

**City of Spokane Office of Police Ombudsman Commission (OPOC)**  
Special Meeting Minutes September 30, 2015

Commissioner Deb Conklin Welcomed public and apologized for communications glitches on advertising meetings which are being worked out.

Motion by Commissioner A.J. VanderPol to approve agenda. Commissioner Ladd Smith seconded. Motion passed.

Motion by Smith to approve minutes for 8.26-27.15 meetings. Commissioner Scott Richter seconded. Motion passed.

Motion by Smith to approve 9.1.15 meeting minutes. Commissioner Jenny Rose seconded. Motion passed.

Reports on meetings attended by commissioners. Conklin attended City Council Public Safety Committee meeting. Council Members committed to providing staffing for OPOC. Conklin also reported that she had attended neighborhood meetings for South Perry and East Central neighborhoods.

Discussion on whether or not commissioners' personal contact information is released to general public. Smith and VanderPol prefer not to have general distribution of personal contact information other than email address and message phone. Richter thinks each commissioner should decide. Rose prefers that people email her with request to have her call. Smith moved to adopt policy that City will not publicize personal emails and phone numbers of commissioners but that commissioners can choose to provide them. VanderPol seconded. Motion passed.

Smith requested business cards. Breean will contact City and request cards for new commissioners.

Conklin reminded new commissioners that they are required to participate in ride along within 6 months of appointment. Susan Mann is the contact person for scheduling. Richter will provide contact information to other commissioners.

Conklin notified commissioners that they need to sign confidentiality agreement. Breean will confirm that all agreements are signed.

Discussion on getting staff support for OPOC. Beggs reported that City Administration has decided that the current OPO staff person is not allowed to provide any staff support to the OPOC until such time as a new ombudsman is hired and can provide supervision.

VanderPol moved to formally request that City Council comply with the ordinance requirement of appropriate OPOC staffing to provide 10 hours each week of dedicated staff time for the OPOC that the OPOC hires and supervises with the OPOC's option to utilize the existing staff person working in the OPO. Richter seconded. Motion passed.

Discussion of annual reports. VanderPol and Richter volunteered to work with Beggs to develop scoping proposal for consideration by the OPOC per 04.32.150.B.11.

Public Comment:

David Brookbank, from Spokane's Socialist Alternative, believes that all three candidates should be rejected and selection process started over. Also believes that OPOC should have staff independent of OPO in order to hold OPO and ombudsman accountable to the public.

Phillip Tyler, from NAACP, believes that we should take the time to investigate and choose the best candidate. He supports Mr. Breeden as the final choice.

Alfredo Llamado, from NAACP, believes that the OPOC should pick one of the remaining candidates and should not delay further. He believes the best choice is Robert Breeden. He does not believe executive session should be utilized.

Antone Velone, from NAACP and Washington CAN, believes the OPOC has enough material to make a transparent decision. He is concerned that the OPOC could become too close to police.

Elaine Tyree, from Grant Neighborhood, is concerned about transparency and independence. She believes there were problems in the process of selecting the three finalists. She is also worried about the backlog and inadequate response to misconduct. She stated that it is more important to fill position now than starting the process over and delaying oversight.

Discussion by Commissioners on process of selecting finalists as set out in agenda item number 10.

Conklin described multiple options.

VanderPol said that an ombudsman should be chosen at this meeting.

Richter is upset that Mayor has not made finding a replacement a higher priority, and particularly the refusal to provide an interim ombudsman.

Smith has a fear that failure to adequately vet candidates will slow us down from our goals. On the other hand the backlog is unbelievable and the citizens are understandably impatient. There are no easy answers.

Conklin said that emails from constituents argue that failure to properly vet the candidates will interfere with the public having trust in the new ombudsman. She said that the OPOC can hire an attorney and seek a judicial order requiring presentation of interim candidates.

VanderPol said that none of these candidates are the OPOC's but that the OPOC needs to select a finalist and can choose again in three years.

Rose noted that she is newly appointed and doesn't know any of the candidates well enough to decide because she didn't participate in the interview process.

Conklin proposed that the OPOC first decide whether or not to choose a finalist this evening. Richter says no real authority to travel to Miami and British Columbia. Smith noted no budget. Conklin suggested having City Council authorize budget.

Catherine Isabel, citizen, noted that on-site investigation didn't help with Chief Straub.

Richter doesn't think he can accept any of the three candidates and explained why.

Conklin read Breeden investigation and found it flawed because it didn't explore witness bias and context. Richter, liked Mr. Breeden best but worried about investigation.

Conklin, liked Mr. Humayun.

Richter said, "Please whoever has authority to hire interim, do so."

Conklin proposed considering Mr. Breeden for the interim position. Beggs confirmed that ordinance allowed appointment of Breeden as interim for 4 months since the selection committee had approved him and that he could be re-appointed for additional 4 month terms.

Shirley Barrett reports being an investigator by trade and is concerned about complaints against Mr. Breeden. Feels like if there is an ounce of doubt, it should be eliminated.

Alfredo Llamado feels strongly that the interviews from Breeden investigation should not be given weight because they are hearsay.

Smith says he would have his fingers crossed behind his back while choosing Mr. Breeden. Smith liked Mr. Humayun but has a question mark based on immigration status. Smith is leaning towards not making a decision tonight. Rose doesn't want to decide tonight. VanderPol wants to decide tonight. Conklin doesn't think we can decide without normal vetting.

Tim Connor, SPARC, wonders where the OPOC is going. The process was flawed from the beginning and the perfect should not get in the way of progress. Connor supports Mr. Breeden. Wonders, "Where do you go if you stop tonight." Going back to the selection process won't make a difference.

Naima Quarles-Burnley, NAACP President, wants the OPOC to choose Mr. Breeden as interim while vetting continues in hopes of selecting him as a regular ombudsman.

VanderPol thinks we should either choose one or ask for 3 more, not offer interim to Breeden. Smith is in favor of offering interim position to Breeden.

Richter tends to agree with VanderPol, select or reject.

Rose in favor of offering interim position to Breeden because his answer will be a good indicator of his confidence in the outcome of the final investigation. But turning it down is not a negative. Conklin strongly opposes sending the process back to the selection committee.

Richter feels like we could offer regular position to Breeden and then fire him for cause if there are later concerns. VanderPol says hiring as interim is similar to hiring on probation.

VanderPol moved to offer Breeden the interim position for four months. Rose seconded. Motion passed.

Richter moved to obtain city council funding to make arrangements for OPOC to send investigators to home cities of two candidates, Breeden and Humayun. Smith seconded. Motion passed.

Conklin noted that OPOC chose to discuss without going into executive session.

Velone applauded OPOC's decisions.

Discussion on meeting schedule. Special Meeting proposed for Wednesday 10/14 at 7pm.

Meeting adjourned at 9:00pm.

Submitted by Breean Beggs and approved by Commission on 10/14, 2015.