

2402 Capitol Way South
Olympia, Washington 98501

May 31, 2018

James Kropf
Chair, Washington State Conservation Commission
and Commission Members
c/o PO Box 47721
Olympia, WA 98504-7721

Re: Commission Staff's investigation of Thurston Conservation Commission Board

Chairman Kropf and Members of the Commission,

I am writing to you as a voter and taxpayer in Thurston County, as well as a past member of the Thurston Conservation District (TCD) Board, to provide comment and express concerns about the investigation being conducted by the Washington State Conservation Commission (SCC). SCC seems to have focused its investigation over the last seven months on two TCD board members, the Board Chair (Mr. Johnson) and the Board Auditor (Mr. Mankamyer). Messer Johnson and Mankamyer have apparently become targets of this investigation, in part, by raising questions about the District's financial management, record-keeping and election practices which have been a reoccurring issue for TCD over the last twenty years.

The SCC Executive Director announced to the public in late 2017 that he had sought and obtained authority from the Conservation Commission to remove TCD Board Supervisors from office.

Before and after this announcement, SCC staff published conclusory statements that characterized TCD Board member actions ("dysfunctional", "inappropriate", "passive-aggressive", "poor behavior") and appears to be a rush to judgement, even before an investigation or hearing could take place.

These things in turn served to inflame public opinion and encourage members of the public to make personal attacks on individual TCD Board members.

I believe that SCC's staff has acted in an unprofessional manner which now serves to prejudice the investigation that is currently underway by SCC and creates a situation where any results or recommendations that may come from it cannot be seen as fair or objective. Because of this, they cannot in good faith serve as a basis for any subsequent hearing on the merits.

In addition, SCC's lack of timely action in pursuing this investigation and its staff's publication of conclusory statements about District Supervisors fundamentally affected TCD's district election earlier this year. Members of the public and the press cited SCC's unfinished investigation as evidence of wrong doing by the TCD board. This served to turn the election into a circus, characterized by many as a moral crusade against good and bad. It produced extraordinarily lopsided election results which SCC then readily certified in May of this year without acknowledging its responsibility for creating them.

Finally, the investigation that SCC is now conducting appears to be largely unfocused and collecting information selectively. It has refused public requests for information about the scope of its investigation and has ignored members of the public who have volunteered to be interviewed.

On its website, SCC is asking only for “concerns about supervisor activity” when serious questions have come up about other issues including the conduct of District staff. The investigation’s lack of focus and open-ended invitation seeking “concerns” coupled with the conclusory comments about TCD Supervisors published by SCC staff over the last year makes SCC’s investigation appear more like a ‘fishing trip’ to obtain evidence to support a conclusion which SCC has already arrived at.

Therefore, if the Commission intends to continue its investigation of TCD, I believe it must turn the matter over to an independent agency that has experience in conducting investigations and that is free from any conflicts of interest.

If the investigation produces evidence that leads the Commission to conclude that there should be a hearing on the merits, I further believe that the Commission must turn the process over to an agency, such as the Office of Administrative Hearings, that has experience in conducting hearings in a manner that meet due process requirements.

Finally, the Conservation Commission must address its staff’s actions which I believe have served to prejudice the investigation, prejudge its results, and inflict public scorn on TCD Supervisors.

Accompanying this letter are two appendices that offer additional information on the issues raised.

Thank you,

A handwritten signature in black ink that reads "James Goche". The signature is written in a cursive, flowing style with a large initial "J".

James Goche'