



# Office of Police Ombudsman Commission

Agenda  
January 21, 2020  
5:30PM – 7:30PM  
Council Chambers  
Lower Level, City Hall

**TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE**

## Commission Briefing Session:

5:30 – 5:35pm	1) Welcome to Public	Commissioner Rose
	2) Agenda Approval	Commissioner Rose
	3) Approve November 19, 2019 Meeting Minutes	Commissioner Rose

## Items:

5:36 – 6:15pm	1) Public Forum	Citizens Signed Up to Speak Bart Logue
	2) OPO Monthly Reports	

## Commission Business:

6:16 – 7:30pm	• NACOLE Certified Practitioner of Oversight	Commissioner Rose
	• RFP Update for Legal Counsel	Commissioner Rose
	• Vision and Goals for 2020	Commissioners
	• Commissioner Speak Out	Commissioners
	• Christina Coty PAR	Executive Session

## Adjournment:

The next Ombudsman Commission meeting will be held on February 18, 2019.

The password for City of Spokane Guest Wireless access has been changed:

**Username: COS Guest**

**Password: 284PMM5q**

**Text Questions Live To:**

**Phone Number: 509-258-5941**

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# Office of Police Ombudsman Commission Minutes

November 19, 2019

Meeting Minutes: 2:40

Meeting called to order at 5:30pm

## Attendance

- OPOC Commissioners present: Ladd Smith, Jenny Rose, James Wilburn, and Blaine Holman
- OPOC Commissioners absent: Elizabeth Kelley
- Legal Counsel: Dennis Hession
- OPO staff members present: Bart Logue, Luvimae Omana and Christina Coty

## Items Session

- Agenda approved
- October 15th minutes were approved

## Public Forum

- None

## OPO Report

- OPO Highlights for October
  - 131 contacts, 8 complaints, 18 referrals, 30 OPO interviews
  - 6 times the complaints from Ombudsman's first year
  - Focus from the community and media surrounding the UOF policy update and the BWC from an incident in February
- Critical Incident on October 23<sup>rd</sup> – Suicidal Male
- Training – International Association of Chiefs of Police: IACP, in Chicago

## Analyst Update:

- International Ombudsman Expo – Luvimae attended this in Abuja Nigeria at the end of October.
- The focus of the conference was on expanding the Ombudsman frontier, with one entire day devoted to women in the Ombudsman role.
- International Ombudsman Expo, Women in Ombudsman Leadership – Abuja Nigeria

## Administrative Specialist Update:

- NACOLE Regional Conference in Washington DC – focused on strong Community-Police relationships and how important communication is. A majority of complaints received around the country are primarily due to communication issues (officers being perceived as rude and/or arrogant)
- Was able to make connections with other Oversight agencies and was encouraged to take things to court if our ordinance is not being followed.
- Spoke with the Investigating Manager from the Department of Police Complaints in DC and she recommended that we have at least 1.5 FTE - 2 FTE's in the complaint intake based on the number of complaints, interviews conducted and referrals our office has completed.

## Commissioners' Business

- City Council Brief– Commissioner Holman
  - Discussed with City Council the importance of funding for the OPO specifically in the Administrative Specialist position and moving the position to a full time position.
  - Spoke about the number of complaints doubling the previous year and the variance of the OPO budget to that of the Police departments.
  - Blaine spoke with CM Burke about possibly tying the OPO budget to the budget of the SPD.
- NACOLE Regional Conference Recap – Commissioners Smith
  - Discussed the Community Policing thing. Educating the children about how to interact with the police. More training is needed for the PD to understand how to work with people who are on the disability spectrum.
- Recent Use of Force Case Speak out – Commissioners
  - Commissioners discussed their concerns with the Use of Force used during the incident in February (Can be viewed on the meeting recording)
- IRFP Update – Motion to change date to December 31<sup>st</sup>
  - Motion approved
  - Special Meeting scheduled for January 8<sup>th</sup> to conduct interviews.
- Commissioner Speak out –
  - Commissioner Rose – Discussed cancelling the December 17<sup>th</sup> OPOC meeting.
    - Motion approved
  - Commissioner Wilburn – Northtown Mall Kwanzaa Celebration. N Word discussion at EWU in January, Speaking on Racism at Morning Start Thursday 21<sup>st</sup>, 6pm
- Annual Report Sub Committe
  - Commissioners Rose and Smith will take this project.

**Motion Passes or Fails: 4**

**Meeting Adjourned at: 7:40pm**

**Note: Minutes are summarized by staff. A video recording of the meeting is on file -  
Spokane Office of Police Ombudsman Commission**

**<https://my.spokanecity.org/bcc/commissions/ombudsman-commission/>**



**Office of the Police Ombudsman**

808 W. Spokane Falls Blvd.  
 Spokane, WA 99201  
 509.625.6742 / spdombudsman.org

December 11, 2019

**Public Safety & Community Health Committee Report**

Reporting Period: November 1-30, 2019

Snapshot of Activities		Monthly	Year to Date
<b>Community Outreach</b>			
OPO	Total community events and meetings	4	59
OPOC	Community outreach / activities	4	45
<b>Commendations</b>		2	8 <sup>1</sup>
<b>Complaints</b>			
	Received complaints	5	75
	Referred complaints	13	144
<b>Contacts</b>		98	1231
<b>Case Review</b>			
	Request for further investigation	2	27
	Investigations certified / concurred	13	103
	Declined certifications	0	1
	Special cases reviewed	18	186
<b>Interviews</b>			
	OPO interviews	17	147
	Internal Affairs interviews	3	61
<b>Training</b>		3	27
<b>Critical Incidents</b>		0	5
<b>Mediations</b>			
	Recommended	0	3
	Conducted	0	3
	Declined	0	0
<b>Recommendations</b>		0	4
<b>Other Activities</b>			
SPD Related	Meetings / contacts	30	346
	Review boards	3	17
	Closing meetings	0	2

<sup>1</sup> Variance in YTD numbers due to adding Commendations for Ride Alongs submitted by the OPO and OPOC

1. **Outreach**

a) **OPO**

- i. OPOC Meeting (11/19)
- ii. Hot Cocoa and Conversation on Garland (11/20)
- iii. Jonah Project Board Meeting (11/21)
- iv. Leadership Spokane Event (11/27)

b) **OPOC Actions** – Commissioners attended the following event

- i. Ride Along – Commissioner Holman (11/4)
- ii. City Council Presentation (11/4)
- iii. NACOLE Regional Conference (11/15)
- iv. OPOC Meeting (11/19)

2. **Commendations / Complaints**

a) **Received Complaints**

- i. **OPO 19-74 – Inadequate Response / Demeanor:** Complainant alleges that police would not charge a person with breaking and entering because they used to live at the house and still had property there.
- ii. **OPO 19-75 – Demeanor:** Complainant called SPD asking specific questions about an officer and was hung up on.
- iii. **OPO 19-76 – Demeanor:** Complainant stated that while they were pulled over for driving without a license plate on a new vehicle, the officer continued to aggressively question them about not having insurance on the vehicle even after getting the information needed.
- iv. **OPO 19-77 – Inadequate Response / Demeanor:** Complainant was frustrated with the lack of a detective being assigned to their case after being allegedly run down by people in a car. Especially because they had a video with the car in it.
- v. **OPO 19-78 – Commendation:** Great interaction with an officer during a traffic stop.
- vi. **OPO 19-79 – Inadequate Response:** Complainant was not happy about the way the police handled serving papers to someone who was at a clinic to be seen by doctors.
- vii. **OPO 19-82 – Commendation:** Ride Along Letter of Appreciation

b) **Referrals**

- i. **IR 19-128** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- ii. **IR 19-129** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- iii. **IR 19-130** – Citizen alleges their home is being broken into and they are being stalked by SPD. The citizen has reached out directly to the Chief with no response; SPD/IA
- iv. **IR 19-131** – Officer from another department reached out regarding fraud; SPD/IA

- v. **IR 19-132** – Citizen alleges their home is being broken into and they are being stalked by SPD. The citizen has reached out directly to the Chief with no response; SPD/IA
- vi. **ER 19-133** – Citizen alleges there was a refusal to send out an officer to do a rape kit on an alleged victim; 911
- vii. **IR 19-134** – Citizen alleges their home is being broken into and they are being stalked by SPD. The citizen has reached out directly to the Chief with no response; SPD/IA
- viii. **ER 19-135** – Citizen had her car stolen and was refused to have officers look into it; Tribal Police
- ix. **IR 19-136** – Citizen alleges their home is being broken into and they are being stalked by SPD. The citizen has reached out directly to the Chief with no response; SPD/IA
- x. **IR 19-137** – Citizen stated that their mother continues to be harassed by her neighbor and they can't get help from anyone; SPD/IA
- xi. **IR 19-138** – Citizen alleges their home is being broken into and they are being stalked by SPD. The citizen has reached out directly to the Chief with no response; SPD/IA
- xii. **IR 19-139** – Citizen alleges their home is being broken into and they are being stalked by SPD. The citizen has reached out directly to the Chief with no response; SPD/IA
- xiii. **IR 19-140** – Complaint received a letter regarding their tenant being arrested. They don't have tenants and believe the address on the police report is wrong; SPD/IA  
(IR 127, 128, 129, 130, 132, 134, 136, 138 and 139 submitted by 2 different citizens. Complaints were similar in nature but different)

### 3. Case Review

- i. **C19-054 / OPO 19-46** – Investigation certified
- ii. **C19-077 / OPO 19-58** – Investigation certified
- iii. **C19-078 / OPO 19-61** – Requested further investigation
- iv. **C19-077 / OPO 19-58** – Investigation certified
- v. **C19-065** – Investigation certified
- vi. **C19-084 / OPO 19-64** – Investigation certified
- vii. **C19-070** – Requested further investigation
- viii. **C19-064 / OPO 19-53** – Investigation certified
- ix. **C19-082** – Investigation certified
- x. **C19-088 / OPO 19-68** – Investigation certified
- xi. **C19-087 / OPO 19-66** – Investigation certified
- xii. **C19-086 / OPO 19-65** – Investigation certified
- xiii. **C19-080 / OPO 19-62** – Investigation certified
- xiv. **C19-081 / OPO 19-63** – Investigation certified
- xv. **C19-083** – Investigation certified

### 4. Special Cases Reviewed

- i. 5 Use of Force

- ii. 4 Pursuit
- iii. 8 Collision
- iv. 1 K9 Deployment

**5. Activities**

- a) OPO staff members participated/engaged in the following other activities:
  - i. PSCHC (11/4)
  - ii. Quarterly Meeting with Chief Meidl (11/12)
  - iii. Leadership Spokane Executive Board Meeting (11/12)
  - iv. Use of Force Review Board (11/12)
  - v. Collision and Pursuit Review Board (11/12)
  - vi. Leadership Spokane Alumni Board Meeting (11/13)
  - vii. Mayors Quarterly Meeting (11/13)
  - viii. Biweekly IA Meeting (11/14)
  - ix. Leadership Spokane Alumni Board Meeting (11/20)
  - x. Training – Whitworth Leadership 360: Fall 2019 Lecture Series and Learning Circles (11/8)
  - xi. Training – Ride Along (11/13)
  - xii. Training – NACOLE Regional Conference – Washington DC (11/15)
- b) SPD related
  - i. 21 meetings/contacts with IA
  - ii. 12 meetings/contacts with SPD
- c) OPO met with/had contact with OPO Commissioners/staff:
  - i. Commissioner Rose on (11/4, 11/12, 11/18, 11/19, 11/22, 11/25, 11/27)
  - ii. Commissioner Smith on (11/11, 11/13, 11/22)
  - iii. Commissioner Wilburn (11/6, 11/12, 11/13, 11/22)
  - iv. Commissioner Kelley (11/22)
  - v. Commissioner Holman (11/4, 11/22)
- d) OPO met with/had contact with City Council members/staff:
  - i. Council Member Kinnear (11/13)
  - ii. Council Legislative Assistant (11/20, 11/21, 11/26)
  - iii. Council Member Stratton (11/20)
  - iv. Council Member Fagan (11/21)

**6. Next Steps**

- a. Budget for 2020
- b. Use of Force Incident Report
- c. Annual Report for 2019



**Office of the Police Ombudsman**

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January 8, 2020

**Public Safety & Community Health Committee Report**

Reporting Period: December 1-31, 2019

Snapshot of Activities		Monthly	Year to Date
<b>Community Outreach</b>			
OPO	Total community events and meetings	2	61
OPOC	Community outreach / activities	0	45
<b>Commendations</b>		0	8
<b>Complaints</b>			
	Received complaints	2	77
	Referred complaints	14	158
<b>Contacts</b>		63	1294
<b>Case Review</b>			
	Request for further investigation	1	28
	Investigations certified / concurred	12	121
	Declined certifications	0	1
	Special cases reviewed	17	203
<b>Interviews</b>			
	OPO interviews	5	152
	Internal Affairs interviews	4	65
<b>Training</b>		0	27
<b>Critical Incidents</b>		0	5
<b>Mediations</b>			
	Recommended	0	3
	Conducted	0	3
	Declined	0	0
<b>Recommendations</b>		0	4
<b>Other Activities</b>			
SPD Related	Meetings / contacts	16	379
	Review boards / D-ARP's	3	20
	Closing meetings	0	2



1. Outreach

a) OPO

- i. Kids with Cancer Holiday Party (12/7)
- ii. Presentation at the Exchange Club (12/12)

b) OPOC Actions – Commissioners attended the following event

2. Commendations / Complaints

a) Received Complaints

- i. **OPO 19-85 – Inadequate Response / Demeanor:** Complainant alleges that the responding officer wrote a report for a vicious dog on the complainant instead of a harassment report on the complainant's neighbor, which was the initial request for assistance.
- ii. **OPO 19-86 – Other:** Complainant stated that they saw and heard prowlers on their property and when there was a knock on the door with no announcement it was the police.

b) Referrals

- i. **IR 19-141** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- ii. **IR 19-142** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- iii. **IR 19-143** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- iv. **IR 19-144** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- v. **IR 19-145** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- vi. **IR 19-146** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- vii. **IR 19-147** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- viii. **IR 19-148** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- ix. **IR 19-149** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- x. **IR 19-150** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- xi. **IR 19-151** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- xii. **IR 19-152** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA
- xiii. **ER 19-153** – Citizen alleges that they were detained for 2+ hours by Park Rangers and believes it was excessive; Parks and Recreation
- xiv. **IR 19-154** – Concerns with activity done by the police involving members of the citizen's family; SPD/IA

(IR 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152 and 154 submitted by 1 citizen. Complaints were similar in nature but different)

**3. Case Review**

- i. **C19-100 / OPO 19-76** – Investigation certified
- ii. **C19-099** – Investigation certified
- iii. **C19-094 / OPO 19-72** – Investigation certified
- iv. **C19-091 / OPO 19-71** – Investigation certified
- v. **C19-090** – Investigation certified
- vi. **C19-098** – Investigation certified
- vii. **C19-097 / OPO 19-74** – Investigation certified
- viii. **C19-096** – Investigation certified
- ix. **C19-070 / OPO 19-89** – Requested further investigation/Certified
- x. **C19-093 / OPO 19-73** – Investigation certified
- xi. **C19-096** – Investigation certified
- xii. **C19-078 / OPO 19-61** – Investigation certified

**4. Special Cases Reviewed**

- i. 8 Use of Force
- ii. 3 Pursuit
- iii. 5 Collision
- iv. 1 K9 Deployment

**5. Activities**

- a) OPO staff members participated/engaged in the following other activities:
  - i. Leadership Spokane (12/10)
  - ii. Leadership Spokane (12/12)
  - iii. Biweekly IA Meeting (12/12)
  - iv. Meet with Class Leadership Spokane (12/13)
  - v. Jonah Project (12/14)
  - vi. Deadly Force ARP (12/18)
- b) SPD related
  - i. 15 meetings/contacts with IA
  - ii. 18 meetings/contacts with SPD
- c) OPO met with/had contact with OPO Commissioners/staff:
  - i. Commissioner Rose on (12/10, 12/11, 12/16)
  - ii. Commissioner Smith on (12/24)
  - iii. Commissioner Kelley (12/10, 12/11)
  - iv. Legal Counsel Hession (12/16)
- d) OPO met with/had contact with City Council members/staff:
  - i. Council Member Stratton (12/9, 12/10, 12/11)
  - ii. Council Member Burke (12/10)
  - iii. Council President Elect Beggs (12/11, 12/12)

**6. Next Steps**

- a. Use of Force Closing Report
- b. Annual Report for 2019

# National Association for Civilian Oversight of Law Enforcement

*Building Public Trust Through Law Enforcement Accountability and Transparency*



## Certified Practitioner of Oversight (CPO) Credential Program

### CPO Program Resources

The NACOLE CPO Credential program recognizes oversight practitioners who have achieved a high level of professional oversight training and encourages employers and oversight agencies to financially support and encourage participation in these voluntary training programs. Although the CPO program originally recognized only training provided at the NACOLE Annual Conference, with the recent exponential growth in civilian oversight and the corresponding need for additional training for oversight practitioners, NACOLE has expanded both its training opportunities and the CPO program. Beyond its Annual Conference, NACOLE now offers seminars, webinars, symposia and regional meetings. NACOLE's CPO Credential Program incorporates these new training opportunities.

To qualify for certification, a participant must receive a minimum of 45 credit hours of NACOLE certified training and attend two annual NACOLE conferences within three consecutive years. Of those 45 credit hours, participants must receive a minimum of 1.5 credit hours in each of NACOLE's 6 core competencies (Civilian Oversight of Law Enforcement, Investigations, the Public and Transparency, Law, Policing/Law Enforcement Policies & Procedures, Remediation and Discipline). In addition, participants are required to read two items from the approved reading list. All certification requirements must be completed in a three-year period.

After the initial certification, a participant can maintain their certification by receiving no less than 30 credit hours of NACOLE certified training and attending a minimum of one annual NACOLE Conference within the following three year period. Those seeking to maintain their certification will also be required to read two additional entries from the approved reading list during this time. The three year recertification period will begin on January 1<sup>st</sup> of the year following the completion of the initial certification. If recertification is not completed in this three-year period, participants must re-apply for the initial certification and complete all requirements to obtain new CPO credentials.

## Certified Practitioner of Oversight (CPO) Approved Reading List\*

### Scholarly Books

- Balko, Radley. Rise of the Warrior Cop: The Militarization of America's Police Forces. (PublicAffairs, 2013)
- Bayley, David H. What Works in Policing. (Oxford, 1998)
- Buren, Brenda Ann. Evaluating Citizen Oversight of Police. (LFB Scholarly Publishing LLC, 2007)
- Chevigny, Paul. Edge of the Knife: Police Violence in the Americas. (The New Press, 1997)
- Human Rights Watch (Allyson Collins). Shielded from Justice: Police Brutality and Accountability in the United States.
- Dunn, Dr. Ronnie and Wornie Reed. Racial Profiling Causes & Consequences. (2011)
- Goldsmith, Andrew J. Complaints Against the Police: The Trend to External Review. (Clarendon Press, 1991)
- Goldsmith, Andrew J. Civilian Oversight of Policing: Governance, Democracy and Human Rights. (Hart Publishing, 2000)
- Gottschalk, Petter. Policing the Police: Knowledge Management in Law Enforcement. (Nova Science Publishers, 2009)
- Harris, David A. Profiles in Injustice: Why Police Profiling Cannot Work. (New Press, 2002)
- Jones, Gareth. Conducting Administrative, Oversight & Ombudsman Investigations. (Perfectbound, 2009)
- Kappeler, Victor, Richard Sluder and Geoffrey Alpert. Forces of Deviance: Understanding the Dark Side of Policing. (Waveland Press, 1998)
- Klinger, David. Into the Kill Zone: A Cop's Eye View of Deadly Force. (Jossey-Bass, 2006)
- Lersch, Kim M. Policing and Misconduct. (Prentice Hall, 2002)
- Noble, Jeff and Geoffrey Alpert. Managing Accountability Systems for Police Conduct: Internal Affairs and External Oversight. (2008)
- Perez, Douglas W. Common Sense about Police Review. (Temple University Press, 1994)
- Prenzler, Tim. Preventing Misconduct and Maintaining Integrity: Advances in Police Theory and Practice. (2009)
- Perino, Justina. Citizen Oversight of Law Enforcement. (ABA, 2007)
- Skolnick, Jerome H. and James J. Fyfe. Above the Law: Police and the Excessive Use of Force. (Free Press, 1994)
- Walker, Samuel. Police Accountability: The Role of Citizen Oversight. (Wadsworth Professionalism in Policing Series, 2001)
- Walker, Samuel and Archbold, Carol. The New World of Police Accountability. (Sage Publications, 2013)
- Wilson, James Q. Varieties of Police Behavior. (Athenaeum, 1968)

### U.S. Constitutional Law

- Sue Davis. Corwin and Peltason's Understanding the Constitution. (17th ed., 2008)
- Domino, John C. Civil Rights and Liberties in the 21st Century. (2010)

### Biographical Books

- Domanick, Joe. To Protect and to Serve: The LAPD's Century of War in the City of Dreams. (Figueroa Press, 2003)
- Quinn, Michael W. Walking with the Devil: The Police Code of Silence: What Bad Cops Don't Want You to Know and Good Cops Won't Tell You. (Quinn and Associates Publishing and Consulting, 2011)

### Peer-reviewed Articles, Publications, and Reports

- Bobb, Merrick. "Civilian Oversight of the Police in the United States," Saint Louis University Public Law Review, Volume 22, Number 1. (2003)
- Bobb, Merrick. "Internal and External Oversight in the U.S.," PARC Issues Paper. (October 2005)
- De Angelis, Joseph and Kupchik, Aaron. "Citizen Oversight, Procedural Justice, and Officer Perceptions of the Complaint Investigation Process," Policing: An International Journal of Police Strategies & Management, Vol. 30 Iss: 4, pp.651 – 671 (2007)

- De Angelis, Joseph, "Assessing the Impact of Oversight and Procedural Justice on the Attitudes of Individuals Who File Police Complaints," *Police Quarterly*, Volume 12, No. 2, 214-236. (June 2009)
- Ferdik, Frank, Jeff Rojek and Geoffrey P. Alpert., "Citizen Oversight in the United States and Canada: An Overview," *14 Police Practice and Research*, 104-116 (2013)
- Finn, Peter, "Citizen Review of Police: Approaches and Implementation," National Institute of Justice (March 2001)
- Iris, Mark, "Illegal Searches in Chicago: The Outcomes of 42 USC 1983 Litigation," *32 St. Louis University Public Law Review* 123 (2012)
- Livingston, Debra. "The Unfulfilled Promise of Citizen Review." *Ohio State Journal of Criminal Law*, 653-669 (2004)
- Lopez, Christy E., "Disorderly (mis)Conduct: The Problem with 'Contempt of Cop' Arrests," *American Constitution Society*. (June 2010)
- Miller, Joel and Cybele Merrick. "Civilian Oversight of Policing: Lessons from the Literature," Vera Institute of Justice, Global Meeting on Civilian Oversight of Police, Los Angeles, May 5-8, 2002 (2002)
- Stone, Christopher, Todd Foglesong and Christine M. Cole, "Policing Los Angeles Under a Consent Decree: The Dynamics of Change in the LAPD," Program in Criminal Justice Policy and Management, Harvard Kennedy School (May 2009)
- International Association of Chiefs of Police, "Protecting Civil Rights: A Leadership Guide for State, Local, and Tribal Law Enforcement." (September 2006)
- Police Assessment Resource Center, "Review of National Police Oversight Models for the Eugene Police Commission." (February 2005)
- Pitcher, Kris E., André Birotte, Jr., and Django Sibley, "Developing Effective Interactions," *The Police Chief* 77: 46-48, (May 18, 2010)
- Prenzler, Tim and Colleen Lewis, "Performance Indicators for Police Oversight Agencies," *Australian Journal of Public Administration*, Vol. 64 Issue 2, 77 - 83. (May 31, 2005)
- Schwartz, Joanna C., "What Police Learn from Lawsuits," *33 Cardozo Law Review* 841 (February 2012)
- U.S. Department of Justice. "Principles for Promoting Police Integrity: Examples of Promising Police Practices and Policies." (January 2001)
- U.S. Department of Justice. "Taking Stock: Report from the 2010 Roundtable on the State and Local Law Enforcement Police Pattern or Practice Program, 42 USC § 14141," NCJ 234458. (September 2011)
- Vera Institute of Justice, "Building Public Confidence in Police through Civilian Oversight." (September 2002)
- Walker, Samuel. "The New Paradigm of Police Accountability: The US Justice Department 'Pattern or Practice' Suits in Context," *22 Saint Louis University of Public Law Review* 3 (2003)

#### U.S. Department of Justice, Civil Rights Division

- Investigation of the Baltimore City Police Department (2016)
- Ferguson Police Department: Findings Report (2015)
- Newark Police Department: Findings Report (2014)
- Albuquerque Police Department: Findings Letter (2014)
- Cleveland Division of Police: Findings Letters (2014)
- City of Miami Police Department: Findings Letter (2013)
- Los Angeles Sheriff's Department: Antelope Valley stations (2013)
- Portland Police Bureau: Findings Letter (2012)
- New Orleans Police Department: Findings Report (2011)
- Puerto Rico Police Department: Findings Letter (2011)
- Seattle Police Department: Findings Letter (2011)

### Special Independent Commissions/Blue Ribbon Reports

- Final Report of the President's Task Force on 21<sup>st</sup> Century Policing. (2015)
- U.S. Commission on Civil Rights. "Who is Guarding the Guardians? A Report on Police Practices." (1981)
- U.S. Commission on Civil Rights. "Revisiting 'Who is Guarding the Guardians?'" (November 2000)
- National Advisory Commission on Civil Disorders (Kerner Commission). (1968)
- Report of the Independent Commission on the Los Angeles Police Department (Christopher Commission). (1991)
- Five Years Later: A Report to the Los Angeles Police Commission on the Los Angeles Police Department's Implementation of Independent Commission Recommendations. (1996)
- Los Angeles County Sheriff's Department: Report by Special Counsel James G. Kolts and Staff. (1992)
- Los Angeles County Citizens' Commission on Jail Violence. (September 2012)
- The City of New York, Commission to Investigate Allegations of Police Corruption and the Anti-Corruption Procedures of the Police Department (Mollen Commission). (1994)
- Rampart Independent Review Panel. "Rampart Reconsidered – The Search for Real Reform Seven Years Later." (2000)

**\*The approved reading list is updated, at a minimum, on June 30<sup>th</sup> and December 31<sup>st</sup> of each year. If you have an item you would like added to the list, please contact Cameron McElhiney, NACOLE Director of Training & Education, to submit for consideration.**

## Certified Practitioner of Oversight (CPO) Approved Reading List\*

### Scholarly Books

- Balko, Radley. Rise of the Warrior Cop: The Militarization of America's Police Forces. (PublicAffairs, 2013)
- Bayley, David H. What Works in Policing. (Oxford, 1998)
- Buren, Brenda Ann. Evaluating Citizen Oversight of Police. (LFB Scholarly Publishing LLC, 2007)
- Chevigny, Paul. Edge of the Knife: Police Violence in the Americas. (The New Press, 1997)
- Human Rights Watch (Allyson Collins). Shielded from Justice: Police Brutality and Accountability in the United States.
- Dunn, Dr. Ronnie and Wornie Reed. Racial Profiling Causes & Consequences. (2011)
- Goldsmith, Andrew J. Complaints Against the Police: The Trend to External Review. (Clarendon Press, 1991)
- Goldsmith, Andrew J. Civilian Oversight of Policing: Governance, Democracy and Human Rights. (Hart Publishing, 2000)
- Gottschalk, Petter. Policing the Police: Knowledge Management in Law Enforcement. (Nova Science Publishers, 2009)
- Harris, David A. Profiles in Injustice: Why Police Profiling Cannot Work. (New Press, 2002)
- Jones, Gareth. Conducting Administrative, Oversight & Ombudsman Investigations. (Perfectbound, 2009)
- Kappeler, Victor, Richard Sluder and Geoffrey Alpert. Forces of Deviance: Understanding the Dark Side of Policing. (Waveland Press, 1998)
- Klinger, David. Into the Kill Zone: A Cop's Eye View of Deadly Force. (Jossey-Bass, 2006)
- Lersch, Kim M. Policing and Misconduct. (Prentice Hall, 2002)
- Noble, Jeff and Geoffrey Alpert. Managing Accountability Systems for Police Conduct: Internal Affairs and External Oversight. (2008)
- Perez, Douglas W. Common Sense about Police Review. (Temple University Press, 1994)
- Prenzler, Tim. Preventing Misconduct and Maintaining Integrity: Advances in Police Theory and Practice. (2009)
- Perino, Justina. Citizen Oversight of Law Enforcement. (ABA, 2007)
- Skolnick, Jerome H. and James J. Fyfe. Above the Law: Police and the Excessive Use of Force. (Free Press, 1994)
- Walker, Samuel. Police Accountability: The Role of Citizen Oversight. (Wadsworth Professionalism in Policing Series, 2001)
- Walker, Samuel and Archbold, Carol. The New World of Police Accountability. (Sage Publications, 2013)
- Wilson, James Q. Varieties of Police Behavior. (Athenaeum, 1968)

### U.S. Constitutional Law

- Sue Davis. Corwin and Peltason's Understanding the Constitution. (17th ed., 2008)
- Domino, John C. Civil Rights and Liberties in the 21st Century. (2010)

### Biographical Books

- Domanick, Joe. To Protect and to Serve: The LAPD's Century of War in the City of Dreams. (Figueroa Press, 2003)
- Quinn, Michael W. Walking with the Devil: The Police Code of Silence: What Bad Cops Don't Want You to Know and Good Cops Won't Tell You. (Quinn and Associates Publishing and Consulting, 2011)

### Peer-reviewed Articles, Publications, and Reports

- Bobb, Merrick. "Civilian Oversight of the Police in the United States," Saint Louis University Public Law Review, Volume 22, Number 1. (2003)
- Bobb, Merrick. "Internal and External Oversight in the U.S.," PARC Issues Paper. (October 2005)
- De Angelis, Joseph and Kupchik, Aaron. "Citizen Oversight, Procedural Justice, and Officer Perceptions of the Complaint Investigation Process," Policing: An International Journal of Police Strategies & Management, Vol. 30 Iss: 4, pp.651 – 671 (2007)

- De Angelis, Joseph, "Assessing the Impact of Oversight and Procedural Justice on the Attitudes of Individuals Who File Police Complaints," *Police Quarterly*, Volume 12, No. 2, 214-236. (June 2009)
- Ferdik, Frank, Jeff Rojek and Geoffrey P. Alpert., "Citizen Oversight in the United States and Canada: An Overview," *14 Police Practice and Research*, 104-116 (2013)
- Finn, Peter, "Citizen Review of Police: Approaches and Implementation," National Institute of Justice (March 2001)
- Iris, Mark, "Illegal Searches in Chicago: The Outcomes of 42 USC 1983 Litigation," *32 St. Louis University Public Law Review* 123 (2012)
- Livingston, Debra. "The Unfulfilled Promise of Citizen Review." *Ohio State Journal of Criminal Law*, 653-669 (2004)
- Lopez, Christy E., "Disorderly (mis)Conduct: The Problem with 'Contempt of Cop' Arrests," *American Constitution Society*. (June 2010)
- Miller, Joel and Cybele Merrick. "Civilian Oversight of Policing: Lessons from the Literature," Vera Institute of Justice, Global Meeting on Civilian Oversight of Police, Los Angeles, May 5-8, 2002 (2002)
- Stone, Christopher, Todd Foglesong and Christine M. Cole, "Policing Los Angeles Under a Consent Decree: The Dynamics of Change in the LAPD," *Program in Criminal Justice Policy and Management*, Harvard Kennedy School (May 2009)
- International Association of Chiefs of Police, "Protecting Civil Rights: A Leadership Guide for State, Local, and Tribal Law Enforcement." (September 2006)
- Police Assessment Resource Center, "Review of National Police Oversight Models for the Eugene Police Commission." (February 2005)
- Pitcher, Kris E., André Birotte, Jr., and Django Sibley, "Developing Effective Interactions," *The Police Chief* 77: 46-48, (May 18, 2010)
- Prenzler, Tim and Colleen Lewis, "Performance Indicators for Police Oversight Agencies," *Australian Journal of Public Administration*, Vol. 64 Issue 2, 77 - 83. (May 31, 2005)
- Schwartz, Joanna C., "What Police Learn from Lawsuits," *33 Cardoza Law Review* 841 (February 2012)
- U.S. Department of Justice. "Principles for Promoting Police Integrity: Examples of Promising Police Practices and Policies." (January 2001)
- U.S. Department of Justice. "Taking Stock: Report from the 2010 Roundtable on the State and Local Law Enforcement Police Pattern or Practice Program, 42 USC § 14141," NCI 234458. (September 2011)
- Vera Institute of Justice, "Building Public Confidence in Police through Civilian Oversight." (September 2002)
- Walker, Samuel. "The New Paradigm of Police Accountability: The US Justice Department 'Pattern or Practice' Suits in Context," *22 Saint Louis University of Public Law Review* 3 (2003)

#### U.S. Department of Justice, Civil Rights Division

- Investigation of the Baltimore City Police Department (2016)
- Ferguson Police Department: Findings Report (2015)
- Newark Police Department: Findings Report (2014)
- Albuquerque Police Department: Findings Letter (2014)
- Cleveland Division of Police: Findings Letters (2014)
- City of Miami Police Department: Findings Letter (2013)
- Los Angeles Sheriff's Department: Antelope Valley stations (2013)
- Portland Police Bureau: Findings Letter (2012)
- New Orleans Police Department: Findings Report (2011)
- Puerto Rico Police Department: Findings Letter (2011)
- Seattle Police Department: Findings Letter (2011)



#### Special Independent Commissions/Blue Ribbon Reports

- Final Report of the President's Task Force on 21<sup>st</sup> Century Policing. (2015)
- U.S. Commission on Civil Rights. "Who is Guarding the Guardians? A Report on Police Practices." (1981)
- U.S. Commission on Civil Rights. "Revisiting 'Who is Guarding the Guardians?'" (November 2000)
- National Advisory Commission on Civil Disorders (Kerner Commission). (1968)
- Report of the Independent Commission on the Los Angeles Police Department (Christopher Commission). (1991)
- Five Years Later: A Report to the Los Angeles Police Commission on the Los Angeles Police Department's Implementation of Independent Commission Recommendations. (1996)
- Los Angeles County Sheriff's Department: Report by Special Counsel James G. Kolts and Staff. (1992)
- Los Angeles County Citizens' Commission on Jail Violence. (September 2012)
- The City of New York, Commission to Investigate Allegations of Police Corruption and the Anti-Corruption Procedures of the Police Department (Mollen Commission). (1994)
- Rampart Independent Review Panel. "Rampart Reconsidered – The Search for Real Reform Seven Years Later." (2000)

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# CITY OF SPOKANE

## INFORMAL REQUEST FOR PROPOSALS

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**DESCRIPTION:** Outside Legal Counsel for the OPO Commission

**DEPARTMENT:** Office of the Police Ombudsman Commission

**DUE DATE:** Until the Position is Filled no later than 4:00pm

### 1. INTRODUCTION

#### 1.1 PURPOSE

The City of Spokane is soliciting proposals for

The Office of the Police Ombudsman (OPO) is seeking outside legal counsel (attorney licensed by the Washington State Bar Association) for the OPO Commission. This attorney would work directly with the OPO Commission on issues including, but not limited to: OPMA, Police Accountability, and PRR's

#### 1.2 PERIOD OF PERFORMANCE

The proposed contract is estimated to begin on January 8, 2020 and run through December 31, 2020

#### Optional Clause

Contract renewals or extensions, if any, shall be at the sole discretion of the City. The contract may be extended for 1 additional one-year contract periods, subject to mutual agreement, with the total contract period not to exceed five (5) years.



## CITY OF SPOKANE

# INFORMAL REQUEST FOR PROPOSALS

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### 2. SCOPE OF SERVICES

#### 2.1 SCOPE OF SERVICES

The Office of the Police Ombudsman (OPO) is seeking outside legal counsel for the Office of the Police Ombudsman Commission (OPOC). This Attorney would work directly with the OPO Commission on issues including, but not limited to: Open Public Meetings Act (OPMA), police accountability, and public records.

Would like to consider payment to Attorney on a flat monthly rate basis with an estimated time commitment of approximately five (5) to ten (10) hours per month. Availability in the evening, after normal work hours,

as well as attending various meetings at least once a month are a requirement of this position.

Knowledge and understanding of municipal law and law enforcement/police accountability preferred.

All responses to this request must clearly state and identify the hourly rate for all attorneys and staff in the office who will be engaged in the work



# CITY OF SPOKANE

## INFORMAL REQUEST FOR PROPOSALS

### 3. GENERAL INFORMATION

#### 3.1 IRFP COORDINATOR

The IRFP Coordinator is the sole point of contact in the City for this procurement. All communication between the Proposer and the City upon receipt of this IRFP shall be with the IRFP Coordinator, as follows:

Name	Christina Coty
Department	Office of the Police Ombudsman
Phone Number	509-625-6742
E-Mail Address	ccoty@spokanecity.org

Any other communication will be considered unofficial and non-binding on the City.

#### 3.2 SUBMISSION OF PROPOSALS

- A. PROPOSALS MAY BE SUBMITTED BY HAND, MAIL OR E-MAIL.
- B. If mailing or hand delivering, place one copy of the Proposal in a sealed envelope. On the front of the envelope, place the following information:  
PROPOSAL TITLE  
DUE: DUE DATE  
PROPOSER'S NAME
- C. Mail, hand-deliver or e-mail one copy of the Proposal, as follows:  
City of Spokane  
Attn. Christina Coty  
Office of the Police Ombudsman  
509-625-6742  
ccoty@spokanecity.org

#### 3.3 ACCEPTANCE PERIOD

Proposals shall remain in effect for a minimum of thirty (30) days from the due date for receipt of Proposals for acceptance by the City.



# CITY OF SPOKANE

## INFORMAL REQUEST FOR PROPOSALS

### 3.4 RESPONSIVENESS

Failure by the Proposer to comply with any part of the IRFP may result in rejection of the Proposal as non-responsive. The City also reserves the right, however, at its sole discretion to waive minor administrative irregularities.

### 3.5 COSTS TO PROPOSE

The City will not be liable for any costs incurred by the Proposer in preparation of a Proposal submitted in response to this IRFP, conduct of a presentation, or any other activities related to responding to this IRFP.

### 3.6 EVALUATION PROCEDURE

Responsive Proposals will be evaluated based on the requirements stated in this solicitation. The evaluation process is designed to award this procurement not necessarily to the Consultant of least cost, but rather to the Consultant whose Proposal best meets the requirements of this IRFP. The City, at its sole discretion, may elect to select the top-scoring firms as finalists for an oral presentation. The IRFP Coordinator may contact the Proposer for clarification of any portion of the Proposer's Proposal.

### 3.7 EVALUATION WEIGHTING AND SCORING

The following weighting and points will be assigned to the Proposal for evaluation purposes:

	Points (Maximum)	Points
Technical & Management Proposal – <u>50</u> %		
Project Approach/Methodology	5	
Quality of Work Plan	5	
Project Team Structure/Internal Controls	5	
Staff Qualifications/Experience	10	
Experience of the Consultant	15	
References	10	
Cost Proposal – <u>50</u> %	50	
<b>GRAND TOTAL FOR WRITTEN PROPOSAL</b>		<b>100</b>



## CITY OF SPOKANE

# INFORMAL REQUEST FOR PROPOSALS

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### **3.8 ACCEPTANCE / REJECTION OF PROPOSALS**

Contract award, if made, will be to the Proposer submitting the most favorable Proposal. The City reserves the right at its sole discretion to reject any and all Proposals received without penalty and to not issue a contract from this IRFP.

## **4. PROPOSAL CONTENTS**

### **4.1 PREPARATION OF PROPOSAL**

Proposals shall be submitted on eight and one-half by eleven inch (8" 1/2 x 11") paper. Include the Letter of Submittal, Technical and Management Proposal, Cost Proposal and other information as requested in this solicitation.



## CITY OF SPOKANE

### INFORMAL REQUEST FOR PROPOSALS

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#### 4.2 LETTER OF SUBMITTAL

The Letter of Submittal shall be signed and dated by a person authorized to legally bind the Consultant to a contractual relationship, e.g., the president or executive director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship. The Letter of Submittal should include the following information about the Consultant.

1. Name, address, principal place of business, telephone number, and fax number/e-mail address of legal entity or individual with whom contract would be written.
2. Legal status of the Consultant (sole proprietorship, partnership, corporation, etc.).
3. Acknowledgement that the Consultant will comply with all terms and conditions set forth in the Request for Proposals, unless otherwise agreed by the City.

#### 4.3 TECHNICAL AND MANAGEMENT PROPOSAL

The Proposal shall contain a comprehensive description of services including the following elements:

1. PROJECT APPROACH / METHODOLOGY – Include a complete description of the Consultant’s proposed approach and methodology for the project.
2. WORK PLAN – Include all project requirements and the proposed tasks, services, activities, etc. necessary to accomplish the scope of the project. Convey sufficient detail to show the Consultant’s knowledge of the subjects and skills necessary to successfully complete the project. Include any required involvement of City staff. The Consultant may also present any creative approaches that might be appropriate and may provide any pertinent supporting documentation.
3. PROJECT MANAGEMENT
  - PROJECT TEAM STRUCTURE / INTERNAL CONTROLS - Provide a description of the proposed project team structure. Include who within the firm will have prime responsibility and final authority for the work.
  - STAFF QUALIFICATIONS / EXPERIENCE – Identify staff who will be assigned to the potential contract, indicating their responsibilities and qualifications, and include the amount of time each will be assigned to the project. The Consultant shall commit that staff identified in its Proposal will actually perform the assigned work.
4. EXPERIENCE OF THE CONSULTANT - Indicate the experience the Consultant has in the area of the proposed contract work.



## CITY OF SPOKANE

### INFORMAL REQUEST FOR PROPOSALS

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5. REFERENCES - List names, addresses, telephone numbers, and fax numbers/e-mail addresses of three (3) business references for whom work has been accomplished and briefly describe the type of service provided. The Consultant shall grant permission to the City to contact the references. Do not include current City staff as references. The City may evaluate references at the City's discretion.

#### 4.4 COST PROPOSAL.

The fee shall include all costs required to perform the services necessary to accomplish the objectives of the contract. Identify all costs including expenses to be charged for performing the services. List staff costs and any expenses necessary to accomplish the tasks and produce the deliverables under the contract. Consultants are required to collect and pay Washington state sales tax, if applicable.

#### 4.5 PROPRIETARY INFORMATION / PUBLIC DISCLOSURE

All materials submitted to the City in response to this competitive procurement shall become the property of the City.

All materials received by the City are public records and are subject to being released pursuant to a valid public records request. Washington state law mandates that all documents used, received or produced by a governmental entity are presumptively public records, and there are few exemptions. RCW Ch. 41.56.

When responding to this competitive procurement, please consider that what you submit will be a public record. If you believe that some part of your response constitutes legally protected proprietary information, you **MUST** submit those portions of your response as a separate part of your response, and you **MUST** label it as "PROPRIETARY INFORMATION." If a valid public records request is then received by the City for this information, you will be given notice and a 10-day opportunity to go to court to obtain an injunction to prevent the City from releasing this part of your response. If no injunction is obtained, the City is legally required to release the records.

The City will neither look for nor honor any claims of "proprietary information" that are not within the separate part of your response.





## CITY OF SPOKANE

# INFORMAL REQUEST FOR PROPOSALS

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### 4.6 OWNERSHIP OF DOCUMENTS

Any and all data, reports, analyses, documents, photographs, pamphlets, plans, specifications, surveys, films, or any other material created, prepared, produced, constructed, assembled, made, performed or otherwise produced by the Consultant or the Consultant's subcontractors or consultants for delivery to the City under this Agreement shall be the sole and absolute property of the City. Such property shall constitute "work made for hire" as defined by the U.S. Copyright Act of 1976, 17 U.S.C. § 101, and the ownership of the copyright and any other intellectual property rights in such property shall vest in the City at the time of its creation. Ownership of the intellectual property includes the right to copyright, patent, and register, and the ability to transfer these rights. Material which the Consultant uses to perform this Agreement but is not created, prepared, constructed, assembled, made, performed or otherwise produced for or pay for by the City is owned by the Consultant and is not "work made for hire" within the terms of this Agreement.

## 5. CONTRACT TERMS

### 5.1 CITY OF SPOKANE BUSINESS REGISTRATION.

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid business license. The Consultant shall be responsible for contacting the State of Washington Business License Services at <http://bls.dor.wa.gov> or 1-800-451-7985 to obtain a business registration. If the Consultant does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

### 5.2 ANTI-KICKBACK.

No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this contract shall have or acquire any interest in the contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the contract.

### 5.3 NONDISCRIMINATION.

No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Contract because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Contractor agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Contractor.



## CITY OF SPOKANE

### INFORMAL REQUEST FOR PROPOSALS

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#### 5.4 INSURANCE COVERAGE

During the term of the contract, the Consultant shall maintain in force at its own expense, each insurance coverage noted below:

- A. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers; and
- B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Consultant's services to be provided under this contract; and
- C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$300,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days written notice from the Consultant or its insurer(s) to the City. As evidence of the insurance coverages required by this contract, the Consultant shall furnish acceptable insurance certificates to the City at the time it returns the signed contract. Insuring companies or entities are subject to City acceptance and must have a rating of A- or higher by Best. The Consultant shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.