

**Minutes of Wednesday, May 5, 2010 Meeting**  
**11:30 a.m. – 1:30 p.m.**

Patrick Sainsbury, Chair:	P	Steve Freng, Member:	P
Tina Bueche, Member:	E	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: Kathryn Olson

**Minutes** - The minutes of the March 18 and April 15, 2010 meeting were approved without changes; April 7 minutes were approved with one change.

**Updates on 2010 NACOLE Conference** – Kathryn reported that the planning continues. She asked Pat to sit on a panel to discuss outreach to stakeholders; Pat agreed to do so. Kathryn has started fundraising – drafting letters, talking to people at various organizations. The planning group will soon finalize the roster of speakers and topics.

**Police Chief Search Committee** – Interviews will be held May 8, and the final three candidates will be recommended to the Mayor on May 12.

**Auditor's Report and Director's 2009 Statistical Report** – Nancy will locate the Auditor's report and link it to the OPARB website. She will forward that report to members for discussion at the next meeting. Patrol car videotape malfunctions, cited in Kathryn's report, were discussed. There was also discussion of complaints about searches, which are hard to categorize. Most involved warrantless searches, with the officer claiming exigent circumstances, both in cars and homes. A recent court case places further restrictions on car searches. Kathryn noted that exigent circumstances and other exceptions to the warrant requirement are fact-based and can be complex.

**OPA Auditor Selection** – Members discussed their criteria for an OPA Auditor. Mentioned were: someone who is dedicated to the job and has credibility, intelligence, esteemed reputation in the community, support from community and police, ability to disagree in a collegial way, ability to examine and understand complex fact situations, training as a lawyer, judicial and JDR experience, judicial temperament, open to alternatives to discipline, ability to stay abreast of changes. Pat will call Carl Marquardt to convey the board's thoughts. David suggested that he wait to make that call until the list of final candidates is posted so the board's ideas aren't overlooked. Michael suggested an issue paper, even if short, be sent to the Mayor's Office. Pat will ask for names of the candidates when they are available, and will share them with the board.

**Reports from Work Groups** – Sharon and Tina's Use of Force report was discussed. Sharon was surprised at the number of third party complaints. It was suggested that age of the employee and years of service would be helpful information to have in such a report. Michael suggested the need for a systemized reporting method – a common language, a more objective process. He would like members to use a consistent template/grid when auditing files. He also suggested a two-step process – identification of the time period to be reviewed, and request for

cases *by case number only*. Then the member should randomly (or strategically) choose cases from that set to review.

In response to Sharon's question – "Where do we go from here?" Kathryn stated that OPA will issue a Use of Force report in mid- to late-summer. The definition and rules on use of force changed around 2006. That report may serve as a jumping-off point for an OPARB review.

The meeting adjourned to a closed session at 1:23.

Notes taken by Nancy Roberts.

The next meeting will be held on Thursday, May 20, 2010 at 5:30 p.m. in the Sam Smith room, 2<sup>nd</sup> floor, City Hall.