



Office of Professional Accountability Review Board (OPARB)

**Minutes of Wednesday, January 6, 2010 Meeting
11:30 a.m. – 1:30 p.m.**

Patrick Sainsbury, Chair:	P*	Steve Freng, Member:	P
Tina Bueche, Member:	P	Martha Norberg, Member:	E
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; Peter Holmes, City Attorney

Minutes: The minutes of the December 2, 2009 meeting were approved as circulated.

New City Attorney: Peter Holmes greeted the board, offered his thanks for their service, offered his encouragement in their work and promised the support of the Seattle City Attorney's office. He promised to truly read the Board's reports, and shared his cell phone number with everyone.

NACOLE: Kathryn reported that the RFP had been posted, but she had no other new information. She has been reaching out locally, soliciting ideas for presentations. When she receives the agenda for the NACOLE board meeting to be held January 22 to 23, she will share it with board members.

Michael Pendleton Contract: In March the Board will begin to think about whether to put Michael's contract out to bid, per new city guidelines.

Open Public Meetings Act as it relates to Board Subcommittees: The Law Department has some concerns about the Board's subcommittees being subject to OPMA. Perhaps it's nomenclature, since the subcommittees do not have the power to make decisions. More to come on this.

Hearing on OPA Labor Negotiations: The Board's role is solely to hold the meeting. They can provide input, just as other citizens do, but they have no power beyond that. City negotiators take guidance from the Mayor and the Council. It was proposed that the Board share what background they have on their particular areas of concern with the negotiators as a resource, and not in a formal report. There was further discussion about the board having done the work to gather this information, and they didn't want to underplay their concerns.

180 Day Rule in Criminal Cases: Pat observed that this issue affects very few cases. There were few sustained criminal cases in the 13 months David researched. But Pat does not want this to be ignored, because it could be a serious problem in the right case. Kathryn pointed out that while this is an important issue, if it is a part of the negotiating process its importance may appear larger than it is. How can the Board make sure the concerns are addressed without giving it undue weight? The Board must maintain objectivity, but bring content issues forward. The board must differentiate between opinion and recommendation and simply making your findings known, which is the board's responsibility. The suggestion was made to give current information in its current format to negotiators, without wrapping it up in a formal report. Perhaps a legal opinion is needed on how to bring OPARB issues forward without creating problems. One concern is that oversight bodies are seen as powerful, and their issues may be bargained at the cost of other issues.

It was agreed that at the upcoming public hearing on Tuesday, 1/26 at 5:30, the Board would listen and not add input. There was discussion about who will be able to attend. Pat will check with Tim to see what kind of presence he has in mind.



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Meeting with SPD Command Staff: The group found them familiar with issues identified from OPARB's community outreach. They are clearly aware and interested in OPARB's work, and generally received them well. The group agreed that SPD works well at the precinct level.

Website: Recent improvements have been made to the website, although they have not yet been launched.

Reports: Sharon and Tina are meeting for the first time today. Kathryn and Tina are putting together a meeting with Rich O'Neill.

It appears that per the SPOG contract, OPARB should be doing quarterly reports, although the ordinance calls for semiannual reports.

Kathryn reminded everyone that the Joint Labor Management Committee meets regularly, and some issues may best be dealt with in that committee, rather than in negotiations; items such as housekeeping, etc. She knows they meet at least monthly, and perhaps twice/month.

David's report on criminal investigations of police officers is in final form, and is now in Kathryn Olson and Michael Spearman's hands, as it is a joint report. He expects the finished report by the next OPARB meeting, and plans to share a copy with the members prior to the meeting.

Pat and David will be talking to Pete Holmes soon regarding negotiations and how to present OPARB concerns.

The meeting was convened at 11:30 a.m. and adjourned at 1:30 p.m.

Notes taken by Nancy Roberts.

The next meeting will be held on January 21, 2010 at 5:30 p.m. in Room 370, City Hall.