

EXECUTIVE BOARD MEETING
Minutes
November 30, 2022 – 11:00 a.m.

Location:

Burlington Police Department
311 Spruce Street, Suite B
Burlington, WA 98233

I. OPENING

A. Call to order- 1100 hrs.

B. Roll Call of Executive Board Members

- Chief Chris Cammock- Mt Vernon PD
- Chief Dave Floyd- Anacortes PD
- Chief Mike Luvera- Burlington PD
- Chief Dan Mcilraith-SWPD - Excused
- Chief Kevin Dresker- Oak Harbor PD
- Sheriff Don McDermott- SCSO
- Captain Jason Knott - WSP

C. Roll call of other attendees

- Chief Earl Cowan – Swinomish Tribal Police
- Rich Weyrich – Skagit County Prosecutor
- Chief Criminal Deputy Tobin Meyer – SCSO SMART Command
- Lt. Mikel Moore- Mt Vernon PD SMART Command
- Capt. Mike Bailey- Oak Harbor PD SMART Command

II. OLD BUSINESS

None

III. NEW BUSINESS

A. State Auditor's Office Report of SMART Case 22-ST002

Commander Meyer updated the Board that the team had volunteered this case to the Washington State Auditor. Even though it was a requirement that would eventually occur, the Team's leadership felt that going sooner would discover ways to evaluate and improve compliance with State laws and best practices.

Our Team is the third group to undergo an audit however the first team to be audited by the State's auditor. The other two teams are being audited by a contractor and still in the review process. Team Commanders met with the assigned Auditor in early November, worked hard to provide all the compliance proofs in a timely manner and received a draft conclusion November 28th. The final audit report is expected early December.

Key findings in the draft report:

- Key principles of the WAC were identified.
- Confirmed our investigative processes were sound and in compliance.

- Demonstrated that early policy planning was ahead of the curve.
- Report validates the Team's competent performance
- One finding by the SAO: SMART Conflict of Interest form does not match the CJTC template form. Commander Meyer explained that there are two questions related to social media activity on the CJTC form that are subjective and contain terms not clearly defined. CJTC was asked several times for clarification but didn't get back to the Commanders. They have met with Prosecutor Weyrich who also has concerns, and they are working to find a reasonable solution. The Auditor is seeking clarification on flexibility to adjust the form while still maintaining compliance.
- Commander Meyer to work with Board Chair to construct a response letter.
- Lt. Moore pointed out that there were over 35 different dimensions measured and we only had one out of compliance and it involved a form. He complimented Commander Meyer and former Commander Booth for the work they did early on to put the Team in this position.

B. Burlington Community Rep Resignation & Replacement

Burlington community representative has resigned because a move out of state. Chief Luvera plans to seek a replacement. Commander Meyer said the application for those interested has remained open and we've not received any applications to date. Chief Luvera plans to make a public notice of the opening as well.

Team Commanders are still encouraging a community representative from Island County and have reached out to Sheriff Felici to see if any applicants have come forward. Oak Harbor Chief Dresker was seeing Sheriff Felici later and would ask as well.

C. CJTC Conflict of Interest Form

Covered above under Item A

D. Upcoming SMART Training – What to Expect After a Deadly Force Incident

Commanders Meyer and Bailey will be providing a one-hour in-service training virtually tomorrow for Skagit and Island County LE agencies. The intent is to "de-mystify the IIT process" for those unfamiliar with how SMART operates when called to a scene. There will be no legal advice or collective bargaining agreement discussed. They plan to host a second training in 30 days, record it and make it available to those who can't attend live.

E. OII Update

Commander Meyer reminded everyone to respond to the recent email from the Washington State OII to acknowledge that they are receiving notifications effective November 15th even though they are not responding. Commander Meyer says they have had conversations with Snohomish and Whatcom County Team Commanders about reciprocal response service if too many SMART agency staff are involved in the incident itself.

F. For the Good of the Order

Captain Baily is retiring in 2023. Lt. Sorsdol is a former SMART Investigator and now in a command position at SWPD. SMART discussing with Chief McClraith utilizing her in a command role. Island County and Oak Harbor don't have any command staff ready at this time. Anacortes believes they may have a commander available in 2024.

Adjourned at about 1215 hrs.

Next meeting- January 31, 2023 11:00AM

Updates or changes: www.skagitcounty.net/SMART