

**OPARB**  
**Minutes of Thursday, May 19, 2011 Meeting**  
**5:30 p.m. – 7:30 p.m.**

|                                |    |                         |   |
|--------------------------------|----|-------------------------|---|
| David Wilma, Chair:            | P  | Steve Freng, Member:    | P |
| Melissa Bartholomew, Member    | P  | Martha Norberg, Member: | E |
| Tina Bueche, Vice Chair:       | E  | Pat Sainsbury, Member:  | P |
| George Davenport, Member:      | P* |                         |   |
| Michael Pendleton, Consultant: | P  |                         |   |

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

Guests: Kathryn Olson, OPA Director

The meeting began at 5:35 pm. There were no changes to the agenda.

**Minutes** - The minutes of the May 4 meeting were adopted.

**Public Comment** – There was no public comment.

**OPA Director Report** –Kathryn reported that the DOJ was here all last week. Their team included two DOJ attorneys from DC, one local DOJ attorney, and 2 former police chiefs, from LA County Sheriff and Shreveport. They met with several people, but DOJ conflicts precluded David and Martha from meeting with them. The DOJ will make preliminary conclusions from their on-site observations, and Kathryn expects their letter will memorialize oral feedback already received. They recommend some new practices, which seem reasonable, e.g., that OPA do critical incident roll-outs. Kathryn is not clear what OPA's role at an incident would be, but various considerations come to mind, including guild issues and money. DOJ found the classification system too busy, and dislike the supervisory intervention finding. David felt it is within OPARB's scope to comment on the DOJ report when it is received.

The NACOLE web site changes are up, and the basic schedule for the conference is posted. Seminar summaries will be posted in the next couple weeks.

When asked, Kathryn replied that reaction to the recent Cobane decision has been mostly supportive. Michael sees two issues from the Cobane case – precedent setting (having a chilling effect on discipline) and discipline implications – will discipline consider whether an incident is a single incident or one of several similar complaints against an officer. There was discussion about discipline decisions being overturned, and Kathryn stated that a NACOLE panel will address this very issue. Some jurisdictions use a matrix, which is most helpful when discipline is decentralized, which is not the case at SPD. Steve hoped that SPD was looking into alternate forms of discipline (e.g., LA County). Pat expressed concern that the Chief specify or clarify the racial and ethnic slurs that will lead to firing, so that SPD does not in the future face the same problem as it faced in the Cobane case (no clarity re what conduct leads to firing) in a different case. He also suggested that the firing offense slurs need to be broadened, citing the recent example of NBA player Kobe Bryant calling a referee a "faggot."

**Community Engagement** – The work group met and made progress on a proposal. They hope to submit the proposal at the June 1 meeting, and discuss the topic at the June 3 retreat. David reminded the group that they have been invited to discuss the community engagement proposal at the July 6 Public Safety committee meeting.

Rothman Pittsburgh Article – An allusion was made to Seattle. There, as in Seattle, the DOJ was involved, in that case to determine a civil rights violation. They decided not to prosecute and the community reacted violently. Referring to the John T. Williams case, Pat suggested that DOJ, as in Pittsburgh, may not prosecute, disappointing members of the community. Pat felt the Rothman process should be utilized for a better outcome. OPARB will recommend the Rothman approach, but they need to strategize with Tim and others to determine how best to move this forward. Melissa reported that Jay Rothman will be in and out of the country this summer but is available via Skype. He'll be back in the fall.

**Diverse Communities** – Nothing to report.

**Classification and Findings** – The work group is drafting a proposal to decrease the number of classifications. They had a telephone meeting on May 17, and are reviewing DOJ's input about classification. Pat hopes to report further at the June 1 meeting.

**Closed File Review** – George has reviewed 4 UOF files; Melissa 3. David, Martha and Pat have each reviewed 4 or so. David wants to discuss the utility of file review at the retreat; what can be accomplished given time restraints and other responsibilities. For reporting purposes it is important that all have read the same files, not several different files. David urged the group to read as many files as they can before the retreat.

Retreat – The retreat is scheduled for Saturday, June 4 from 9 – 1 at Martha's offices, 811 First Avenue, Suite 630, Seattle 98104. Please submit topics for the retreat via email to David – some suggestions were Community Engagement, File Review; Development of an Outreach Presentation; Semiannual Report Topics, revisiting the Strategic Plan. Michael suggested that meeting frequency could be discussed over lunch.

Submit your suggestions for lunch to Nancy Roberts by May 31 to allow time to make arrangements.

Notes regarding presentation at July 6 Public Safety committee meeting – per Betsy, the report can be oral. David suggested that Community Engagement project be presented. He will draft a semiannual report, which is due by June 30. Please submit topics to him in a timely fashion so both reports can be presented at the July 6 meeting.

The meeting was adjourned at 6:30 pm.

Notes taken by Nancy Roberts

The next meeting will be held on Wednesday, June 14 at 11:30 am in the Al Rochester room on the 2<sup>nd</sup> floor at City Hall.