

**OPARB**  
**Minutes of**  
**June 6, 2012 Meeting**  
**11:30 a.m. – 1:30 p.m.**

Dale Tiffany, Chair	E	Joe Hawe, Member	E
Melissa Bartholomew, Member	P	Liz Holohan, Member	P
Claudia D'Allegri, Member	P	Pat Sainsbury, Member	P
Michael Pendleton, Consultant:	P		

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

Guests: Councilmember Bruce Harrell, Lisa Herbold, Councilmember Licata's Office

The meeting began at 11:35.

CM Harrell began the discussion of OPARB's recent Interim Report dated May 21, 2012. He has a spreadsheet of about 150 ideas for OPA system reform for consideration, gathered from various sources. He offered strong support for OPARB's current recommendations.

He struggled with recommendation 1.5, concerned about the idea of appeal. He feels that the police chief should determine discipline for an officer, but that the facts of an issue should be subject to scrutiny. Liz responded that they seek power to review, rather than appeal, but this is an issue they want subject to greater oversight. This approach addresses consistent, persistent complaints about the lack of transparency in the complaint process. This review function would be open to both civilians and officers, offering an additional set of eyes on the process. Pat likened the basic concept to the bar association complaint review panel.

The review creates a record of how decisions are made. Review would be made upon receipt of complaint or at the Board's discretion, allowing them the right to select a category for review or review cases at random.

Lisa was concerned that complainants may still be dissatisfied after this review, and this would add another set of expectations.

Michael felt that the point at which reviews occur in the process is relevant, and felt that they should occur prior to findings. How binding is the Board's review? Would they have the power to return the investigation back for further work?

CM Harrell reminded everyone that structural changes are subject to labor negotiations, and the DOJ discussions are a long way from resolution – they can take a year or so. Some things, such as changing the name of the Board, are easy, and Central Staff are currently reviewing OPARB's recommendations to determine what can be accomplished through legislation and what needs to be bargained.

Item 1.2: Input Regarding the OPA Director. CM Harrell's suggestion is that the Board be required to write an evaluation on the director, which is then submitted to the chief. His language is stronger than the report's recommendation.

Item 1.3: Ability to Review Open Cases. Negotiated item. Lisa made the suggestion that council has passed legislation knowing that it had to be bargained, and then after negotiations, went back and amended the legislation.

Item 1.4: Case Certification Power. The Auditor's review is in real time, making it difficult to maintain complete objectivity and to not get socialized to the process. The current system lacks "professional tension." The recommendation is that the final determination be subject to a qualitative discussion prior to going to command staff. CM Harrell referred to Seattle Human Rights Commission's system, and that in addition to the Board, another group could be created to handle the review process.

1.5 Limited Review for Complainants. Reviews can be requested with regard to classification and at any time thereafter. Currently the Auditor reviews all classifications assigned by the intake officer. The Auditor does return some of the cases back for reclassification.

1.6 Compliance Reporting and Oversight. This references reports from the director, auditor, and board. Recommendations are currently not tracked or accounted for. Someone needs to do this. CM Harrell suggested that the Auditor audit her own recommendations and provide status of each.

1.7 Increase Size of Commission. CM Harrell agrees with the increased size. The board agreed that rather than have a divided board or commission, they want the larger board to be intact in order to remain well-informed and integrated, with sub-groups assigned on a rotating basis for various responsibilities.

1.8 Increase Size of Commission. This follows recommendation 1.7.

CM Harrell will work with his colleagues and make a program recommendation within 6 – 8 weeks.

Kathryn is currently working past her reappointment date. If she is reappointed, will her term start from the date of reappointment or will the interim period be counted as part of the term?

After CM Harrell and Lisa left, the board decided to amend item 1.2 on the report to reflect the stronger language suggested by CM Harrell. The “interim” will be deleted and the report date changed. Liz will provide the language to Nancy. On Friday, Nancy will send the report to those who received the interim report on May 21 – Public Safety Committee members and alternate, and Pete Holmes. On Monday, Nancy will post the agenda to the web, send it with a brief cover to OPARB stakeholders, send out a media release, and file the report with the City Clerk’s office.

The May 17 meeting minutes will be approved at the next meeting. There won’t be a quorum at the next scheduled meeting on June 21, so the meeting was rescheduled to Tuesday, June 26, 5:30 – 7:30. The July 4 meeting has been cancelled, but may be rescheduled if emergent issues arise.

The meeting was adjourned at 1:35.

Notes taken by Nancy Roberts.

The next meeting is scheduled for Tues, June 26 at 5:30 pm in the AI Rochester room on the 2<sup>nd</sup> floor at City Hall.