



Seattle City Council Police Accountability Panel (SCCPAP)
Minutes of Monday, December 10, 2007 Meeting
6:00 pm – 9:00 pm

Present: Panelists W. Ed Reed, Eric Schnapper, Lynne Wilson; Leo Hamaji, Veronica Alicea-Galvan, Michael Pendleton, facilitator; Nancy Roberts, staff

Absent: Kellye Testy, Steve Herbert

Guests: Peter Holmes, Bradley Moericke, Sheley Secrest – Office of Professional Accountability Review Board (OPARB); Kate Pflaumer, Office of Professional Accountability (OPA) Auditor

Administrative:

Meeting was convened at 6:05 pm

Approval of Agenda and Minutes – The minutes of the 11/26/07 meeting were approved.

Correspondence – The facilitator shared messages from both the panel members who were unable to attend the meeting. They are being kept apprised of the panel's activities, both through correspondence and through meetings with the facilitator. The facilitator will pose questions from the absent members to the evening's presenters.

OPARB –The board presented some background, and their presentation was based on their letter of 9/6/7 to the Mayor's panel, which contained their recommendations for changes to the OPA system. Questions were raised by the panel about the inconsistencies in the Patterson case; the chief's involvement in the process: at what point was he involved; what other cities are doing to enforce officer's full compliance in investigations; the pros and cons of chief involvement prior to OPA closure; whether officer's past history is reviewed when complaints are lodged. The Board recommended that all complaints to OPA, even supervisory reviews (SRs) be placed together in each employee's file, which would reduce the incentive to "dumb down" categorization of complaints. They are currently separate.

OPA Auditor – The Auditor gave an overview of her role and responsibilities. She felt that while some of her duties duplicate the Director's, she sees much value in having a totally independent, untouchable viewpoint, and feels the Chief does listen to her viewpoint. In answer to a question about an officer's ability to "run out" the 180 day clock by failing to attend interviews (up to 3 times), the Auditor stated that officers who fail to attend are pretty severely reprimanded; this is an issue she feels the current chief handles well. The Auditor explained the distinction between the various types of classification. She would like her position to have more power; to have an impact on an employee's underlying conduct. She would like to be able to comment and weigh in on the outcome of cases.

The Auditor explained that the oversight system in Boise is different from ours, and feels that our system of the Auditor being able to see files in real time is important. She agreed that there are serious cultural issues with the department; that no police department anywhere welcomes civilian review. She feels that guild issues are large; total agrees with a bright line rule. The biggest changes she hopes to bring about are in how people see their jobs, how performance is rewarded, and in policy recommendations. She feels that policy changes can encourage/promote candidness, and training can expand street skills in de-escalation. Additional training can teach investigators the best way to ask questions, or how hard to push in questioning.

Other notes: Kate was asked how receptive SPD is in receiving feedback from her. She responded that they are very responsive. She has an ongoing dialogue with the Chief, and he has requested additional training for his staff.



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Officers are sensitive to having Supervisory Reviews (SRs) included in their record, especially when sustained.

The Auditor is not clear on OPARB's role, and feels they could be put to a better and higher use. She hopes that there is a conversation between the Mayor's & Council's panels on the definition of OPARB's role. Perhaps it is to survey the public, hold public meetings to discuss problems with the process, getting that same information from officers; checking our system and effectiveness of policies and procedures against national models. If OPARB were to be a civilian sounding board, it would fill the gap between what happened yesterday and the Chief, who strives to find a balance between the staff and guild. Should OPARB's focus be on SPD or OPA? Perhaps they could do a review, then present it to SPD/OPA. The City Auditor could audit the preview.

Regarding public perception of OPARB and the Auditor: the public has increased connection to OPARB, since they are civilians like us. There is a trust issue regarding "what the auditor does." The Auditor feels that OPARB's most valuable function is as interlocutor between officers and citizens. Citizens want an appellate function.

One panelist felt that citizens were looking for respect and civility. There is an imbalance of power and the power is misused. The length of detention varies – by race? In their culture, police seem to forget they're public servants.

There is an inherent flaw in that the administrative disciplinary system is the same as the public accountability system. There may never be a satisfactory (to the victim) remedy for wrongs. SPD staff need to be trained to inform citizens of their various avenues for remedy – the courts, for instance.

Q: What is in place for non-English-speaking citizens? A: The OPA brochure is in 8 languages.

There needs to be a better policy assessment of how risk management and OPA work together.

Does oversight keep people honest – the threat of someone outside having access to information)?

Q: What went wrong in Alley Barnes? A: The sergeant over-reacted (this was prior to 'abuse of discretion' being an actionable violation) and called for extra back up too soon. It went over 180 days because of confusion between the OPA and Chief on when the clock starts.

Next Meeting Agenda Building - Who does the panel want to hear from? Suggestions – Chief, Sam Pailca, aggrieved citizens (or organizations that represent them), the Mayor's Panel. The facilitator will talk to Sam Pailca (former OPA Director) and the chairs of the Mayor's Panel to see when they can meet. The next meeting date has not yet been set; it's contingent on availability of the desired speakers, but will be either Monday, January 7 or January 14.

Nancy will contact members prior to each meeting to see if they are interested in having her purchase box lunches/pizza/food for these dinner-time meetings. Expenses will need to be reimbursed.

Meeting was adjourned at 9:08.

Next Meeting

The date of the next meeting is Monday, January 14, from 6 – 9 pm in the City Hall Boards & Commissions Room, room L280.

Minutes recorded by: Nancy Roberts