

OPARB
Minutes of Thursday, December 15, 2011 Meeting
5:30 p.m. – 7:30 p.m.

Claudia D'Allegri, Member	A	Martha Norberg, Member	E
Dale Tiffany, Member	P	Melissa Bartholomew, Member	P
George Davenport, Member	P*	Pat Sainsbury, Member	P
Liz Holohan, Member	P		

Michael Pendleton, Consultant: P

*(Absent = A, Present = P, Excused = E, * = by phone)*

Guests: Judge Anne Levinson (ret.), OPA Auditor

The meeting began at 5:35 pm.

Minutes – There were no minutes to be approved.

Auditor's Report – The Auditor reported she had completed her semi-annual report covering June through November and would be distributing it later this evening. The report updates areas where SPD has made progress on previous recommendations and reviews those still not implemented. The creation of a Professional Standards Section is one positive step that is described in the report as well as the return in January to traditional relief squads instead of the in-squad relief approach and many changes to how use of force is reviewed. The first change should result in greater success for the department in implementing systemic improvements to policy and practice, better utilizing the expertise of employees with subject matter expertise or exemplary performance, both horizontally and vertically. The change in relief squads is a key part of implementing improvements to supervisory accountability of sergeants, another priority recommendation from past reports. The third change will be part of an array of changes stemming from the DOJ review. Anne noted that the report again highlights those recommendations that stem from specific cases, and some constraints due to the SPOG contract. One of her new recommendations is that the sergeant who screens an arrest or supervises an arresting officer must be the one who reviews the General Offense Report, Use of Force Report and the like. This precludes "sergeant shopping" for a sergeant who may provide less rigor in his or her review. The new "Unity of Command" structure for relief squads mentioned above should make this easier to do.

Anne was asked if there was a timeline associated with her recommendations, or put another way, how do we ensure that recommendations get implemented in a timely way. She stated that has been a problem and the 2007 blue-ribbon group had recommended the Department develop a protocol to formally respond to recommendations in order to have civilian oversight achieve the goal of helping identify and make needed systemic reforms. She indicated a routine way to do this sort of response is for an agency to note which recommendations they agree with, which they were already doing, which they disagreed with, where budget, contracts or law might need to be changed, and a schedule for implementation. One of the reasons for the creation of the Professional Standards Section is to help the Department track, assess and timely implement recommendations, whether from the Auditor, the Director, OPARB, DOJ, employees or other sources. The section is directly accountable to the Chief.

A discussion of a joint OPA Director/Auditor/OPARB project in 2012 was discussed. Anne asked if the community outreach effort begun in 2011 was still underway. A priority is to help the public better understand the accountability system and previous OPARB strategic plans included development of an ongoing city-wide outreach protocol, speaking to community groups throughout the city on a regular basis. An OPARB member who has since stepped off the board was the lead, so members will need to decide how to follow through on this part of the strategic plan.

There was discussion of the recent Garrity letter and what the OPARB's role might be in this issue. Anne mentioned they might want to see the rest of DOJ's recommendations and get a briefing on Garrity issues by City Law and SPD, before determining if they have a role in addressing that issue. Nancy will ask the Law Department if they can send a representative to the Wednesday, January 4 day meeting for 15 minutes to brief

the board about what is at issue with the Garrity. Dale will contact Chief Diaz to see if an SPD rep can attend to discuss the same matter.

The Auditor left and the Board went into closed session.

The meeting was adjourned at 7:30 pm.

Notes taken by Nancy Roberts.

The next public meeting will be held on Thursday, January 19 at 5:30 pm in the AI Rochester room on the 2nd floor at City Hall.