

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 21, 2020 12:21:08 PM
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IP Address: 73.239.187.133

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

Ontario's SIU approach seems to be optimal/likely the most appropriate for us/WA. State at this time - all things considered - Focus on criminal investigations only and see how it goes leaving the administrative investigations to the jurisdictions - This gives the jurisdictions a chance to clean up their act before their situation bubbles up and ends up creating an environment that ends up generating criminal investigations.

Q2

Organized as a separate legal entity.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

No elected officials involved in the process including those appointing the investigation team - Team members with terms of availability for appt. to serve no more than 2 years.

Q4

What skills, credentials, and prior experiences should investigators possess?

A mixed group involving all of the above, even those just plain civilians with no specific skills, credentials or prior experiences (call the "plain" group folks being able to be involved and being able to "see" the investigation straight on without having previous experiences that might shade/bias or otherwise impact their complete objectivity.

Q5

Former Law Enforcement

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

An independent "real time" reporting system needs to be set up via which incidents needing timely investigation - the lead entity should identify "independent" former law enforcement individuals in each reporting jurisdiction to be on call to be able to respond (via a crisis call) to the situation needing investigation (these appointees "not" having past or current connections/involvements with the jurisdiction needing the investigation).

Q7

What is your name? (Optional)

Jim Bloss - call or email me, anytime.

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

Under # 5 the composition should be civilians "and" retired law enforcement - the survey form did not allow more than one choice.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

I don't believe we "have" a current system in WA. state -certainly not at the State level and every jurisdiction doing it "their way" - but....., how about checking in with the Seattle/King County on-going effort to put such an investigation model in place - perhaps the State could adopt that system (pretty much already "fleshed out" in the interim(?)).

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 21, 2020 11:45:02 AM
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Time Spent: 01:37:01
IP Address: 216.57.213.136

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

I think the purpose is to learn about how officer use of force is currently addressed in Washington State and how it is handled elsewhere, with a plan to recommend legislative changes to make Washington's system better.

Q2

Nested within a larger external agency.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

Independent from what? An independent investigative team is supposed to be independent or separate from the officer involved agency as described in WAC 139-12-020. But when we talk about independence and an appointment process for a director, I think you suggest a desire to create an agency independent or separated from politics. Because it is government, an appointed director could only be separated from politics by degrees, but could never be completely independent. However, I agree that appointing a director would create an appearance of independence.

Q4

What skills, credentials, and prior experiences should investigators possess?

Investigators must be trained and experienced law enforcement officers. Our group has talked about a new agency hiring former or retired law enforcement officers, but that is semantics. If a new agency is created, it will hire former or retired law enforcement officers. Once they are hired, they will become current law enforcement officers again. Whatever we call them, the investigators must be trained and experienced in investigating homicide because a credible prosecution can only occur with a credible investigation. Civilians should be more involved in the investigation than what the WAC currently provides.

Q5

A Combination of all Three

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

Local agencies that are independent of the officer involved agency should secure a scene and collect and preserve transient evidence until the new agency arrives.

Q7

What is your name? (Optional)

Eric Richey

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

All investigators, including civilians should understand what police officers face in the field. For that to happen, all should receive "Force Response Simunition Training."

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

Increase civilian responsibilities in the investigation.

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 21, 2020 1:21:27 PM
Last Modified: Friday, August 21, 2020 1:30:27 PM
Time Spent: 00:09:00
IP Address: 73.221.19.6

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

to investigate incidents of use of force by Law enforcement, arrive at conclusions, prosecute when necessary.

Q2 **Organized as a separate legal entity.**

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

The independence of the organization would be guaranteed by it being a stand alone agency with power given to achieve the tasks required of it

Q4

What skills, credentials, and prior experiences should investigators possess?

experienced, thorough, patient, excellent at communication.

Q5 **Civilian**

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6 **Respondent skipped this question**

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

Q7

What is your name? (Optional)

Walter Kendricks

Q8

Respondent skipped this question

Do you have any other recommendations related to the structure of the investigative body or investigators?

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

budgetary considerations should not factor in to formation of this body. These are, after all human lives hanging in the balance

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, August 24, 2020 2:07:32 PM
Last Modified: Monday, August 24, 2020 2:18:09 PM
Time Spent: 00:10:37
IP Address: 146.129.245.181

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

The purpose of the body should be narrow in scope and over time establish a process which allows for flexibility and transparency

Q2 **Nested within a larger external agency.**

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

House the organization in the state auditors office which already has the process in place for conducting independent investigations and has some level on autonomy.

Q4

What skills, credentials, and prior experiences should investigators possess?

Based on the focus of the organization investigators should possess technical knowledge and strong working knowledge of public policy

Q5 **A Combination of all Three**

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

Create an "as needed" group in geographical areas

Q7

What is your name? (Optional)

James Schrimpsheer

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

Just to make sure that every step of the process the effected community is part of the process

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

Add a layer of accountability to the process by organizing regional bodies that review all investigations and makes recommendations

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, August 24, 2020 2:33:45 PM
Last Modified: Monday, August 24, 2020 2:43:56 PM
Time Spent: 00:10:10
IP Address: 47.25.190.58

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

The entity needs to be regulatory in nature. It can audit, investigate, and authenticate the practices and people involved in investigations involving police use of force. Replicating the entire investigation would take time but initially the organization could lead the investigatory teams.

Q2 **Organized as a separate legal entity.**

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

One possibility would be legislative approval by way of the four corners. This would mitigate any one particular body or party to sway hiring practices. Staff also, in an ideal world, be trained independent of the current law enforcement system. In addition, involving some sort of an advisory body of stakeholders.

Q4

What skills, credentials, and prior experiences should investigators possess?

The credentials ought to match the existing I-940 standards.

Q5 **Civilian**

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

The lead investigator concept holds the most water here. In the case of south-eastern Washington, a lead investigator could be in charge of the IIT while not incurring the expenses of 20+ detectives on that particular case. They would need to be trained to the same standard as commanders and investigators as well as an understanding of what to look for in uncovering possible biases or conflicts.

Q7

What is your name? (Optional)

Brian Moreno

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

None at this time.

Q9

Respondent skipped this question

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

#6

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, August 24, 2020 2:15:18 PM
Last Modified: Monday, August 24, 2020 2:45:38 PM
Time Spent: 00:30:19
IP Address: 96.93.105.130

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

Independent investigations are extremely important.

One option is a state-wide investigation. However, this won't be feasible with current funding issues and will take years to develop. Instead, the WSPTA supports creating state oversight of IIT teams to ensure compliance with I-940s requirements. This oversight group should have the power to bring in out of region IIT teams, if necessary, to assess fines for failure to comply with I-940, and to recommend charges.

Q2

Organized as a separate legal entity.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

Director should be appointed by governor and possess professional experience related to police investigations and prosecution. Staff should be hired based on credentials.

Q4

What skills, credentials, and prior experiences should investigators possess?

Trained and experienced homicide investigators.

Q5

Current Law Enforcement

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

Local IIT teams.

Q7

What is your name? (Optional)

Spike

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

An oversight body, rather than a state-wide investigation team, is going to be much more feasible and will still ensure independence.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

See above responses.

#7

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, August 24, 2020 3:56:48 PM
Last Modified: Monday, August 24, 2020 4:29:50 PM
Time Spent: 00:33:01
IP Address: 172.58.44.96

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

I am sorry, this question is a little unclear to me.

Q2 **Organized as a separate legal entity.**

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

My response to this question is broken down into elements which will increase the probability of an independent agency.

- 1) Use objective 'best practices' from independent agency model sites nationally and internationally.
 - 2) Consider placing this agency within the Office of the Attorney General. There should be independent investigators and prosecutors within the AGs office.
 - 3) Provide on-going implicit bias and Intercultural Competency assessment and training for all personal within this independent investigation agency.
 - 4) Yes, the appointment of the director and recruitment of staff are very important. A diverse, equitable, inclusive and well trained and resourced group personnel are key attributes for success.
-

Q4

What skills, credentials, and prior experiences should investigators possess?

Prior investigative experience and the ability to learn, grow, adapt and work effectively with a diverse team are all very important.

I would suggest investigators that do not have a prior law-enforcement experience audit the CJTC courses noted below in addition to any other industry standard related training.

- 1) Basis Law Enforcement Academy
 - 2) Homicide Investigation
 - 3) Force Science
 - 4) Implicit Bias and Intercultural Competency
-

Q5

A Combination of all Three

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

If possible, have regional teams respond and process the scene when possible.

In very remote areas, have local law-enforcement specifically trained by the CJTC to process and maintain the scene in accordance with state standards

Q7

What is your name? (Optional)

Ben Krauss

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

I have no additional recommendations at this point.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

I would suggest working to stand up an independent investigation department within the Office of the Attorney General in a timely manner at the conclusion of this process.

#8

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, August 24, 2020 11:24:40 PM
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Time Spent: 00:19:19
IP Address: 67.183.82.174

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

To establish real and last change in police practices. To make sure the changes are enforceable and abiding.

Q2

Organized as a separate legal entity.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

Yes, the appointment process can help assure true independence. I think you guarantee independence by having checks and balances to review the processes and procedures.

Q4

What skills, credentials, and prior experiences should investigators possess?

Law enforcement and investigative experience is an important element to have. We need people who are familiar with police work to add to the investigation. You also need the balance of community members to add to the process. We have seen models that have just citizens and the ones who have just police and I believe a proper mix of both is the best practice.

Q5

A Combination of all Three

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

We may need to set up regional responses, rather than just one large unit. It may be that a regional team responds to gather the info and either process the investigation themselves or provide the details to a larger body for the work.

Q7

Respondent skipped this question

What is your name? (Optional)

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

It needs to be a mix of interested and experienced parties. Final decisions should be made by a panel of may-be three people with a majority rule. I think this will provide more accountability to the decision makers.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

It needs to be transparent and the policy and procedures need to be enforceable.

#9

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, August 25, 2020 8:43:29 AM
Last Modified: Wednesday, August 26, 2020 8:52:20 AM
Time Spent: Over a day
IP Address: 24.143.97.91

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

To conduct independent criminal investigations of police shootings and other potentially criminal actions.

Q2 **Organized as a separate legal entity.**

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

There are standards for other such agencies you can look to - such as Auditing - to guide the establishment of independence as much as possible. And OF COURSE the appointment and recruitment process matters.

Q4

What skills, credentials, and prior experiences should investigators possess?

Experience conducting investigations and knowledge of relevant laws in the State of Washington. Also, a willingness to be unpopular, take hard stances, etc.

Q5 **Civilian**

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

I think that the central agency could train some local people in each county to manage and hold scenes until investigators arrive.

Q7

What is your name? (Optional)

Deborah Jacobs

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

Not at this time.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

Our current system is business as usual. The only thing I can think of is to hold agencies accountable for not meeting the requirements of 1940 as they stand today, particularly with respect to civilian observers.

#10

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, August 26, 2020 9:56:53 AM
Last Modified: Wednesday, August 26, 2020 10:05:06 AM
Time Spent: 00:08:12
IP Address: 96.69.222.66

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

The organization? Are you referring to the body that will conduct an independent investigation of an officer's deadly use of force? Has it been decided then, that a wholly separate entity will be built for this work? If that is the case, the purpose of the entity/organization will be to conduct independent investigations for all qualifying uses of deadly force. Period. That should be what they do and that should be all they do. They should not do studies. They should not review or analyze data points for purposes of legislative inquiries or other politically motivated work. They should not speak publicly about the body of work over time and/or draw any conclusions. They should be non partisan and made up of only the highest trained investigators focused exclusively on the investigation and the final report for each. If data is needed for legislative or other public use, the data should be provided through the public records request process and another contracted entity should review and make any conclusions they wish. The investigative entity should remain fully and completely profession, focused on their role, independent, and unbiased. Period.

Q2

Respondent skipped this question

What is the preferred structure for the investigating body?

Q3

Respondent skipped this question

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

Q4

Respondent skipped this question

What skills, credentials, and prior experiences should investigators possess?

Q5

Respondent skipped this question

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6 **Respondent skipped this question**

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

Q7 **Respondent skipped this question**

What is your name? (Optional)

Q8 **Respondent skipped this question**

Do you have any other recommendations related to the structure of the investigative body or investigators?

Q9 **Respondent skipped this question**

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

#11

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, August 26, 2020 5:11:16 PM
Last Modified: Wednesday, August 26, 2020 5:40:23 PM
Time Spent: 00:29:06
IP Address: 167.72.44.20

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

The purpose should be to effectively and proficiently conduct investigations involving officer-involved use of deadly force and alleged criminal police misconduct. Over time, this specialized organization should remain focused on this limited scope and ensure transparency, trust, and flexibility to adapt to future changes.

Q2

Nested within a larger external agency.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

The appointment process for the director, recruitment of staff, and other factors should not matter IF the organization is developed with appropriate thought as to scope and legal authority and appropriate checks and balances, including the establishment of an advisory board (citizens/stakeholders) - selections made by the Governor's Office.

Q4

What skills, credentials, and prior experiences should investigators possess?

They must have the full legal authority within the State of Washington (i.e. law enforcement commission from Criminal Justice Training Commission (CJTC)) to carry out all aspects of their mission and have the requisite professional experience in conducting these types of complex investigations. Minimum training qualifications have already been largely established within Chapter 139-12 WAC.

Q5

A Combination of all Three

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

Investigative teams must be assigned regionally, based on data indicating frequency of cases, in order to provide a response within two hours of the incident. The initial response is the most critical piece of the investigation.

Q7

What is your name? (Optional)

Rob Huss

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

Can provide example of organizational diagram (nested within larger external agency – WSP) with explanation, if requested. The WSP is an extremely professional and reputable statewide law enforcement agency, built upon strong character and integrity, and humility for nearly 100 years.

If the ultimate determination of the State is to structure this as a new division within the Attorney General's Office or to organize a separate legal entity, it should be designed with a limited scope and assembled with experienced commissioned law enforcement officers (with credentials from CJTC), forensic scientists, and civilians with clearly defined roles, and with the full legal authority within the State of Washington to fulfill its mission.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

- 1) Allow time for CJTC to complete their required work,
 - 2) Provide clarification and revisions to Chapter 139-12 WAC, while allowing the structural aspects of I-940 to progress,
 - 3) Provide funding for required training of investigators and community representatives, and
 - 4) Establish a mandatory statewide use of force reporting system so we have accurate and timely data
-

#12

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 27, 2020 6:57:45 PM
Last Modified: Thursday, August 27, 2020 7:49:26 PM
Time Spent: 00:51:40
IP Address: 73.181.239.94

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

The purpose of the independent investigation office/agency should be to conduct investigations of police use of force that results in death or serious bodily harm, as well as, complaints of sexual assault or other criminal behavior of law enforcement officers. Overtime, this office could investigate other complaints of police misconduct that undermine the integrity and trust in law enforcement. This could include complaints of such things as, using ones position for personal gain, intimidating witnesses, planting evidence, etc. I feel that in order to achieve completely independent investigations and restore trust in our law enforcement, we need to create a system that eliminates police investigating police in both criminal and administrative matters and I believe this new office/agency should be the place for all investigations of police misconduct to be conducted.

Q2

Organized as a separate legal entity.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

We guarantee the independence of the agency by making sure that it does not include law enforcement officers investigating law enforcement officers and including families and community stake holders in the oversight and operations of the agency. Community stake holders and families must be involved in the screening of applicants for the director, recruiting of staff, and, quite possibly, serve as an oversight board for the agency. I believe that at the board level, law enforcement should be involved, but should constitute a minority of the total number of board members. The appointment process for the director and the recruitment of staff matter tremendously. If the community is going to trust this new agency to conduct truly independent investigations, the community must be involved in these processes.

Q4

What skills, credentials, and prior experiences should investigators possess?

They must be experienced in conducting forensic investigations and providing investigation reports that will stand up in court. They must be credible to the community and to the courts in order for their investigation findings to have any usefulness. Having a legal background and an understanding of the laws of evidence would be preferable.

Q5

Civilian

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

There will have to be regional offices and teams set up that can respond quickly. Each regional office will have to have contracts with investigators that can respond to the scene within an hour, if possible. At a minimum, including trained community reps from each law enforcement agency that can respond immediately to the scene to participate in or witness the preservation of evidence until the regional office members arrive.

Q7

What is your name? (Optional)

Tim Reynon

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

I'd like to explore the possibility of creating an oversight commission or board that oversees the operation and development of policies of this new agency. Having a majority of community/family members on the board could help instill community trust in this new organization.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

In the interim, while we are standing up this new agency, I'd like to discuss the idea of having the community representatives involved in each law enforcement agency's Independent Investigation Teams, to be appointed and hired by the Attorney General's office. This would make them independent of the law enforcement agencies and would provide them with compensation for the time they will be spending on these cases. Each regional AG's office could maintain a list of trained, qualified, community reps that could respond quickly to scenes and help oversee and/or witness the collection of evidence and securing of the scene, while the rest of the IIT arrive.

#13

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 27, 2020 10:22:47 PM
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Time Spent: 00:33:44
IP Address: 12.34.79.135

Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

I think the purpose of the organization should be two-fold: 1. the independent investigative team be truly bias. Any community members should take conflict of interests tests, as should law enforcement if they are going to be involved in it. 2. I think there needs to be a lot more emphasis on obligations to family and community

Q2

Organized as a separate legal entity.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

I think to make this agency truly independent it needs to be a completely new model and vision and agency all together. Something like a CIA, FBI, or ICE kind of entity that has the sole responsibility independent investigation. That would be expensive, but I think that we need something vastly different than anything we have now. SIU isn't doing anything, and the whole thing as I see it now is constricted by bias. Though, if we choose a team of people to be the independent team than the members that comprise the team weather they be law enforcement or private citizen should have some basic understanding of critical race theory. There should be a conflict of interest vetting system or questionnaire for any law enforcement officers. Also if a director is chosen this person should definitely not be law enforcement, bias will eventually play in and impede the path to justice. Though I do think it would be best to not have law enforcement on the team just due to the sheer amount of conflict, I see there being space for it and even a need for it out in the future for communal healing, but not too soon. Other factors I consider, I sat with a lead SIU investigator the other day and we got into a lot of friction over how I used the word "kill". He got pretty heated up that I used that word in regard to "his officers". I was using the word that way cause thats my perception firstly, but secondly because that SIU has not contacted the daughter of Gordon Whitaker in 7 months. His reaction to my use of the word "kill" is the definition of bias. Bias will impeded our path to justice at every turn. But I do think there should be law enforcement involved but not in power in this process, they should observe and report what the community feels about the way these police shootings are running amock/genocide.

Q4

What skills, credentials, and prior experiences should investigators possess?

I need clarification on what we mean by an "investigator".

Q5

Civilian

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

By a special code that denotes this particular type of officer involved shooting. Write a policy along with 940 that states that a police department must report this code to a our Investigative Team within X amount of time, then we have an oversight committee that is responsible for following up (sort of like 48 hours when there's been a homicide) and if the department doesn't meet the policy requirement there are sanctions and reviews and other potential accountability measures that we can explore.

Q7

What is your name? (Optional)

N/A

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

It should be comprised of at least a 3rd BIPOC women.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

Currently, I believe that prosecutorial review should come from out of county.

#14

COMPLETE

Collector: Web Link 1 (Web Link)
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Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

The purpose of the completely independent investigative agency should be to investigate use of deadly force (including serious bodily injury) and sexual assault by police. The agency should also be able to accept referrals for other investigations as appropriate. The agency should perform reliable and credible criminal investigations, lead by a team of civilian investigators who rely on forensic investigators who may have some former policing experience. The reports of this agency should go to a special prosecutor to make charging decisions. The agency's purpose should also include building ongoing community relationships and trust, ensuring respectful treatment and consistent communication with victims of police violence and their families, gathering data and issuing quarterly reports, and promoting transparency with the public.

Q2

Organized as a separate legal entity.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

It is key that we create a separate agency with its own mission, powers, and structure; also subject to regular audits just like other agencies. The selection of the director should be made by a governor-appointed panel, the majority of which are community members but also including some law enforcement. The purpose and role of this panel is only to appoint the director. The director should likely have a set period of appointment and should only be removed for good cause. Oversight of the director should be performed by some mix of elected officials. The agency and director should produce quarterly reports to this oversight structure made of up of existing elected officials. These reports should be posted publicly. Recruitment of staff should be done transparently and staff background should be posted publicly.

Q4

What skills, credentials, and prior experiences should investigators possess?

I think the Ontario SIU model is useful, as it provides different types of investigators with different background. Lead investigators have investigative experience and skills but, importantly, are generally not people with police backgrounds. Forensic investigators do generally have some police background and can provide the technical expertise in forensic science, but their work is overseen and ultimately supervised by the lead investigators. SIU provides detailed information about the purpose and background of these investigators on its website.

Q5

Civilian

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

We have not discussed other examples yet, but the SIU model of having "as needed" investigators available for this purpose seems reasonable, provided these individuals are not current law enforcement and provided their background and independence is thoroughly vetted.

Q7

What is your name? (Optional)

Kimberly Mosolf

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

The above question about whether investigators should be civilians, current, or former law enforcement did not give the option of some mix of civilian and former law enforcement. My sense is that the Task Force members are generally comfortable with that model. I believe that model could work if the civilian investigators were the lead investigators and if there was guidelines and a thorough vetting process for former law enforcement (e.g., had to be out of law enforcement for 5+ years, could not investigate jurisdictions in which they worked or had ties, passed background checks that thoroughly examined conflict of interest, did not have history of demonstrated misconduct, etc).

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

The current system involves law enforcement investigating law enforcement, which will never be completely independent. Once the new system is underway, it must retroactively investigate previous incidents (guidance on which ones and how can be developed).

#15

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Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

Purposes:

- * Instill trust/credibility of the body (with both public & law enforcement)
 - * Provide a thorough "independent" investigation of use-of-force incidents
 - * Remain independent of any external influence and pressure
 - * Allow for an orderly & thoughtful change of members and allow for expansion, if warranted
 - * Maintain complete confidentiality
-

Q2

Organized as a separate legal entity.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

A Charter/ILA could be the means to ensure independence.

Appointments of Director, members and staff is vital to establish credibility, trust and public/government buy-in.

Q4

What skills, credentials, and prior experiences should investigators possess?

Members of the public should be mandated to attend a type of "Citizens Academy" to gain a full spectrum of knowledge. Other experience should include; law enforcement, legal, conflict resolution, crisis intervention/de-escalation, psychology, sociology, and interviewing techniques. Just to name a few.

Q5

A Combination of all Three

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

Sufficient independent investigative resources must be in place to ensure a timely response to larger jurisdictions .

The rules of evidence will/should apply to local LE agencies. These are in place already.

When an incident occurs, a sub-team of independent “advisors” should be dispatched to the scene to ensure proper preservation/collection of evidence and begin liaison with the involved organization.

Routine meetings should be held with various LE agencies to foster open communication and proper relationship maintenance.

Q7

What is your name? (Optional)

John Hutchings

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

Everything possible should be done to ensure political pressure is not involved in the work.

The thorough investigative process should drive the investigation rather than, politics, activism or finance.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

Create the legal formation of this body. A Director should be named right away. Write the Charter/ILA/MOU necessary to form cooperation with organizations.

Begin immediately to create the process for the body and members. Establish criteria for recruitment & training.

In the short-term, select a couple independent members to begin working (on a trial basis) with organizations to indoctrinate them into the process. This will present some long-term “issues” that should be addressed. These few folks need to be properly vetted to assist not hinder LE’s role.

#16

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Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

To research what opportunities exist for independent investigations. What the cost might be and what resources will be needed.

Q2

Nested within a larger external agency.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

Accountability to someone outside of the police agency. Yes, the appointment of the director and staff certainly matters.

Q4

What skills, credentials, and prior experiences should investigators possess?

They need to have extensive and PROVEN investigative skills. In addition writing, attitude, gets along well with others, know how to disagree without being disagreeable and a diverse mindset.

Q5

A Combination of all Three

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

This is complicated. However, I am sure with enough discussion and planning this can be done.

Q7

What is your name? (Optional)

Monica Alexander

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

I believe we have a wonderful opportunity to make things better in our state. However, just because it looks difficult does not mean we cannot achieve this goal.

Q9

Respondent skipped this question

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

#17

COMPLETE

Collector: Web Link 1 (Web Link)
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Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

The purpose of the organization is to investigate and if need be, prosecute police use of force. My pray is, that overtime it will cease to exist because police use of force no longer exist.

Q2 **Organized as a separate legal entity.**

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

Create it by statute to be a independent state agency. The appointment process, the recruitment for staff, or other factors do matter, and dictate deeper discussion.

Q4

What skills, credentials, and prior experiences should investigators possess?

They can come from any walk of life, but must be trained on how to investigate these cases using a Racial Equity Lens. They must receive Undoing Institutional Racism (UIR) training, and that training must be repeated every 3 years. They should receive implicit/explicit bias training as well.

Q5 **A Combination of all Three**

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

The Canadian experience that was presented is a model that can be used as a guide.

Q7

What is your name? (Optional)

NAACP Alaska Oregon Washington State-Area Conference

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

Yes. They must be accountable to a community organization(s) that do UIR and Anti-Racist training, to ensure that they continue to use a Racial Equity Lens in their daily work.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

1. CJTC must provide UIR training and the training must be repeated every 3 years .
 2. The requirement of a family liaison must be enforced in all pending and future cases.
 3. This Task Force must come up with a new standard for use of force and police liability.
-

#18

COMPLETE

Collector: Web Link 1 (Web Link)
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Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

To investigate misconduct and crimes committed by law enforcement personnel in an objective and fair manner.

Q2 **Organized as a separate legal entity.**

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

For appointment of a director, the governor must appoint a temporary panel who will then recruit and appoint the director. The panel must include a clear majority of community voices who have no law enforcement background and must also include some voices with law enforcement expertise. The panel must also include representatives from organizations that are known to advocate for justice on behalf of police brutality victims.

One idea for how to fire the director: have a nonpartisan panel composed of the governor and majority/minority leaders of the legislature and perhaps additional elected voices. This panel would receive periodic (quarterly?) reports from the director and are on point to respond to any new concerns that emerge regarding the director's fitness to serve in the role. Removal must be for good cause.

Q4

What skills, credentials, and prior experiences should investigators possess?

Investigators should be able to conduct a competent investigation that upholds the potential defendant's constitutional rights and produces evidence that is admissible in court. Investigators must be good advocates for the victims harmed by the incident they are investigating. Past experience running administrative investigations or even criminal investigations would certainly be valuable, but the investigative team for a single investigation must not be composed of a majority of investigators with prior law enforcement experience.

Q5 **A Combination of all Three**

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6
How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

Agency must employ people across the state, but how exactly to do that is tricky. Ontario has a model of hiring retired officers to be "on call" to get to crime scenes in their home's area, but I'm skeptical that this will work as well as we want it to because it relies on a network composed almost entirely of former law enforcement to be the "first eyes on the ground" of the investigation. Generally, the agency should be sufficiently resourced to experiment with and iterate on how they can meet this need. I don't think it's something we can solve in the legislation stage. However, my instinct is that we may want to have two headquarters for the group, on the east and west side of the state respectively. Investigators can be expected to work remotely when possible and then commute to their districts' office when necessary (like to store and analyze physical evidence). However, I also expect this idea to have flaws in it that I can't see, which is why we need to make sure the agency can adapt and change their working structure as needed.

Q7
What is your name? (Optional)

Livio De La Cruz

Q8
Do you have any other recommendations related to the structure of the investigative body or investigators?

Certainly no current law enforcement allowed to join the agency. This means one cannot work in law enforcement part time and also work for the independent investigation agency part time. (Also, if someone's working as a police officer and they apply to work at the agency before quitting their cop job, I think that's fine.) Past law enforcement should be included in the agency's ranks, but they must not be allowed to be more than a certain percentage of the staff. There must also be extensive orientation and training in order to onboard previous police officers to the role.

Q9
Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

As an interim system, I would have the legislature mandate (and fund) the AG's office to conduct investigations for the scope (or perhaps a subset of the scope) of cases that the independent agency will be charged with investigating.

#19

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Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

Initially it should have the capacity to do criminal forensic investigations of police and correctional officer uses of deadly force and actions that result in death, substantial bodily harm, or great bodily harm, and also should investigate sexual misconduct by these actors. The results should be decided by a special prosecutor for fairness.

Over time, the entity can take on additional investigations, misconduct investigations, and be a respository for data.

Q2

Organized as a separate legal entity.

What is the preferred structure for the investigating body?

Q3

How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

Independence is guaranteed by the appointment process, by who can terminate the director, and by audits and reports.

Yes appointment process for the director and staff matters. This panel should include mental health expert and deescalation expert. The governor should appoint a panel made up mostly of community, with some law enforcement, and that panel should select the director.

That is the only role of this panel.

We are trying to not create too many structures and new systems.

Using existing elected persons, to oversee and have authority to terminate the director.

Such as the gov, It gov, house speaker, senate majority leader, and minority caucus leaders. That keeps elected people in the mix, and doesn't create an expensive system for oversight.

Require the director to do quarterly reports to these 7 people and post the reports on the internet.

Require the state auditor to do annual audits.

Q4

What skills, credentials, and prior experiences should investigators possess?

should be forensic investigators and criminalists. It is a professional field and also include mental health and deescalation credentials.

Q5

Civilian

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

the entity can have two regional offices, east and west. statistically, we know where the deaths and injuries are going to occur. we can also have contracts with individuals who can serve these roles as needed we do have to have protocols for the involved agency to secure the scene.

Q7

What is your name? (Optional)

Nina Martinez

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

Yes, independence is crucial and skilled experts are crucial.

Law enforcement will say they are the only ones with the skills, and that the law requires them to do the investigation.

We do need to make sure the investigators will produce a report that is used by the special prosecutor and must amend state law so that is clear. We can do that by making the investigators specially commissioned civilian law enforcement and requiring them to meet professional qualifications.

We have to keep the special prosecutor separate from the investigation entity. That is why we are recommending that the AGO be the special prosecutor and that the AGO not be involved in the investigation entity or oversight of that entity.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

take it away from regional teams entirely.

have it managed by the UW law school until the new entity is up to speed.

#20

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Page 1

Q1

What do you feel the purpose of the organization should be and what should it be overtime?

1. What do you feel the purpose of the organization should be and what should it be overtime?

There is no one you can call when police, corrections officers, or probation officers commit an act of crime, harassment, domestic violence, retaliation, false arrest and/or serious injury and or lethal act of violence against you or someone you love.

The purpose of this agency must be providing an independent investigative AND prosecutorial agency with all of the necessary powers to uphold justice for civilians victimized and/or potentially victimized by police and state sanctioned "peace officers"

This agency should recruit and develop, with community oversight, an independent and autonomous workforce of investigators, prosecutors, data specialists, forensic examiners, family liaisons, lawyers, and other personnel, to form the necessary powers, resources, capacities, to provide the public with anti-racist, independent, rigorous investigations of officers and agents of the state in response to deaths and serious injury in custody, sexual assault allegations, domestic violence, and any other illegal activity committed or potentially committed by law enforcement.

In tandem with the PRIMARY function of criminal investigations of police which is the foremost high priority,

the second high priority of this agency must be to investigate and analyze patterns of practice and policies in local jurisdictions giving rise to preventable harm and death of civilians.

the third high priority of this agency must be to directly perform, support, and/or review administrative investigations of police and police departments.

Resources, compliance, and accountability measures in place for this agency must be commensurate with the task at hand and include substantive legal, budgetary, and statutory devices in place to enforce compliance including but not limited to holding agencies which fail to comply with investigations criminally and civilly liable.

"Over time" this agency goal must be prepared to leverage its investigative and analytical capacities to address broader and deeper systemic inequities embedded in the institution of policing which precipitate harm against civilians, against the public, as well as crimes against justice. disproportionate minority contact, and in particular predatory policing. The agency's mandate must allow for analyzing these incidents in context. "Over time" in this context is in quotations because the

Analysis of systemic contributing factors meanwhile must NEVER function to excuse or obscure the culpability of specific officers as actors within the system. Conversely this analysis/research/systemic investigation must take place to to address in parallel (through criminal, administrative, legal, budgetary, and statutory accountabilities) both the specific, and systemic auspices of systemic violence against civilians and vulnerable communities.

Again to reemphasize: systemic changes and strategies to prevent future harm though pursued by this independent agency must never be construed as remedy, or as justice served when not including direct and explicit legal accountability for officer actions, (EG TPD banning chokeholds is NOT and must NEVER be construed by our legal system or its actors as representing Justice for Manuel Ellis). Furthermore pursuits of systemic justice must be approached as a complement to legal pursuits of justice for individuals and impacted families. Within the work of the agency any actions toward systemic justice never be held or construed as at odds with pursuit of specific individual justice for irreparable harm, lives lost, and damages done to civilians and to our communities. The complementary nature of pursuits of systemic and specific justice may need to be operationalized within the organizations budget in such a way that these pursuits do not take away from each other.

The creation of the agency itself is part of a pursuit of systemic justice because there is no existing system with the necessary powers, structure, resources and accountabilities to effectuate criminal accountability for police and corrections officer violence. Therefore this agency should proactively engage disproportionately impacted communities, impacted families, and community

Post-Meeting Survey: Task Force Meeting 4

organizers to understand proactive and systemic patterns of practice and matters it can prioritize in its analysis and investigations - the agency should serve our communities. This may mean that the agency must have a branch specifically focused on analysis of department policy, trends, data analysis, systemic factors looking in particular at how violence against Black people is normalized and "converted into justifiable use of force" (Devon B Carbado, UCLA Law) And developing methods to counteract this conversion . The agency should consult with, and hear from, as a matter of course, individuals and communities disproportionately impacted by each touch point in the criminal legal system in order to understand their experiences. The agency should have resources to support community participation and consultation as critical and essential to effectively inform its activities.

Finally This agency must as a part of its mandate, have specialized staff working from a trauma informed lens to engage families (and individuals who have been impacted by officer violence) with practical necessary resources - this is a critical function necessary for #1 Fairness and support (which cannot be overemphasized), #2 The need to navigate complex, challenging, confusing, and potentially retraumatizing systems in order to navigate the legal system. #3 Family members may be material witnesses in the case and how can they trust, or engage in the investigation if they have unmet basic needs. Accordingly this agency must have at its disposal the necessary resources and supports to effectively engage victims, survivors, and impacted families - with practical and urgent resources, informed by impacted communities and families with respect to the types of services, resources, and engagement approaches should be available.

Q2 **Organized as a separate legal entity.**

What is the preferred structure for the investigating body?

Q3
How do we guarantee independence of the agency and does the appointment process for the director, the recruitment for staff, or other factors matter?

Appointment process should include search panel with a supermajority of participation from Black and Indigenous communities disproportionately impacted by officer violence. We must guarantee the agency's independence with respect to 1) Budget protection, Tenure of leadership, Appointment Process, Community Oversight. Director should be recruited by civilian taskforce search committee of impacted communities and impacted families with advisory committee support and available consultation from other jurisdictions which independently investigate police violence. Recruitment and enlistment of lead investigators further supervised and informed by oversight committee. I believe the existence of this agency should be enshrined in the WA state constitution.

Q4

What skills, credentials, and prior experiences should investigators possess?

Investigators should be civilians. Investigators should possess analytical skills, auditing skills, investigative and listening skills. There should be multiple types of investigators, some with data analysis and policy analysis, some with procedural knowledge of policing, majority with deep knowledge of structural racism, interpersonal racism oppression, victimization, and patterns of predation. Knowledge and training of the criminal legal system. There should be no current law enforcement. We must be wary of how law enforcement involvement normalizes the justification of violence against Black people and actively converts that violence into justifiable force, meaning cops may be unable to effectively and objectively investigate and/or scrutinize officer actions with respect to conduct engaging Black people. Considering this, and considering the predominant challenges to an agency such as the SIU in Ontario with its core and most fundamental criticism being that it is primarily comprised of former officers - this agency must be developed to build and establish civilian workforce to address a more fundamental monopoly of police over systems of justice altogether. With that said, I believe the director of this agency must be a civilian and must never have been a police or corrections officer as a prerequisite for eligibility. I believe that the lead investigators and lead staff of the agency should similarly be civilians and never have been officers. I believe that within their discretion and - I believe that if community oversight does find and warrant that the enlistment of former officers makes substantial contributions to the pursuit of justice against cops, that there must be a deep and thorough process for vetting any such investigators, analyzing their history, and I believe that parameters should be set, such that at no point in the agency should any more than 25% of investigators be former officers, as a rule in the interest of recognizing that the over-reliance on cops fundamentally compromises (through conflict of interest, conditioned bias, and systemic inequity) the effective pursuit of justice for civilians - and further recognizing that if cops were the solution to police violence/mass incarceration/violence against civilians, we wouldn't need this taskforce or this legislation in the first place. We are at the onset of the development of an entirely missing system of justice to protect civilians, and therefore our greatest risk is that falling back on old systems will stunt the growth and development of a paradigm which needs to change nationwide.

There is a quilt and constellation of necessary intersecting skills from various, analytical, regulatory, investigative, forensic, - Journalists, Auditors, Accountants, Private Investigators, Therapists, Video and media analysts, Medical examiners, Forensic examiners, Lawyers, Policy analysts,

Q5

Civilian

Should the investigators be civilian, current law enforcement, former law enforcement or some combination of each?

Q6

How do organizations that serve a large geographic area ensure a timely response to local incidents and the preservation of evidence?

Agency must have a Statewide office w regional offices to secure crime scenes and preserve evidence. Guaranteeing budget is adequate to address geographic and jurisdictional scope assigned to the agency must also be fundamental to supporting this.

Q7

What is your name? (Optional)

Christopher Jordan

Q8

Do you have any other recommendations related to the structure of the investigative body or investigators?

Many more.

Q9

Do you have any recommendations for our current system related to the structure and investigators? This may be needed in the interim even if a new system is created.

This question is super complex and there's a lot to consider. I believe one of our final actions should be forming a subgroup to pursue this question, and bringing together resources for them to invest time in developing the best ramp up and recruitment strategy for the agency, a strategy that works with impacted communities and families as a fundamental component guiding the agency's formation and oversight.
