

Minutes of Thursday, January 21, 2010 Meeting
5:30 p.m. – 7:30 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 (by phone); Citizen Gino

The minutes of the January 6 2010 meeting were adopted as circulated.

Kathryn reminded the group of the NACOLE reception the next day at the Olympic. The NACOLE Board will consider over forty proposals for presentations at the conference in the fall.

Pat mentioned an article by Malcolm Gladwell regarding homelessness, use of force, and emissions testing. He will share the article by sending out a link.

Police Chief Search Committee: Tina reported on the status. They have had two meetings so far and a search firm has been selected. All meetings have been taped to video by Seattle Channel. OPARB will share its contact list with the search committee to obtain feedback from the community. Two public meetings will be scheduled to solicit community input – one in the north end, one in the south. There will be a website asking questions of the public. Tina recommended and the Board agreed that the Board should make a Board response to the questions. The goal is to deliver three finalists to the mayor by May.

Old OPA Files Held by OPARB: The Board decided that all the old files, including taser cases, should be discarded.

Strategic Plan: The Strategic Plan as written may trigger the open meetings act because of the use of the term “committees”. Pat consulted with Jeff Slayton in the Law Department and learned that the act as written is almost impossible to follow literally. The Board agreed that the committees as described in the Strategic Plan shall be termed “working groups” focused on the various missions of the board.

Options for Publishing/Implementing Reports Affecting Labor Negotiations: Pat talked with Kathryn, Nick Licata, Tim Burgess, Jeff Slayton and Michael Pendleton. All agree that OPARB is a citizens group, answerable to the public, and should keep that as our primary consideration. Nick feels that the thrust is to fix problems in the most effective way, whether it’s to identify a problem, or also suggest a solution. Jeff Slayton was reminded of the Auditor’s office and the tension between pointing out problems, which opens the City to liabilities, when the fix may not be quickly forthcoming. Tim agreed with Nick on the need to be effective, but with emphasis that the primary purpose of OPARB is to serve and be accountable to the public, not to protect the public purse or the City’s position in labor negotiations.

Pat talked to the Law Department about OPARB discussions about labor being exempt from OPMA. He’s awaiting further information from Law.

With regard to the issue of OPARB members commenting on proposals during negotiations, it was suggested that they ask to be notified if anything comes up that might affect the board. The suggestion was made that the negotiators would notify Kathryn, who would share with OPARB if indicated. Kathryn does not want to be placed in that role. Michael urged the group to develop a way for negotiators to connect with the Board. They want negotiators to know enough to be able to recognize issues that may impact the Board, and to keep the Board informed along the way.

After much discussion, the OPARB members unanimously agreed to meet with the City's negotiators directly to share their concerns and ask them to consider taking the issues to the negotiating table. The intent is to serve as a resource to the negotiators to help them understand the consequences and ramifications on the OPA system. The Board would then convene in closed session to determine the three or so issues most important to the Board, and submit those in writing. They will ask the negotiators to cycle back to the Board in any way they can. They will be clear in maintaining their independence from OPA.

David asked, if a draft 180-day report is given to negotiators, can the report be issued before the negotiations are over? How protected or public is that information? Pat will check with Jeff Slayton.

Report on 180-Day Rule in Criminal Cases: Pat and Kathryn will work on a final draft of the 180 Day report. Tina suggested sitting down with the Guild and asking for a reality check on the report. It's morally right to get all the information. Pat will ask Law's advice on that issue.

Report on Appendix E: Michael suggested that any recommendations be bolded to make them easier to find in the text. Place a "draft" watermark on every page.

Report on Oversight of Criminal Investigations: This issue was deferred to a later meeting. David, Kathryn, Michael Spearman and Pat are working on this.

Work Group Reports: Tina and Sharon asked for use of force case complaints closed in the last 90 days, and found there were only 15 cases, not enough for a study. Michael suggested asking for a specific number of cases. There was discussion about the best way to approach the issue. Michael reminded them that whatever approach they take, they need to make sure their methodology is tight. David suggested focusing on SWAT team complaints or serving search warrants, and how the city compensates for damages as a result of searches as future topics for review.

George and Tina reported that Rich O'Neill is happy to meet with them and to facilitate their access to officers.

Steve will be researching other communities to determine their policies on the homeless.

OPA Complaint Classification System: This was deferred to a later meeting.

The meeting was convened at 5:35 p.m. and adjourned at 7:30 p.m.

Notes taken by Nancy Roberts and David Wilma

The next meeting will be held on February 3, 2010 at 11:30 a.m. in the Boards & Commissions Room L280, City Hall.