



Office of Police Ombudsman Commission Minutes

January 18, 2021

Meeting Minutes: 1:52

Meeting called to order at: 5:30pm

Attendance

- OPOC Commissioners present: Ladd Smith, Jenny Rose, Luc Jasmin, Lili Navarrete and James Wilburn
- Legal Counsel: Tim Szambelan
- OPO staff members present: Bart Logue and Luvimae Omana
- OPO staff member absent: Christina Coty

Briefing Session

- Agenda - Approved
- November 16th minutes - Approved

Items Session

- Public Forum – No one signed up to speak
- Guest Speaker, Chief Meidl and Commissioner Q&A
 - Jasmin - How you are using Use of Force data to drive accountability?
 - Meidl - One of the challenges when you are looking at just raw numbers is that it doesn't really tell you a lot. It tells you what type of force you used, but when you look at specific numbers it doesn't give you the details on the call type, how many officers were there, what tools were used. So I would say that the raw numbers aren't going to tell us a lot about our processes. What we do, is after a Use of Force (UOF) goes through a Chain of Command Review (COC) we look at the uses of force with a panel of employees in Use of Force Review Board. They review all the data, Body Worn Camera (BWC) footage independently. The review board is then assigned the task of determining if UOF was in policy and law. If there is a lack of compliance, depending on the severity will determine the next course of action.
 - Jasmin – Can you discuss the disbandment of the PAC Team?
 - Meidl – There were a number of reasons and it was covered accurately by the Spokesman Review. There were 2 officers that were involved in a case trial, during that trial the judge made some allegations, that I don't want to get into now because it is an active investigation. Between that, the staffing issues we are having and a number of other reasons, it was just a good time to do this.
 - Jasmin – The OPO has issued several closing reports per the negotiated police contract. Can you share, from your side what value these reports bring to your department?
 - Meidl – The Office of the Police Ombudsman is here to provide various input from the concerned citizens in our community to the police department, they provide a different lens. With that being said we aren't

always going to agree on every topic, but we all want the same thing. They are providing valuable input at a number of different levels for me. We have taken a lot of their input and appreciate their thoroughness

- Jasmin – Under HB1310, where officers need Probable Cause (PC) to use force. How do conducting terry stops change?
 - Meidl – This can be complicated; a terry stop means an officer has specific knowledge that an individual was or is involved in a crime at a specific time/location. They have reasonable suspicions, more than just a hunch. Legislators didn't want force used on terry stops unless you have PC. In the past at a Domestic Violence (DV) call officers would arrive and prior to speaking with both parties they would tell the parties that they were not free to leave and if the alleged suspect would try to leave, they would be able to use force to keep them on site until they finished their investigation. Now the officers can ask them to stay but they cannot compel them to stay without injuries, witnesses etc.
- Jasmin – Now the Lateral Neck Restraints (LNR) are banned, what other training tools are SPD officers using?
 - Meidl – We didn't get any new training that we weren't already using. However, what we did do was utilize funding options with City Council to purchase 100 pepper ball guns and shields. We also send more officers to help deescalate a situation.
- Jasmin – A lot of other agencies typically send civilian response for behavioral health scenarios. Can you describe what SPD does?
 - Meidl – About 2.5 years ago, we received a grant that launched Behavior Health Unit (BHU). We currently have 8-9 officers/deputies who have a mental health counselor that will respond directly with them to scenes. ¾ of interactions are being diverted away from jails.
- Jasmin – Did SPD previously have military grade weapons?
 - Meidl – We didn't get weapons, but we had protective gear like helmets, flak jackets etc. These will be turned over to the military or destroyed.
- Jasmin – New legislation that creates a bigger role for the Criminal Justice Training Commission (CJTC), what changes does this bring?
 - Meidl – It brings some pretty significant changes. Currently a chief or sheriff will be the ultimate final decider on discipline and separation of employment. Now with the changes the CJTC now has the authority to conduct their own investigation into any agency, officer, deputy etc. for any potential policy violation. If they find there is a violation, they have the ability to remove certification. They will also have the ability to weigh in on chief's/sheriffs' decisions.
- Jasmin – There are concerns that obstruction will be used as a work around for developing PC. How are you addressing potential PC?

- Meidl – The guidance I have given our department. The greater the level of government interest in the crime you are investigating the more I would encourage using obstructing to stop the person from fleeing.
- OPO Monthly Reports for November – Approved
 - There is currently no December report due to Administrative Specialist being out of office on FMLA
 - November report – 129 contacts 8 interviews, 4 complaints, 10 referrals, 7 IA interviews, 28 meetings with SPD, Meeting with Patrick Striker of COPS
 - The City just funded and staffed an office of Civil Rights (3 staff and authority to conduct investigation) We should have the same thing

Commissioners' Business

- OPO Legal Counsel Update – There have been no applications submitted. Call to action, if you know anyone who is interested please let us know.
- Annual Reports – The goal is to have it done by February. Please let us know if you have any ideas of items to include.
 - Ombudsman appointed to CJTC by the Governor
 - Commissioner Wilburn appointed to Washington State Attorney General Law Enforcement Data Collection
 - Commissioner Smith – Funding restoration approved for OPOC training in 2022 by the City Council
- 2022 Budget – City Council approved the OPOC request to restore the OPOC training for the 2022 budget. Not only did they approve the training, they reset our budget to pre-2020 numbers. Commissioner Jasmin would like to write a letter of thanks to the City Council with the approval of the Commission
- Commissioner Speak Out
 - Commissioner Jasmin – We received the funds, lets schedule some time to train together. What goals do we want for 2022
 - Commissioner Wilbur – I like the idea of us having the same power to investigate as the new Civil Rights Office. How can we make that happen?
 - Commissioner Rose – Where is the office of Civil Rights located in City Hall? We are not exactly sure where it is location
 - Commissioner Navarrete – I would like to get more involved in the community
 - Commissioner Smith – I agree with Commissioner Navarrete re: being out in the community. I would also like to see us be more involved in the Police Guild meetings as they negotiate their next contract is my #1 for the 2022 wish list. We should be at the table.

Motion Passes or Fails: 3

Meeting Adjourned at: 7:22

**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/>