Washington State Office of
INDEPENDENT
INVESTIGATIONS

# Washington State Office of Independent Investigations

# Training Proposal:

## Report to the Legislature

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## Executive Summary

This is our report on the progress and future of the Washington State Office of Independent Investigations (OII) as we implement a transformative model for conducting independent criminal investigations of use of deadly force by law enforcement.

OII has outlined its proposal to continue to hire and train investigators without prior law enforcement experience while also expanding its operations statewide.

We plan to prioritize investigative integrity and responsible use of state resources. This balanced approach will allow OII to build a sustainable model that enhances independence and public trust while maintaining the professional expertise necessary to conduct credible and impartial investigations. Achieving a balance requires thoughtful sequencing, careful workforce planning, and ongoing collaboration with the Legislature to ensure operational capacity and fiscal accountability.

OII will blend investigators from diverse professional disciplines and investigators with significant homicide investigation experience to create a high-performing team capable of maintaining public confidence and meeting statutory objectives. This balance between reform and operational readiness will ensure continuity of service, strengthen community trust, and position OII as a model for meaningful and lasting reform.

With continued legislative partnership and investment, we are confident this measured path forward will achieve the intent of the statute while safeguarding the effectiveness, credibility, and sustainability of OII's mission.

Roger Rogoff, Director of the Washington State Office of Independent Investigations

# I. Overview of Proposal

The Legislature required OII to develop a proposal for a training plan with the objective that by 2029, its cases will be investigated by nonlaw enforcement officers. This proposal must also ensure investigations are high quality, thorough and competent.

OII believes a balance of investigators with a broad spectrum of prior professional experience will best ensure investigative excellence while also achieving statutory objectives. Therefore, OII will continue to build an investigative workforce that includes both experienced criminal investigators and professionals without prior law enforcement experience, such as forensic scientists, civilian investigators, and those in other community service focused fields.

To build a balanced workforce, the agency plans to take the following steps:

- OII will increase focus on recruiting candidates without law enforcement experience, using improved recruitment and hiring strategies. This includes setting milestones and making all reasonable efforts to achieve our goals.
- We will continue to ensure all investigators we hire are committed to the agency's mission, values, and vision, and that OII culture prioritizes equity, innovation and impartial, human-centered investigations.
- We will continue to enhance our training program to ensure all investigators are exceptionally well-qualified, equipped to investigate use of deadly force incidents and capable of meeting the diverse needs of the communities we serve.
- OII will be transparent about our progress towards incorporating new strategies and achieving our goals.

# II. History of Washington State Office of Independent Investigations – Laying the Foundation

In the wake of a series of deaths involving police use of deadly force beginning in 2014, the national conversation about the need for greater accountability in law enforcement grew louder. These incidents sparked widespread concern over the consistency, fairness, and thoroughness of investigations into police actions. As additional incidents garnered continued attention, the urgency for reform grew, leading to demands for change across the country.

## A. Initiative 940 (I-940) Law Enforcement Training and Community Safety Act (LETCSA)

Demands for reform changed how criminal use of deadly force investigations are conducted in Washington. Historically, if there was a reported use of deadly force, any criminal investigation was completed by the agency that employed the officer, neighboring agencies, or regional teams at the discretion of the agency involved.

In 2017, Citizen Initiative I-940 proposed several changes to existing law, including:

- Increased training for police officers.
- Removing the requirement that a prosecutor prove the officer acted with malice to satisfy a criminal charge.
- Prohibiting the agency whose officer used deadly force from being part of the criminal investigation of that officer.

This initiative was approved by Washington voters and modified by Substitute House Bill 1064 (HB 1064). The Legislature passed the initiative and house bill in 2018 and named it the Law Enforcement Training and Community Safety Act (LETCSA). Governor Jay Inslee thereafter signed it into law.

The requirement for an independent investigation was codified as RCW 10.114.011:

> Except as required by federal consent decree, federal settlement agreement, or federal court order, where the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm, an independent investigation must be completed to inform any determination of whether the use of deadly force met the good faith standard established in RCW 9A.16.040 and satisfied other applicable laws and policies. The investigation must be completely independent of the agency whose officer was involved in the use of deadly force. The criminal justice training commission must adopt rules establishing criteria to determine what qualifies as an independent investigation pursuant to this section.[1]

[1] 2019 c 4, § 5, effective February 4, 2019. Statute was modified to include OII in 2021.

The Criminal Justice Training Commission (CJTC) published Washington Administrative Codes (WAC) to clarify the requirements for Independent Investigation Teams (IIT) when investigating an officer's use of deadly force.

While many regions around the state already used multi-jurisdictional investigation teams to investigate use of deadly force cases without including the agency involved in the incident, for the first time, this independence was formally required.

The IITs provided some separation between the investigators and those being investigated, but police reform groups and others in the community sought further independence.

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

In 2020, Governor Inslee convened a task force to provide recommendations for the development of legislation regarding investigations of police use of force. The Governor's Task Force of Independent Investigations of Police Use of Force (Task Force) included a broad spectrum of perspectives, including relatives of people who died during a use of force incident, law enforcement, criminal prosecutors, defense attorneys, and other community members.

The Task Force gathered input from subject matter experts before issuing several recommendations for the Governor and the Legislature to consider.

A key recommendation made by the Task Force was for "the creation of an independent, statewide agency that will be responsible for investigating police use of force and other serious incidents involving police."

One of the most debated issues was whether individuals with prior law enforcement experience should be permitted to serve in this new independent agency. A review of the task force meeting recordings highlighted tensions between members who opposed participation of anyone with a law enforcement background and those who argued that former officers were essential to ensure investigative competence.

Several task force members made official statements reflecting their concerns:

> "Those involved in this new investigative system need to understand, respect, and represent the most honest and impartial structure possible…In my opinion, for this to occur, it must include members from as

> many qualified groups as possible. It should not exclude law enforcement, nor should it exclude non-law enforcement. We are better together…. This new investigative body must include both non-law enforcement and those with law enforcement experience if it is to be accepted and viewed and legitimate." – Darrel Lowe, Chief of Police, Redmond Police Department
>
> "I want to emphasize the good work that law enforcement does, and to differentiate that work from the issues before the task force. The task force was asked by Governor Inslee to evaluate how to bring independence to criminal investigations of police use of force. While law enforcement conducts criminal investigations everyday into crimes where the suspect is a member of the public, we are looking at crimes where the suspect is a member of the law enforcement community. During the task force meetings, I made clear my position that police cannot and should not investigate their colleagues. It is not possible to be impartial and fair in that work. This is not meant to disrespect the work of law enforcement. It is to provide a credible process that the public and police can trust, for transparency and accountability." **–** Emma Catague, Commissioner, Seattle Police Department's Community Police Commission, Program supervisor, Filipino Community of Seattle
>
> "While I understand the task force majority's position, I believe that its 'civilian only' solution is not based in fact, is dangerous to successful investigations, and is unnecessarily expensive." – Spike Unruh, President, Washington State Patrol Troopers Association

Ultimately, the majority of task force members recommended the following:

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

This and other recommendations were contained in a report to the Governor. See **Appendix A – Governor's Task Force on Independent Investigations.**

## C. Enactment of the Statute

On May 18, 2021, Governor Inslee signed into law the bill that created OII. The statute, codified as Chapter 43.102 RCW, went into effect on July 21, 2021. The legislation created an independent investigative law enforcement agency. The purpose of the agency was clear:

> The Legislature intends that the office of independent investigations be created to conduct investigations of use of force and other cases under its jurisdiction in a manner that is competent, unbiased, and thorough. The office will be transparent and accountable for its work. The office should ensure that it treats all people with dignity and respect. The director and staff must be qualified and trained to conduct the investigations, including training to understand the impact and effect of racism in the investigation and use of an antiracist lens to conduct their work.

RCW 43.102.020 Finding — Intent — 2021 c 318.

Many, but not all, of the Task Force's recommendations were reflected in OII's enabling statute.

## D. OII's Governing Statute and Report Requirement

Pursuant to the statute, OII is a limited authority law enforcement agency created to conduct criminal investigations of officer use of deadly force. OII investigators are limited authority Washington peace officers. This designation allows OII to conduct investigations in the same manner as all criminal investigations, including applying for search warrants and seizing evidence.

The statute does not prohibit any OII staff member, including investigators, from having law enforcement experience. It does have specific background check requirements for those with prior law enforcement experience and requires approval from the OII Advisory Board to hire current or recently employed law enforcement.

OII's governing statute requires the agency to develop and share a proposal to hire and train those without law enforcement experience to investigate use of deadly force cases.

The statutory requirements for this proposal are as follows:

- Establish a training plan with an objective that within five years of the date the office begins investigating deadly force cases, the cases will be investigated by "nonlaw enforcement officers."
- Ensure investigations remain "high quality, thorough, and competent."

The statute also requires consultation with the OII Advisory Board on this proposal.

## E. Building the Washington State Office of Independent Investigations

### Creation

After Governor Inslee signed the bill creating OII in May of 2021, a small project team of four state employees was assembled as the Project Transition Team. The team's goal was to ensure the OII Advisory Board and basic operations for the new agency were in place by July 1, 2022.

The OII Advisory Board, which is comprised of 11 board members with a statutorily required breadth of perspectives and experience, was appointed in November 2021. The Advisory Board began their work to select a director for OII. Retired judge Roger Rogoff was appointed as OII's inaugural director in June 2022. Once Director Rogoff was hired, OII began working to implement policies, hiring staff, securing facilities and necessary infrastructure, and constructing a training program. OII staff also engaged communities statewide to understand their expectations and concerns regarding OII's mission and development.

### The Vision

From its inception, OII embraced a vision of hiring and training people without prior law enforcement experience to work alongside those with criminal investigative backgrounds. At the same time, OII recognized the need to begin operations as quickly as possible, requiring the development of both the infrastructure and workforce necessary to conduct legally sound criminal investigations. This foundation supports OII's mandate to conduct investigations in a manner that is fair, unbiased, transparent and with an anti-racist lens.

To build this foundation, OII created a hybrid workforce of investigators and senior investigators, meant to reflect the experience level of the investigative staff. Senior investigators were expected to have experience investigating homicides and other major crimes and the ability to conduct investigations almost immediately upon being hired. Investigators would need to engage in a lengthier training program before assuming significant responsibility in an investigation.

All investigators would need time and training to align with OII's specific operational standards and objectives, ensuring consistency and adherence to OII's policies, procedures, and ethical guidelines.

In consultation with its Advisory Board, OII prioritized hiring experienced investigators who could participate in and lead these complex investigations

during the initial phases of OII existence, allowing OII to become operational as soon as possible. We also began hiring candidates without law enforcement experience so they could start the process of becoming well-trained, experienced criminal investigators.

OII envisioned that eventually those without a law enforcement background would be sufficiently trained and experienced to be promoted to senior investigators and supervisors, ensuring a diverse range of backgrounds in critical roles across the agency.

In this manner, OII would fulfill the statutory intent and achieve operational status without diminishing the high standards expected of our investigations.

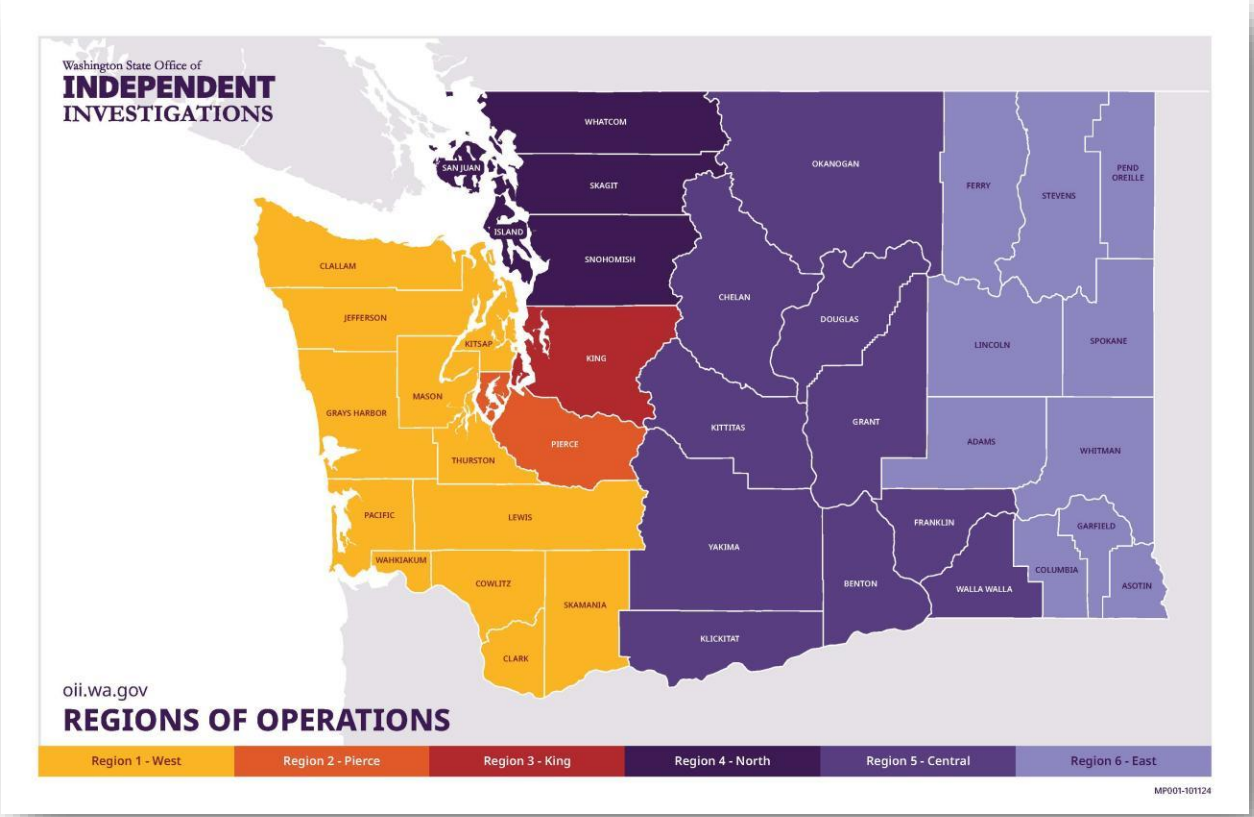
### The Agency

To complement the Investigations Division, OII created several other units designed to meet the needs of those most impacted by our investigations, and to ensure our work is human-centered. These units include:

- **The Family Liaison program:** OII family liaisons are not part of the investigation team. Instead, they are experienced professionals dedicated to giving families of people against whom force was used consistent and meaningful communication throughout the OII investigation. The liaisons also provide support to families, connect them with any available community resources and assist them with working with other government agencies, such as the coroner or medical examiner's office.
- **Tribal Relations Division:** This division is committed to developing meaningful communication and relationships with all federally recognized Tribes located in, or with rights in, Washington. If a tribal member or someone who has close ties with any Tribe is involved in an incident, early contact with tribal leadership is a priority. In addition, a tribal liaison will be available to assist with or assume the role of family liaison when that is preferred by the family.
- **Community Liaison program:** This program is designed to help OII proactively communicate with communities and organizations about all aspects of our work. Our liaisons will advocate for community needs and interests to OII leadership, ensuring those perspectives are heard. Building strong relationships with local communities before an incident occurs will increase trust between OII and the public.

## Becoming Operational

OII established six areas of operations statewide based on statistical data:




Based on limited resources, OII determined a staggered opening would allow us to begin conducting new investigations while continuing to hire and train the staff needed to become operational statewide. In the meantime, we opened our Prior Investigation Review program in July 2023. To date, OII has opened formal reviews of 10 prior investigations.

OII became operational in Region 1 on December 01, 2024, at 12:01 a.m. On December 04, 2024, the agency had its first response to a use of deadly force incident in Vancouver, Washington. Since that time, OII has responded to five additional fatal uses of deadly force and assumed responsibility for conducting those investigations.

## Current Staff

Today, OII has 65 employees. This includes staff necessary to run any state-wide agency including executive leadership, administrative services and a significant information technology unit equipped to manage the special requirements of a

law enforcement agency that handles a large amount of sensitive data and investigative material.

OII's largest division is the Investigations Division. To be operational state-wide, OII anticipates it will need approximately 108 fully trained and qualified investigators. This will ensure 12-18 investigators and supervisors are available to respond immediately to a use of deadly force anywhere in the state, assume control of the scene in a timely manner and conduct a thorough criminal investigation.

OII currently has 31 investigators of all levels, including regional investigations supervisors. Of those, 25 have former law enforcement experience in Washington or other states. [2]

The extent and nature of former law enforcement experience is varied. Several OII supervisors and senior investigators have recent experience conducting, leading or supervising homicide and major crimes investigations, while others served as reserve or corrections officers or military police. Five former law enforcement served with other state agencies for many years before coming to OII, including the departments of Health, Social and Health Services, and Labor & Industries. Others retired from law enforcement and went on to other careers before joining OII, including practicing law, consulting with the United Nations Secretariat - Counterterrorism Branch, and serving as a municipal Code Enforcement Inspector.

OII has also hired six investigators without prior law enforcement experience. Their professional backgrounds include:

- Civilian Crime Scene Specialist
- 911 Dispatcher
- Child Protective Services (CPS) Investigator
- Forensic Scientist and Latent Print Examiner
- Loss Prevention Specialist
- Certified Fire and Explosion Investigator

Each investigator and senior investigator has participated in at least one of the six OII investigations. The level of their participation during these investigations was dependent on their experience.

[2] OII defines "law enforcement" as sworn officers with county, city, state or federal law enforcement agencies, military police and armed correction officers. This includes reserve officers or limited law enforcement officers whose duty it was to investigate, apprehend, and detain individuals suspected of criminal offenses.

OII has been thoughtful about establishing the Investigations Division and its hiring of investigators based not only on their prior experience and qualifications, but their demonstrated commitment to OII's mission, values and vision.

This is how some OII investigators with prior law enforcement experience describe their work at OII:

> "These cases carry a lot of weight, and I take seriously the responsibility to handle them with fairness and neutrality. At the end of the day, I want our work to earn trust through being professional, transparent, and steady." – OII Regional Investigations Supervisor and former Independent Investigation Team member.
>
> "We owe it to all parties involved and the public to provide just the facts and a report that does not give any opportunities for any bias or mistrust. I value and respect law enforcement and do hope that by the work that we do and will continue to do that it will help to repair some of the broken relationships." – OII Senior Investigator and former investigator for several Washington State agencies.
>
> "Law enforcement wields incredible power in our society, and I believe that transparency and accountability is critical to public confidence and ultimately to effective policing." – OII Senior Investigator and former federal law enforcement officer.
>
> "I came to OII because I have seen firsthand the incredible responsibility that comes with the authority to use force…. The risks to everyone involved in any incident are undeniable. I believe OII is the most important state agency in the state of Washington. OII represents regulatory accountability and transparency over the most serious profession with the highest responsibility." – OII Senior Investigator and former Independent Investigation Team member.

Neither the OII Director nor the Director of Investigations are former law enforcement. Only one of 10 members of the Executive Leadership team has worked as a law enforcement officer, over 30 years ago.

The current Director of Investigations is a former public defender, and the Senior Policy & Legal Advisor is a former deputy prosecutor. Both have significant experience handling homicide and serious criminal cases. These two positions play a key role in developing policy and protocols that guide OII investigations.

Together, these two positions blend two different perspectives of criminal investigations, instilling a well-balanced approach to OII's investigations overall.

This approach exemplifies OII's commitment to a workforce that blends traditional investigative experience with complementary civilian expertise, a key element in achieving the statutory goals of independence, effectiveness, and fostering community trust.

OII is proud of the collective experience of its staff, including those in the Investigations Division. The diverse professional backgrounds, experience and skills of OII staff are a testament to the team's strength, adaptability, and ongoing commitment to achieving its vision of trusted and unbiased investigations.

## III. Input on OII Proposal

OII was created based on the perspectives, ideas, and experiences of a wide variety of people. The work of OII affects all parts of our community and is intended to restore trust and confidence in the integrity of use of deadly force investigations. As we began developing this proposal, we sought ideas and insights from the community about their hopes for the future of the agency.

The goal was to solicit feedback from those most invested in OII's work including families impacted by police use of deadly force, law enforcement, former members of the Governor's Task Force, the OII Advisory Board and OII staff. We also wanted to provide opportunities for the public to weigh in, and to solicit advice from other criminal investigative agencies with experience hiring and training those without law enforcement background to investigate police use of deadly force.

In general, OII asked for input about these topics:

- Whether OII should employ only those with prior law enforcement experience, only those without such experience, or a balance of mixed experience.
- The reason for their opinion and what harm they are trying to avoid with their recommendation.
- What specific skills, experience or qualities would make good OII investigators.
- Recommendations for recruiting and hiring.
- Training they would recommend in addition to OII's current training curriculum.
- Other ideas about how OII can achieve its goals.

Please see **Appendix B – Methodology** for OII methodology for seeking input and **Appendix C – List of** for a full list of participants.

# IV. Who We Will Hire

The purpose of this report is to establish a proposal to train people who have not previously been law enforcement officers to conduct investigations within five years of when we began investigating deadly force cases. Our proposal must ensure OII investigations maintain high standards of quality, thoroughness, and professional competence.

Although OII is not yet operational statewide, we already have investigators without prior law enforcement experience participating in our investigations. We expect those investigators will be capable of leading OII investigations within five years.

We also saw this report as an opportunity to evaluate the future of OII. To do that, we wanted to understand interested parties' expectations, hopes and concerns about the makeup of our investigations team. Based on those considerations, OII has outlined its goals and the commitments it will make to achieve those goals going forward.

## A. Input

### Concerns About Inclusion of Former Law Enforcement

During our outreach, many people expressed concern about the agency hiring former law enforcement as part of its investigative staff. Some believed law enforcement investigating law enforcement has not historically achieved accountability or transparency and including former law enforcement at OII perpetuates those deficiencies. There was also skepticism of the idea that only former law enforcement can effectively investigate use of deadly force incidents. Finally, some believed OII will have broken trust with impacted families if it fails to commit to creating an Investigation Division fully staffed by those without prior law enforcement experience.

Nickeia Hunter, a member of the Washington State Coalition for Police Accountability (WCPA), was among those who provided input. Her brother, Carlos Hunter, was killed by police in 2019.

"Communities are tired of investigators with past ties to law enforcement culture or unions. They want accountability and impartiality," Ms. Hunter wrote. "True

independence isn't just about who conducts the investigation — it's about whether the public can trust the process. The law that created the OII was meant to break the pattern of police-involved investigations and build something new. To honor that intent, we must prioritize training and hiring investigators who are not shaped by law enforcement culture, so the community can believe in the fairness, neutrality, and credibility of every case they handle."

Tim Reynon, a Puyallup Tribal member and a former member of the Governor's Task Force, explained why the Task Force recommended hiring non-law enforcement as investigators.

"The reason for the recommendation was to ensure substantive independence. Law enforcement investigating themselves seems like an inherent conflict and erodes the trust in the legitimacy of the investigation," Mr. Reynon said. "In the past, it was always determined to be justified. As tribal communities have a long history of conflict with law enforcement, independence is especially important."

In addition to the historical context and mistrust of the police in some communities, people expressed concerns that former officers are so deeply ingrained in their experience that even with OII training and a different approach to use of deadly force investigations, they will be unable to adjust their mindset.

"The canvas is already painted on," said one OII Advisory Board member, in explaining his concerns about this issue.

Another concern was the natural human tendency to align with those who share our experiences and perspectives, combined with law enforcement agencies' traditional emphasis on fostering strong bonds among officers.

"There was a real fear from the task force that if law enforcement is investigating law enforcement, it's simply the same system that has always been in place," said Brian Moreno, former Commissioner of Washington State Commission on Hispanic Affairs and a former member of the Governor's Task Force. "You cannot remove someone from a shared experience, that has been in the same life or death situation, who knows they have each other's backs, and then expect them to neutrally investigate one another."

Many of the comments we heard reflected the initial debates among the task force members.

### Concerns About Inclusion of Those Without Law Enforcement Experience

Just as there were concerns expressed about hiring former law enforcement officers as OII investigators, there were also those who worried about the credibility of OII investigations if its investigators do not have significant law enforcement experience.

Primary concerns included lack of trust by the law enforcement community and a failure to hold law enforcement officers accountable because of a flawed investigation due to inexperience. Many noted that even within law enforcement departments, only those officers with significant experience investigating different types of serious crimes and who are considered the "cream of the crop" are selected to conduct these types of investigations.

Teresa Taylor, Executive director, Washington Council of Police and Sheriffs (WACOPS), and a former Task Force member said "These are among the most serious and important investigations. Law enforcement professionals spend many years training and gaining experience before they are qualified to handle cases of this complexity. Someone without prior law enforcement experience cannot fully understand the intricacies of the work or the investigations themselves. Even minor errors can alter outcomes. OII investigations must be unimpeachable."

Law enforcement officials who spoke with OII noted the value of having a breadth of experience before investigating use of deadly force incidents because such investigations can include a wide range of underlying factual scenarios. From this perspective, having former law enforcement experience provides the ability to assess different types of scenes and evidence, investigate the various types of conduct that precede use of force incidents and to understand complex evidentiary concepts, such as collision and shooting reconstruction.

Of considerable concern was the lack of opportunities for OII investigators without prior law enforcement to become well-versed in the complexities and variations of serious criminal investigations given the limited number of incidents OII will investigate. As one law enforcement representative noted "without practice, skills will atrophy."

The simple familiarity with law enforcement work was crucial for some. Darrell Lowe, Chief of Police of the Redmond Police Department and former Task Member told OII "There are things only a former law enforcement officer will be able to see. It will not be a glaring error or omission, but an officer will understand the nuance and maybe something that doesn't seem right. Or they will be better able to understand and

articulate what is happening, for instance what is captured on Body Worn Camera video."

There was also a firm belief for many that having the firsthand experience of being in a stressful or life or death experience and having to make a split-second decision is essential to an effective and objective investigation. Without that experience, an OII investigator might misinterpret evidence or miss it altogether.

### Calls for Including Both Those with Prior Law Enforcement Experience and Those Without

Most of those who provided input recognized the value of having a breadth of experience and perspectives within OII investigative staff:

> "By broadening the talent pool beyond law enforcement, OII has an opportunity to build diverse, highly capable investigative teams with varied perspectives — something that enhances fairness, creativity, and effectiveness in every case." – External survey

> "As we observe growth in aggressive encounters between police and citizens and because these situations are often heated and emotional encounters it is increasingly important to have thorough, yet empathetic and professional investigations carried out by non-police as well as police examiners to ensure justice for everyone involved." – External survey

> "People with an outside perspective will have valid insights, but it's also important to have highly experienced law enforcement officers so you end up with a proficient team that is balanced, as opposed all one or the other." – Margo Morales, community member

Several believed excluding anyone with prior law enforcement would mean losing important skills and perspectives:

> "Having a mix of experience provides a balance of perspectives. Those with prior law enforcement experience bring seasoned knowledge through lessons learned, and those with non-law enforcement experience create fresh perspectives, curiosity that questions and challenges assumptions, and fosters innovation and collaboration." – OII investigator

> "Former law enforcement will assist OII investigators to understand law enforcement training, decision making, thought process and how patrol works.

> Understanding the "why" can be important to an investigation. With time and the right people, regardless of past experience, OII will become the gold standard." – James Schrimpsher, Chief of Police, Algona Police Department, Legislative Affairs Chair, Washington State Fraternal Order of Police, former Task Member and OII Advisory Board member

The Ontario Special Investigations Unit (Ontario SIU) and the British Columbia Independent Investigations Office (British Columbia IIO) were both created to conduct independent criminal investigations of officer conduct with a mandate to include or rely on investigators without prior law enforcement experience, similar to OII. When we met with representatives from these agencies, they also emphasized the value and need to have a balance of experience, including prior law enforcement experience.

From their perspective, investigators with law enforcement experience bring invaluable understanding of current trends in policing, investigative technology, and insight into law enforcement culture. Often, those investigators were better able to detect poor policing practices than those who had not previously been officers.

OII employees who work with families and community members also value the mix of experience within the OII investigation staff, noting former officers have been essential to developing their understanding of law enforcement and criminal investigation procedure and processes. They also pointed out that some of the families and communities they work with who are directly impacted by a use of deadly force may be more likely to trust an OII investigation knowing it was conducted, in part, by experienced criminal investigators.

### Candidates and Culture That is Right for OII

Overall, much of the input received centered on OII hiring people with the right mindset and instilling the right culture, rather than simply focusing on the nature of their professional experience.

Many sources suggested OII should move from the dichotomy of prior law enforcement experience and those without, to finding candidates with the essential skills and perspective to be OII investigators.

For instance, Waldo Waldron-Ramsey, former Vice President of the NAACP Alaska Oregon Washington State-Area Conference and former Task Force member, noted, "It is not prior experience that is important, it is the mindset. OII investigators need to truly

understand how racism works, how it causes us to think and behave. Anyone can be a good candidate if leading through a race and equity lens; an agency of all investigators with no prior law enforcement experience could still be racist. OII needs to establish a new culture and way of thinking and institutionalize it from top down so that the culture lasts beyond the people who work there now. This comes from really evaluating and understanding what structures, what words reinforce racism and those that do not."

Similarly, Teri Rogers Kemp, panel attorney, King County Department of Public Defense and Member, Washington Defender Association/Washington Association of Criminal Defense Lawyers Legislative Committee and former Task Force member, informed OII "the community needs to understand OII needs to have seasoned law enforcement officers to be credible in court and there are some law enforcement officers OII should want to hire. But it is critical to hire investigators who recognize everyone has inherent biases and prejudices. It is essential that OII leadership sets the right culture, which includes both conducting these investigations like true criminal homicide cases and creating a space for people to learn, understand and guard against their biases and prejudices."

Those who had reservations about including former law enforcement officers on OII investigative staff believed it was critical for OII to carefully vet candidates with law enforcement experience. They felt only those who already understand the history of racism and bias in investigations of police use of deadly force - and who are committed to a new approach to these investigations - should be hired.

Tim Reynon, a Puyallup Tribal member and former Task Force member, suggested OII focus on candidates who are willing to acknowledge their biases and can demonstrate real efforts they have made to overcome those biases and the historical culture of policing. Similarly, Megan Mathews, Director of the Office of Equity, urged OII to only hire prior law enforcement who are already culturally competent and understand the history of racism in policing. She warned that relying on training alone to change an ingrained mindset could comprise the integrity and credibility of OII just as it is building its foundational reputation.

Representatives from Ontario SIU also emphasized the need to hire staff committed to the vision of the agency and to ensure that former law enforcement is not the dominant influence. They recommended prioritizing having those without former law enforcement experience within the leadership of the investigations division.

### Understanding the Challenges

Across perspectives, there was acknowledgment that having an investigative staff comprised solely or even predominantly of investigators without prior law enforcement experience will be difficult to achieve and will likely take many years.

This is consistent with what we heard from Ontario SIU and British Columbia IIO. Based on their agencies' experience, they believed it would be impossible to establish an independent investigation agency without the experience and perspective of former law enforcement.

Moreover, although both agencies were created with the objective of being independent investigative agencies composed of civilian investigators, neither have been able to achieve that goal to date. Ontario SIU was created in 1990; as of May 2025, a significant majority of its investigators have a police background. British Columbia IIO has been operational since 2012; as of 2025, they reported that 47% of its full-time frontline investigators have prior law enforcement experience.

Both agencies have acknowledged difficulties achieving a professionally and demographically diverse workforce - a demanding on-call schedule and compensation issues were noted as significant barriers, similar to resource deficits OII currently faces.

### Accountability

Those who maintain OII should eventually have no or only limited investigators with prior law enforcement experience believe it is imperative OII show progress and commitment to achieving this goal. To be held accountable to its commitments, there were calls for OII to do the following:

- Demonstrate a commitment to a path towards having no or substantially fewer prior law enforcement by setting specific goals and continually adjust as necessary to achieve those goals.
- Be transparent in the hiring and vetting process for all investigative staff.
- Publicly track the ratio of former law enforcement and those without law enforcement experience.

## B. OII Investigative Staff Going Forward

We believe the best way to achieve our goal of conducting highly competent, fair, unbiased, and credible investigations is to have investigative staff with diverse professional and personal backgrounds. This includes investigators with prior law enforcement experience and those without.

Having investigators with prior law enforcement experience is critical to OII's growth and reputation as a trusted criminal investigative agency. Their criminal investigative expertise, institutional knowledge, and perspective are invaluable in handling use of deadly force cases that demand exceptional scrutiny.

Equally important is having investigative staff without prior law enforcement backgrounds. A diversity of perspectives helps maintain neutrality and guards against bias. It also broadens the agency's talent pool to include many who already have exceptional investigative skills. The quality of OII's work will be enhanced by the inclusion of varying voices, skills and mindsets, especially in leadership roles.

By continuously seeking a balance of prior experience and perspectives, OII will ensure its investigative staff reflects the community we serve, and that our investigations are comprehensive, impartial and legally unassailable. Therefore, OII's goal is for at least 50% of its investigators to come from non-law enforcement backgrounds.

OII is also committed to responding to new incidents of officer use of deadly force statewide as soon as possible. This requires sufficient resources, including infrastructure and trained, experienced investigators across all regions. To achieve this goal, OII will need to continue to hire investigators who can actively participate in investigations within a relatively short period of time after they are hired. This creates a tension between the desire for more investigators without law enforcement background and the need for OII to become fully operational statewide as soon as possible.

OII's priority is becoming fully operational while still committing to achieving the desired workforce balance.

# V. OII Training Program

Investigators at OII are tasked with conducting independent criminal investigations while also understanding the impact of these incidents on the community and all the people involved. OII's training program reflects this dual intent.

During this project, OII received significant input from a vast number of sources about specific courses OII should include in its curriculum, what the curriculum should emphasize, who should be leading OII's training and how achievement in

training should be measured. Many of those ideas are reflected in OII's current training program or are already in development. There are also areas where OII intends to improve its training program based on the thoughtful feedback we received.

## A. Overview of Input Received

The key components of the legislative requirements for OII investigations – competent, unbiased, anti-racist, transparent, accountable and treating everyone with dignity and respect - were reflected in the comments OII received regarding its training program.

The collective responses broadly centered on these main considerations:

- How OII will train its investigators to approach its work in an anti-racist, unbiased and trauma-informed way.
- How will OII training provide the breadth of experience traditional law enforcement officers gain before being tasked with investigating use of deadly force incidents.
- Whether someone without a law enforcement background can effectively investigate a use of deadly force incident without having the same first-hand knowledge as an experienced officer.
- Will there be clear, publicly available performance measures in place to ensure OII investigators have achieved critical competencies before participating in or leading an investigation.

## B. Current Training Program and Input Received

The following is a description of the Investigator Training Program as it currently exists and areas of continued development.

### Criminal Justice Training Commission's Basic Law Enforcement Academy

The Basic Law Enforcement Academy (BLEA) was identified as an important part of formal training for OII Investigators who do not have a traditional law enforcement background.[3] BLEA is the training academy at the Criminal Justice Training Commission (CJTC) that most Washington law enforcement officers must complete to receive their peace officer certification.

[3] Investigative staff who have had a significant break in law enforcement (greater than five years), or were trained outside of Washington, attend the Basic Law Enforcement Equivalency Academy. This 80-hour academy focuses on updating learners on the newest laws, legal authority, and defensive tactics to update their knowledge without attending the full academy.

OII investigators attend BLEA for a foundational understanding of the law and the training new law enforcement officers receive, including defensive tactics, crisis intervention, investigations, and legal authority. Because OII investigators are not attending BLEA to become certified peace officers, they do not attend the entire program. Currently, OII investigators do not take the final exams required of BLEA students.

OII requires its OII investigators attending BLEA to evaluate each component of the training through two key perspectives:

- **Understanding officer training and expectations:** How officers are trained and what is expected of them in their law enforcement roles.
- **Relevance to investigative work:** Which aspects of the information are most meaningful and useful in the investigator's role.

The courses assigned to OII staff include:

- **Crisis Management:** All courses including Crisis Intervention Training, Wellness Development, Substance Use Disorder.
- **Legal Authority/Criminal Law/Criminal Investigation:** Select courses relating to the legal authority of law enforcement officers and the law regarding crimes that may result in a use of force incident, including but not limited to, Legal Responsibility, Firearms Law, Criminal Law, Identification, Domestic Violence, Crime Scene Photography, Homicide Investigations, Introduction to Traffic, Domestic Violence and Traffic Stops.
- **Firearms:** OII investigators attend most of the classroom training of these courses. OII investigators do not participate in practical firearms instruction at the shooting range.
- **Defensive Tactics:** Generally, OII investigators attend most of the classroom discussions of these courses, including introduction of concepts and scenario-based discussions.
- **Patrol Procedures Basics:** OII investigators attend most of the concluding courses when skills are discussed comprehensively.

For skills training like Control Defensive Tactics, Patrol Procedures Basic, or Firearms, OII guidance emphasizes active observation only. The goal is not to perform these activities, but to observe what is being taught and understand the physical realities of the scenarios being taught to new officers. If the training involves role-playing or actors, OII investigators may participate if it enhances their learning and observational insight or as requested by instructors to assist with the training.

To promote self-learning and engagement, OII investigators have the discretion to attend additional courses of interest, such as Robbery, Kidnapping, Protection Orders, Crimes Against Children, Property Crimes, Patrol Procedure Basic Traffic Classes, and Blood Alcohol Content/Field Sobriety Tests.

### OII Investigations Training

OII has also developed training specific to the investigative work of our agency, focusing on technical competencies needed to effectively investigate. The training includes both external and internal training tailored to the specific needs of OII.

These trainings were created in part using the WAC requirements for IITs. The goal was to meet or exceed the requirements for an IIT lead investigator.

In 2024, OII staff attended the following trainings:

- Use of Force Investigations (Police Training Solutions)
- Crime Scene Response course (Washington State Patrol Crime Scene Response Team)
- 3-D Laser Scanning (Scan, Clean, Diagram, Deliver) (Trimble)
- Death Investigations (Dr. Richard Harruff, King County Medical Examiner)
- Cognitive Interviews (Dr. Ronald Fisher, Florida International University)
- Officer Involved Shooting Investigations (International Homicide Investigators Association)
- Foundational Homicide Investigations (International Homicide Investigators Association)
- Basic Homicide (Washington Homicide Investigators Association)
- Situational Awareness (Crisis Reality Training)
- Verbal SWAT (Crisis Reality Training)
- Incident Command (Federal Emergency Management Agency)
- Navigating Grief due to Homicide (Wendt Center for Loss and Healing)
- Supporting Grieving Youth (Wendt Center for Loss and Healing)
- Buffering for the Impact of the Work (Wendt Center for Loss and Healing)
- Best Practices for Death Notification (Kendra Cristelli, Executive Director at Support Officers of Whatcom County)

In 2025, we added in-depth search warrant training by King County Senior Prosecutor Gary Ernsdorff of the Special Operations and Public Integrity Unit.

In addition to external vendors, OII has developed several internal courses as required in-service training and an official part of the Investigator Training Program. These training courses include:

- Crime Scene Sketching
- Firearm Safety & Officer Processing
- Report Writing
- 3-D Laser Scanning
- Cellphone Forensics
- Vehicle Processing
- Evidence Packaging
- Investigative Interviews
- Legal Authority
- Rules of Evidence
- Systems training for OII data management programs, Mark43 and Axon, including Axon Operator and Axon Examiner.

OII also offers advanced training for specific technical skills that at least some members of each investigation team need to be proficient in, including:

- Cellebrite[4]
- Trimble[5]
- Forensic Video Analysis
- Bloodstain Pattern Analysis
- Unmanned Aerial System (UAS)

As OII continues to grow, more specialization of staff is anticipated, and more advanced training opportunities will become available.

OII has developed and implemented an Investigator Training Policy, which outlines training requirements, including in-service and advanced training requirements. This policy provides a measure of accountability for our training program.

OII recognizes its investigators must be exceptionally well trained in all aspects of criminal investigations to ensure credibility with the community, law enforcement, prosecutors, courts, and juries. This recognition was shared by almost everyone who gave input.

Suggestions we received for specific additional investigation-related courses were provided to the OII Training Administrator for consideration. There were also several reoccurring themes.

[4] A digital forensic tool designed to securely extract and analyze phone data.

[5] 3D scanning technology for visual scene construction.

For instance, OII received input from people who believed OII investigators must understand what an officer experiences during an incident or an ability to "stand in their shoes" to effectively investigate a use of deadly force. For some, this belief called into question the premise that OII investigation staff should include those without any law enforcement experience. Others believed this knowledge can be achieved by requiring deliberate training or programs for OII investigators that provide insight into an officer's mindset and experience.

Additional suggestions included requiring OII investigators to participate in "ride-alongs" with patrol officers to gain an understanding of what officers' encounter day-to day, or "shadowing" detectives or current independent investigation teams to provide exposure to the multitude of scenes, situations or criminal investigations handled by law enforcement.

Some suggested longer term job shadowing would be most effective. For instance, one member of the public that completed a survey wrote:

> "Investigators should participate in an unarmed version of the Field Training Officer (FTO) program across multiple departments. This experience provides invaluable, real-world insight into:
>
> - The split-second decision-making required in law enforcement
> - The operational pressures of patrol response
> - The organizational culture and internal norms that often influence behavior and, in some cases, contribute to biased decision-making"

Another idea was for OII investigators to participate in simulated force encounter trainings, e.g. "shoot/don't shoot" scenarios, or hands-on exercises in defensive tactics courses.

There were also numerous calls for OII to include "human factors" courses (such as those offered by Force Science, Ltd.) to better understand the psychological and physical responses to danger and realistic expectations of how humans process and react to their environment and threats.

### OII Applied Investigator Development Training (AIDT)

OII has been developing a comprehensive AIDT program for two years. This program is intended to provide learning experiences that build upon foundational investigative training. It emphasizes Problem-Based Learning, a method that challenges investigators to analyze real-world scenarios, ask critical questions, and develop solutions. It will also provide performance measures and constructive feedback.

The program is designed to transition new investigators, including those without former law enforcement experience, from basic and core curriculum training into practical, hands-on investigations under the guidance of OII senior investigators who already have extensive investigative experience.

The AIDT program has several phases, each focusing on different aspects of investigations. Another key aspect of the program is the Neighborhood Portfolio Exercises, where investigators research and present detailed reports on local communities to develop detailed geographical, social, and cultural understanding of the area where they work and to build relationships.

The entire program will be overseen by a Program Administrator, who manages daily operations, and a Board of Evaluators who will review training progress.

OII will launch a pilot program of its AIDT in 2026. The pilot program will allow feedback from Development Instructors, investigators and community members that can be analyzed to identify any themes and/or recommended changes to improve the program before full launch.

### Anti-Racism/Anti-Bias Training

In addition to the requisite technical and investigative skills, we received feedback about the desire for OII to include cultural competency, anti-racism, and anti-bias courses as a core part of its training curriculum, even beyond what is statutorily required:

> "For OII (Office of Independent Investigations) investigators to conduct credible and community-trusted criminal investigations into use of deadly force incidents, especially from the perspective of impacted communities, the training must go far beyond traditional law enforcement curricula. It must be rooted in justice, truth-telling, transparency, and trauma-informed practices." **–** Nickeia Hunter, impacted family member and member of Washington State Coalition for Police Accountability
>
> "Our criminal justice system has been shaped and formed in so many ways. What is really lacking is any perspective around restorative justice principles, healing principles. It's not been shaped at all by cultural values of what are traditionally marginalized communities." **–** Kiana McKenna, policy director for the Pacific Islander Community Association of WA
>
> "Ethics must remain a cornerstone of investigative practice. One of the most persistent challenges in government oversight is the risk of real or

perceived conflicts of interest between investigators and the agencies or individuals they are tasked with reviewing. Training should focus on identifying and mitigating conflicts of interest, upholding impartiality in politically or socially sensitive investigations, reinforcing a commitment to public accountability and fairness." – External survey

OII's statute (RCW 43.102.060) requires all OII staff to be trained in the following topics:

- History of racism in policing, including tribal sovereignty and history of Native Americans within the justice system.
- Implicit and explicit bias training.
- Intercultural competency.
- The use of a racial equity lens in conducting the work of the office.
- Anti-racism training.
- Undoing institutional racism.

In 2023, OII began a partnership with The Athena Group, a consulting organization that specializes in organizational health, leadership, and inclusion, diversity, equity, accessibility and justice.

Through the Athena Group, OII developed the following foundational training required for all OII employees:

- Implicit and Explicit Bias
- Leading for Intercultural Competency
- Leading with a Racial Equity Lens

OII also requires the following training:

- CJTC Law Enforcement Training and Community Safety Act (LETCSA) Mandated Courses:
  - Introduction to the Historical Intersection of Race and Policing
  - LGBTQ+ Core Competency
  - Introduction to Indigenous Concepts and Culture
- Required viewing of the documentary *Who We Are: A Chronicle of Racism in America*, followed by *A Path Toward Equity: Disrupting Structural Racism through Awareness and Belonging* (Learning modules 1-4).[6]
- The Governor's Office of Indian Affairs (GOIA) Government to Government training.[7]

[6] Required training for all Washington state employees.

[7] Required training for all Washington State employees.

In addition to this learning, in 2025 OII launched a Diversity, Equity, Inclusion and Belonging (DEIB) Lunch and Learn series. To date, this has been a staff-hosted series in consultation with the Athena Group. This series has offered staff opportunities to research or share personal experiences, providing a powerful means for OII staff to participate and expand their knowledge and way of thinking.

OII staff are also encouraged to routinely participate in or attend community and outreach events so they can develop relationships with and a better understanding of the communities they serve.

Both internally and externally, there were calls for OII to increase substantive training in the following:

- Understanding the effects of trauma on communities, witnesses and officers and how that might affect an investigation.
- Emotional intelligence, nonviolent communication and community engagement skills.
- Comprehensive understanding of systemic racism within the criminal legal system and the lived experiences of those harmed by that system.
- Intensive anti-bias training with goals of understanding one's own biases and development of the ability to identify and guard against biases in investigations.
- Cultural competency including trainings on Indigenous systems and values, taught by members of the communities of which they speak.

### Accountability

In addition to suggestions for specific trainings OII should include or prioritize in its training program, many people stressed the importance of OII being transparent about its program and the metrics of success for its investigators to achieve the desired competencies. This included calls to incorporate community voices in evaluation and training feedback, auditing and review by leadership, including by those without prior law enforcement experience, and a clear, public description of how OII investigators will become competent.

OII routinely assesses the quality, suitability and effectiveness of BLEA, vendor and internally developed courses through surveys, feedback sessions and leadership review. Currently, those reviews do not include other community members.

OII is in the process of developing clear promotional and performance measures for its investigative staff. The goal is for the public and our own staff to understand what

competencies will be required of OII investigators and how we will assess and assist staff to achieve those competencies.

These phased performance and promotional standards must be mindful of diverse cultures and backgrounds, ensuring all investigators, regardless of prior law enforcement experience, have a clear pathway to qualification and expertise. For those without law enforcement experience, the plan will detail a structured promotional path, including specialized training, that prepares them for advanced roles such as trainers and field experts.

## C. OII Training Going Forward

As described above, OII has worked to develop a thoughtful and thorough training program for several years. It has also committed to continually evaluating and improving that program. During the process of discussing the ideas received during its outreach for this project, OII staff identified several improvements to its training curriculum it will explore:

- Creating more opportunities for community members to participate in or review OII training, including seeking external partners and community members to participate in our DEIB Lunch and Learns.
- Creating opportunities for OII investigators without prior law enforcement experience to serve as development instructor or on the board of evaluators for the Applied Investigator Development Training program.
- Requiring in-depth case studies of prior use of force investigations so OII investigators can better understand and evaluate how these cases have been investigated in the past, issues that arise during these investigations, how we can assess for our own bias, and how OII investigations may be different.
- Create a courtroom preparation course to include mock hearings, legal scenario work, or prosecutor/defense-led training.
- Develop additional courses on cultural competency, emotional intelligence, restorative justice, anti-racism and historical perspectives, taught by members of the communities about which they speak.
- Adding courses designed to teach trauma-informed practices with real-world application. For example, OII will pursue training on gender-based violence and sexual assault to help investigators recognize how trauma can affect survivors' memory, communication, and behavior. An understanding that a survivor's fragmented memory or flat affect may stem from trauma—not deception—helps investigators conduct trauma-informed and more accurate interviews while avoiding re-traumatization.
- Development of a human factors course led by independent scientific trainers or from multiple different perspectives to provide OII investigators with an objective

understanding of psychological and physiological dynamics of a use of force incident.
- A community engagement program to develop understanding and competency interacting with people from different cultures, experiences, perspectives, and in crisis or trauma, as part of or in addition to the Neighborhood Portfolio exercises contained in the Applied Investigator Development Training.

OII will also explore opportunities to increase repetitions or practice for OII investigators, including proposals to implement the following:
- More reality-based training/mock investigations to provide repetitions for OII investigators with real-time feedback.
- Partnering with other agencies to allow OII investigators to observe other types of investigations or death scenes including non-law enforcement investigations, e.g. medicolegal, fire or civilian scene investigators. The purpose of this program would be to increase OII investigator exposure to a variety of serious investigations involving bodily harm from different professional perspectives.

There might be significant barriers for OII to implement these programs and additional training in the next few years based on both limited financial and staff resources. However, OII will commit to reporting biannually about its progress toward developing these additions to the training curriculum.

# VI. OII Recruiting Strategies

## A. Current Practice

Currently, OII begins recruitment by creating a job posting that accurately reflects the skills, experience, and requirements of the position description. For a state agency, the job must initially be posted on the state job website, careers.wa.gov, using the NEOGOV platform. This is standard for all state agencies.

OII then posts the jobs to the agency's website, oii.wa.gov, and shares them on social media sites, including LinkedIn and Facebook.

Job postings are also shared with the state Business Resource Groups including:
- Blacks United in Leadership and Diversity (BUILD)
- Veterans Employee Resource Group (VERG)
- Rainbow Alliance and Inclusion Network (RAIN)
- Washington Immigrant Network (WIN)
- Disability Inclusion Network (DIN)
- Latino Leadership Network (LLN)

- Hawaiians, Asians, and Pacific Islanders Promoting an Empowerment Network (HAPPEN)

OII's job postings are routinely picked up by aggregate job boards and regularly appear on websites such as:

- Gjobs, Google Jobs, Glassdoor, Monster, Facebook, and Indeed
- Women in Federal Law Enforcement (WIFLE)
- International Association of Coroners & Medical Examiners
- American Board of Medicolegal Death Investigators (ABMDI)
- National Association of Medical Examiners (NAME)
- National Association for Civilian Oversight of Law Enforcement (NACOLE)
- Asian American Law Enforcement Association (AALEA)
- Latin American Law Enforcement Association (LaLey)
- National Latino Peace Officers Association
- National Latino Law Enforcement Organization
- National Black Police Association
- Historically Black Colleges and Universities
- National Assoc of HBCU Students & Alumni
- National Association of Black Law Enforcement Officers, Inc. (NOBLE)
- FBI National Academy Associates

Depending on the position, jobs are also posted to additional affinity groups and job boards to increase visibility with job seekers with diverse backgrounds and experience.

## B. Input Received

One clear message we received was that there are many types of investigative experience other than law enforcement OII should look to when hiring, such as forensic accountants, insurance, fraud, medicolegal, fire and private investigators. Recommendations were made for targeted recruitment to these niche investigative positions to increase awareness about opportunities at OII.

There was also a call for OII to expand the concept of what makes a candidate qualified to be an OII investigator and to focus on valuable skills rather than professional experience:

> "Shift the narrative of who is qualified — skills like storytelling, grassroots organizing, or community health work are just as relevant as a law enforcement background." – Nickeia Hunter, impacted family member and member of WCPA

> "Investigator backgrounds can be broad. Investigative experience is valuable, but not all investigative methods are equal. The emphasis should be on skills and

competencies such as attention to detail, structured thinking, and adaptability, which can come from many fields. For example, a tax consultant's precision or a daycare worker's ability to manage chaos can translate directly into OII investigative strengths. Recruitment should focus on competencies first, background second." – OII Internal survey

"Focus on work ethic, growth mindset and professional curiosity over skills and experience. Investigative work can be learned much more easily than any of those characteristics. These investigators need to be interested in learning and growing, able to set aside their egos and admit when they don't know things, and able to speak sensitively with a wide range of people and use professional discretion in what they share and how." – External survey

Almost all of those who gave input focused on the need for OII to prioritize diversity in its hires. Kiana McKenna, policy director for the Pacific Islander Community Association of WA, reminded OII "bright teams involve diverse backgrounds and experiences. It is important to have staff demographics that reflect the community they serve." Megan Mathews, Director of the Office of Equity, also reflected on the importance of the composition of OII to staff to the community. "A balance of prior experience does provide diversity of thought, but most law enforcement is white and male. So, OII will have to work extremely hard to get diversity. Nothing else will matter from an optics or trust perspective if OII cannot figure that out. Black and brown communities are over policed; their perceptions and distrust of law enforcement is understandable. OII should be very, very intentional about who it hires and who holds the power."

Other predominant ideas:

- OII should be creative about who and how it recruits to reach candidates who are uniquely qualified for this organization and who have traditionally faced barriers when applying for government positions.
- OII should be selective when hiring and not simply hire to fulfill need.
- OII should work to create its own pipelines for candidates, for instance through partnerships with educational programs.

## C. OII Recruitment and Hiring Strategies Going Forward

OII is committed to examining its recruitment strategies with the objective to attract a more diverse and representative pool of candidates, including individuals who have historically encountered barriers to employment. The agency will evaluate the resources necessary to support these efforts and will report back with findings and recommendations to guide potential implementation.

As part of this assessment, the agency will consider several approaches to enhance recruitment effectiveness and equity. These may include expanding community-based outreach through participation in events hosted or supported by OII advisory board members, faith-based organizations, community centers, youth and senior programs, and similar venues.

The agency will also explore the feasibility of hosting periodic, publicly advertised informational sessions to provide prospective applicants with opportunities to learn more about OII, with promotional support from the advisory board. Additional strategies may include targeted engagement with academic programs, job fairs, and other relevant professional networks, as well as increasing the range of platforms and locations used to publicize job announcements.

OII has already begun researching how to build internal programs to support the development of future investigators. To date, it has focused on the potential structure and benefits of these programs. The development of internships and apprenticeships, for example, may require partnerships with educational institutions and experienced Development Instructors, while certification programs may need to be designed with the input of industry experts to ensure they meet professional standards.

The agency will also seek to develop mentorship opportunities pairing students and early-career professionals with experienced practitioners to enhance applied learning and career readiness.

As the agency researches these programs, careful consideration will be given to our specific needs, including the cultural diversity of the communities served, and the overall effectiveness of these initiatives. Additional resources, both financial and operational, will be necessary to launch and sustain these programs, ensuring they are an investment that delivers long-term benefits to the state and the agency's mission.

OII will also explore formal collaboration with colleges, universities, and vocational institutions to establish educational pathways that prepare candidates for investigative and related professional roles. Certification programs developed under this initiative will need to be designed with input from industry experts to ensure that all curricula meet recognized professional and ethical standards.

Developing and implementing these programs will require a considerable investment of time, planning, and resources OII does not currently have. However, the agency is committed to thoroughly assessing feasibility, including pursuing grant funding where

available and other external financial resources to support the design, implementation, and long-term sustainability of these programs.

Progress updates and recommendations will be provided in coordination with the state's legislative and budget cycles to ensure transparency and alignment with available resources.

# VII. Other Considerations

## A. Legal

Establishing a waiting period between the time someone has left their prior employment as a law enforcement officer and becoming employed at OII as an investigator is likely legally permissible. However, there are federal or state laws that may restrict the agency from permanently excluding candidates based solely on their prior occupation as a law enforcement officer.

Further discussion and legal review of any waiting period is recommended. The legal review would be aided by further study and identification of the governmental interest and reasons for the length of any waiting period.

It is also important to recognize that professional groups are not monolithic; individuals within any occupation bring diverse experiences, values, and perspectives. Accordingly, hiring decisions should focus on demonstrated competencies, integrity, and alignment with the agency's mission rather than assumptions tied to a candidate's former role. This approach not only aligns with federal and state legal principles but also promotes a fair, merit-based selection process that strengthens the agency's effectiveness and public trust.

## B. Need for Further Study

A requirement to staff an independent criminal investigation agency entirely with investigators without prior law enforcement experience does not appear to have been successfully implemented.

Given the complexities and barriers associated with recruiting and hiring specific candidates, it is recommended that any proposal for such a requirement be founded on a formal study conducted by experts in the field. This study should be funded by the Legislature, ensuring a comprehensive evaluation of the potential unintended consequences, feasibility, and best practices can be undertaken before moving forward with any legislative changes.

Such an approach will allow for well-informed decision-making that considers the practical implications and effectiveness of any proposed requirements, rather than acting on assumptions or unverified data.

# VIII. Agency Commitments

## A. Expanding Operations Statewide

OII recognizes it must prioritize increasing its capability to respond to new incidents of use of deadly force across the state as soon as possible to effectively serve all Washington residents. It also must maintain the integrity of its work by ensuring its investigators can thoroughly, fairly and credibly investigate every incident they respond to. Continued expansion will require additional resources, including funding to hire more investigators and secure evidence facilities in Central or Eastern Washington.

Assuming continued legislative support, OII commits to the following:

- Expanding operations to another OII region in 2026.
- Additional expansion of operations in 2027 and 2029 including regions in the central and eastern parts of the state.
- Prioritizing annual expansion of operations, as resources allow.

## B. Increasing the Number of Investigators Without Prior Law Enforcement Experience

To further its mission and vision of conducting highly competent, unbiased and credible investigations trusted by all Washington communities, OII's goal is to have a balance of perspectives and prior professional experience within its Investigations Division.

To achieve its goal, we establish these milestones:

- **By December 2027:** At least 20% of OII investigators will not have prior law enforcement experience.
- **By December 2029:** At least 25% of OII investigators will not have prior law enforcement experience.
- **By December 2034:** At least 50% of OII investigators will not have prior law enforcement experience.
- **Longterm:** Maintain a balance of at least 50% of OII investigators without prior law enforcement experience across all investigator positions, including supervisors.

## C. Reporting our Progress

OII embraces its obligation to be accountable through transparency. Therefore, OII will commit to reporting the following on its public website:

- The ratio of investigators with and without prior law enforcement experience, updated every year.
- Progress made on training, hiring and recruiting proposals contained within this report, updated every two years.

In addition, in 2026, OII will create a page on its website dedicated to OII's training curriculum. This webpage will include the following:

- General overview of OII's training curriculum updated annually.
- Once completed, OII's formal performance measure and promotions policies.

# IX. Conclusion

As we continue building a new model for independent investigations, our agency remains committed to transparency and meaningful reform of how use of deadly force investigations are conducted. Our priority is that our investigations are thorough, legally sound, fair and impartial to everyone involved, and consistent across the state. We are proud of the progress made and the foundation laid to date—progress that reflects our dedication to the Task Force's vision, our legal responsibilities, and the needs of the communities we serve.

This work is not without challenges. Balancing the integration of non-law enforcement professionals, ensuring investigative excellence, establishing a new organizational culture and expanding operations takes time, intention, and support. We believe the tradeoff is worthwhile: investing in doing this right from the outset will result in a stronger, more credible, and more trusted system of accountability.

With the Legislature's continued partnership, we are confident OII can serve as a national model for how to conduct independent investigations that are fair, impartial, and effective — building both public trust and lasting change in the process.

# Appendix A – Governor's Task Force on Independent Investigations

This is an excerpt containing the recommendations made by the Governor's Task Force on Independent Investigations of Police Use of Force, submitted in 2020. To see the full report, please go here.

## Overview

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

## Purpose of the legislation

The majority of task force members recommend that the legislation emphasize the following:

- Investigations be conducted through an anti-racist lens.
- The investigation process must be fair, thorough and unbiased.
- Community and government entities with a role in the investigation should be transparent.
- Police must treat the family of the person killed or injured with respect and dignity.
- Investigations must be credible and completed in a timely manner.
- The director, investigators, and all staff must be people of high integrity and character.
- Acknowledge the history of systemic racism in our criminal justice and policing systems.
- The investigation unit should be led by a director whose values and background ensure he or she actively works against racism, will call out racism and take action if identified in any investigation, will use a multi-sector lens to develop strategies, understands and is able to collaborate with others including the community, understands trauma informed interviewing and will ensure the investigations will be fair, thorough and impartial. Investigations should be trauma-informed, with an understanding of mental health.
- Pursuit of systemic justice.
- The organization shall be accountable to community led anti-racist organizations.
- Independent investigations are those that do not involve police investigating police.

## Purpose of the agency

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

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

## Organization and structure

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

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

## Types of cases and prioritization

**Cases to be investigated**

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

- Deadly/lethal force
- In-custody deaths
- Serious use of force/bodily harm
- Sexual assault
- Ability to expand scope in the future
- Retroactive investigations/audits

**Order of prioritization**

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

- Top priority: Deadly/lethal force, in-custody deaths, retroactive investigations.
- Medium priority: All other cases within the scope of cases to be investigated, including sexual assault committed while on-duty or in-custody.

**Scope of the investigation**

- The majority of task force members recommend that the investigative agency have the authority to investigate the following:
    - All circumstances surrounding the incident.
    - The use of force, as well as any criminal misconduct uncovered during the investigation.
    - The investigators must have reasonable guidance to allow the flexibility to look at prior events as needed.
    - The officer's history.

## The director

### Hiring requirements

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

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

### Qualifications

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

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

### Training requirements

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

- Conflict resolution
- Crisis intervention
- Critical race theory timeline
- De-escalation
- Force science
- Homicide investigations
- Knowledge of Washington practices regarding criminal investigations
- Implicit and explicit bias training
- Intercultural competency
- Interviewing techniques
- Sexual assault investigations
- The use of a racial equity lens
- Tribal sovereignty and the history of Native Americans with the justice system
- Undoing institutional racism training

- Additional training determined by the evolving needs of Washington residents

## The investigators

The majority of task force members recommend that:

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

**Hiring requirements**

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

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

**Qualifications**

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

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

**Training requirements**

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

- Conflict resolution
- Crisis intervention
- Critical race theory timeline
- De-escalation
- Force response simulation training
- Force science
- Homicide investigations
- Implicit and explicit bias training

- Intercultural competency
- Interviewing techniques
- Sexual assault investigations
- Undoing institutional racism training
- Use of a racial equity toolkit
- Mental health credentials
- Investigative and prosecutorial teams shall receive anti-racist training every three years

## Other agency staff

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

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

## Authority and powers

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

- Access to involved agency's administrative records.
- A judge, magistrate, and prosecutor.
- Subpoena power.
- Ability to secure warrants.
- Any powers and authority needed to legally secure a crime scene over the objection of an involved agency.
- The agency can investigate all officers, prison guards, sheriffs, and all other "peace" officers.

## Data collection

The majority of task force members recommend the agency collect data on the following:

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

## Scope and frequency of reporting

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

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

# Appendix B – Methodology

To assist with the development of a legislatively required plan to train Washington State Office of Independent Investigations (OII) investigators without prior law enforcement experience to conduct OII investigations, the agency requested input from a variety of sources.

The goal was to solicit feedback from those most invested in OII's work, including families impacted by police use of deadly force, law enforcement, former members of the Governor's Task Force on Independent Investigations of Police Use of Force (Task Force), the OII Advisory Board and OII staff.

OII also provided opportunities for the public to weigh in through surveys posted to its website, shared on social media, and through in-person outreach at community meetings and events. Lastly, OII staff met with and sought advice from other criminal investigative agencies with experience hiring and training those without law enforcement background to investigate police use of deadly force.

In general, OII inquired about these topics:

- Whether OII should employ only those with prior law enforcement experience, only those without such experience, or a balance of mixed experience.
- The reason for their opinion and what harm they are trying to avoid with their recommendation.
- What specific skills, experience or qualities would make good OII investigators.
- Recommendations for recruiting and hiring.
- Training they would recommend in addition to OII's current training curriculum.
- Other ideas about how OII can achieve its goals.

## Task Force

Given the expertise and commitment of those who served on the Governor's Task Force, OII attempted to contact all 23 members for their perspective five years after they made their original recommendations. OII was able to gather comments and perspectives from 12 former members of the Task Force, representing a diverse range of organizations and roles, including law enforcement, legal defense, community advocacy, and government.

## Similar agencies and other interested parties

OII staff met with members of the Independent Investigations Office of British Columbia and Ontario Special Investigations Unit as these agencies have a similar scope of authority and a mandate to have fewer people with law enforcement experience employed as investigators. We asked about their experience, including hiring, recruiting and culture in an organization with different types of backgrounds and experience.

OII also asked to meet other community members that were well versed on the legislative goals in creating OII, community perspectives and the challenges we might face.

## Law enforcement

To ensure inclusion of law enforcement perspective beyond executives, OII met with officers from Redmond Police Department, Washington State Patrol Criminal Investigations Division (statewide representation), Mountlake Terrace Police Department, Spokane Police Department, Lakewood Police Department, Kennewick Police Department, Wenatchee Police Department, Richland Police Department and Clark County Sheriff's Office.

## General public

In March of 2025, OII hosted a statewide virtual community meeting, open to everyone, and advertised in the media and on social media. At the meeting, this project was explained, and attendees were asked to complete a survey regarding OII's proposal. OII was able to share this survey to a broader audience through social media and news releases.

In all, 82 responses were received, with a range of perspectives including those of impacted family members, law enforcement, and general community members.
From the consistent themes contained in the first survey, OII created a follow-up survey asking those who responded to the first survey to rank the experiences, skills, characteristics and training they thought was most important in several categories for an investigator to have. They were also asked why they were interested in this project. The survey was posted to the agency's website, shared on NextDoor and sent to a variety of other organizations. This survey received 70 responses.

## Internal input

Internally, input was solicited from OII investigators and other staff who work directly with families and community members, using the external feedback received.
The Project Team asked OII staff about their experience training alongside colleagues from different professional backgrounds within the agency, the types of current training they find most valuable, and the areas where improvement is needed.

We also solicited suggestions for new training or hiring practices the agency should consider, as well as other initiatives that may warrant further exploration, including strategies that could be implemented using existing resources and which may require further analysis to determine feasibility and value.

Finally, participants were invited to share any additional thoughts on how best to advance the agency's goals.

## Appendix C – List of participants

The following are some of the participants who met with OII staff or provided written input on this project. OII is grateful for their time and consideration.

- Officer Joshua Beauchamp, Lakewood Police Department
- Simon Bradshaw, Investigative Team Director at Independent Investigations Office of British Columbia
- Officer Sebastian Castilleja, Kennewick Police Department
- Yvon Clouthier, Outreach Coordinator/Affected Persons Program at Ontario's Special Investigations Unit
- Detective Troy Corkins, Washington State Patrol
- Livio De La Cruz, nonprofit attorney, former Task Force Member of the Governor's Task Force on Independent Investigations of Police Use of Force
- Lieutenant Ryan Durbin, Washington State Patrol
- A member of the Richland Police Department
- Patrol Sergeant Ben Green, Spokane Police Department
- Monisha Harrell, Director of Office of Equity, Racial and Social Justice, King County, former Task Force Member of the Governor's Task Force on Independent, Investigations of Police Use of Force, OII Advisory Board member
- Detective Jesse Henschel, Clark County Sheriff's Office
- Nickeia Hunter, impacted family member and member of Washington State Coalition for Police Accountability
- Sergeant Ryan Kelly, Kennewick Police Department
- Teri Rogers Kemp, defense attorney, former Task Force Member of the Governor's Task Force on Independent Investigations of Police Use of Force
- Chief Darrell Lowe, Redmond Police Department, former Task Force Member of the Governor's Task Force on Independent Investigations of Police Use of Force
- Sergeant Michael Marken, Washington State Patrol
- Joseph Martino, Director of Ontario's Special Investigations Unit
- Megan Matthews, Director of Office of Equity
- Sergeant Benjamin McBride, Washington State Patrol
- Kiana McKenna, Deputy Director of Strategy and Policy at Pacific Islander Community Association of Washington, Commissioner of Washington State Commission on Asian Pacific American Affairs
- Margo Morales, Community Member
- Brian Moreno, former Commissioner of Washington State Commission on Hispanic Affairs, former Task Force Member of the Governor's Task Force on Independent Investigations of Police Use of Force
- Sergeant Brian Mulvaney, Washington State Patrol
- Sergeant Leah Ott, Redmond Police Department

- Mike Nicefaro, Community representative for Snohomish County Multiple Agency Response Team (SMART)
- Sergeant Matt Porter, Mountlake Terrace Police Department
- Tim Reynon, Puyallup tribe member, former Task Force Member of the Governor's Task Force on Independent Investigations of Police Use of Force
- Jenny Rose, Chair of Spokane Police Ombuds Commission
- Corporal Miguel Ruiz, Wenatchee Police Department
- Puao Sauvasa, City of Seattle Office of Police Accountability, Former Commissioner on Asian Pacific America, former Task Force Member of the Governor's Task Force on Independent Investigations of Police Use of Force
- Chief James Schrimpsher, Algona Police Department, Washington State's Fraternal Order of Police, former Task Force Member of the Governor's Task Force on Independent Investigations of Police Use of Force, OII Advisory Board member
- Detective James Stairet, Washington State Patrol
- Teresa Taylor, Executive Director of Washington Council of Police and Sheriffs, former Task Force Member of Governor's Task Force on Independent Investigations of Police Use of Force
- Spike Unruh, President of the Washington State Patrol Troopers Association, former Task Force Member of Governor's Task Force on Independent Investigations of Police Use of Force
- Detective Tyler Verwahren, Redmond Police Department
- Waldo Waldron-Ramsey, former Vice President of the NAACP Alaska Oregon Washington State-Area Conference, former Task Force Member of Governor's Task Force on Independent Investigations of Police Use of Force