of a balanced approach for restorative justice. The police cannot be allowed to continue to ineffectively police themselves. The voices of people of color cannot continue to be unheard because someone is wearing a badge. My son lived to tell his story, while so many others have not. We are not satisfied with those facts. In the words of Dr. King, "Injustice anywhere is a threat to justice everywhere". May we continue the process of extinguishing that threat. May we all continue to lift our voices for change and a better future for our children.

## Spike Unruh

While I understand the task force majority's position, I believe that its "civilian only" solution is not based in fact, is dangerous to successful investigations, and is unnecessarily expensive. I believe that additional changes can be made to help increase public trust, while utilizing the current "independent investigation team" (IIT) rules and local structure, which were just adopted in 2020. Specifically, I recommend that the State create an oversight body that controls and oversees IIT investigations to ensure fair, thorough, and independent investigations.

The oversight body would be made up of an executive director and several staff who would be the overall commander of deadly force investigations as they are occurring. The current local IITs would be subject to the command of the oversight body's directions and would investigate with the oversight body continuously reviewing the investigative work and providing direction. Additionally, the oversight body would have broad authority to replace individual investigators or entire IITs and to assure a bias free investigation and provide the oversight body with the authority to sanction cities and counties for failing to comply with its direction or follow the requirements of the rules, regulations and laws governing the investigation of deadly force.

There are many benefits to this recommendation including: (1) IITs with trained, professional investigators are already in place across the State; (2) IITs are well-equipped to respond to scenes quickly to ensure that evidence is properly documented and recovered; (3) IITs can utilize the vast homicide investigation experience and training of current investigators, all while under the direction and scrutiny of the civilian commander; and (4) the executive director will determine when the investigation is complete and will forward the investigation to the appropriate prosecuting authority.

In contrast, the majority's recommendation will take years to implement, cost tens of millions per year, and will not reduce the number of uses of force because it will not change whether force is necessary.

## Teresa Taylor

On behalf of the 4500 rank and file officers and deputies represented by the Washington Council of Police & Sheriffs thank you for the opportunity to participate in this task force. We know these are emotional issues for family and community who have lost a loved one in a violent interaction with law enforcement; it is emotional for the law enforcement officer and their family as well. We have, and will continue, to work toward inclusive and meaningful public safety policy reforms that effectively reduce violent interactions between Washington residents and peace officers. Our statement follows:

We support public safety reform and remain supportive of an investigation process that is transparent, unbiased, and professional. We do not agree that a new agency is necessary to conduct these investigations nor that such an entity should be authorized to reach back in history to reinvestigate cases already concluded. We recommend the state bolster the implementation of laws written just two years ago by some of the community leaders on this task force. To support that, we recommend the Legislature impose penalties/sanctions to departments that fail to meet current law. To help identify problem departments, we recommend the state task an existing state agency with reviewing the independent investigative processes used by a department and report their findings publicly.

We also disagree that locally elected prosecutors are inherently conflicted in making charging decisions in these cases. However, we do not oppose the state setting a process for appointing a special

prosecutor when a locally elected prosecutor self-determines they are incapable of the integrity required to do the work of their constituents.

If the state decides to stand up a new agency, we believe the detailed recommendations of the task force will trample on the constitutional rights of the investigated and fail our communities. An independent investigation is, at its core, an investigation into the justifiable killing of a human being by a peace officer acting under the scope of their lawful authority. Whether this state chooses to build upon the laws approved by 60% of our state's voters just two years ago, or spend millions of dollars to form a new agency, investigations must be focused on the rule of law and conducted by the best trained investigators of the highest professional ethics. The report's recommendations work in direct conflict with that requirement. We can do better, and we must.

## Teri Rogers Kemp

The genesis of police forces in every American state, city and town is rooted in the Southern states' "Slave Patrol"; vigilante groups of white men, first created in the Carolina colonies in 1704. The three main functions of these vigilante groups were to chase down, capture, and return to their victimizer – "owner" escaped Africans and their descendants; by terror, deter Africans and Black people from rising up against their victimizers; and to maintain a form of discipline for African and Black victims, who violated any plantation rules.<sup>18</sup>

These vigilante-style forces evolved from then to become first, a way of controlling the victims finally released from their victimizers and then as a way to enforce Jim Crow Segregation. While America the country has evolved; the mentality instilled in police forces in the beginning and used from that day through Jim Crow, and until today has remained and is part of the systemic culture to treat Black men in particular with contempt.<sup>19</sup>

Criminal investigations of homicides must not be done by police officers when it is known that that homicide is or is suspected of being caused by police officers. Simultaneously, the mentality of the "slave patrol" instilled at the beginning of police forces; left over from those days and remaining part of the systemic culture to treat Black people with disdain and contempt must be acknowledged and addressed to its demise. Washington state must prune the vine and cut off the bitter fruit of racism, planted so long ago in America; that continues from the root to insidiously creep into and harm the present day lives especially of Native, Latino and Black residents, including by policing.

It has been a distinct pleasure to serve The Honorable Governor Jay Inslee on this first of its' kind Task Force on Independent Investigations of Police Use of Force on a path toward healing and reconciliation.

## Tim Reynon

On behalf of the tribal families and communities who have experienced the pain and heartbreak of losing a loved one at the hands of police, the 29 tribes, and over 218,000 Native Americans living in Washington state, I express my gratitude and appreciation to Governor Inslee and his staff for

---

<sup>18</sup> *The History of Policing in the United States, Part 1*, Dr. Gary Potter.

<sup>19</sup> *The Uneasy Relationship Between Black People and the Police is Rooted in Our History*, [The Kansas City Star](#), Emanuel Cleaver III, (Special to The Star July 25, 2020).

convening this task force and providing an opportunity for our Native voices to be heard. Tribes and their members have a unique government-to-government relationship with the state and we are grateful for the acknowledgement and unanimous support we received from task force members during this process. Given this unique relationship with the state, we strongly recommend that any time a tribal member is involved in a police use of force incident, their family and tribe must be notified immediately and kept informed at all stages of the investigation.

The need for completely independent investigations of police use of force is paramount to restoring trust and credibility of law enforcement agencies within our communities. The current system of police investigating police creates doubt and distrust, even when it is done correctly. The governor and the state Legislature have a historic opportunity to follow the recommendations of this task force and create a first-of-its-kind system that provides completely independent investigations of police use of force and independent prosecutions of officers who use unnecessary force. We are confident that this new system, once operational and fully staffed by professional, non-law enforcement investigators will begin to change police culture and restore trust and credibility to our law enforcement agencies throughout the state. We implore the governor and the Legislature to adopt these recommendations and pass legislations that will make them a reality.

Finally, the families and communities of those killed by police have been at the center of the task force's work. They deserve to know the truth behind the circumstances of their loved one's death. Until there is a system of trustworthy and credible investigations in this state, these families are left to doubt and question those responsible for their loved one's death. These task force recommendations, if implemented, will go a long way at providing answers, and justice, to these families and communities.

## **Waldo Waldron-Ramsey**

Institutional Racism is the elephant in the room. It is the root of the very incidents (killings followed by untrustworthy investigations), that led Governor Inslee to convene this task force. The only recommendations that directly address this issue and will eventually dismantle institutional racism associated with these investigations, are the ones below. If these principles are not the foundation for the new agency, then the new agency will end up perpetuating the same institutional racism and the same problem, and the efforts and hard work of this task force would have been for naught. It is imperative that these principles be adopted by the Legislature and incorporated into the legislation establishing an independent agency to investigate police use of force incidents:

- Independent agency
- Prosecutors and investigators receive Undoing Institutional Racism training/anti-racist training, on a periodic basis
- Prosecute and investigate police use of force cases using a racial equity lens
- Prosecutors and investigators be accountable to community led anti-racist organization(s)

# Appendices

## Appendix A – Voting Summary

Before voting on recommendations, task force members completed surveys and worksheets. The results of these surveys and the worksheets were used to identify which recommendations had clear consensus. Task force members were given an additional opportunity to discuss recommendations that did not have a consensus at the meetings on recommendations. They agreed to not vote on the recommendations that had a clear majority recommendation. Therefore, the following list of vote tallies is not a comprehensive list of the task force’s final recommendations. Furthermore, this list also includes rejected recommendations.

Due to time constraints, the group was unable to vote on three items regarding investigator training requirements. While there was no formal vote on these items at a meeting with the full task force; these recommendations did receive a majority vote during written voting on worksheets. These worksheets were completed prior to the final three task force meetings.

- 13.20 – the investigative and prosecutorial teams shall receive anti-racist training every three years. the investigators shall be civilian.
- 13.21 – the agency must have a path to being completely civilian staffed.
- 13.25 – mental health credentials

### October 29, 2020 Voting Summary

#### Section 1: Purpose of Legislation should include...

##### **1.10 – The pursuit of systemic justice.**

- Yes: Unanimous
- Absent: Darrell Lowe
- **21 yes, 1 absent.**

##### **1.11 – Create an oversight body to make sure that I-940 and relevant WACs are followed.**

- Yes: Teresa Taylor, Spike Unruh, James Schrimpsner
- No: Walter Kendricks, Waldo Waldron-Ramsey, Tim Reynon, Teri Rogers Kemp, Sanetta Hunter, Pua Savusa, Nina Martinez, Monisha Harrell, Livio De La Cruz, Kim Mosolf, Katrina Johnson, Jordan Chaney, Jay Hollingsworth, Eric Richey, Emma Catague, Chris Jordan, Brian Moreno, Ben Krauss
- Absent: Darrell Lowe
- **3 yes, 18 no, 1 absent.**

##### **1.12 – The entity must be insulated from politics.**

- Yes: Teresa Taylor, Spike Unruh, James Schrimpsner
- No: Walter Kendricks, Waldo Waldron-Ramsey, Tim Reynon, Teri Rogers Kemp, Sanetta Hunter, Pua Savusa, Nina Martinez, Monisha Harrell, Livio De La Cruz, Kim Mosolf, Katrina Johnson, Jordan Chaney, Jay Hollingsworth, Eric Richey, Emma Catague, Chris Jordan, Brian Moreno, Ben Krauss
- Absent: Darrell Lowe

- **3 yes, 18 no, 1 absent.**

**1.13 – The organization shall be accountable to community led anti-racist organizations.**

- Yes: Walter Kendricks, Waldo Waldron-Ramsey, Tim Reynon, Teri Rogers Kemp, Sanetta Hunter, Pua Savusa, Nina Martinez, Monisha Harrell, Livio De La Cruz, Kim Mosolf, Katrina Johnson, Jordan Chaney, Jay Hollingsworth, Emma Catague, Chris Jordan
- No: Eric Richey, Ben Krauss, Teresa Taylor, Spike Unruh
- Absent: Darrell Lowe
- Abstain: Brian Moreno
- **16 yes, 4 no, 1 absent, 1 abstention.**

**1.16 – Independent investigations are those investigations that do not involve police investigating police.**

- Yes: Tim Reynon, Teri Rogers Kemp, Sanetta Hunter, Pua Savusa, Nina Martinez, Monisha Harrell, Livio De La Cruz, Kim Mosolf, Katrina Johnson, Jordan Chaney, Jay Hollingsworth, Emma Catague, Chris Jordan
- No: Teresa Taylor, Spike Unruh
- Absent: Darrell Lowe
- Abstain: Brian Moreno, Eric Richey, Ben Krauss, Walter Kendricks, Waldo Waldron-Ramsey, James Schrimpher
- **13 yes, 2 no, 1 absent, 6 abstentions**

**Section 2 - The purpose of the organization should include...**

**2.1 - Conduct independent, fair and thorough criminal investigations of police use of force that are transparent and accountable.**

- **Yes: Unanimous**

**2.3 – Audit practices and investigations.**

- Yes: None
- No: Tim Reynon, Teri Rogers Kemp, Sanetta Hunter, Pua Savusa, Nina Martinez, Monisha Harrell, Livio De La Cruz, Kim Mosolf, Katrina Johnson, Jordan Chaney, Jay Hollingsworth, Emma Catague, Darrell Lowe, Brian Moreno, Eric Richey, Ben Krauss, Walter Kendricks, James Schrimpher
- Absent: None
- Abstain: Waldo Waldron-Ramsey, Teresa Taylor, Spike Unruh, Chris Jordan
- **0 yes, 18 no, 4 abstention.**

**2.4 – Perform, support, or review administrative investigations**

- **No: Unanimous**

## **Section 5 – Cases to be investigated...**

### **5.5 - Review entire incident and make recommendations for changes to reduce the likelihood of similar future incidents.**

- Yes: Chris Jordan, Eric Richey
- No: Waldo Waldron-Ramsey, Teresa Taylor, Spike Unruh, Tim Reynon, Teri Rogers Kemp, Sanetta Hunter, Pua Savusa, Nina Martinez, Monisha Harrell, Livio De La Cruz, Kim Mosolf, Katrina Johnson, Jordan Chaney, Jay Hollingsworth, Emma Catague, Brian Moreno, Eric Richey, Ben Krauss, Walter Kendricks, James Schrimpsheer
- Absent: Darrell Lowe
- **2 yes, 19 no, 1 absent.**

### **5.9 – All serious police misconduct.**

- Yes: Ben Krauss, Walter Kendricks, Chris Jordan
- No: Waldo Waldron-Ramsey, Teresa Taylor, Spike Unruh, Tim Reynon, Teri Rogers Kemp, Sanetta Hunter, Pua Savusa, Nina Martinez, Monisha Harrell, Livio De La Cruz, Kim Mosolf, Katrina Johnson, Jordan Chaney, Jay Hollingsworth, Emma Catague, Brian Moreno, Eric Richey, James Schrimpsheer
- Absent: Darrell Lowe
- **3 yes, 18 no, 1 absent.**

### **5.12 - All 940 cases should be reopened and there should be a pathway for any cases before 940 to be reviewed by this new agency.**

- Yes: Waldo Waldron-Ramsey, Tim Reynon, Teri Rogers Kemp, Sanetta Hunter, Pua Savusa, Nina Martinez, Monisha Harrell, Livio De La Cruz, Kim Mosolf, Katrina Johnson, Jordan Chaney, Jay Hollingsworth, Emma Catague, Brian Moreno, Chris Jordan, Walter Kendricks, Ben Krauss
- No: Teresa Taylor, Spike Unruh, James Schrimpsheer, Eric Richey
- Absent: Darrell Lowe
- **17 yes, 4 no, 1 absent.**

### **5.17 - Agency has the AUTHORITY to investigate: All suspected crimes by police officers including but not limited to: sexual assault, obstruction of justice, murder/homicide, intimate partner violence/domestic violence, any criminal action taken by on or off duty law enforcement personnel, corrections officer/supervisor/administrator, officer collusion with white supremacist groups, hate groups, officer DUIs Agency MUST investigate: Deaths and serious injury in custody, sexual assault allegations, domestic violence**

- Yes: Eric Richey, Jordan Chaney, Chris Jordan
- No: Teresa Taylor, James Schrimpsheer, Waldo Waldron-Ramsey, Tim Reynon, Teri Rogers Kemp, Sanetta Hunter, Pua Savusa, Nina Martinez, Monisha Harrell, Livio De La Cruz, Kim Mosolf, Katrina Johnson, Jay Hollingsworth, Emma Catague, Brian Moreno, Walter Kendricks, Ben Krauss
- Absent: Darrell Lowe, Spike Unruh
- **3 yes, 17 no, 2 absent.**

## November 2, 2020 Voting Summary

### 8.5 – No current or former commissioned law enforcement.

- Yes: Brian Moreno, Chris Jordan, Emma CATAGUE, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Walter Kendricks
- No: Ben Krauss, Darrell Lowe, Eric Richey, Spike Unruh, Teresa Taylor
- **17 yes, 5 no.**

### 9.8 – Knowledge of Washington Practices

- Yes: Spike Unruh, Sanetta Hunter
- No: Ben Krauss, Darrell Lowe, Brian Moreno, Chris Jordan, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Walter Kendricks
- Absent: Eric Richey, and Teresa Taylor
- **2 yes, 18 no, 2 absent.**

### 9.10 – Experience with Critical Race Theory

- Yes: None
- No: Ben Krauss, Darrell Lowe, Brian Moreno, Chris Jordan, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Walter Kendricks, Eric Richey, Sanetta Hunter
- Absent: Teresa Taylor
- Abstain: Spike Unruh
- **20 yes, 1 absent, 1 abstention.**

### 9.18 – Skills in anti-oppression and anti-racist analysis and addressing systemic inequities

- Yes: Ben Krauss, Brian Moreno, Chris Jordan, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Walter Kendricks, Sanetta Hunter
- No: Darrell Lowe
- Absent: Teresa Taylor and Eric Richey
- Abstain: Spike Unruh
- **18 yes, 1 no, 2 absent, 1 abstention.**

### 9.19 – Experience working with Black, Indigenous, and people of color (BIPOC) communities.

- Yes: Ben Krauss, Brian Moreno, Chris Jordan, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Walter Kendricks, Sanetta Hunter, Darrell Lowe
- No: James Schrimpsheer

- Absent: Teresa Taylor and Eric Richey
- Abstain: Spike Unruh
- **18 yes, 1 no, 2 absent, 1 abstention.**

#### **10.11 – Use of a Racial Equity Toolkit**

- Yes: Eric Richey
- No: James Schrimpsheer, Ben Krauss, Brian Moreno, Chris Jordan, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Walter Kendricks
- Absent: Teresa Taylor and Darrell Lowe
- Abstain: Sanetta Hunter
- **1 yes, 18 no, 2 absent, 1 abstention.**

#### **10.12 – Critical Race Theory Timeline**

- Yes: Eric Richey, James Schrimpsheer, Brian Moreno, Chris Jordan, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Walter Kendricks
- No: Sanetta Hunter and Ben Krauss
- Absent: Teresa Taylor and Darrell Lowe
- **18 yes, 2 no, 2 absent.**

#### **10.13 – Force Response Simulation Training**

- Yes: Eric Richey, James Schrimpsheer, Waldo Waldron-Ramsey, Walter Kendricks, Darrell Lowe, Spike Unruh, Sanetta Hunter, Ben Krauss
- No: Brian Moreno, Chris Jordan, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon
- Absent: Teresa Taylor
- **8 yes, 13 no, 1 absent.**

#### **10.14 – Basic Law Enforcement Academy**

- Yes: Eric Richey, Spike Unruh, Sanetta Hunter
- No: Ben Krauss, Brian Moreno, Chris Jordan, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Walter Kendricks, Darrell Lowe, James Schrimpsheer
- Absent: Teresa Taylor
- **3 yes, 18 no, 1 absent.**

#### **10.15 – Tribal sovereignty and history of Native Americans with the justice system.**

- Yes: Eric Richey, Spike Unruh, Sanetta Hunter, Ben Krauss, Brian Moreno, Chris Jordan, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La

Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Walter Kendricks, Darrell Lowe, James Schrimpsheer

- Absent: Teresa Taylor
- **21 yes, 1 absent.**

**10.16 – Additional training as determined by the evolving needs of residents in Washington state.**

- Yes: Eric Richey, Spike Unruh, Sanetta Hunter, Ben Krauss, Brian Moreno, Chris Jordan, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Darrell Lowe, James Schrimpsheer
- No: Monisha Harrell, Walter Kendricks
- Absent: Teresa Taylor
- **19 yes, 2 no, 1 absent.**

**10.21– Knowledge of Washington Practices**

- Yes: Spike Unruh, Sanetta Hunter, Ben Krauss, Brian Moreno, Chris Jordan, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Darrell Lowe, James Schrimpsheer
- No: Monisha Harrell, Walter Kendricks
- Absent: Teresa Taylor and Eric Richey
- Abstain: Waldo Waldron-Ramsey
- **19 yes, 2 no, 1 absent.**

**10.22– Use of a racial equity lens**

- Yes: Sanetta Hunter, Ben Krauss, Brian Moreno, Chris Jordan, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Waldo Waldron-Ramsey, Darrell Lowe, James Schrimpsheer, Monisha Harrell, Walter Kendricks
- Absent: Teresa Taylor and Eric Richey
- Abstain: Spike Unruh
- **19 yes, 2 no, 1 absent.**

**11.4– Community/Advisory Board Input**

- Yes: Chris Jordan, Nina Martinez, Tim Reynon
- No: Sanetta Hunter, Ben Krauss, Brian Moreno, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Pua Savusa, Teri Rogers Kemp, Waldo Waldron-Ramsey, Darrell Lowe, James Schrimpsheer, Monisha Harrell, Walter Kendricks, Spike Unruh, Teresa Taylor
- Absent: Eric Richey
- **3 yes, 18 no, 1 absent.**

**11.7– Community/advisory board should provide input on the hiring process and hiring goals such as diversity, not necessarily on each individual hiring decision. Background check should screen for hate group affiliations.**

- Yes: Chris Jordan, Nina Martinez, Tim Reynon, Sanetta Hunter, Ben Krauss, Brian Moreno, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Pua Savusa, Teri Rogers Kemp, Waldo Waldron-Ramsey, Darrell Lowe, James Schrimpsheer, Monisha Harrell, Walter Kendricks, Spike Unruh, Teresa Taylor
- Absent: Eric Richey
- **21 yes, 1 absent.**

**12.8– Civilian**

- No: Chris Jordan, Nina Martinez, Tim Reynon, Sanetta Hunter, Ben Krauss, Brian Moreno, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Pua Savusa, Teri Rogers Kemp, Waldo Waldron-Ramsey, Darrell Lowe, James Schrimpsheer, Monisha Harrell, Walter Kendricks, Spike Unruh, Teresa Taylor
- Absent: Eric Richey
- **21 no, 1 absent.**

**12.9– Match current I-940 standards**

- Yes: Teresa Taylor, Spike Unruh, Darrell Lowe, Ben Krauss, James Schrimpsheer
- No: Chris Jordan, Nina Martinez, Tim Reynon, Sanetta Hunter, Brian Moreno, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Pua Savusa, Teri Rogers Kemp, Waldo Waldron-Ramsey, Monisha Harrell, Walter Kendricks,
- Absent: Eric Richey
- Abstain: Walter Kendricks
- **5 yes, 15 no, 1 absent, 1 abstention.**

**12.10 – Combination of civilian and former LEO**

- Yes: Teresa Taylor, Spike Unruh, Darrell Lowe, Sanetta Hunter, Eric Richey
- No: Chris Jordan, Nina Martinez, Tim Reynon, Brian Moreno, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Pua Savusa, Teri Rogers Kemp, Waldo Waldron-Ramsey, Monisha Harrell, Walter Kendricks, James Schrimpsheer, Ben Krauss
- **5 yes, 17 no.**

**12.11 – Knowledge of Washington Practices**

- Yes: Walter Kendricks, Waldo Waldron-Ramsey, Brian Moreno, Livio De La Cruz, Pua Savusa, Chris Jordan, Eric Richey
- No: Nina Martinez, Tim Reynon, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Teri Rogers Kemp, Monisha Harrell, James Schrimpsheer, Ben Krauss, Teresa Taylor, Spike Unruh, Darrell Lowe, Sanetta Hunter
- **16 yes, 6 no.**

**12.12 – 1/3 BIPOC women**

- Yes: Eric Richey

- No: Nina Martinez, Tim Reynon, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Teri Rogers Kemp, Monisha Harrell, James Schrimpsheer, Ben Krauss, Teresa Taylor, Spike Unruh, Darrell Lowe, Sanetta Hunter, Walter Kendricks, Brian Moreno, Livio De La Cruz, Pua Savusa, Chris Jordan
- Abstain: Waldo Waldron-Ramsey, Katrina Johnson
- **1 yes, 19 no, 2 abstentions.**

#### **12.13 – Former LEO**

- Yes: Eric Richey, Ben Krauss, James Schrimpsheer, Teresa Taylor, Spike Unruh, Darrell Lowe,
- No: Nina Martinez, Tim Reynon, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Teri Rogers Kemp, Monisha Harrell, Sanetta Hunter, Walter Kendricks, Brian Moreno, Livio De La Cruz, Pua Savusa, Chris Jordan, Waldo Waldron-Ramsey, Katrina Johnson
- **6 yes, 16 no.**

#### **12.14 – Current LEO**

- Yes: Eric Richey, Teresa Taylor, Spike Unruh,
- No: Nina Martinez, Tim Reynon, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Teri Rogers Kemp, Monisha Harrell, Sanetta Hunter, Walter Kendricks, Brian Moreno, Livio De La Cruz, Pua Savusa, Chris Jordan, Waldo Waldron-Ramsey, Katrina Johnson, Ben Krauss, James Schrimpsheer, Darrell Lowe
- **3 yes, 19 no.**

#### **12.24 – 5-year ramp up to no current or former law enforcement investigation teams. Any former law enforcement serving during 5 year ramp up must be 24 months removed from commissioned service and have a clean jacket/discipline record.**

- Yes: Nina Martinez, Tim Reynon, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Teri Rogers Kemp, Monisha Harrell, Sanetta Hunter, Walter Kendricks, Brian Moreno, Livio De La Cruz, Pua Savusa, Chris Jordan, Katrina Johnson, Ben Krauss, James Schrimpsheer, Darrell Lowe
- No: Spike Unruh
- Absent: Eric Richey
- Abstain: Waldo Waldron-Ramsey, Teresa Taylor
- **18 yes, 1 no, 1 absent, 2 abstentions.**

#### **12.15 – Mental Health Credentials**

- No: Nina Martinez, Tim Reynon, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Teri Rogers Kemp, Monisha Harrell, Sanetta Hunter, Walter Kendricks, Brian Moreno, Livio De La Cruz, Pua Savusa, Chris Jordan, Waldo Waldron-Ramsey, Katrina Johnson, Ben Krauss, James Schrimpsheer, Darrell Lowe, Eric Richey, Teresa Taylor, Spike Unruh
- **22 no.**

## November 5, 2020 Voting Summary

### 24.4 – Audit Investigations

- No: Ben Krauss, Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teresa Taylor, Teri Rogers Kemp, Tim Reynon, Walter Kendricks
- Abstain: Waldo Waldron-Ramsey
- Absent: Chris Jordan, Darrell Lowe, Eric Richey, Sanetta Hunter, Spike Unruh
- **0 yes, 16 no, 5 absent, 1 abstention.**

**24.6 - A panel of community members and law enforcement, with super majority of community, should vet applicants for the director and send three names to the Governor, who hires the director. The Agency director will utilize a subset of the Advisory Board that is used for interviewing staff and as a sounding board for performance reviews.**

- Yes: Ben Krauss, Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks
- No: Teresa Taylor
- Abstain: Waldo Waldron-Ramsey
- Absent: Chris Jordan, Darrell Lowe, Eric Richey, Sanetta Hunter, Spike Unruh
- **15 yes, 1 no, 5 absent, 1 abstention.**

**24.12 - Must approach their work from an anti-racist perspective and using a racial equity lens. Members must be provided with an anti-racist training.**

- Yes: Ben Krauss, Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Teresa Taylor, Waldo Waldron-Ramsey
- Absent: Chris Jordan, Darrell Lowe, Eric Richey, Sanetta Hunter, Spike Unruh
- **17 yes, 5 absent.**

**24.14 - The Director should be required to complete an annual report and provide a briefing to the Advisory Board. The final report must be published and made public.**

- Yes: Ben Krauss, Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Teresa Taylor, Waldo Waldron-Ramsey, Darrell Lowe
- Absent: Chris Jordan, Eric Richey, Sanetta Hunter, Spike Unruh
- **18 yes, 4 absent.**

**25.3 – Advisory Board membership should include impacted family members.**

- Yes: Ben Krauss, Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Teresa Taylor, Waldo Waldron-Ramsey, Darrell Lowe
- Absent: Chris Jordan, Eric Richey, Sanetta Hunter, Spike Unruh

- 18 yes, 4 absent.

**25.6 – Advisory Board membership should include Tribal members.**

- Yes: Ben Krauss, Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Teresa Taylor, Waldo Waldron-Ramsey, Darrell Lowe
- Absent: Chris Jordan, Eric Richey, Sanetta Hunter, Spike Unruh
- 18 yes, 4 absent.

**25.12 - Members should be appointed by the Governor’s Office, similar to other commissions.**

- Yes: Ben Krauss, Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Teresa Taylor, Waldo Waldron-Ramsey, Darrell Lowe
- Absent: Chris Jordan, Eric Richey, Sanetta Hunter, Spike Unruh
- 18 yes, 4 absent.

**25.13 - Membership should include an individual who is a credentialed mental health expert.**

- Yes: Ben Krauss, Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Teresa Taylor
- No: Darrell Lowe
- Absent: Chris Jordan, Eric Richey, Sanetta Hunter, Spike Unruh
- Abstain: Waldo Waldron-Ramsey
- 17 yes, 1 no, 4 absent, 1 abstention.

**25.14 – Membership should include impacted family members of LEO killed in the line of duty.**

- Yes: Ben Krauss, Teresa Taylor, James Schrimpsheer
- No: Brian Moreno, Emma Catague, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks
- Absent: Chris Jordan, Eric Richey, Sanetta Hunter, Spike Unruh
- Abstain: Darrell Lowe
- 3 yes, 14 no, 4 absent, 1 abstention.

**25.15 – The Advisory Board should have at least one public defender member.**

- Yes: Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Teresa Taylor, Darrell Lowe
- Absent: Chris Jordan, Eric Richey, Spike Unruh, Ben Krauss
- Abstain: Sanetta Hunter, Waldo Waldron-Ramsey
- 16 yes, 4 absent, 2 abstentions.

**25.16 - Members of the Advisory Board should have term limits. Term limits should mimic other commissions as much as possible (universities, clemency board, etc.) and be staggered.**

- Yes: Brian Moreno, Emma Catague, James Schrimpsheer, Jay Hollingsworth, Jordan Chaney, Katrina Johnson, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Teresa Taylor, Darrell Lowe, Sanetta Hunter, Waldo Waldron-Ramsey
- Absent: Chris Jordan, Eric Richey, Spike Unruh, Ben Krauss
- **18 yes, 4 absent.**

**Transition 13 - Community representative should not have a conflict of interest with the victim in an investigation.**

- Yes: Darrell Lowe, Brian Moreno, Teresa Taylor, James Schrimpsheer
- No: Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Waldo Waldron-Ramsey
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- Abstain: Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter
- **4 yes, 5 no, 4 absent, 9 abstentions.**

**Transition 14 - The community member is a member of the IIT and is subject to the same conflict of interest vetting as other members of the team. The current tool created by the CJTC could be applied here.**

- Yes: Darrell Lowe, Teresa Taylor, James Schrimpsheer
- No: Waldo Waldron-Ramsey
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- Abstain: Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno
- **3 yes, 1 no, 4 absent, 14 abstentions.**

**Transition 15 - We should create a consistent way for selecting community members of IITs in Washington.**

- Yes: Darrell Lowe, Teresa Taylor, James Schrimpsheer
- No: Waldo Waldron-Ramsey
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- Abstain: Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno
- **3 yes, 1 no, 4 absent, 14 abstentions.**

**Transition 16 - The CJTC should revisit the task force's concerns about how to ensure conflict of interest and the standardization process.**

- Yes: Darrell Lowe, Teresa Taylor, James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell,

Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno

- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- **18 yes, 4 absent.**

**Transition 2.3 - There must be penalties for agencies who fail to follow IIT, and oversight/enforcement of this by AGO. There also must be improvements in the communication with families, which is required under I940.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno
- No: Teresa Taylor
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- Abstain: Darrell Lowe
- **16 yes, 1 no, 4 absent, 1 abstention.**

**Transition 2.4 - An officer involved shooting is an inherent conflict of interest for the county prosecutor**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno
- No: Teresa Taylor, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- **16 yes, 2 no, 4 absent.**

**Transition 2.5 - Add an enforcement piece to the current rules for agencies who are not following the rules now.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Teresa Taylor, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- **18 yes, 4 absent.**

**Transition 2.6 – Remove the consent decree exemption from the language to require more compliance.**

- Yes: James Schrimpsheer, Jay Hollingsworth, Jordan Chaney
- No: Teresa Taylor, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- Abstain: Waldo Waldron-Ramsey, Emma Catague, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno
- **3 yes, 2 no, 4 absent, 13 abstentions.**

**Transition 2.10 - I would recommend that the Legislature task the CJTC with meeting with stakeholders and impacted families to develop improvements that will ensure completely independent investigations are conducted and those doing the investigation are free of any conflicts of interest.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Teresa Taylor, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- **18 yes, 4 absent.**

**Transition 3.2 - They need to prioritize communications with the victim's family and tribe if relevant, follow I940 (family liaison). They also should provide the makeup of the IIT and provide regular public updates.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Teresa Taylor, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- **18 yes, 4 absent.**

**Transition 3.10 - The agency should assign a family liaison to the victim's family to work with them. This person should have an appropriate skill set, that may include being a social worker, grief counselor, etc. In addition, a translator or interpreter should be available for the family if appropriate, and Tribal Liaisons should be assigned if applicable.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Teresa Taylor, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- **18 yes, 4 absent.**

**Transition 3.11 - The Chief of the involved agency should make a public, humanizing statement about the victim.**

- No: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Teresa Taylor, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- Abstain: Jay Hollingsworth, Brian Moreno
- **16 no, 4 absent, 2 abstentions.**

**Transition 4.9 – Additional funding must be provided so agencies can comply with I-940.**

- Yes: Darrell Lowe, Teresa Taylor
- No: Jordan Chaney, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Emma Catague, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Jay Hollingsworth
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- Abstain: James Schrimpsheer, Waldo Waldron-Ramsey, Nina Martinez, Pua Savusa, Sanetta Hunter, Brian Moreno
- **2 yes, 10 no, 4 absent, 6 abstentions.**

**27.11 - If tribal member is involved, a tribal liaison should consult with the tribe on their specific needs and make contact within 24 hours to ensure the proper protocols and ceremonies for the deceased are taken care of.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Teresa Taylor, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- **18 yes, 4 absent.**

**27.14 - At least monthly, even if there is no new information develops.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Teresa Taylor, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- **18 yes, 4 absent.**

**29.25 – Provide funding for a Grief Counselor or Mental Health Therapist to families if they choose.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Darrell Lowe
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- Abstain: Teresa Taylor
- **17 yes, 4 absent, 1 abstention.**

**29.27 – Investigate threats and acts of intimidation by police and police associates against impacted families.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Teresa Taylor
- Absent: Ben Krauss, Eric Richey, Chris Jordan, Spike Unruh
- Abstain: Darrell Lowe

- 17 yes, 4 absent, 1 abstention.

**20.21 – I would like to propose a special prosecutor designated by Governor for all agency-investigated cases. Hiring of this special prosecutor would receive input from our advisory committee. Also recommend that there is a presumed conflict for a local county prosecutor to handle the case, this should be an independent agency that is not reliant on law enforcement to make its other cases or do its other work.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Eric Richey
- No: Teresa Taylor, Spike Unruh, Darrell Lowe
- Absent: Eric Richey
- Abstain: Ben Krauss
- 18 yes, 1 absent, 1 abstention.

**20.22 – Because local prosecutors have an inherent conflict of interest pursuing cases against law enforcement, county prosecutors should not prosecute these cases. Instead, we need a prosecutor who does not have a working relationship with law enforcement and who is equipped to prosecute these cases in a way that is constitutionally compliant.**

- Yes: Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Brian Moreno, Chris Jordan
- No: Teresa Taylor, Spike Unruh, Darrell Lowe, Ben Krauss, Sanetta Hunter, James Schrimpsheer, Eric Richey, Walter Kendricks
- Abstain: Brian Moreno, Pua Savusa, Waldo Waldron-Ramsey
- 11 yes, 8 no, 3 abstentions.

**20.23 – We need a prosecutor role which does not depend on a working relationship with law enforcement and which is equipped to prosecute these cases in a way that is constitutionally compliant.**

- Yes: Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Brian Moreno, Chris Jordan, Eric Richey, Brian Moreno, Pua Savusa, Waldo Waldron-Ramsey
- No: Teresa Taylor, Spike Unruh, Darrell Lowe, Sanetta Hunter, James Schrimpsheer,
- Abstain: Walter Kendricks, Ben Krauss
- 15 yes, 5 no, 2 abstentions.

**21.1 – Special training on the uniqueness and challenges of bringing charges against law enforcement.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- **Yes: Unanimous**

**21.2 – The training should include the many of the suggested foundational elements noted for the Director, Investigators, and Staff. 2) Although the prosecutor may not need the level of technical training around investigations, they should have access to the same types of race and mental health related trainings.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Eric Richey, Teresa Taylor, Spike Unruh, Darrell Lowe, Ben Krauss
- **Yes: Unanimous**

**21.3 – Must receive the same or similar anti-racism training and tools as the rest of the agency. Must also receive the same or similar anti-racism vetting, background checks, and conflict of interest checks. Must be qualified to serve as a prosecutor (attorney with some relevant criminal trial experience).**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Eric Richey, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- **Yes: Unanimous**

**21.4 – Force Science Training**

- Yes: Darrell Lowe, Spike Unruh, Teresa Taylor, James Schrimpsheer, Sanetta Hunter, Eric Richey, Ben Krauss
- No: Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Brian Moreno, Chris Jordan
- Abstain: Walter Kendricks
- **7 yes, 14 no, 1 abstention**

**24.3 – Must file public report justifying any decision to not prosecute. If decision made to prosecute, no such report is necessary because they will have to prove their case in court.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Eric Richey, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- **Yes: Unanimous**

**14.3 – Authority - Fully Commissioned LEO authority**

- Yes: Waldo Waldron-Ramsey, Eric Richey, Spike Unruh, Darrell Lowe
- No: James Schrimpsheer, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Eric Richey, Teresa Taylor, Ben Krauss
- Abstain: Chris Jordan, Brian Moreno, Sanetta Hunter,
- **4 yes, 15 no, 3 abstentions**

**14.13 – When accessing administrative records, the investigative team must have a process to protect the admissibility of the investigation’s findings by filtering out administratively compelled statements which would violate the Fifth Amendment.**

- Yes: Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Eric Richey, Spike Unruh, Ben Krauss
- No: Jay Hollingsworth, Teresa Taylor, James Schrimpsheer, Darrell Lowe
- Abstain: Jordan Chaney, Ben Krauss
- Absent: Eric Richey
- **15 yes, 4 no, 1 absent, 2 abstentions.**

**14.14 – Subpoena power. Ability to secure warrants.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Eric Richey, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- No: Teresa Taylor
- **21 yes, 1 no.**

**14.15 – Any powers and authority needed to be able to legally secure a crime scene over the objections of the involved agency.**

- Yes: Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Brian Moreno, Chris Jordan, Eric Richey, Brian Moreno, Pua Savusa, Waldo Waldron-Ramsey, Sanetta Hunter, Walter Kendricks, Ben Krauss
- No: Teresa Taylor, Spike Unruh, Darrell Lowe, James Schrimpsheer
- **18 yes, 4 no.**

**14.30 – Can Investigate: officers, prison guards, Sheriffs, All other “peace” officers**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Eric Richey, Teresa Taylor, Darrell Lowe, Ben Krauss
- Absent: Eric Richey
- Abstain: Spike Unruh
- **20 yes, 1 absent, 1 abstention.**

**7.5 – Sexual Assault committed while on-duty or in-custody**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Eric Richey, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- **Yes: Unanimous**

**7.10 – Top Priority: Deadly/Lethal Force, In-custody deaths, retroactive investigations.**

**Medium Priority: all other cases within the scope of cases to be investigated.**

- Yes: Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Eric Richey, Eric Richey,
- No: Teresa Taylor, Spike Unruh, Darrell Lowe, James Schrimpsheer, Ben Krauss
- **17 yes, 5 no.**

**15.5 – Staff should include a Tribal Liaison.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- Absent: Eric Richey
- **Yes: Unanimous**

**15.6 – Additional staff as determined by the evolving needs of the residents in WA State.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- Absent: Eric Richey
- **Yes: Unanimous**

**15.7 – Additional staff should include crime scene investigators, crime analyst, intelligence analyst.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- Absent: Eric Richey
- **Yes: Unanimous**

**15.10 – Additional staff should include Mental Health Experts.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- Absent: Eric Richey
- **Yes: Unanimous**

**15.13 – Additional staff should include Social Media and IT Investigators.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- Absent: Eric Richey
- **Yes: Unanimous**

**15.14 - Bi-lingual staff, translators, or interpreters should be available as needed.**

- Yes: James Schrimpsheer, Waldo Waldron-Ramsey, Emma Catague, Jay Hollingsworth, Jordan Chaney, Kim Mosolf, Livio De La Cruz, Monisha Harrell, Nina Martinez, Pua Savusa, Sanetta Hunter, Katrina Johnson, Teri Rogers Kemp, Tim Reynon, Walter Kendricks, Brian Moreno, Chris Jordan, Teresa Taylor, Spike Unruh, Darrell Lowe, Eric Richey, Ben Krauss
- Absent: Eric Richey
- **Yes: Unanimous**

Office of the Governor  
P.O. Box 40002 • Olympia, WA • 98504-0002  
Phone: 360-902-4111