



# Advisory Board Handbook

**Adopted November 26, 2024**

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# Introduction

The Washington State Office of Independent Investigations (OII) was created in statute by [Engrossed Substitute House Bill 1267](#). The bill was introduced at the Governor's request in the 2021 legislative session, passed by a majority vote of both chambers, and signed by the Governor on May 18, 2021. The bill became effective on July 25, 2021 and is codified in [Chapter 43.102 RCW](#).

As stated in the legislative intent for HB 1267, the Washington legislature created the office due to the outpouring of frustration, anger, and demand for change from many members of the public over the deaths of people of color resulting from encounters with police. Recent deaths in the United States and within Washington resulted in a call to lead Washington to a new system for investigating deaths and other serious incidents involving law enforcement officers.

The OII Advisory Board ("Board") consists of 11 members, appointed by the Governor, representing a cross-section of individuals either involved in or impacted by law enforcement agencies, and/or have other expertise relevant to the work of OII. The appointments must also reflect the cultural diversity of the state of Washington.

This handbook serves as an introduction to the OII Board, its duties, responsibilities, and norms. Any questions regarding the contents of this handbook should be directed to the OII board co-chairs.

# Advisory Board Members

The following are sitting board members, as of October 2024:

**Monica Alexander**, Pierce County, representing a member of the Criminal Justice Training Commission

**Eric Drever** (co-chair), King County, representing a police chief who is also the member of an independent investigations team

**Norma Gallegos**, Chelan County, representing the general public - not current or former law enforcement

**Anthony Golik**, Clark County, prosecuting attorney representative

**Philip Harju**, Thurston County, representing a federally recognized tribe in Washington (Cowlitz), who is not current or former law enforcement

**Monisha Harrell**, Snohomish County, representing the general public - not current or former law enforcement

**Susie Kroll**, Snohomish County, credentialed mental health professional who is not current or former law enforcement

**Faapouaita Leapai**, King County, representing the general public - not current or former law enforcement

**James Schrimpsheer**, King County, representative of a police officer labor association with experience in homicide investigations

**Fred Thomas** (co-chair), Pierce County, member of the general public representing a family impacted by an incident under the jurisdiction of the office

(Vacant), defense attorney representative

The following are former board members and their dates of service:

**Breean Beggs**, Spokane County, defense attorney, 2021-2023

**Dustin Howie**, Spokane County, defense attorney, 2024

# Board Duties

<b>RCW</b>	<b>Category</b>	<b>Short Description</b>
<a href="#"><u>43.102.030</u></a>	Consult	Prioritization of investigations
<a href="#"><u>43.102.040</u></a>	Recommend	List of candidates for Director
<a href="#"><u>43.102.050</u></a>	Training	Utilize antiracist lens in Board duties
	Consult	Plan to implement regional investigation teams
	Consult	Proposal for training individuals who are nonlaw enforcement officers to conduct competent, thorough investigations of cases
	Consult	Plan to review prior investigations of deadly force
<a href="#"><u>43.102.060</u></a>	Input	Hiring process and hiring goals, including diversity
	Approve	Hiring of a previously commissioned law enforcement officer
<a href="#"><u>43.102.080</u></a>	Consult	Prioritization of investigations based on resources and other criteria
	Receive	If the office is not able to complete an investigation within 120 days, the Director shall report to the Board the reasons for the delay

<b>RCW</b>	<b>Category</b>	<b>Short Description</b>
<b><u>43.102.130</u></b>	Input/recommend	Selection of the Director, including candidates
	Input	Plans required to be developed for the office, including regional investigation teams
	Participate	Employment interviews as requested by the Governor or Director
	Receive	Briefings or reports from the Director relating to data, trends, and other relevant issues, as well as cases under investigation
	Maintain	Confidentiality of the information received during the course of any work as Board members
	Training	Utilize an antiracist lens in Board duties
<b><u>43.102.800</u></b>	Assess	Jurisdiction of the office
	Consider	Available data and information on in custody deaths, the capacity and resources of the office, and any modifications to procedures and processes necessary for the office
	Consider	Recommendations and counsel of the director when conducting the assessment under this section
	Request	Analysis of available data, including identified trends and patterns, and other information relevant to in-custody deaths involving criminal acts committed by involved officers, sexual assaults committed by involved officers, and other types of incidents
	Submit	Report with recommendations on OII jurisdiction to the legislature and Governor by November 1, 2023

# Bylaws

## 1.0 Bylaws Purpose

The purpose of these bylaws is to provide clear guidance and accountability for the Advisory Board (“Board”) of the Office of Independent Investigations (OII).

## 1.1 Bylaws Acknowledgement

All appointed members of the OII Board must acknowledge in writing that they have read, understood, and will abide by these bylaws.

## 1.2 Bylaw Amendments

These bylaws may be amended at any regular meeting upon a majority vote of the Board, provided that the amendment has been submitted in writing to the Board Chairs at least one calendar week before the meeting.

## 1.3 Violations

All complaints received from any entity regarding any Board member will be referred to the co-chairs and OII Director for discussion and appropriate action, up to and including a request to the Governor’s Office for a replacement.

All complaints involving the OII Director will be forwarded to the Governor’s Deputy Chief of Staff.

## 2.0 Board Purpose

The purpose of the OII Advisory Board is to provide input to the OII Director, as specified in [Chapter 43.102 RCW](#), and to provide input to the Governor on the selection of the Director. The Advisory Board is not an oversight entity of OII.

The Advisory Board exists to provide strategic counsel and support to the Director, ensuring the success of the Office of Independent Investigations. It fosters diversity and inclusion, bridges the gap between law enforcement and impacted communities, and provides a voice for the community by vetting key staff, providing input on policies, and serving as a communication link to OII.



## 2.1 Authority

The OII Board is governed by [Chapter 43.102 RCW](#) and specifically the provisions of [RCW 43.102.130](#).

## 2.2 Membership

In accordance with [RCW 43.102.130](#), the Board consists of the following 11 members, appointed by the Governor:

- i. Three members of the general public representing the community who are not current or former law enforcement, with preference given to individuals representing diverse communities;
- ii. One member of the general public representing a family impacted by an incident of the nature under the jurisdiction of the office, who is not current or former law enforcement;
- iii. One member representing a federally recognized tribe in Washington, who is not current or former law enforcement;
- iv. One defense attorney representative;
- v. One prosecuting attorney representative;
- vi. One representative of a police officer labor association with experience in homicide investigations;
- vii. One sheriff or police chief who is also a member of an independent investigation team;
- viii. One credentialed mental health expert who is not current or former law enforcement; and
- ix. One member of the criminal justice training commission.

## 2.3 Officers

The Governor appoints the co-chairs of the Board. If a person who currently serves as a co-chair chooses to leave the Board, notification will be made to the Governor's Office to appoint a new co-chair.

## 2.4 Appointment Terms

Members of the OII Board are appointed for terms of three years and until their successors are appointed and confirmed. However, the Governor will stagger the initial appointment terms of the Board members with the terms of five members being for two years from the date of appointment and six members being for three years from the date of appointment. The Governor designates the appointees who will serve the two-year and three-year terms.

## 2.5 Compensation

Board members serve without compensation, but must be reimbursed for travel expenses as provided in [RCW 43.03.050](#) and [43.03.060](#).

## 2.6 Travel

The OII Director/designee is responsible for approving all travel. Board members must obtain prior authorization from the Director/designee before incurring any expenses beyond travel related to the regularly scheduled Board meetings, if said meetings are conducted in person. Board members should always utilize the most economical method of travel. Board members must submit claims within 30 days of the completion of the claimed travel. Unauthorized expenditures will not be reimbursed.

## 3.0 Meetings

Meetings of the Board will be open to the public. All or a portion of a meeting may be conducted in closed session to maintain confidentiality as required by [RCW 43.102.130\(3\)](#) or other applicable law.

### 3.1 Quorum

A quorum must consist of a majority of the voting members of the Board.

### 3.2 Votes for Board Decision-making

Decisions of the Board require an affirmative vote of at least seven members, except as provided in this section or by law.

Board members may vote during the meeting. Votes may be submitted via email in advance of the meeting if a board member cannot be present for the meeting. If a board member must leave a meeting unexpectedly and still would like to cast a vote,

the board co-chairs have the discretion to determine how or whether that vote should be received.

Board members may choose to abstain or recuse themselves from any vote.

- Abstaining from a vote means that a board member chooses not to cast a vote on a particular matter. When a board member abstains from a vote, the majority needed to pass a vote decreases by one vote.
- Recusing from a vote means that a board member disqualifies themselves from voting on a particular matter due to a conflict of interest or other ethical considerations. When a board member recuses themselves from a vote, the majority needed to pass a vote also decreases by one vote.

### 3.3 Meeting Schedule and Notification

The Board will adopt an annual schedule of regular Board meetings for each calendar year. Regular Board meetings will be held at such time and place to efficiently carry out the Board's responsibilities. Board members will make reasonable efforts to be culturally sensitive in scheduling meetings, such as avoiding recognized holidays or other days of importance.

Notification of meetings will be given to interested parties and posted on the OII website.

### 3.4 Meeting Minutes and Agenda

OII staff will provide administrative and clerical assistance to the Board, in accordance with [RCW 43.102.130](#). The minutes or meeting summaries of all Board meetings will be taken by a designated member of the OII staff in attendance.

Minutes for the previous Board meeting and the agenda for the next scheduled Board meeting will be provided to the Board and interested public at least five days prior to each regular Board meeting.

### 3.5 Meeting Attendance

OII staff recording the minutes or meeting summaries of all Board meetings will take attendance of the Board members for the permanent record.

Board members will attend all Board meetings, unless excused by the Board co-chairs. A request to be excused must be submitted in writing at least 24 hours prior to the

meeting. Board members are encouraged to be punctual in their attendance of meetings.

Inability of Board members to regularly attend Board meetings may result in their removal from the Board. The unexcused absence of a Board member from two consecutive regular Board meetings may result in a request by the co-chairs to the Office of the Governor that a replacement be designated.

An absence is unexcused when no prior notification is provided to the chair(s). An absence is also unexcused when notification is provided, but the reason for the absence does not meet the requirements of an excused absence. An absence is excused if it pertains to family, medical emergencies or prescheduled work-related commitments.

### 3.6 Accommodations

All in-person meetings of the Board must be held in accessible facilities. All efforts will be made to accommodate Board members' expressed needs for any reason for accommodations to improve their ability to participate in Board meetings.

### 3.7 Meeting Ground Rules

In conjunction with Section 6 (DEI, Respectful Workplace Environment, and Anti-Discrimination and Harassment), the following are the approved ground rules to be utilized by Board members during Board meetings:

- We agree to treat other participants' reflections and questions with respect. We acknowledge once again that we may be at different stages of learning on the topic.
- We recognize that we must strive to overcome historical and divisive biases, such as racism and sexism, in our society.
- Address the problem, not the person.
- Everyone has come to the table to learn, grow, and share. We acknowledge that we may be at different stages of learning on the content and discussion topics.
- Remain open to different people, experiences, and ideas.
- One person will speak at a time.
- Let everyone participate.
- Items placed in the "Parking Lot" will be addressed and/or will have actions items assigned to them.

- Contribute to meeting goals.
- Stay on task.
- Respect time.
- Come prepared.
- Be brief.
- Share a vision of what is possible.
- No phone calls – emergency interruptions only.
- Presume good intent.
- Support the decisions that are made by the Advisory Board.

## 4.0 Ethics

Board members will demonstrate the highest standards of personal integrity, truthfulness, honesty and fortitude in all activities in order to inspire public confidence and trust.

Board members will serve in such a way that they do not receive or accept any undue personal or professional benefits from the performance of official duties.

Board members must comply with the requirements of [Chapter 42.52 RCW](#), Ethics in Public Service. Board members may not accept, seek or solicit, directly or indirectly, anything of economic value as a gift, gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the Board member or be considered part of a reward for the Board member's action or inaction.

Board members staff are encouraged to raise ethics questions and concerns. No agency representative will retaliate against another who raises an ethics question or concern.

### 4.1 Conflict of Interest

Board members will avoid any interest or activity that is in conflict with the official duties of the Board. If a Board member may have an interest, financial or otherwise, direct or indirect, or benefit from a business transaction or professional activity, or incur an obligation of any nature, related to a vote of the Board, that member should recuse themselves from that decision.

Members should also avoid activities that could reasonably give the appearance of a conflict of interest to a member of the public.

If OII initiates an investigation into an incident to which the Board member has either a personal or professional connection, the member will disclose that connection to the Board co-chairs and OII Director and actively take reasonable steps to avoid receiving information related to the incident or disclosing information received through the member's Board duties related to the incident.

## 4.2 Confidentiality

Per [RCW 43.102.130](#), Board members have a duty to maintain the confidentiality of the information they receive during the course of their work on the advisory board. Each Board member must agree in writing to not disclose any information they receive or otherwise access related to an investigation, including information about individuals involved in the investigation as involved officers, individuals who are the subject of police action, witnesses, and investigators.

Board members may receive employment applicant information as part of their duties. Applicant information is confidential, including the name of the applicant. Board members may not disclose to anyone outside of the OII recruitment team or other members of the Board that someone has applied for a job at OII, if that information was obtained from OII, unless specifically approved by OII.

## 4.3 Access to OII Assigned Legal Counsel

Any questions that Board members would like to refer to OII's assigned legal counsel through the Attorney General's Office should be first referred to the Board co-chairs and OII Director or designee.

## 4.4 Public Representation and Media

Board members will represent the Board in a professional manner, both externally to the public and internally with other Board members, the OII Director, and OII staff.

As individuals, Board members will use discretion to avoid the appearance of speaking for the Board, unless specifically authorized to do so.

Board members are required to communicate to the Board chairs and OII Director within a reasonable time frame any material event related to their service on the Board.

Examples of material events include, but are not limited to, the following:

- Providing public opinion, commentary, or written recommendations which would reflect an official Board position

- Statewide committees, task forces, or board appointments, that are the result of Board affiliation
- When contacted by a member of the media to discuss information regarding the Board, its work, or legislative priorities

## 4.5 Social Media

As stated above in Section 4.4, if a Board member is providing public opinion or commentary regarding OII or Board business, the Board member must communicate that to the co-chairs and Director. Board members should also be aware that opinions or communications made about OII or Board business that are made in a Board member's official capacity are considered public record and have to be appropriately captured and maintained as public records.

Board members are encouraged to clearly establish that any comments, postings, or other related communications made via social media are in their personal capacity. Suggested ways to accomplish this include:

- Clearly state on the member's profile that any comments, postings, or other communications represent the individual's personal opinions and are not reflective of the Board.

## 5.0 Public Records

"Public record" is broadly defined and refers to any communication, image or sound and includes not only conventional documents, but also videos, photos, and electronic records including emails and computer data.

State agencies and boards are required to have available for public inspection and copying their public records, such as procedural rules and statements of general policy, and other records, written or electronic, pertaining to the board's business. Records relating to the conduct of official business are subject to disclosure even if they are on a personal computer. Note that social media may also be subject to disclosure.

Board members, when acting in the capacity as advisory board members, are subject to the Public Records Act (PRA), [Chapter 42.56 RCW](#). Any records that are created, provided, used or maintained by an advisory board member for their use as an advisory board member would be a public record subject to disclosure unless an exemption existed.

Exemptions to disclosure are limited and identified in statute. A general discussion of exemptions can be found in Chapter 2 of the [Open Government Resource Manual](#). The following are several types of exemptions:

- Personal Information
- Public Employee Records
- Certain Law Enforcement Records
- Certain Business-Related Information
- Health Information
- Government Services and Benefits

A requester is not obligated to identify their purpose in making the request and the agency generally cannot differentiate their response based on the identity of the requester. No particular form of public records request is required, although generally the requestor must specify that the records are being requested under the PRA and identify the documents with reasonable clarity to allow the agency to locate them. The agency is not required to create records to respond to a request.

Board members are not responsible for interpreting public records laws. Upon receiving a request for any record that appears to be related to the Board member's work as an advisory board member, the request should be immediately forwarded to the designated OII staff person. Please note in the subject line "Public Records Request." OII staff will work with you to interpret the request, identify records, and respond to the requester.

OII must respond to a request for public records within five business days of receipt of the request. [RCW 42.56.520](#). It is imperative that requests are forwarded as soon as possible.

## 6.0 Diversity, Equity, and Inclusion

[Placeholder for Board's DEI policy.]

### 6.1 Respectful Workplace Environment

The Board believes in creating a work environment anchored in respect, dignity and civility. This policy outlines the Board's firm commitment to ensuring a positive, healthy and professional work environment in which all people, irrespective of their position, are treated with respect, civility and dignity.



A truly respectful workplace requires the cooperation and support from each and every person. All Board members have a responsibility to set a positive example and behave in a manner that will not offend, embarrass or humiliate others.

Sometimes individual actions and behaviors, without intent, can offend others: there may be a gap between intent and impact. In these situations, it is important that individuals own their behavior and work to build trust and respect in professional relationships.

Respectful behavior includes, but is not limited to, the following:

- Engaging others with an open, collaborative and cooperative approach.
- Valuing the diversity and the human rights of others regardless of their race, national or ethnic origin; color; religion; age; sex; sexual orientation, gender identity or expression; marital status; family status; veteran status; body shape/size; or any physical or mental disability.
- Recognizing the dignity of a person through courteous conduct.
- Committing to learn and develop an understanding of differing social and cultural norms.
- Taking responsibility for one's actions, displaying humility with mistakes and offering others grace and forgiveness for theirs.
- Emphasizing positivity and commonality rather than opposition or right and wrong.
- Finding ways to be constructive in providing feedback to others.

Disrespectful behavior includes, but is not limited to, the following:

- Offensive or inappropriate remarks, jokes, gestures, material (electronic or otherwise) or behavior
- Yelling
- Belittling
- Reprimanding in the presence of others
- Aggressive or patronizing behavior
- Embarrassing or humiliating behavior
- Intimidation and/or coercion
- Damaging gossip or rumors
- Bullying

- Inappropriate physical contact
- Covert behavior (inappropriately withholding information, undermining, underhandedness)
- Micro-aggressions
- Discrimination
- Harassment
- Sexual harassment
- Behavior that is inconsistent with creating a work environment anchored in respect, dignity, equity, civility and inclusion.

All Board members are expected to treat all persons with whom they interact in the course of their Board duties with dignity, civility and respect. Board members are also expected to speak up when they see disrespectful behavior, or to report it so it can be addressed. Board meetings should be safe spaces for positive discourse, debate, and engagement.

## 6.2 Anti-Discrimination and Harassment

The Board is committed to ensuring that members are treated respectfully and are free from discrimination and harassment, including sexual harassment.

Discrimination, harassment and sexual harassment of any kind are prohibited by law. They will not be tolerated. It is the responsibility of all Board members to foster and maintain a welcoming, inclusive, professional and safe workplace.

In addition to the conduct outlined in our respectful work environment policy, harassment based on a protected class is prohibited. Harassment is when, based on membership in a protected class, an employee must endure offensive conduct as a condition of continued employment or when the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive. Types of harassment that fall within this category include, but are not limited to the following:

- Sexual harassment
- Gender-based harassment
- Racial and/or ethnic harassment
- Age-based harassment
- Disability-based harassment

- Sexual orientation harassment
- National origin harassment
- Religion-based harassment

For example, with regard to sexual harassment, it is prohibited to harass a person because of that person's sex, gender identity or gender expression. The Board will not tolerate sexual harassment of any kind. This includes unwelcome sexual advances, unwelcome requests for sexual favors or unwelcome other verbal or physical conduct of a sexual nature. Such behavior constitutes sexual harassment when it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances. The victim as well as the harasser may be any gender. The harasser can be another Board Member or OII staff. The victim does not have to be the person harassed, but could be anyone affected by the offensive conduct even if unintended by the perpetrator. Behaviors leading to sexual harassment can include, but are not limited to, gestures, innuendos, jokes or playful banter.

OII strongly encourages all persons who witness discrimination, harassment, sexual harassment or retaliation to report violations to the OII director/designee. While we recognize that victims and bystanders who experience or witness this behavior may feel uncomfortable with reporting violations, reporting of this conduct minimizes future violations of this policy. We will promptly investigate allegations of discrimination, harassment, sexual harassment or retaliation.

Where such allegations are substantiated, we will take appropriate corrective or disciplinary action. This process includes support to victims and bystanders.

Retaliation or attempted retaliation against any person who files a complaint under this policy or who participate in an investigation will not be tolerated. The Board is committed to promoting an inclusive, respectful, and safe culture and environment.

# Revision History

<b>Date</b>	<b>Person Responsible for Revision(s)</b>	<b>Summary of Revision(s)</b>
November 26, 2024	Joanna Carns, as authorized by Director Rogoff	<ul style="list-style-type: none"> <li>• Updated member section.</li> <li>• Expanded language to clarify Board’s purpose.</li> <li>• Clarified language related to meetings.</li> <li>• Clarified quorum requirement.</li> <li>• Expanded voting requirements, as directed by the Board.</li> <li>• Clarified confidentiality provisions.</li> <li>• Made non-substantive formatting changes for readability.</li> </ul>