

# ADVISORY BOARD MEETING



**Date:** February 25, 2025

**Time:** 5:15 PM – 7:15 PM

## Attendees:

<b>Advisory Board Members Present:</b>	
Fred Thomas, Co-Chair	Eric Drever, Co-Chair
Monica Alexander	Philip Harju
Monisha Harrell	Tony Golik
James Schrimpsheer	
<b>Advisory Board Members Absent:</b>	
Susie Kroll	Norma Gallegos
Faapouaita Leapai	
<b>OII Staff Present:</b>	
Roger Rogoff, Director	Jane Nesbitt, Chief of Staff
Vicki Kamin, Director of Administrative Services	Antoinette Manthey, Executive Assistant to Director Rogoff
Tracy Lapps, Director of Investigations	Jessica Berliner, Senior Legal and Policy Advisor
Annette Taylor, Legislative Director	Dana Boales, Senior Organizational Development Advisor
Hector Castro, Director of Communications and Community Relations	Joanna Carns, Legislative, Rules, and Advisory Board Coordinator
Vicki Kamin, Director of Administrative Services	Felicia Cross, Community Liaison Supervisor
Lauren Smith, Administrative Assistant, Communications and Community Relations/Legislative Divisions	Andrew Hendrix, Senior Investigator

## Minutes

### Welcome

- Eric Drever welcomed participants to the meeting at 5:20 pm.

### Introduction of New Staff

- Tracy Lapps introduced Andrew Hendrix, OII's most recent investigative hire.

### Advisory Board Business

- Tony Golik moved and Fred Thomas seconded approval of the prior meeting's minutes. All voted to approve.
- Fred Thomas shared a concern that in last month's meeting, his request to table an issue was not honored. All agreed that if the co-chair calls for an

item to be tabled or “placed in the parking lot,” members should honor that decision.

- Advisory Board members continued to discuss issues from last month’s meeting related to bylaws 4.0 Ethics and 4.1 Conflict of Interest. Monisha Harrell moved and Tony Golik seconded to add the following language to 4.0 Ethics: “Advisory Board members will not seek to influence an OII investigation in their capacity as advisory board members.” All voted to approve.
- Advisory Board members reviewed 4.1 Conflicts of Interest and discussed when a board member would need to recuse. Eric Drever advised that Advisory Board members must self-monitor for conflicts and also voice when they feel another member has a conflict.
- Regarding the current board vacancy for a defense attorney, Joanna Carns shared that seven applications have been received so far, including several from eastern Washington. Director Rogoff and Chief of Staff Nesbitt will review the applications and then make a recommendation to Boards and Commissions.
- Joanna Carns announced the date of the next in-person work session: Tuesday, May 13. Topics will be shared at the next board meeting, and will include at a minimum antiracist training required by RCW 43.102.050.
- Eric Drever led a discussion regarding providing members of the public an opportunity to view Advisory Board meetings in real time. At the conclusion of the discussion, the majority of members indicated a desire to continue with the meetings without public viewing. Factors leading to the decision included: low evidence of significant public interest in attending the meetings, harassment experienced by a member due to public meetings, and the existing ability for the public to find out meeting details through the meeting minutes.
- Annette Taylor provided an update on the Advisory Board assessment of OII jurisdiction report required by RCW 43.102.800. As OII has only recently become operational and in just one region, neither OII nor the Advisory Board has the information necessary to decide whether the jurisdiction should be expanded. Annette proposed writing a memo to that effect that will be submitted to the legislature; a draft will be shared with the board prior to submission. No one objected to this plan.

## **Legislative Update**

- Annette Taylor provided an update on the current legislative session. She is currently tracking more than 50 bills and, together with OII’s new budget staff, has completed 11 fiscal notes.

- Annette also shared an update on the Office of Independent Prosecutor (OIP) legislation. The current version places OIP within the Governor's Office rather than within OII. The bill is sitting with Senate Ways and Means and legislators have until the fiscal cutoff on Friday to move it forward.
- Fred Thomas shared that the "traffic safety for all" bill (HB 1512 and SB 5521) died. He encouraged fellow members of the board or anyone interested to contact their legislators to move OIP forward.
- Fred Thomas asked if the \$100 million for law enforcement hiring, a policy objective of Governor Ferguson, would be available for OII hires. Roger Rogoff indicated that the funding would not apply to OII.

### **Five Year Training Proposal (RCW 43.102.050)**

- Hector Castro shared that the agency is seeking input from multiple people and areas, internally and externally, including the law enforcement community and members of the task force who indicated interest.
- Felicia Cross shared that she set up a profile for OII on Nextdoor and immediately received thousands of views and hundreds of comments. She invited advisory board members to attend an upcoming virtual community meeting that will be held on March 26 that will focus on this report.

### **Prior Case Review Program**

- Jessica Berliner reported that of the nine prior cases under formal review, two are close to staff making a formal recommendation to Director Rogoff regarding whether OII should open a new investigation or close the request. Jessica shared that she and other staff have been conducting a meticulous review of records for each case, which has led to a longer review timeframe.
- Jessica shared several challenges with the cases, including that compelled statements and evidence resulting from compelled statements have not been easy to separate out of case files for older investigations conducted under a prior legal framework. In addition, cases that occurred pre-Initiative 940 fall under the prior "malice" standard; cases must be judged by the standard at the time. Community members and impacted families may be disappointed by OII's inability to change the outcome of the case, even if there is new material evidence.
- Jessica is still working on a revised policy for the program and will share it with the board.

## Open Discussion

- At the request of the co-chair, OII staff left the meeting and the Advisory Board members continued with a private discussion for the remainder of the time.

## Closing

- Meeting adjourned at 7:15 pm.

**OII Mission:** To conduct fair, thorough, transparent, and competent investigations.

**OII Vision:** All investigations of police use of force will be free from bias and trusted by everyone.