



City of Seattle

Office of Professional Accountability Review Board

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Report

9/1/08 – 3/1/09

The new Review Board took office September 1, 2008. This report covers the first six months of its operation.

The Board moved forward in several areas:

- Defining the Board's role in the community and the OPA system
- Assembling a contact list for community outreach and beginning its community outreach efforts
- Training: Learning the OPA system and the issues of civilian oversight and police practices
- Establishing regular contact and working relationships with OPA-IS and the OPA Auditor
- Taking care of the numerous administrative details required for Board operations

The Board's Role

The most recent legislation (Ordinance #122744 adopted July 2008) gave the Board a great deal of latitude in defining its role and duties. The Board has determined, with the OPA Director and Auditor concurring, that it will conduct community outreach in a coordinated fashion for all three parts of the OPA system. (The OPA Director and staff will independently continue their current practice of outreach and public appearances.) The Board will work with the Seattle City Council to hold the public hearings on the effectiveness of the OPA system as required by Ordinance #122809 adopted September 2008. The Board will take an active role in working with the OPA Director and Auditor to select the issues the Auditor will focus on. The Board may also address those issues independently or address other issues the Board identifies. The Board will address issues related to the OPA system and issues of police practices. The Board will not regularly review individual OPA files or report on the overall operation of the OPA system, because that role is filled by the Auditor, but the Board will work closely with the Auditor to identify and address OPA issues, and the Board may review OPA files related to any issue the Board is addressing.

Community Outreach

The Board received excellent ideas from the outgoing Board at their joint meeting on August 19, 2008. Once the Board met and organized in late September, Board members offered "get-acquainted" meetings to interested groups. Four groups responded. Members of the Board attended the following meetings:

November 20	SPD Muslim, Sikh, and Arab Advisory Council
December 2	Seattle Police Officers Guild Board
December 4	Seattle Human Rights Commission
January 7	SPD North Precinct Advisory Council

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The Seattle Human Rights Commission meeting included an excellent panel on racial profiling organized by the Commission. The panelists were Jorge Baron of the Northwest Immigrant Right Project, James Bible of the NAACP, and Jeff Siddiqui of American Muslims of Puget Sound.

It is standard Board practice for the Board members who conduct the outreach to report back to the full Board.

As part of the December 10, 2008 Board meeting, the Board spent about an hour touring the new OPA offices and meeting with OPA investigators.

The Board delegation that met with the Board of the Seattle Police Officers Guild realized it would be important for the full Board to hear from Sgt. Rich O'Neill, the President of the Guild. He attended the Board meeting December 10, 2008 and spent about an hour addressing issues of concern to the Guild and answering questions.

Jennifer Shaw of the ACLU had a similar session with the Board on January 15, 2009. Ms. Shaw was a member with the Mayor's Panel in addition to her professional involvement in police conduct and oversight issues, so her thoughts on the role of the Board and issues of concern to the ACLU were important to the Board.

At its Board meeting on February 19, 2009, the Board had similar, valuable sessions with Kay Godefroy, Executive Director of Seattle Neighborhood Group, and Bill Hobson, Executive Director of Downtown Emergency Service Center.

The Board anticipates that future Board meetings will include time with community leaders from Casa Latina, DAWN, El Centro de la Raza, Minority Executive Directors Coalition, NAACP, Seattle Indian Center, the SPD Citywide Advisory Council, the SPD LGBTQ Advisory Council, the SPD Management Association, and Urban League. These meetings are intended to explore the five questions below in wide-ranging discussion with the leaders.

When the Board decided in September 2008 to write interested community groups to offer "get acquainted" sessions, the Board had a contact list with a relatively small number of community groups. That list was augmented by a larger list from the OPA Director. Individual Board members have suggested other community groups, including domestic violence, mental health, disabled, public defense, Seattle Public Schools, downtown businesses and real estate owners, and minority bar associations. Jennifer Shaw provided good contacts for advocates for the disabled and mentally ill. The Board's contact list now includes over 100 groups. The Board has written each group asking five questions:

1. How do you and your organization get your information/opinions about police conduct, oversight and practices in Seattle?
2. Overall how do you and your organization view police conduct, oversight and practices in Seattle?
3. Are there police conduct, oversight or practices issues that are of concern to you? If so what are they?
4. What police conduct, oversight or practices issues or topics should the OPARB look into as part of its annual work plan?
5. Who else should we talk with to obtain input into the OPARB work plan?

Note that the fifth question is intended to expand the Board's contact list. The Board also asked each recipient of the letter to update contact information for the recipient's group.

The Board will use the responses to these questions in formulating the Board's work plan for the next 12-18 months, and also will use the information in working with the OPA Director and the new OPA Auditor to identify the issues the Auditor will focus on.

On February 23, 2009, Board members Pat Sainsbury and David Wilma attended the quarterly meeting of SPD's City Wide Advisory Council to introduce OPARB and request that the five questions be answered by each advisory council, not by the SPD officer who coordinates the council. The Chairs of several advisory councils asked for copies of the questions to begin formulating their responses. The City Wide Advisory Council meeting also included a preview of the Tools for Tolerance training.

Board Training

The Board held a joint meeting with the outgoing Board at their regular meeting August 19. New Board members had numerous questions and got very useful advice and information from the outgoing Board.

Also beginning in August, Councilmember Burgess's aide Betsy Graef and the Board Chair began outlining and arranging a half-day training session for Board members. Because of scheduling problems, the training was not held until Saturday November 15. Subjects included an overview of SPD including organization, the employment performance evaluation system, and the community relations programs; the legally mandated duties of the components of the OPA system; the history and law of SPD labor relations; contract and legal requirements regarding confidentiality; and representation of OPARB and its members, including attorney-client privilege, by the Seattle City Attorney. A two-hour block was devoted to the OPA system, including organization and outreach, the complaint handling and case review system, reports and policy recommendations, and a case study used to illustrate the system and some of the issues.

The Board is grateful to Betsy Graef for being the moving force behind this training and to all the instructors (Councilmember Tim Burgess, SPD Chief Gil Kerlikowske, SPD Assistant Chief Dick Reed, SPD Director of Community Relations John Hayes, Assistant Seattle City Attorney Jean Boler, OPA Director Kathryn Olson, and OPA Auditor Kate Pflaumer) for taking their time to prepare excellent materials and present them to the Board. Board members came away with good instruction and a very useful and well-organized notebook of materials.

The Board received additional training at its September 25 meeting. City staff gave the Board information on e-mail accounts, public disclosure and records retention; Open Meetings and public disclosure; conflict of interest and City ethics requirements; media relations tips and staff support; and meetings, attendance, and quorum requirements.

Board members Martha Norberg and David Wilma attended a joint SPD and King County Sheriff's Office Internal Investigations training on September 9, 2008. David Wilma also attended the Internal Investigations interviewing training on September 10.

Board members David Wilma and George Davenport attended the four-day annual conference of the National Association of Civilian Oversight of Law Enforcement (NACOLE) in late October. They reported back to the Board on what they learned and issues that caught their attention.

David Wilma attended the ten-week SPD Community Police Academy.

Board members Tina Bueche and Martha Norberg attended SPD's Tools for Tolerance orientation on November 12th.

The training and community outreach efforts to date have been important in educating Board members about their role and their duties, the discipline system, and other issues.

Working With OPA Director and Auditor

OPA Director Kathryn Olson and Auditor Kate Pflaumer have an excellent, open working relationship. The Board aims to join them in that spirit. They were an important part of the Board's training in November. They have attended Board meetings and have been accessible to discuss various issues. They have commented on Board initiatives and have met with the Board to discuss questions including OPARB outreach ideas and compiling the contact list for outreach, their roles in outreach efforts, the timing and process for reviewing and issuing regular reports, and topics for auditor's review in 2009. As directed by Ordinance 122744, they and the Board have established the quarterly meetings for coordination. However, they will receive all Board agendas and likely will attend Board meetings more often than the mandated quarterly meeting. They also receive all Board meeting minutes and will be invited to all Board outreach meetings.

Board members Sharon Dear and David Wilma and Board consultant Michael Pendleton worked with OPA Auditor Kate Pflaumer on her report on Use of Obstruction charges. Michael Pendleton and Board Chair Pat Sainsbury commented on Kate Pflaumer's semi-annual report published in December. Pat Sainsbury commented on the first draft of Kate Pflaumer's upcoming report on SPD relations with minority communities. Both Kate Pflaumer and Kathryn Olson offered comments on the first draft of this report.

Administration

In its first months of operation the Board spent a great deal of time learning the rules governing its operation (e.g. Open Meetings, public disclosure), and learning the City's administrative and computer system. The Board established meeting dates and various procedures for doing Board business. The Board enacted Bylaws governing Board meetings and operations. The previous Board had protocols, policies, and procedures that needed to be changed to reflect changes made by the City Council. The Board has made some of those changes and posted them on the Board's website. Others are in process.

You are invited to contact the Board at (206) 684-8888, opareviewboard@seattle.gov, or <http://www.seattle.gov/council/oparb/default.htm> if you have questions or comments, or would like to meet with the Board.