



Office of Professional Accountability Review Board (OPARB)

**Minutes of Wednesday, November 4, 2009 Meeting
11:30 a.m. – 1:30 p.m.**

Patrick Sainsbury, Chair:	P	Steve Freng, Member:	P
Tina Bueche, Member:	P	Martha Norberg, Member:	P
George Davenport, Member:	P*	David Wilma, Member:	P
Sharon Dear, Member:	P*	Michael Pendleton, Consultant:	P

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

Guest(s): Kathryn Olson, OPA Director

Kathryn reported that SPD has been burdened by the murder investigation and funeral preparations. Funeral scheduled for Friday at 1:00 p.m. The procession will start at 11:00 a.m. If you would like to contribute to the reward fund, work with Crimestoppers. All Bank of America branches will accept contributions to the **Brenton Family Assistance Fund**.

Reports: David reported that he did an unscientific poll of agencies at the NACOLE conference and found that there is almost no civilian review of criminal investigations of officers. No oversight agency conducts criminal investigations. All wait for the end of the criminal investigation or prosecution to commence the administrative investigation, although two agencies, Austin and Los Angeles, do the administrative investigation parallel to the other investigations in deadly force cases. There was an Inspector General's Office report citing trouble with parallel investigations. Pat warned of legal and self-incrimination issues when criminal and administrative cases are pursued simultaneously.

Tina, George and Michael met to further narrow their outreach focus to gathering information from officers on the OPA process. They recognize the difficulty in reaching out to officers, and their reticence to talk. They want them to participate voluntarily, but are looking for ideas to make it easier for them to participate. The majority of them have had no dealings with OPA. Kathryn says paper exit interviews are provided to participants after investigations, but not surprisingly, there's a very low rate of return. She will provide OPARB with a copy of the tool they use. Can Kathryn provide information on officers who have been involved and the nature of the issue (not necessarily names or identifying information) so questions can be targeted and so that answers will be in context. Potential questions would include timeliness of investigation, classification, and discipline matrix. Another idea is to meet with officers (at roll call) a couple times a year to re-acquaint them with the OPA process. Kathryn reminded the group that with collective bargaining season coming up, timing is important – make sure to keep the issues separate.

Martha reported on progress on the diverse community/homeless issue. They are proceeding with gathering documents from shelters they wish to visit. They're looking for manuals, policies, and training materials. Kathryn will provide Martha with a contact name and number for SPD training. David suggested that the Patrol Operations Bureau may be a resource, as well as the CIT and field training officers guide.

NACOLE: Kathryn received a message from Betsy Graef indicating that members may be asked to give a brief report on NACOLE at an upcoming committee meeting. Kathryn enjoyed the networking opportunities at the conference, found the topics relevant and informative, and was elected to NACOLE's board.



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It turns out that Seattle's NACOLE conference dates conflict with Yom Kippur, so they're trying to work out a solution. If you have ideas for presentation topics for the 2010 conference, RFPs for presentations are due in early January.

Steve stated that attendees came from 20 states and 5 countries. Breakout sessions on diverse communities and racially biased policing were particularly pertinent. Bill Lewinski gave a strike force presentation on reaction times that was enlightening. Lori Fridell gave a lecture on race-based profiling acknowledges that it exists, but it's a natural human bias that cuts across all cultural and ethnic groups. The way to deal with it is not through a complaint system but through institutional hiring practices and training.

Pat mentioned that academic psychologists are bringing their research and analysis tools to the study of policing issues. The Lewinski work on reaction times and perception is a good example. Pat felt the presenters from Denver were impressive. They have an integrated government, where one administrator is over all police, fire and emergency services. He enjoyed a debate about honesty – should there be an absolute bright line? UCLA Psychology Professor Dr. Phillip Goff and Denver Training Division Chief Tracie Keese (a police officer who has a Ph.D.) presented a discussion of their research on use of force, and how it is not so much related to racial or political attitudes, but to insecure masculinity, which is something they believe they can screen for in the hiring process.

Nancy has requested that copies be made for each board member from the flash drive that was issued to each NACOLE attendee, and will distribute them at the November 17 meeting.

David came away from the conference feeling that Seattle's system is better than many other models. Other programs are often newer than Seattle's 3rd-generation model. In Tucson there was a large immigration demonstration involving violence. Their civilian complaint board worked with the media and assisted in gathering information. Perhaps OPARB could develop a rapid response protocol for WTO-like events.

Strategic Plan and Report Introduction to SPD Command Staff: Command staff meets Wednesday at 9:00 a.m. Kathryn suggested that the report be distributed in advance and then OPARB members could attend a Wednesday meeting. It could be a meet-and-greet as well as presentation of the documents. Kathryn tentatively suggested the December 2 meeting. She will get back to OPARB to confirm the date or propose an alternative date. She suggested alluding to various points of the strategic plan rather than distributing the entire document, since the official presentation has not yet been made to the public safety committee.

Acceptance of Comped Benefits: The offer of gratis tickets to the Seattle Police Foundation awards banquet brought up the issue of conflict of interest and perceptions of separation between OPA and OPARB. It was felt that since this is not SPD per se, that attendance would be appropriate, but many voiced that they'd be more comfortable paying for their own ticket. How about sending congratulation notes? Not this year, considering the murder investigation and that it's too late, but

next year it was suggested that OPARB send the Foundation a letter congratulating all award recipients.



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Notes:

- Nancy will ask Ian to come to the next meeting to provide a demonstration of logging in to the new email system.
- Nancy will check with Betsy to see if the date has been decided for presentation of the Strategic Plan and Report to the Public Safety Committee.
- Ordinance 122809, SMC 4.04.120 F, requires OPARB, the Public Safety, Human Services and Education Committee, and the Labor Policy Committee to hold a public hearing on the effectiveness of the OPA system at least 90 days before any labor negotiations start. With contract negotiations coming up next year, it is time to begin organizing the hearing. Pat and David will be a sub-committee for OPARB's work on this. They will review the current contract to look for possible points to be negotiated, and will work with Kathryn and Michael Spearman on how best to reach out.
- Nancy will contact Betsy and Tim Ceis to get an outline of the negotiation process.

The meeting was convened at 11:30 a.m.

The minutes of the October 15 meeting were approved.

The group adjourned at approximately 1:22 p.m.

Notes taken by Nancy Roberts.

The next meeting will be held on November 19, 2009 at 5:30 p.m. in the Boards & Commissions Room, City Hall.