

DISCRIMINATION/HARASSMENT COMPLAINT FORM

Name: [REDACTED] Date: 4-16-2015
Phone: [REDACTED] Email: [REDACTED] ^{com} Department: Office of Police Ombudsman
Address: [REDACTED] City: Spokane State: WA Zip: 99203

Is this a discrimination/harassment complaint? Yes ☒ No ☐ Are you a City employee? Yes ☒ No ☐

If yes, have you notified your supervisor? Yes ☒ No ☐ If yes, what was the outcome? I have been told conversations were had with perpetrators. Behavior has continued.

This complaint is based on: (Check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Age | <input type="checkbox"/> Marital Status | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Disability | <input type="checkbox"/> National Origin | <input type="checkbox"/> Sex/Gender |
| <input type="checkbox"/> Familial Status | <input type="checkbox"/> Race/Color | <input type="checkbox"/> Sexual Harassment |
| <input checked="" type="checkbox"/> Workplace Harassment | <input type="checkbox"/> Other Please Note: | <input type="checkbox"/> Sexual Orientation |

Who allegedly discriminated against/harassed you: Kevin Berkompas, Rachel Dolezal, Adrian

Is the alleged offender a City employee? Yes ☐ No ☒ Department: OPO Commissioners

Where did it take place? Emails/OPO office/OPO commission Public meetings

When did it take place? January 3, 2015 - current

Was this a single incident? Yes ☐ No ☒ If more than once, how many times? 5+

How did the discrimination/harassment take place? They collectively and individually behaved, via email, in-person interactions and in public meetings, in a very rude, disrespectful and degrading manner directly and in-directly to me. Routinely mischaracterized my comments/statements to city personnel and at public meetings.

Please explain additional details of complaint including why you feel you were discriminated against and or harassed. List any witnesses:

Amanda Smythey, OPO Intern - Whitworth University Student
Scott Richter, OPO Commissioner
Debra Conklin, OPO Commissioner

Behavior documented in audio recordings of public meetings, televised recordings of public meetings and emails.

EXHIBIT

A

OPO 0001

In filing this complaint please explain the resolution you would like: The behavior
to end immediately.

The following information is VOLUNTARY and is requested for statistical purposes

Age: _____ Gender: M ☐ F ☐ Race/Ethnicity _____ Disability _____

Signature

[Redacted Signature]

Date: 4/16/2015

***FOR OFFICE USE ***

Complaint received by: Email ☐ Mail ☐ Phone ☐ Walk-In ☐ Prior Appointment ☒

Date complaint received: STAMP HERE 4.17.15 @ 10:00 AM

Detail of action taken: _____

Referral(s):

Date: _____ To: _____

Date: _____ To: _____

Complaint Closed: _____

Is complainant satisfied with outcome? Yes ☐ No ☐

Complainant Remarks (if any):

If you need assistance in filing your complaint please contact the Human Resources Department
at the address below or call (509) 625-6703

PLEASE MAIL THIS FORM TO:

CITY OF SPOKANE HUMAN RESOURCES DEPARTMENT, 4TH FLOOR
808 W. SPOKANE FALLS BLVD. SPOKANE, WA 99201-3327

OR FAX TO: (509) 625-6379

CITY OF SPOKANE HUMAN RESOURCES DEPARTMENT
FOURTH FLOOR MUNICIPAL BUILDING
808 W. SPOKANE FALLS BLVD.
SPOKANE, WA. 9901-3327
(509) 625-6233-VOICE; (509) 625-6689-TDD; (509) 625-6379-FAX

Whistleblower Complaint

Please review the City of Spokane Whistleblower Protection policy – ADMIN 0620-05-037 before completing this complaint form.

Pursuant to the Whistleblower Protection policy, I am reporting what I believe to constitute improper governmental action.

Name, position, and department of person(s) I believe to have engaged in improper governmental action:

Kevin Bericompas, volunteer-appointed, OPO Commission
Rachel Dolezal, volunteer-appointed, OPO Commission
Adrian Dominguez, volunteer-appointed, OPO Commission

Type of Improper Governmental Action:

Which type of improper governmental action do you believe has occurred? Check all that apply. If you know the particular law that has been violated, please provide it.

☐ Violation of federal or state law or City ordinance or policy; or

☒ Abuse of authority, or

☐ Substantial or specific danger to the public health or safety, or

☐ Gross waste of public funds.

Basis for reporting:

How do you know the information you are reporting?

☒ Personal or direct knowledge

☐ Others have told me about the situation

Whistleblower Complaint Page 2

_____ Other (please explain)

Allegation of Improper Governmental Action:

Describe in as much detail as possible, the alleged improper governmental action.
Attach an additional piece of paper, if necessary.

See attached Statement - 2 pages

Date, time, frequency of alleged improper governmental action:

January 3, 2015 - current
multiple

Where did the alleged improper governmental action occur?

various

Names and positions of the persons who may have witnessed the event:

Scott Richter, OPO commission member
Amanda Spittley, OPO Intern

Evidence or documentation

Please list any evidence or documentation that would support your allegation of improper governmental action. Indicate whether you can personally provide that information.

- see attached emails
- OPO commission monthly recorded meetings
available on vimeo.com
- OPO commission working meeting audio recording 2/24/15
- statements made to HRC on 1/15/15 & 4/10/15 attached

Waiver of Confidentiality

Policy ADMIN 0620-05-037 provides that: The City *shall* keep confidential the identity of the person reporting to the extent possible under law, unless the employee authorizes in writing the disclosure of his or her identity.

If you do not wish to have your name kept confidential, please sign below.

I hereby waive the confidentiality provision of Policy ADMIN 0620-05-037, Section 6.1.5

Date

Complainant's signature

OPO 0005

Whistleblower Complaint Page 4

Complainant Declaration

I declare under penalty of perjury of the laws of the State of Washington that the above complaint is true and correct to the best of my knowledge.

4/16/2015
Date


Complainant's Signature

Date and Place (e.g. City, State)

Spokane, WA

Name (please print 

Address: 

Phone Number(s): 

As a volunteer citizen commission, the Office of Police Ombudsman Commission (OPOC) is allotted the ability to act as the reporting official of the Office of Police Ombudsman (OPO). Spokane Municipal Code (SMC) 04.32.150 provides that the commission's duties are to approve the broader functions of the OPO. Specifically outlining the need for the Ombudsman to seek the OPOC's approval: to move forward any Independent Investigation Requests; final approval of OPO procedures and best practices, OPO reports, annual and long-term goals of the OPO; approval of the OPO recommendations regarding police department policies and training; and OPO rules and procedures required for the discharge of OPO duties.

Despite the fact that the ordinance notes that the Ombudsman reports to the commission, the commission has acted in numerous ways and on numerous occasions inconsistent with the limitations of their duties. The commission has utilized the current period of time without an Ombudsman to direct me, the only OPO staff member, to draft current procedures required for the discharge of OPO duties (SMC 04.32.150 (B,6)). While routinely commenting, in public meetings, that I am not qualified to do so, I have been directed to do so. Once completed, the intent is for the commission to edit and subsequently approve this, potentially before the next Ombudsman is hired.

They have altered their meeting minutes to consciously misrepresent discussions between commission members and myself, whom they refer to as "OPO staff," excluded pertinent information and comments to create an official document that they refer to as media release ready. They have disregarded meeting minutes that OPO staff has drafted. They have refused to approve meeting minutes that have a signature line for the individual that drafted the minutes, no matter who did so (OPO Commission member or OPO Staff). They purposefully do not include voting information of commission members in meeting minutes, claiming the need to appear united to the public, further denying the right of the public to such information. This act ignores their role as a civilian body of oversight focusing on the transparency of the Spokane Police Department and the OPO. To this end, the commission has taken steps in public and in private conversations to skirt the limitations/restrictions of the Open Public Meetings Act.

In an effort to further their goals, they have misrepresented statements and/or actions of OPO staff in public meetings and private conversations. Specifically claiming that I am either not taking complaints from citizens and/or not taking appropriate action as required. This occurred at the 2/24/15 public meeting and many times in other interactions, despite having no knowledge of what is or is not

occurring. In seeking to perform my duties appropriately, I gave sought guidance when in question from the assistant city attorney assigned to the OPO.

They have utilized SMC 04.32.150 (B,7), the ability to "conduct and approve evaluations of the OPO and OPO personnel" to intimidate me. To further this intimidation tactic, they routinely mischaracterize my statements and actions to create and sustain a narrative that I am incompetent and not performing my duties, thus justifying their overstep into the daily operations of the OPO. They have sought the Department of Justice's recommendation/support to "wipe and reload" OPO policies and procedures during this time without an Ombudsman, despite their role being to approve those drafted by the Ombudsman and the OPO having no Ombudsman.

Certain members have sought to alienate other commission members anytime they are not in agreement with this overstepping and abuse of their authority. This also occurs when commission members try to intimidate me with their ability to officially evaluate me.

[REDACTED]

From: Burns, Tim O.
Sent: Saturday, January 03, 2015 9:38 AM
To: [REDACTED]
Cc: Berkompas, Kevin
Subject: RE: Public Safety Committee Report for December

Kevin I recognize your position however I am not sure that all commissioners agree based on conversations I have had. It would be nice for them to weigh in to me individually so that [REDACTED] is clear on the will of the commission.

Respectfully,

Tim Burns
Police Ombudsman
City of Spokane
(509) 625-6742

From: [REDACTED]
Sent: Saturday, January 03, 2015 9:17 AM
To: Burns, Tim O.
Subject: Fwd: Public Safety Committee Report for December

Does the OPO typically include letters from the Chief in the PSC report, per Kevin's comments below?

Thanks,

[REDACTED]
Sent from my iPhone

Begin forwarded message:

From: "Berkompas, Kevin" <kberkompas@spokanecity.org>
To: [REDACTED]
Cc: "Dolezal, Rachel" <rdolezal@spokanecity.org>
Subject: RE: Re: Public Safety Committee Report for December

Hello [REDACTED]

Thank you for this opportunity to review the draft report per Commission discussion 17 December.

First, please add sentences documenting the Chief's two letters indicating investigations are re-opened per Commission request.

Second, please add a sentence documenting that the Commission accepted Ombudsman Burns' resignation at their December 17 meeting, and that the Commission selected Commissioner Dominguez to occupy the place on the Search Committee provided by the Spokane City Council.

I have attached a revised version. The only changes are removing the vote counts from the first section on Commission actions.

The Commission decided this in principle during the November working meetings when Tim was asked to not include votes in future recommendation letters to the Chief. I later discussed this with Tim re: the November report and with you during our coffee meeting. (Tim agreed to remove that reference from the final version; I assume he did so). Commission decisions are such irrespective of whether it is unanimous or 3-2. It is in the interest of the Commission to work as a unit and accept collective responsibility for decisions whether we as individuals voted affirmatively or not. Vote counts distract from the substantive issues, and given they all constitute Commission decisions, provide no constructive information. For example, recently Rachel was asked by a reporter why she dissented on a vote; instead of discussing police issues and the future of the Commission the reporter naturally focused on intrigue. Yes, they are facts, but there are only a few brief facts we include in this section of the monthly report and many we do not add. So I hope you can see this is a matter of Commission effectiveness to affect police reform.

Votes can/should be documented in Minutes. I assume Tim inserted this into the December draft. Please consider it a rule going forward.

Best regards,

Kevin

Commissioner

From: [REDACTED]

Sent: Friday, January 02, 2015 12:39 PM

To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott

Cc: Burns, Tim O.

Subject: Re: Public Safety Committee Report for December

All,

I have attached the December Public Safety Committee Report, which is to be presented to the PSC on January 20, 2015 due to the MLK holiday. As you requested, I am providing it to you for review before it is sent out to upper management on the January 8th/9th. Please provide your comments to me on or before January 6th (your monthly meeting), so I may make edits the following day.

PSC Report Timeline:

OPOC Review: January 2nd – 6th

City & SPD Upper Management (i.e. Mayor, City Administrator, PD, OPO City Attorney):

January 8th/9th – 12th/13th

City Council: January 12th/13th – 20th

Should you have any question please contact Tim via his cell.

Thank you,

[cid:image001.jpg@01CE1431.66B56500]

[REDACTED]
Assistant to the Police Ombudsman
Office of Police Ombudsman, City of Spokane
808 W. Spokane Falls Blvd., Spokane, WA 99201
P: 509.625.6742 | F: 509.625.6748
[REDACTED]

[cid:image002.png@01D0088E.3489AAC0] <<https://beta.spokanecity.org/opo/>>

[cid:image003.png@01D0088E.3489AAC0] <<http://www.facebook.com/SPDOmbudsman>>

[cid:image004.png@01D0088E.3489AAC0] <http://www.twitter.com/SPD_Ombudsman>

Emails and attachments sent to or from the City, including personal information,
are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW

[REDACTED]

From: Berkompas, Kevin
Sent: Sunday, January 04, 2015 8:46 AM
To: [REDACTED]
Cc: Dolezal, Rachel
Attachments: RE: Public Safety Committee Report for December

Hello [REDACTED]

The "Commission" section at the front of the public safety report was new as of November, so there is no "typical." I am not asking to include the letters. I asked that you add a sentence in the summary about these actions. We should either include all important Commission events in this section or have no such section. Without them it appears the Commission has made no progress, and of course with the Chief's letters of response that is not the case. If you have questions or need clarification about my inputs to the Report that you solicited, in the future kindly ask me.

Thank you,
Kevin

[REDACTED]

From: Dolezal, Rachel [rdolezal@ewu.edu]
Sent: Sunday, January 04, 2015 2:27 PM
To: [REDACTED]
Cc: Kevin Berkompas
Subject: Re: meeting agenda
Attachments: 2014-12-17_OPOC Meeting Minutes Final.docx

Dear [REDACTED]

For some reason, I have been unable to attach documents through my City email; I'm not sure what the problem is, but maybe we can discuss it tomorrow.

Please find the attached minutes to be the final minutes to approve for the meeting on January 6th. [REDACTED] please print a copy of these to give to the other Commissioners at the meeting and use this as a desired format in terms of brevity and style for future meeting minutes. It has previously not been the custom of the Commission to review or approve minutes (or even see minutes in any form) at regularly scheduled meetings. At our meeting tomorrow, I would like to review the following proposed process for minutes:

NOTES & MINUTES:

- 1) Please continue to take notes during Commission meetings. These will be a record for our office but not a public document.
- 2) Please send your notes from the meeting in a separate document, accompanied by drafted meeting minutes no later than 3-5 days after each Commission meeting.
- 3) Please allow 2-3 days for Commissioners to respond with any corrections and then send the Chair and Vice Chair (Kevin and myself) a copy of the revised minutes for approval. Once we make the final revision, this will be sent back to you and will be the document presented at the next meeting for approval.

AGENDAS:

- 4) I will provide you and Kevin a draft agenda for the next meeting within 5-7 days after each Commission meeting (depending on how fast the minutes get to me, etc.). It is the Chair's role to create the agendas and something I will work closely with you and Kevin to accomplish.

I look forward to meeting with you tomorrow,

Rachel

R. Dolezal, MFA
Eastern Washington University
Professor, Africana Education Program
Advisor, Black Student Union
202E Monroe Hall
Office: (509) 359-2205
President, Spokane NAACP
Chair, OPO Commission
Columnist, The Inlander
Co-Producer, Diversity Matters
Intercultural Education & Diversity Consulting Exhibiting Artist:
www.racheldolezal.blogspot.com
Direct: (208) 215-8357

OPO 0013

[REDACTED]

From: Dolezal, Rachel [rdolezal@ewu.edu]
Sent: Saturday, January 03, 2015 2:19 AM
To: [REDACTED]
Subject: Re: meeting agenda

[REDACTED]

Can we meet on Monday? I would like to make sure the minutes are revised to include the changes that Kevin and I asked for before we put them on the agenda. We have never before approved minutes at a meeting, so upon further reflection, please don't add that to the final agenda - or if you add it, I'll send you a revised copy that will be submitted for approval.

As Chair, it is my role to set the agendas and assist with the protocol for some of the procedures like minutes, so I would like to meet on Monday if possible to iron out this process more effectively.

Thank you,

Rachel

R. Dolezal, MFA
Eastern Washington University
Professor, Africana Education Program
Advisor, Black Student Union
202E Monroe Hall
Office: (509) 359-2205
President, Spokane NAACP
Chair, OPO Commission
Columnist, The Inlander
Co-Producer, Diversity Matters
Intercultural Education & Diversity Consulting
Exhibiting Artist: www.racheldolezal.blogspot.com
Direct: (208) 215-8357

From: [REDACTED]
Sent: Friday, January 2, 2015 8:58:04 AM
To: Dolezal, Rachel
Subject: RE: meeting agenda

Rachel,

Are you okay with me adding an action item to approve the meeting minutes for the 12/17 meeting? I'd like to get those wrapped up and closed.

[REDACTED]

OPO 0014



Assistant to the Police Ombudsman
Office of Police Ombudsman, City of Spokane
808 W. Spokane Falls Blvd., Spokane, WA 99201
P: 509.625.6742 | F: 509.625.6748



Emails and attachments sent to or from the City, including personal information, are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW

From: Dolezal, Rachel [<mailto:rdolezal@ewu.edu>]
Sent: Tuesday, December 30, 2014 8:25 AM
To: [REDACTED]
Subject: meeting agenda

I cannot attach a file in my city email account, so I'm sending the draft agenda here. Please note that the candidates for counsel should be ready to answer 15 minutes of questions as well as give a 5 minute presentation on why they would be the best legal counsel for the Commission.

Let me know if you'd like me to make any changes to the agenda.

Thanks for all your work,

Rachel

R. Dolezal, MFA
Eastern Washington University
Professor, Africana Education Program
Advisor, Black Student Union
202E Monroe Hall
Office: (509) 359-2205
President, Spokane NAACP
Chair, OPO Commission
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Direct: (208) 215-8357

Office of Police Ombudsman Commission

Meeting Minutes: December 17, 2014

A working meeting of the City of Spokane Office of Police Ombudsman Commission (OPOC) was held on Wednesday, December 17, 2014, in the Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., Spokane, Washington, with Acting Commission Chair Adrian Dominguez presiding. The meeting audio was recorded.

Call to Order

Acting Chair Adrian Dominguez called the meeting to order at 5:30pm. Commissioner Dominguez welcomed members of the public in attendance.

Roll Call

All Commissioners present:

- Commissioner Kevin Berkompas
- Commissioner Debra Conklin
- Commissioner Rachel Doležal
- Commissioner Adrian Dominguez, Acting Chair
- Commissioner Scott Richter

Other Notable Attendees:

Outgoing Commission secretary Elysia Spencer, incoming Police Ombudsman assistant [REDACTED] Police Ombudsman Tim Burns, Human Resources Director Heather Lowe, City Attorneys Nancy Isserlis and Mike Piccolo. *Tim Stankman*

Meeting Agenda Review and Approval

Commissioners reviewed the proposed agenda and supportive materials provided in the agenda packet.

MOTION to approve the Meeting Agenda, carried unanimously.

OPOC & Use of Force Commission Joint Meeting – January 28th, 2015

Acting Chair Dominguez advised the Commission to submit a list of questions to the incoming Police Ombudsman assistant, [REDACTED] by January 5th, 2015. The purpose of these questions is to provide the Use of Force Commission advance notice of questions where possible to help them prepare. Commissioners will ask questions at the joint meeting whether or not they were submitted in advance. *- This is an afterthought*

Police Ombudsman Business

In the evaluation of the Ombudsman, Burns recommended the Commission review the evaluation procedures for the Parks & Recreation director or Civil Service director. He recommended leaving the evaluation of OPO personnel to the ombudsman.

Burns presented two (2) letters from Chief Straub indicating complaints regarding excessive use of force and the sit and lie ordinance are to be reopened at the direction of the OPO/OPOC. A third is in the process of being reopened.

Recommended an independent auditor to review SPD financial records, compliance and performance.

Commissioners were provided un-redacted versions of SPD Internal Affairs case #14-016 for review, which involved the denial of access to a St. Patrick's Day parade due to a service animal. Mr. Burns requested that once the Commission obtains legal counsel, these documents are reviewed for their legal opinion.

Ombudsman Burns' resignation will be effective January 2, 2015; based on previous contract negotiations with the Mayor's office he will be paid through the end of his contract on February 20, 2015. The Commissioners wished Tim well in future endeavors. Tim suggested nominating him as the 5th individual on the Ombudsman Selection Committee.

- Commissioners officially accepted Tim Burns' resignation.

Update: Obtaining Independent Legal Counsel for OPO Commission

City Attorney Nancy Isserlis updated the Commissioners on the recruitment process to obtain independent legal counsel. Isserlis reviewed for appropriate malpractice insurance, open or sustained bar complaints, and conflicts of interest. [REDACTED] will coordinate with Roxanne Imus to schedule interviews for the January 6, 2015 meeting. Isserlis advised the OPOC cannot interview candidates in an executive session despite this being a personnel issue per the WA OPMA.

Commissioners discussed their ideas about what might make effective representation and how different candidates might fit those criteria.

*changed in
fell on*

Commission selected three (3) candidates to interview for their legal counsel:

1. Breean Beggs
2. Stanley Schwartz
3. Dennis Hession

MOTION to interview Beggs, Schwartz, and Hession, carried unanimously.

Interviews are planned to last about 20 minutes each, with five minutes for the candidate to make an opening statement and about 15 minutes for Commissioners to ask questions.

Commissioners will review references provided on candidate resumes:

Commissioner Berkompas – Dennis Hession

Commissioner Richter – Breean Beggs

Commissioner Conklin – Stanley Schwartz

Hiring Process of Police Ombudsman

City Attorney Nancy Isserlis advised that any vacancy including the Interim Ombudsman, per the Ordinance, must go through the Selection Committee. Should none of the final three candidates be assessed as the right choice the OPOC can direct the Selection Committee to provide three new finalists.

Action Item: vote to appoint Commissioner Adrian Dominguez as OPOC Representative on Ombudsman Selection Committee:

MOTION to approve Commissioner Adrian Dominguez as OPOC Representative on the Ombudsman Selection Committee, carried unanimously.

Nancy Isserlis offered to work with [REDACTED] to make an application to Ethics Committee should the Commission desire Tim Burns' services as a consultant after February 20th. Commissioner Dominguez requested discussion at the next OPOC meeting prior to any further action or engagement per this idea.

Heather Lowe, Human Resources Director:

Ms. Lowe stated that the Human Resources (HR) department is a resource to the Selection Committee for items such as job descriptions and other related materials. HR is still in the process of a formal salary review; it was delayed due to Ombudsman Burns' resignation prior to his contract end date. Once the OPOC reviews the job description, Lowe will conduct a formal salary review that will review similar positions nationally that include similar elements as those of the City of Spokane Police Ombudsman position (e.g. a Commission). Commissioners requested an updated job description based on the new Ordinance for their review. Commissioners will send comments directly to Lowe. She will consolidate and provide for OPOC review. The current anticipated Ombudsman salary range is: 81k – 99k; Ms. Lowe advised the Commission will negotiate pay with candidate; Ms. Lowe can assist and make recommendations.

Letter to Chief Straub

Minor address correction needed and minor grammatical edits needed. Once edits made letter may be sent to Chief Straub.

MOTION to approve Letter to Chief Straub inviting SPD members to attend OPOC meetings, carried unanimously. Postscript: Chairwoman Doležal signed and presented this letter to Chief Straub at their meeting on December 23, 2014.

Body Camera Policy Recommendations

Commissioners discussed a potential recommendation letter to the Chief to assist with analyzing Police body camera pilot program data with a view to improving policy recommendations. Issues included whether community groups should be part of that team, the degree to which the Chief is using the many inputs gathered at community engagement events. Ombudsman Burns advised that once SPD is no longer receiving public comment on body camera policies, the OPOC can request the SPD provide all written public comments received.

- Commissioner Dominguez will draft a letter that captures the spirit of discussions to be reviewed at the next meeting on January 6, 2015.

Public Safety Committee Reports

Commissioners discussed new ideas for OPO monthly Public Safety reports. Issues included a more readable format, disclosing crime rates in addition to raw data, and a Commission review period. Commissioners requested that Ombudsman Burn's prioritize remaining office time to make progress on the annual report; he indicated that most annual report will data will not be available until mid-January or February and that he would not have much time available for this endeavor.

- Ombudsman Burns will not complete the 2014 annual report. *said would consider*
- Commissioners Dominguez and Richter will work together on building a new monthly Public Safety report to be implemented when a new Ombudsman is installed.

Strategy, Policy, Objectives, and Tasks (SPOT) Document

Commissioners updated each other on Topic Team meetings. Commissioners are working jointly on the document with their ideas. OPOC should utilize social media and potentially create a subcommittee to address the Department of Justice (DOJ) report recommendations for SPD and OPO.

SPD Ride-Alongs

Commissioner Berkompas asked that the record show thanks and appreciation to Officer Juan Rodriguez for his excellent ride-along. Commissioners discussed prioritizing regular ride-alongs.

Business Cards

Outgoing Ombudsman assistant Elysia Spencer reported The City of Spokane declined to allow the City logo be used in Commission business cards. City wants OPOC to create their own logo.

-
- Commissioner Doležal will work with Commissioner Berkompas to create a selection of logos from which the OPOC can choose.

Commissioner Training

All commissioners will attend the training in Seattle provided by NACOLE on February 6, 2015, if the City will pay for travel and registration costs.

DOJ Public Presentation Report on Spokane PD Collaborative Reform Process

Commissioners discussed Chief Straub's invitation to attend the DoJ event on December 19. Issues included complying with the OPMA during the closed discussion event to be held after the public presentation.

- Commissioners Richter and Doležal will attend Invitation-Only Roundtable at 11 a.m. Postscript: Commissioner Richter deferred to Commissioner Conklin on Dec 19th, and Conklin attended with Doležal instead.

Action Item: Election of Chair for 2015 Calendar Year

MOTION to elect Commissioner Doležal as the OPOC Chair for 2015 calendar year, carried unanimously.

MOTION to elect Commissioner Berkompas as the OPOC Vice Chair for 2015 calendar year, carried in a 4-1 vote.

Meeting adjourned at 8:10 p.m.

Next OPO Commission meeting is January 6, 2015 at 5:30 p.m. in City Council Chambers.

Office of Police Ombudsman Commission

Meeting Minutes: December 17, 2014

The working meeting of the City of Spokane Office of Police Ombudsman Commission (OPOC) was held on Wednesday, December 17, 2014, in the Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., Spokane, Washington, with Acting Commission Chair Adrian Dominguez presiding. The meeting audio was also recorded.

Call to Order

Acting Chair Adrian Dominguez called the meeting to order at 5:30pm. Commissioner Dominguez welcomed members of the public in attendance.

Roll Call

On roll call, the following Commissioners were present:

- Commissioner Kevin Berkompas
- Commissioner Debra Conklin
- Commissioner Rachel Doležal
- Commissioner Adrian Dominguez, Acting Chair
- Commissioner Scott Richter

Other Attendees:

Commission Secretary Elysia Spencer, incoming police ombudsman assistant [REDACTED] Police Ombudsman Tim Burns, Human Resources Director Heather Lowe, and City Attorneys Nancy Isserlis and Mike Piccolo were also present at this meeting.

Meeting Agenda Review and Approval

Commissioners reviewed the proposed agenda and supportive materials provided in the agenda packet.

MOTION by Commissioner Doležal moved, and Commissioner Berkompas seconded, to approve the Meeting Agenda, carried unanimously.

OPOC & Use of Force Commission Joint Meeting – January 28th, 2015

Acting Chair Dominguez informed the commission to submit a list of questions/clarifications to the incoming police ombudsman assistant [REDACTED] by January 5th, 2015.

Police Ombudsman, Tim Burns:

In the evaluation of the ombudsman, he recommended the commission review the evaluation procedures for the parks & recreation director or civil service director. He recommended leaving the evaluation of OPO personnel to the ombudsman.

Office Recommendations: Two (2) letters from Chief Straub indicating complaints regarding excessive use of force and the sit and lie ordinance are to be reopened at the direction of the OPO/OPOC. A third is in the process of being reopened.

Recommended an independent auditor to review SPD financial records, compliance and performance.

MOTION by Commissioner Berkompas moved, and Commissioner Richter seconded, to approve Commissioner Adrian Dominguez as OPOC Representative on the Ombudsman Selection Committee, carried unanimously.

Nancy Isserlis to work with [REDACTED] to make an application to Ethics Committee that Tim Burns services are needed for the selection committee. Commissioner Dominguez requested discussion on this to be had at the next OPOC meeting.

Heather Lowe, Human Resources Director:

Stated that the human resources (HR) department is a resource to the selection committee for items such as job descriptions and other related materials. Commissioner Richter requested the previous job description be utilized. This will ultimately be updated with any items, in accordance with the ordinance, the OPOC would like to include. HR is still in the process of a formal salary review. It was delayed due to Ombudsman Burns' resignation, but once the OPOC reviews the job description, Lowe will conduct a formal salary review that will review similar positions nationally that includes similar elements as those of the City of Spokane Police Ombudsman position (e.g. a commission). OPOC requested an updated job description based on the ordinance for their review, so they may provide suggestions. Commissioners will send comments directly to Lowe. She will consolidate and provide for OPOC review.

Ombudsman Salary Range: 81k – 99k; the OPOC will negotiate pay with candidate and Lowe can assist and make recommendations.

Letter to Chief Straub:

Minor address correction needed and minor grammatical edited needed. Once made letter may be sent to Chief Straub.

MOTION by Commissioner Doležal moved, and Commissioner Richter seconded, to approve Letter to Chief Straub inviting SPD members to attend OPOC meetings, carried unanimously.

Body Camera Policy Recommendations - Discussion

Commissioner Dominguez: Believes a committee should form to provide policy recommendations. Despite community groups engaged by the SPD, the committee should encompass representatives from community groups. OPOC can look at the Mayor's Advisory Committee: Multicultural Affairs' (MACMA) recommendations of potential community groups to involve in process and their recommendation.

Commissioner Dominguez will have MACMA provide this to the OPOC for review. At what degree is the SPD getting community input and who is reviewing and how are they arriving at their conclusions? When attending meetings on such, no representative is writing down any comments. Maybe the OPOC could/should review policies before they go public.

Commissioner Richter: Would like to review a list of community events the PD has held in order to get community input on body camera policies. (*Elysia: List is available on SPD website*)

Commissioner Doležal: If comments are not written down at community input events, there would not be a record. OPOC should provide a document listing the commission's recommendations.

Commissioner Berkompas: Must make clear what this group (body camera policy recommendation committee) is intended to do. How should OPOC make an offer to Chief Straub to have an OPOC member assist in analyzing the data?

Commissioner Conklin: Process issue- SPD may believe they are taking public comment, but no one is taking notes. What role should the OPOC have in the process?

Action Item: Election of Chair for 2015 Calendar Year

No discussion held

MOTION by **Commissioner Berkompas** moved, and **Commissioner Dominguez** seconded, to elect Commissioner Doležal as the OPOC Chair for 2015 calendar year, **carried unanimously**.

No discussion held

MOTION by **Commissioner Richter** moved, and **Commissioner Dominguez** seconded, to elect Commissioner Berkompas as the OPOC Vice Chair for 2015 calendar year, **carried in a 4-1 vote**.

No discussion held

Dissent: Commissioner Conklin – Voiced concern with Commissioner Berkompas' perceptions and interpretations on topics.

Acting Chair Dominguez noted the need for Commissioner Conklin's differing opinions and input.

Meeting adjourned at 8:10 p.m.

Next OPO Commission meeting is January 6, 2015 at 5:30 p.m. in City Council Chambers.

1/6/15 10/11 am

Kevin Berkompas

~~Note~~

Do not call Tim unless
it is a "where's the key
for the cabinet" kind of
thing.

[REDACTED]

From: Berkompas, Kevin
Sent: Friday, January 09, 2015 11:07 AM
To: Dolezal, Rachel
Cc: [REDACTED]
Subject: RE: draft Agenda
Attachments: 2015-01-14_OPOC Meeting Agenda.docx

Follow Up Flag: Flag for follow up
Flag Status: Flagged

From: Berkompas, Kevin
Sent: Friday, January 09, 2015 11:06 AM
To: Dolezal, Rachel
Cc: [REDACTED]
Subject: draft Agenda

Good afternoon Madame Chair,
Hi Rachel,

Here is a draft agenda for the special meeting on the 14th. It is your prerogative to build agendas, this is purely to support you and hopefully save you time.

Note there is no roll call on this draft. I think that is needlessly formal and adds nothing to the meeting; [REDACTED] can write down who was present in the minutes. That was added by the incumbent OPO assistant to the second regular meeting; I do not think it is required for all of us to say "present." If you disagree, by all means add it.

After the meeting maybe we can proceed together to PJALS. At some point I will coordinate my talking points with you.

Very respectfully,
Kevin

[REDACTED]

From: Berkompas, Kevin
Sent: Friday, January 16, 2015 10:48 AM
To: [REDACTED]
Subject: RE: Informational Purposes Only - Document to Add to the Next Available Agenda

Thank you for your recommendation [REDACTED] We are reaching out directly. I was asking for your perspective with a view to helping you if possible.

Kevin

From: [REDACTED]
Sent: Friday, January 16, 2015 9:02 AM
To: Berkompas, Kevin
Subject: RE: Informational Purposes Only - Document to Add to the Next Available Agenda

Kevin,

If you have questions regarding comments or emails from any commissioners, I recommend asking them directly.

Best regards,



[REDACTED]
Assistant to the Police Ombudsman
Office of Police Ombudsman, City of Spokane
808 W. Spokane Falls Blvd., Spokane, WA 99201
P: 509.625.6742 | F: 509.625.6748
[REDACTED]



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From: Berkompas, Kevin
Sent: Friday, January 16, 2015 6:54 AM
To: [REDACTED]
Subject: FW: Informational Purposes Only - Document to Add to the Next Available Agenda

Hi [REDACTED]

Do you have any idea what triggered this rant?

Please call me this morning to discuss if you do.

Thanks,
Kevin

From: Richter, Scott

Sent: Wednesday, January 14, 2015 9:41 PM

To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; [REDACTED]

Subject: Informational Purposes Only - Document to Add to the Next Available Agenda

Hello fellow commissioners:

At the next meeting, I strongly urge us to adopt the attached document. If we cannot pass this document, we need to pass something similar ASAP.

Thank you for giving this the utmost attention.

Scott Richter

10:28 am Kevin Berkempas

Called asking about email
he sent asking about ~~what~~
~~who~~ if I knew what caused
Scott's Tan. "triggered"

I asked if he received my
return email.

Said no, not yet.

~~he~~ I told him that I would
recommend asking Scott
directly instead of me trying
to ~~spec~~ figure out or explain
why he said anything.
It would be best if he asked
him (Scott) directly.

Kevin then said to me:
he wasn't asking me to
speculate, but if I knew of

any occurrences between Scott and I

I, again, told him to ask Scott directly about his own comments.

Kevin said okay have a nice weekend

I said thank you, you too

As I said bye he
just hung up on me.

my comments?

From the moment I told him to ask Scott his voice and tone turned tense and aggressive.

OPO Commission Office Etiquette

The premise behind creating a short list of expected commissioner office etiquette, or rules, is based on the understanding that the only authority that any one person on the commission has is when all the commissioners have a say in any and all decisions regarding staff job descriptions, policies and procedures. Matters regarding potential changes to job descriptions, policies and procedures that any commissioner becomes aware of and deems it worthy of potential changes, the issue must be brought to the attention of all the commissioners, so any final decisions will provide a definitive decision through the process of a commission vote.

The support of the premise is we cannot have a commission quorum at the physical location of the OPO. Therefore, at no time will any individual commissioner have the authority to make any decisions regarding job descriptions, policies or procedures to any the OPO staff (including the ombudsperson) on issues and processes that have not previously been channeled through the commission for purposes of a binding decision through a quorum vote. The ability to independently and individually direct staff, in any way, while present in the physical office directly undermines the combined authority of the commissioners that are not present and the ombudsperson who is, in all actuality, the true direct supervisor of the assistant and all OPO office staff, whether delegated (as in the assistants authority over the interns) or direct authority.

On both a personnel level and a person-to-person level, it creates an extremely unfair and negative work environment when staff are given direction by multiple people with competing or conflicting messages from multiple "bosses". The daily fulfillment of an employee's job responsibilities or the layers of authority within the physical office of the OPO (the chain of command: Ombudsperson responsible for all staff, ombudsperson responsible to the commission) cannot be undermined or jeopardized in any manner by any individual commission member without previous knowledge or a majority vote while in quorum. All such issues must be brought to the attention of the commission to determine any potential "next steps" collectively.

Our job as commissioners while in the physical office regarding OPO personnel is to:

- **Engage all staff** - asking questions about what their duties are, their personal understanding of how they go about accomplishing their job duties.
- **Observe all staff** - while interacting with the ombudsperson, co-workers, visitors, complainants, and answering the phone.
- **Use the information gained** - through observation and engagement to present any recommended changes to current policies and procedures to the commission for final decision.

The Goal: To help us, as commissioners, evaluate staff, as well as current office policies and procedures, to effectively make quality recommendations to create effective change to current staff procedures through a vote of the commission. In addition, use the same processes to create and foster a healthy, safe, and respectful working environment where staff can be the most productive.

[REDACTED]

From: Richter, Scott
Sent: Wednesday, January 14, 2015 9:27 PM
To: Berkompas, Kevin; Dolezal, Rachel; Dominguez, Adrian; Conklin, Debra; [REDACTED]
Subject: Item for the next agenda - for informational purposes only!!!

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello fellow OPO commissioners:

I strongly believe we are overstepping our authority as a commission. Just so everyone knows where I am coming from, I am going to do everything in my power to stop this commission in the areas that I believe we are over-stepping our authority because it is a detriment to the community and to the foundation of the OPO that has been built over the last 5+ years.

I request that everyone thoroughly look at the following closely and please point out to me where I am wrong, because I am going to send the same email to the mayor, council president Stuckart, all of the council members, and our newly hired outside council Breean Beggs when he officially becomes available to us.

I am not trying to be condescending, but I believe this is crucial to both the short- and long-term credibility, functionality, and authority of both the commission and the OPO as I believe we are half-way down the slippery slope already.

Before you read the ordinance again, I ask:

What gives us the right as a commission, **and worse, as individuals** to dictate anything to any employees of the Office of Police Ombudsman? We are to approve recommendations, policies, and procedures that the OPO comes up with and not necessarily what we come up with our own.

- Does anyone realize OPO employees are city employees have certain protections in the workplace?
- Does anyone realize we are not qualified direct or supervise OPO employees?
 - * AND they don't have specific job descriptions they can be held accountable to?
- **I hope everyone realizes we are not qualified to "take complaints" or facilitate the ombudsperson position in any way!!!**
 - * **Doing so could jeopardize the complainants case AND potentially cause the police guild to file suit!!**

The following is taken directly from the ordinance (note my highlights). Every reference to the commission in both the OPO ordinance and the OPO commission ordinance are offered:

Section 04.32.150 Office of Police Ombudsman Commission

- A. That an office of police ombudsman commission ("commission") be created consisting initially of five members.
- B. General Duties.

In addition to other duties enumerated in this chapter, the commission shall:

1. Appoint, reappoint and potentially remove the police ombudsman (Note: **not staff**) pursuant to SMC 4.32.080 through 4.32.110;
2. Approve annual and long term goals of the OPO;
3. Approve OPO procedures and best practices;
4. Approve the OPO annual report;
5. Approve OPO recommendations regarding changes in police department policies and training;
6. Approve OPO rules and procedures required for the discharge of OPO duties, including policies and procedures for receiving and processing complaints, monitoring investigations, and reporting findings, conclusions and recommendations. The rules and procedures approved by the commission shall be consistent with Washington state law and comply with the collective bargaining agreement between the city and the police guild.
7. Conduct and approve evaluations of the OPO and OPO personnel;

8. Request that the OPO examine or re-examine specific non-disciplinary policy or procedure issues and confirm or reject OPO requests for additional investigation by IA;
9. Assist OPO personnel in communicating with Spokane's diverse communities and the general public about the complaint filing and investigation process;
10. Make readily available to the public all commission reports, recommendations, and evaluations; and
11. Prepare and present an annual report to the city council.

For your convenience, here are references to the "commission" in the OPO ordinance. Highlighted areas are all of the sentences with "commission" in them:

F. As a part of the review process, the OPO may conclude that further investigation is needed on issues deemed material to the outcome. The OPO will notify IA of the suggested further investigation. The OPO's suggestions and rationale for further investigation will be provided to IA in writing. The OPO and assigned investigator(s) will discuss the suggested further investigation and attempt to reach an agreement. If there is no agreement between the assigned investigator(s) and the OPO regarding the necessity, practicality, or materiality of the requested further investigation, the OPO will notify the chief (or designee) in writing of the OPO's suggestions and rationale for further investigation. The chief (or designee) will determine whether further investigation will be undertaken by IA. The chief (or designee) will provide his or her determination to the OPO in writing.

1. If the OPO is not satisfied with the determination of the chief, the OPO's request for further investigation may be presented to the commission, whose decision will be final. The decision of the commission will be based upon the OPO's written request and the chief's (or designee's) written response. Once the matter has been referred to and resolved by the commission, the IA investigation will be completed consistent with the determination by the commission on the OPO's request. After providing IA a reasonable opportunity to complete the further investigation, if the commission determines and specifically describes in writing how the IA investigation was not completed consistent with the commission's decision, the commission may again direct IA to complete the further investigation in the OPO's request, or the commission may publish a report stating what further investigation in the OPO's request the commission believes was not completed by IA. If the OPO has not yet made a certification decision, a certification decision shall be made by the OPO. In addition to its report, the commission may direct the OPO or a third-party investigator to complete the further investigation requested by the OPO; however, no such investigation may commence until the Chief has made a final, written discipline determination in the matter. If the commission contracts for a third-party investigation, it shall be conducted by someone with knowledge and experience in conducting a fair and objective law-enforcement investigation and who has no conflict of interest. The OPO or third-party investigator may request, but not require, participation by police officers in the investigation. Once the OPO or third-party investigator has completed the OPO requested investigation, the Commission may publish a report of the results of the investigation of the OPO or third-party investigation, so long as the report does not identify specific members of the department and does not in any way comment on officer discipline (or lack thereof). The further investigation and/or the commission's report may not be used by the City as a basis to open or re-open complaints against any bargaining unit employees, including those assigned to IA, or to reconsider any decision(s) previously made concerning discipline. No discipline of bargaining unit employees may result from the OPO or third-party investigation.

After completion of the further investigation by IA, or the conclusion, by IA or the commission, that no further investigation by IA will be undertaken, the OPO will then certify whether or not, in the opinion of the OPO, the internal investigation was timely, thorough and objective. This determination will be made within five business days. Once the certification determination is made, the OPO will not be involved further in the disciplinary process in that case.

The OPO will be notified if the Chief or designee determines that any complaint that meets the definition of an OPO Involved Investigation will not be investigated by IA. If the OPO believes that an investigation should be completed, the OPO shall notify the Chief or designee in writing. The OPO and Chief or

designee will discuss the OPO's request for investigation and attempt to reach an agreement. The Chief will provide a written response to the OPO's request within fourteen days. If there is no agreement between the Chief or designee and the OPO regarding the investigation, the commission will decide whether the investigation requested by the OPO will be undertaken by IA, as provided in section (E). The decision of the commission will be based upon the OPO's written request and the Chief's (or designee's) written response. After providing IA a reasonable opportunity to undertake the investigation, if the commission determines and specifically describes in writing how IA failed to undertake an investigation consistent with the commission's decision, the commission may again direct IA to undertake an investigation, or the commission may direct the OPO to conduct an independent investigation into the complaint that meets the definition of an OPO Involved Investigation that the Chief determined would not be investigated by IA. The OPO may request, but not require, participation by police officers in the investigation. The OPO may publish a report of the results of the investigation, so long as the report does not identify specific members of the department and does not in any way comment on officer discipline (or lack thereof). Any released investigation will not identify specific members of the department. The OPO's investigation and/or report may not be used by the City as a basis to open complaints against any bargaining unit employee(s), including those assigned to IA, or to reconsider any decision(s) previously made concerning discipline. No discipline of bargaining unit employees may result from the OPO investigation.

Please, on an individual basis, someone correct me if I am wrong.

Thank you for really taking to heart my concerns.
Scott Richter

[REDACTED]

From: Richter, Scott
Sent: Wednesday, January 14, 2015 8:07 PM
To: [REDACTED] Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian
Subject: RE: RE: Meeting minutes & notes from 1/6/15

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi [REDACTED]

If you believe you did a vigilant job taking the oral recording of our meeting and transposing it into a word document, **there should be no edits to the minutes**. Unless one of the commissioners wants to assist you in the entire process of transposing the oral to the written, I do not believe it is appropriate for any of the commissioners to "make edits".

If there are edits, and no one assisted you in fully transcribing the dictation, I will oppose approval of those minutes. For future reference, I will oppose approval of **ANY** minutes that are edited by any commissioner(s) that are not part of the complete dictation process.

Thank you [REDACTED] for being diligent in your work, and everyone else for your understanding.

Scott Richter

From: [REDACTED]
Sent: Wednesday, January 14, 2015 3:03 PM
To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Subject: RE: Meeting minutes & notes from 1/6/15

Commissioners,

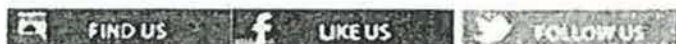
I have attached the meeting minutes and notes from your meeting on January 6th. Please review and provide any comments/edits you may have.

Best regards,



[REDACTED]
Assistant to the Police Ombudsman
Office of Police Ombudsman, City of Spokane
808 W. Spokane Falls Blvd., Spokane, WA 99201
P: 509.625.6742 | F: 509.625.6748

[REDACTED]@spokanecity.org



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[REDACTED]

From: Richter, Scott
Sent: Wednesday, January 14, 2015 7:46 PM
To: Berkompas, Kevin; Dominguez, Adrian; Conklin, Debra; Dolezal, Rachel
Cc: [REDACTED]
Subject: Informational Purposes Only!

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello fellow commissioners,

I want to explain why I chose to have my vote distinguished now and in all future votes.

1) When we should be earning credibility with the public, hiding behind a consensus decision puts "closed ranks" before transparency. I can't accept non-disclosure of my personal vote as being anywhere close to offering the most transparency I possibly can.

2) It is asinine to think that the public record, the cable 5 broadcast viewers, the regular media consumers and anyone who is present at one of our meetings, that they know how we voted. If they try to go back and verify our votes, they still can but concealing our votes behind a consensus stance makes it harder to the information consumer find their way to the answers they seek. That directly inhibits transparency. I do not believe that consensus is not an equal trade-off for transparency.

3) Since tonight was not televised, it was the most opportune time to re-establish the values that are extremely important to me, and to what I believe our role as a commission is.

4) I can not think of one public entity with voting powers inevitably affecting the public citizenry that doesn't provide individual votes (ie. Spokane City Council, U.S. Senate, etc.)

5) I choose to be responsible and accountable for my individual vote.

Thank you for your understanding tonight, and for every vote I make as a commissioner in the future.
Scott Richter

~~KALA~~

1/15/15 ~~10:30 am~~ 10:30 - 11:30 am

order of
occurrence

(2) Kevin requested I make changes to the 1/6 meeting minutes and resend to OPO, so they are working off the "current" draft.

(1) Told me to not make any changes to meeting minutes in the past or future regarding Scott's request at the meeting last night (1/14) that ~~all~~ votes be listed in the ^{his} meeting minutes. Kevin said "he & Rachel will talk to him first."

? Am I not to accommodate one Commissioner's request regarding his own vote, because another tells me to "wait" so they can talk to him?

RECEIVED

FEB 23 2015

**CITY CLERK'S OFFICE
SPOKANE, WA**

**THE CITY OF SPOKANE
OFFICE OF POLICE OMBUDSMAN COMMISSION**



SPECIAL MEETING NOTICE/AGENDA

MEETING OF TUESDAY, FEBRUARY 24, 2015

5:30 P.M.

**COMMUNITY BUILDING LOBBY - 35 WEST MAIN STREET,
SPOKANE, WASHINGTON**

A special meeting of the Office of Police Ombudsman Commission will be held at **5:30 p.m. on Tuesday, February 24, 2015**, in the Community Building Lobby located at 35 West Main Street, Spokane, Washington. The meeting will be open to the public, with the possibility of moving or reconvening into executive session only with members of the Commission and the appropriate staff.

AGENDA

*****SEE ATTACHED AGENDA*****

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. Individuals requesting reasonable accommodations or further information may call, write, or email Christine Cavanaugh at (509) 625-6383, 808 W. Spokane Falls Blvd., Spokane, WA, 99201; or ccavanaugh@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. Cavanaugh at (509) 625-6383 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

OPO 0037



OFFICE OF POLICE OMBUDSMAN COMMISSION

City of Spokane | 808 W. Spokane Falls Blvd. | Spokane, WA 99201



Meeting Agenda

Tuesday, February 24, 2015 commencing at 5:30 PM
Community Building Lobby, 35 West Main Street, Spokane, Washington
Coordinator [REDACTED] (509) 625-6742

Commission Chair: Rachel Doležal

<u>ITEM</u>	<u>PRESENTER</u>	<u>TIME</u>
1. Welcome, Proposed Agenda & Material Review	Chair	3 minutes
2. Approval of Minutes: 1/28 and 2/3	Chair	3 minutes
3. Purpose of Working Meeting	Chair	5 minutes
4. History & Evolution of the OPO and OPOC	Beggs	20 minutes
5. Decoding the Ordinance & the Charter	Beggs	20 minutes
6. Strategies, Priorities, Objectives & Tasks	Vice Chair	15 minutes
7. Defining Roles & Responsibilities	Chair	10 minutes
8. New & Interim Ombudsman Selection Process	Dominguez	10 minutes
9. Body Camera Stakeholders' Group	Chair	5 minutes
10. Adjournment	Chair	

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OPO 0038

[REDACTED]

From: [REDACTED]
Sent: Tuesday, March 03, 2015 10:03 AM
To: Dolezal, Rachel
Subject: RE: March 3, 2015- Meeting Agenda
Attachments: 2015-01-28_OPOC Working Meeting Minutes Draft.docx; 2015-02-03_OPOC Minutes Draft.docx

Meeting minutes, per your request.



[REDACTED] City of Spokane | Assistant to the Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org



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From: Dolezal, Rachel
Sent: Tuesday, March 03, 2015 7:17 AM
To: [REDACTED]
Subject: RE: March 3, 2015- Meeting Agenda

Thank you, [REDACTED]

I appreciate you keeping mindful of the 24 hour deadline and submitting a draft agenda. In the future, please continue with this default procedure if you do not have an agenda from either myself or Kevin, but please be careful to not invite amendment to the agenda from the entire Commission as this falls within the Chair/Vice Chair role and could become a headache if folks are trying to add or remove items outside of that discretion.

Please add to the Agenda as Item 3 and 4 after Public Input as follows:

3. Approval of February 24th meeting minutes.
4. Policies and Procedures of the OPOC - Beggs - 10 min
 - a. Action Item: Approval of Confidentiality Agreement

(Continue with the other items from your report on after this)

Also under Body Camera Stakeholders group, please add:

- a. Discussion: Timeline and nomination of names and organizations

Also, please reduce the time for the SPOT document to 5 minutes and replace "Chair" with "Vice Chair" for leading that item.

Please include in the meeting packet the Confidentiality Agreement (I will send you the final draft), the booklet/brochure Scott will be talking about, and the Job Description Adrian submitted along with the agenda and the February 24th meeting minutes (I will also send these).

Thank you again for your assistance on this and for catching us with the deadline while I was swamped yesterday. For easier editing, please send a MS Word file of the minutes if you have that option, so I can just make the changes and send it back.

Best Regards,

Rachel

From: [REDACTED]
Sent: Monday, March 02, 2015 5:06 PM
To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Cc: Breean L. Beggs
Subject: March 3, 2015- Meeting Agenda

I created this agenda, per my last email, because I did not receive any agenda. It is required by law that agendas for even regularly scheduled meetings be posted 24 hours in advance.

If you want to update the attached agenda, provide your edits immediately. I will be able to edit it within the next 24 hours, as I have met the 24 hour requirement.



[REDACTED] City of Spokane | Assistant to the Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org



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[REDACTED]

From: [REDACTED]
Sent: Tuesday, March 10, 2015 6:58 PM
To: Dolezal, Rachel
Subject: FW: Reimbursement Check

FYI

[REDACTED] City of Spokane | Assistant to the Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org

From: [REDACTED]
Sent: Tuesday, March 10, 2015 6:01 PM
To: Adrian Dominguez
Subject: Re: Reimbursement Check

Adrian if you have a problem with my choice to put other OPO business before your paperwork I received on a Friday, thus pushing it to be completed on the following Monday. I suggest you speak with Theresa Sanders the City Administrator or Tim Szambelan the OPO legal counsel.

In regards to a lack of communication, you ask about your reimbursements and I immediately sought the information for you, despite being out of the office at CIT training.

[REDACTED]
Sent from my iPhone

> On Mar 10, 2015, at 12:10 PM, "Adrian Dominguez" <adominguez@srhd.org> wrote:
>

[REDACTED]
>
> I'm not looking for excuses or explanations and I don't want to beat a dead horse. What's done is done. I think communication needs to be better. If I would have known that you could not do the paperwork until either Monday or Tuesday, I would have done the paperwork myself. I think this is a priority of work that needs to be done in the office when we go on trips. If I would have known that inner office mail takes two days, I would have walked over the paperwork myself. I hope you understand my situation and frustration. I'm having to pay out of pocket expenses at this time for a bill that I accrued while doing business for the city. My payment was due and I had to use my own money to pay that bill. I'm not complaining that I cannot afford the payment but my frustration lies in the principal of the matter. Also, what frustrates me is the fact that I was the person that brought the issue up. If I had not said anything I would not have known that it took almost a week before paperwork was received by finance.

>
> Adrian
>
>
>
>

> Adrian E. Dominguez, MS | Epidemiologist II | Disease Prevention and Response/Community Health Assessment, Planning, and Evaluation
> 509.324.1670 - Direct | 509.232.1706 - Fax | adominguez@srhd.org
> Spokane Regional Health District | www.srhd.org
> 1101 West College Ave. Suite 356
> Spokane, Washington 99201-2095

>
>
>
>
> Always working for a safer and healthier community
>
>
> -----Original Message-----
> From: [REDACTED] {mailto:[REDACTED]}
> 49
> To: Adrian Dominguez
> Subject: Re: Reimbursement Check
>
> Adrian,
>
> You gave me the paperwork on Friday the 20th. I was not able to complete it that day due to my various, and numerous, other responsibilities in the office. After the weekend, I finished it on either Monday or Tuesday, I don't recall which. In regards to interoffice mailing, that is the typical length of time.
>
> Do you have any suggestions, other than the form to set you up for direct deposit, to avoid this situation in the future?
>
> [REDACTED]
> Sent from my iPhone
>
>> On Mar 10, 2015, at 10:28 AM, "Adrian Dominguez" <adominguez@srhd.org> wrote:
>>
>> [REDACTED]
>>
>> Whatever the case may be, three weeks is still unacceptable especially when I was told that I would have check within a week. And I don't know why paperwork took 3 days to process in office when it was given to you on the 20th and then it takes another 2days for them to receive it.
>>
>> Adrian
>>
>>
>>
>>
>> Adrian E. Dominguez, MS | Epidemiologist II | Disease Prevention
>> and Response/Community Health Assessment, Planning, and Evaluation
>> 509.324.1670 - Direct | 509.232.1706 - Fax | adominguez@srhd.org
>> Spokane Regional Health District | www.srhd.org
>> 1101 West College Ave. Suite 356
>> Spokane, Washington 99201-2095
>>
>>
>>
>>
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>>
>> -----Original Message-----
>> From: [REDACTED] {mailto:rholwedel@spokanecity.org}
>> Sent: Monday, March 09, 2015 6:35 PM
>> To: Adrian Dominguez
>> Subject: Re: Reimbursement Check
>>
>> Adrian,
>> I finished your paperwork and sent it out interoffice mail on 2/23-24. It takes 1-2 days to get to them. So it's been about 1.5 weeks. To avoid this issue in the future, we need to get the paperwork to set you up as a vendor completed.

>>
>> [REDACTED]
>> Sent from my iPhone
>>
>>> On Mar 9, 2015, at 12:26 PM, "Adrian Dominguez" <adominguez@srhd.org> wrote:
>>>
>>> This totally unacceptable. I was told that it would generated in a week. It now almost a month.
>>>
>>>
>>>
>>>
>>> Adrian E. Dominguez, MS | Epidemiologist II | Disease Prevention
>>> and Response/Community Health Assessment, Planning, and Evaluation
>>> 509.324.1670 - Direct | 509.232.1706 - Fax | adominguez@srhd.org
>>> Spokane Regional Health District | www.srhd.org
>>> 1101 West College Ave. Suite 356
>>> Spokane, Washington 99201-2095
>>>
>>>
>>>
>>>
>>> Always working for a safer and healthier community
>>>
>>> -----Original Message-----
>>> From: [REDACTED] [mailto:[REDACTED]@spokanecity.org]
>>> Sent: Monday, March 09, 2015 12:20 PM
>>> To: Adrian Dominguez
>>> Subject: Re: Reimbursement Check
>>>
>>> It is in the final steps of processing and I've been told that it shouldn't be more than a few days for it.
>>>
>>> [REDACTED]
>>> Sent from my iPhone
>>>
>>> On Mar 9, 2015, at 11:02 AM, "Adrian Dominguez"
>>> <adominguez@srhd.org<mailto:adominguez@srhd.org>> wrote:
>>>
>>> [REDACTED]
>>>
>>> I still have not received my reimbursement check. I need to pay my bill. Do you know what the status is?
>>>
>>> Adrian
>>>
>>>
>>>
>>>
>>>
>>>
>>>
>>> Adrian E. Dominguez, MS | Epidemiologist II | Disease Prevention
>>> and Response/Community Health Assessment, Planning, and Evaluation
>>> 509.324.1670 - Direct | 509.232.1706 - Fax |
>>> adominguez@srhd.org<mailto:adominguez@srhd.org>
>>> Spokane Regional Health District |
>>> www.srhd.org<http://www.srhd.org/>
>>> 1101 West College Ave. Suite 356
>>> Spokane, Washington 99201-2095
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>>>
>>> [Spokane Regional Health District][Accredited by PHAB][Global Health
>>> Workplace Award]
>>>
>>>
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>>>
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e-mail and destroy all copies of the original message.

[REDACTED]

From: [REDACTED]
Sent: Monday, March 16, 2015 5:18 PM
To: 'Adrian Dominguez'
Subject: RE: Reimbursement Check

Adrian,

I apologize once again for this inconvenience and the frustration placed on you. I will contact finance first thing in the morning! Thank you for your patience.

Best,



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 [REDACTED] [@spokanecity.org](mailto:[REDACTED]@spokanecity.org)



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From: Adrian Dominguez [<mailto:adominguez@srhd.org>]
Sent: Monday, March 16, 2015 5:10 PM
To: [REDACTED]
Cc: Dolezal, Rachel; Breean L. Beggs
Subject: Reimbursement Check

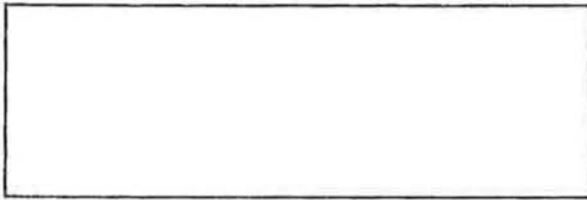
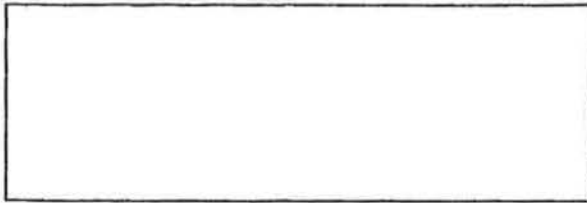
[REDACTED]

Please be informed that I still have not received my reimbursement check.

Adrian

Adrian E. Dominguez, MS | Epidemiologist II | Disease Prevention and Response/Community Health Assessment, Planning, and Evaluation
509.324.1670 - Direct | 509.232.1706 - Fax | adominguez@srhd.org
Spokane Regional Health District | www.srhd.org
1101 West College Ave. Suite 356
Spokane, Washington 99201-2095

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[REDACTED]

From: [REDACTED]
Sent: Tuesday, March 24, 2015 10:08 AM
To: Dolezal, Rachel
Cc: bbeggs@pt-law.com; Dominguez, Adrian; Berkompas, Kevin; Conklin, Debra; Richter, Scott
Subject: FW: Revised Community Outreach Strategy Draft
Attachments: OPOCbrochureFinal.pub; Body Camera Stakeholder GRP

Hi Rachel,

I have attached the tri-fold for the commission and the contact information for the folks that have contacted the OPO requesting to be included in the body camera stakeholder group.

For the tri-fold, Jared Karjalahti (OPO intern) drafted this a few days before his internship expired with the OPO. It is a great first version. Of course each commissioner will need to approve their individual picture and description, along with the other information. Also, the photo on the cover is one of the City Council and it may or may not be something that the OPOC would be interested in having one of their own.

Creating this tri-fold for the commission was not meant to step on anyone's toes. I had hoped the commission would have been pleased with this project.



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org



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-----Original Message-----

From: [REDACTED]
Sent: Tuesday, March 24, 2015 6:13 AM
To: Dolezal, Rachel
Cc: Richter, Scott
Subject: Re: Revised Community Outreach Strategy Draft

Rachel I was not going to distribute anything without the commission's approval.

It was a need from the community that I recognized some time ago. It has initially been shared with Scott, as he is tasked with outreach items, for comments and revisions before presentation to the commission for comments and revisions. It still needs to be edited and is not ready. I was making the commission aware of its existence. It is not a replacement, it is in addition to detail the information only about the commission, as nothing currently exists. Many folks do not quite understand what exactly the commission does, so the tri-fold seeks to increase public awareness of the commission's existence and its role.

Are you requesting that any projects OPO staff work on to be only at the official direction of the commission?

I will provide you the contact information again on those requesting to be apart of the body camera stakeholder group once I get in the office.

Please feel free to give me a call to clarify anything, because I may be confused on the wishes of the commission.

[REDACTED]
Sent from my iPhone

> On Mar 24, 2015, at 2:58 AM, "Dolezal, Rachel" <rdolezal@spokanecity.org> wrote:

>
> [REDACTED]
>

> Please send me the file for the trifold document you are working on. This was not approved by the Commission as something that was in process of being created, so please do not distribute before we approve the document. Is this a replacement for the booklet Scott proposed as a community outreach tool or an additional print source for OPOC information? Also, the COS document from Kathy was sent to all commissioners.

> Please send me the list of individuals and organizations who have expressed an interest in being on the Stakeholders Group for Body Cameras, along with their email contact information. I can send out correspondence to them on behalf of the Commission.

> Thank you,

> Rachel

> Chair, OPOC

> From: [REDACTED]

> Sent: Monday, March 23, 2015 10:51 AM

> To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez,

> Adrian; Richter, Scott

> Subject: FW: Revised Community Outreach Strategy Draft

> OPOC members,

> I want to be sure you have received the revised Community Outreach Strategy document from Kathy in the OPA. It includes suggestions made at the PAC meeting last Thursday. Also relevant to this topic, OPO staff has created a tri-fold regarding the roles and responsibilities of the OPOC for distribution to the public. I am working with Scott on this as of last week and he is currently reviewing it to provide initial suggestions/comments.

> I have also attached the contact information provided to me by the OPA for two ladies from an outreach event at Jewish Family Services that would like to be a part of the body camera stakeholder group you are organizing. It is important to note that this information was provided to you in your packet materials for your February 3rd meeting, as the creation of such a group was discussed at that time. If you would like another copy of the list of body camera contacts and presentations list, also provided to me by Kathy, I can provide that at your request.

> Erin Williams Hueter, from Lutheran Community Services NW Spokane, has also made a request to be included in such a group. I have responded to her and cc'd Rachel on that email for the commission's notification as well. As I have mentioned previously to Adrian, I have seen the need to create a distribution list to notify interested parties of OPOC meeting information where this topic is discussed. I have also received requests to have OPOC meeting agendas and special meeting notices to be released in advance (more than the required 24hrs), especially

for meetings where the body camera stakeholder group will be discussed, so folks have adequate time to plan their schedules in order to attend. I am more than happy to assist you in compiling information for such a list.

>
> Best regards,
>
> [cid:image001.jpg@01CE1431.66B56500]
> [REDACTED] | City of Spokane | Assistant to Police Ombudsman
> Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA
> 99201
> 509.625.6742 | fax 509.625.6748 |
> [REDACTED].org<mailto:[REDACTED]@spokanecity.org>
>
> [cid:image002.png@01D0088E.3489AAC0]<https://beta.spokanecity.org/opo/
> > [cid:image003.png@01D0088E.3489AAC0]
> <http://www.facebook.com/SPDOmbudsman>
> [cid:image004.png@01D0088E.3489AAC0]
> <http://www.twitter.com/SPD_Ombudsman>
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>
> From: Armstrong, Kathy
> Sent: Monday, March 23, 2015 9:55 AM
> To: Napolitano, Angie; MEDIA Marilou Buan; Dobrow, Rick; Fagan, Mike;
> [REDACTED] MEDIA Alkhalidy Hussam; Jan Dobbs; MEDIA Joan
> Butler; MEDIA laddsm; McGrath, Sheryl; MEDIA Rick Mendoza; MEDIA
> Michael Yates; MEDIA Roger Moses; Ochoa, Gloria; Whitworth Andrews;
> Schaeffer, Brian; Schwering, Tim; MEDIA Scott Richter; Lilac Blind
> Russ; Straub, Frank; MEDIA vsiabzoo; Spokane Schools James; MEDIA
> Wilburn; Williams, Bobby
> Subject: RE: Revised Community Outreach Strategy Draft
>
> Hello, PAC members,
>
> After attending the PAC meeting last Thursday, I made some changes to the draft Community Outreach Strategy document, specifically about PAC. I included a little information about how long PAC has been in existence and I clarified that PAC does not take citizen complaints. If you have any other feedback about how PAC looks in this document or anything else, please let me know. I also added more details about our WSU collaboration and the body camera studies, as well as the Force Encounters class coming up. At this point, the document has been shared internally at SPD and with PAC and the OPO & OPO Commission, but we will be sharing the strategy with other community partners as well.
>
> I enjoyed meeting a few of the PAC members I hadn't met yet last Thursday.
>
> Take care,
> Kathy Armstrong | Office of Professional Accountability | Spokane
> Police Department
> 509.835.4519- desk | 509.370.8041- cell |
> karmstrong@spokanepolice.org<mailto:karmstrong@spokanepolice.org>
>
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>
>
> <image002.jpg>
> <image004.png>
> <image005.png>
> <image006.png>
> <image003.jpg>

General Duties

- Approve annual and long term goals of the OPO
- Approve OPO procedures and best practices
- Approve OPO recommendations regarding changes in police department policies and training
- Prepare and present an annual report to the City Council
- Conduct and approve evaluations of the OPO and OPO personnel
- Make readily available to the public all commission reports, recommendations, and evaluations
- Appoint, reappoint and potentially remove the police ombudsman pursuant to SMC 4.32.080 through 4.32.110
- Attend community outreach events and represent the OPO office and council with professionalism.
- Assist OPO personnel in communicating with Spokane's diverse communities and the general public about the complaint filing and investigation process
- Receives and investigates complaints regarding the Ombudsman, with the assistance of the City's human resources department



Office of Police Ombudsman Commission Meetings

- The commission meets the first Tuesday of every month at 5:30 p.m. in City Council Chambers on the lower level of City Hall, located at 808 W. Spokane Falls Blvd.
- The commission holds regular meetings with an opportunity for public comment at least quarterly

OPO 0051

Filing a Complaint

If you feel an employee of the **Spokane Police Department** did not treat you properly or violated a policy, you may contact the Office of Police Ombudsman with your concerns.

Complaints must be received within one year of the original incident.

When you file, please include the following information in your description of the event:

- Date, time, and location of the incident.
- Witness names and contact information
- The officer name and/or badge #
- The desired outcome of your complaint

After contacting the Office of Police Ombudsman, details of your complaint will be forwarded to the Internal Affairs Division of Spokane Police Department for investigation. Upon completion, the investigation will be returned to the ombudsman to certify that the investigation is timely, thorough and/or objective. Once certified, the report is returned to the Office of the Chief of Police for disposition. Upon closure of the complaint by the Chief of Police, you may meet with the Ombudsman to discuss questions you may have regarding the investigation.

- File a complaint online go to: www.spdombudsman.org
- You can also file a complaint in person at the Office of Police Ombudsman



City of Spokane

Office of Police Ombudsman Commission



The Office of Police Ombudsman Commission is a volunteer citizen committee

To leave a voicemail for the OPO Commission call 509-625-6755

OFFICE OF POLICE OMBUDSMAN

808 West Spokane Falls Boulevard
Spokane, Washington 99201
Phone: 509-625-6742
Fax: 509-625-6748

Email: SPDombudman@spokanecity.org
www.spdombudsman.org

Meet the Commissioners



Commission Chair Rachel Dolezal, Rachel is a professor with the Africana education program at EWU. She is president for the NAACP in Spokane as well and is the former Director of Education at the Human Rights Education Institute in Coeur d'Alene, Idaho. Dolezal has fourteen years of experience as an exhibiting artist and her work is displayed in the United Nations Headquarters in New York City.
Contact at: rdolezal@spokanecity.org



Vice Chair Kevin Berkompas, Kevin Berkompas is a member of the American Red Cross Board of Directors, Greater Inland Northwest Region. Commissioner Berkompas owns and operates Bear Compass Consulting LLC, a business management and corporate leadership consulting interest. He volunteers at various agencies including Habitat for Humanity and the Ronald McDonald House.
Contact at: kberkompas@spokanecity.org



Commissioner Adrian Dominguez, Adrian has over 22 years experience in public health and is currently on the Board of Directors for the Washington State Public Health Association (WSPHA). He is an Epidemiologist in Community Health Assessment, Planning, and Evaluation for Disease Prevention and Response at the Spokane Regional Health District. He is an adjunct professor at EWU as well and teaches in the graduate Public Health Program.
Contact at: adominguez@spokanecity.org



Commissioner Scott Richter, Scott works for Eastern Washington University as the Community Indicators Manager which provides all of Spokane's great area resources. He was a previous intern at the Office of Police Ombudsman for over a year and a half as well.
Contact at: srichter@spokanecity.org



Commissioner Debra Conklin, Debra has been a reverend at Liberty Park United Methodist Church since 2007.
Contact at: dconkil@spokanecity.org

Expectations

- The public desires a public independent oversight agency that strives to make the internal affairs process thorough, timely and in an objective manner
- Commission members shall participate in an appropriate training program to be established by the commission, the Chief of Police and/or the OPO so that they shall possess the knowledge to perform their duties to their best ability
- Members of the commission shall agree in writing that they are subject to the City of Spokane code of ethics
- To promote the OPO office and the commission in public with professionalism and accountability
- Building community trust with the OPO office and City Council.



[REDACTED]

From: [REDACTED]
Sent: Wednesday, March 25, 2015 4:40 PM
To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Cc: bbeggs@pt-law.com
Subject: FW: Direct Deposit Setup for Reimbursements
Attachments: ACH Vendor Enrollment Form4.8.14.pdf

All,

In case you missed the previous email I sent out on this, the attached form is what you will need to complete in order to be setup as a vendor. This will have your reimbursements direct deposited into your bank account, reducing waiting time in the process.

Let me know if you have any questions.



[REDACTED] | City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org



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From: [REDACTED]
Sent: Wednesday, February 11, 2015 11:59 AM
To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Subject: Direct Deposit Setup for Reimbursements

Commissioners,

Please complete and return the attached form if you would like your reimbursements for training trips via direct deposit, which will be 1-2 days after they are processed.

Adrian and Rachel: If you would like this for your next trip next week, it will need to be set up before you go.

Best,



[REDACTED] | City of Spokane | Assistant to the Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
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From: Springer, Joy
Sent: Wednesday, February 11, 2015 8:52 AM
To: [REDACTED]
Subject: Emailing: ACH%20Vendor%20Enrollment%20Form.pdf

Hi [REDACTED],

Here is the form that Leonard should have sent to you or told you where to find it.

Joy

[REDACTED]

From: Dolezal, Rachel
Sent: Sunday, March 29, 2015 2:45 PM
To: Conklin, Debra
Cc: [REDACTED] Breean Beggs
Subject: RE: Special meeting

Deb,

I believe we have been very careful to abide by the OPMA act and have had no violations of it. The reason for the Byrnes Report meeting being scheduled both as quickly as possible but also with as much advanced notice as possible is because it is a meeting for the community to interact at. This is not a Commission working meeting but a meeting the public needs advanced notice about. The report has been announced, and the public is ready to discuss it. I've had several requests for the Commission to take the lead on it, and it seems reasonable and in keeping with our community engagement objectives through the DOJ and under our current responsibility as a bridge between police and the community. The workgroup from MACMA has already been formed to address this report, and waiting until May to facilitate dialogue seems irresponsible and unnecessary. It's great that you will be able to take a leave during the April 20th week, but since the 21st has been confirmed by all other commissioners and we have a place to meet on April 14th, I think it seems reasonable to move forward with one of those dates. I would prefer the April 21st date, as it gives us a couple weeks after our monthly meeting to prepare. Having meetings the 4th week of the month does not work well for our agenda and minutes process.

Thank you for your feedback, and let me know if you would like to meet to discuss this further.

Rachel
Chair, OPOC

From: Conklin, Debra
Sent: Friday, March 27, 2015 7:07 PM
To: Dolezal, Rachel
Cc: [REDACTED] Breean Beggs
Subject: RE: Special meeting

Is there a reason for trying to schedule this in such a hurry instead of waiting til our April meeting, and scheduling it when we are all able to interact about a date? I realize that scheduling a meeting is hardly a momentous decision, but we seem to have done a lot of trying to make decisions over the last few months between meetings using very awkward ways to avoid violating the letter of the Open Meetings Act. I would like to see us try to restrict these negotiations to our meetings. It is beginning to feel to me like we're coming very close to violating the spirit of the act, if not the letter of it.

Debra L. Conklin, Commissioner
Office of Police Ombudsman Commission

From: Dolezal, Rachel
Sent: Friday, March 27, 2015 10:14 AM
To: bbeggs@pt-law.com; Berkompas, Kevin; Conklin, Debra; Dominguez, Adrian; [REDACTED]
[REDACTED] Richter, Scott
Subject: Special meeting


Commissioners,

Does the 14th of April work for you at 5:30pm for discussing the Byrnes report? This change would be to accommodate Deb.

Please respond soon so we have begin advertising this meeting.

Thank you,

Rachel



From: Berkompas, Kevin
Sent: Friday, April 03, 2015 12:49 PM
To: [REDACTED]
Cc: Dolezal, Rachel
Subject: RE: March Public Safety Report Commission Actions

Follow Up Flag: Follow up
Flag Status: Completed

I did not consider the DoJ and COPS events mere "outreach," but since Commissioners participated and the DoJ report involves us directly, I consider them actions.

Kevin

From: Dolezal, Rachel [rdolezal@ewu.edu]
Sent: Friday, April 03, 2015 12:08 PM
To: [REDACTED]
Cc: Berkompas, Kevin
Subject: Re: March Public Safety Report Commission Actions

What Kevin drafted looks great; proceed...

Thanks,

Rachel

R. Dolezal, MFA
Eastern Washington University
Professor, Africana Education Program
Advisor, Black Student Union
202E Monroe Hall
Office: (509) 359-2205
President, Spokane NAACP
Chair, OPO Commission
Columnist, *The Inlander*
Co-Producer, *Diversity Matters*
Intercultural Education & Diversity Consulting
Exhibiting Artist: www.racheldolezal.blogspot.com
Direct: (208) 215-8357

From: [REDACTED]
Sent: Friday, April 3, 2015 10:21 AM
To: Kevin Berkompas; Dolezal, Rachel
Cc: Dolezal, Rachel
Subject: RE: March Public Safety Report Commission Actions

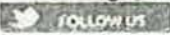
In the last OPO monthly report I did not include the OPOC's outreach items in the "outreach" portion of the OPO report, but had it in the section about the OPOC (at the beginning). At your last meeting, there was mention of that by one or more commissioners. I am happy to accommodate you if you would prefer it to be in the outreach section of the report instead of being including in the Commission Action section at the beginning. Either way, let me know!

As Kevin mentioned below, I will wait for your go ahead Rachel before I utilize what Kevin drafted.

Thanks,



City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748



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From: Kevin Berkompas [<mailto:kevin.berkompas@gmail.com>]

Sent: Friday, April 03, 2015 7:14 AM

To: Dolezal, Rachel

Cc: Dolezal, Rachel

Subject: March Public Safety Report Commission Actions

Rachel,

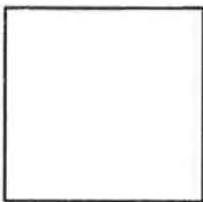
Here is a draft Commission Actions section for the March Public Safety report. Please add items I was not aware of, possibly because I was gone last week. Please let [REDACTED] know if she can use it.

Best,
Kevin

--

Kevin Berkompas

Principal, Bear Compass Consulting LLC
509-202-9933
bearcompass.com



[REDACTED]

From: [REDACTED]
Sent: Tuesday, April 07, 2015 3:03 PM
To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Subject: FW: Belated Meeting Minutes
Attachments: meetingminutesJan.14.docx; meetingminutes.January6.docx;
meetingminutesNov.42014.docx; meetingminutesOct 2014Final.docx;
meetingminutesDecember 2,2014.docx

Greetings,

I'm following up with you on these completed meeting minutes.

Best,



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]



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From: [REDACTED]
Sent: Monday, February 23, 2015 2:29 PM
To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Subject: Belated Meeting Minutes

All,

Attached you will find minutes from your previous meetings. Once these are reviewed and approved, this will be caught up. Thanks for your patience on this!

Best,



[REDACTED] City of Spokane | Assistant to the Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]



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OPO 0059

[REDACTED]

From: [REDACTED]
Sent: Wednesday, April 08, 2015 8:57 AM
To: Szambelan, Timothy
Subject: Requests from the OPOC

Importance: High

Tim,

Among the many items of concern that the OPOC brought up about the OPO and its staff (i.e. me) in their meeting last night, there was spirited discussion about the lack of physical OPO procedures in the form of a manual. I have received mixed and conflicting information that was intended to clarify what the OPOC is expecting in a document from me. I would like what their desires and expectations are in written format in a manner that *clearly* states/outlines what the OPOC expects and what they are specifically requiring of me to avoid any confusion. Should this conflict with the vision of the City or ordinance, I would like the final draft that is provided to me to include any necessary revisions or notes on changes, thus being able to easily and more readily determine whether the task(s) have been completed as requested.

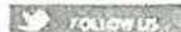
In their palpable desires to evaluate me, I think it's only appropriate for me to know exactly what is expected of me on this or any other project requested of the OPOC.

Thanks,

[REDACTED]



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 [REDACTED]@spokanecity.org



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[REDACTED]

From: Szambelan, Timothy
Sent: Friday, April 10, 2015 8:48 AM
To: [REDACTED]
Subject: RE: OPO Report - Approval Needed

Will just have to wait for a response back! Should hear back from some of the members today! I am optimistic!

From: [REDACTED]
Sent: Friday, April 10, 2015 8:40 AM
To: Szambelan, Timothy
Subject: FW: OPO Report - Approval Needed
Importance: High

Please advise on this; I have had no response.

Thank you,



[REDACTED] | City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 [REDACTED]@spokanecity.org



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From: [REDACTED]
Sent: Wednesday, April 08, 2015 1:17 PM
To: 'Adrian Dominguez'; Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Subject: OPO Report - Approval Needed
Importance: High

Greetings,

In all of the spirited discuss of the various items of interest, you did not approve the OPO monthly report at your meeting last night, as has occurred in the past. I will need your official approval, from the Chair, in order to move forward in the process (i.e. sending it to upper management of COS, etc). I **will not** move forward until I receive this, per OPOC request to review and approve OPO monthly reports.

Thank you,



City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org



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[REDACTED]

From: [REDACTED]
Sent: Friday, April 10, 2015 12:12 PM
To: Cavanaugh, Christine
Subject: Attached Emails
Attachments: Fwd: Reimbursement Check; Requests from the OPOC; RE: Reimbursement Check; FW: Direct Deposit Setup for Reimbursements

Attached are the emails. The other two provide a bit more context on the reimbursement episode.

Thanks again for all your time and effort, I really appreciate it. Have a good weekend!

[REDACTED]



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 [REDACTED]@spokanecity.org



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[REDACTED]

From: [REDACTED]
Sent: Wednesday, March 25, 2015 4:40 PM
To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Cc: bbeggs@pt-law.com
Subject: FW: Direct Deposit Setup for Reimbursements
Attachments: ACH Vendor Enrollment Form4.8.14.pdf

All,
In case you missed the previous email I sent out on this, the attached form is what you will need to complete in order to be setup as a vendor. This will have your reimbursements direct deposited into your bank account, reducing waiting time in the process.

Let me know if you have any questions.



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org



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From: [REDACTED]
Sent: Wednesday, February 11, 2015 11:59 AM
To: Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Subject: Direct Deposit Setup for Reimbursements

Commissioners,

Please complete and return the attached form if you would like your reimbursements for training trips via direct deposit, which will be 1-2 days after they are processed.

Adrian and Rachel: if you would like this for your next trip next week, it will need to be set it up before you go.

Best,



[REDACTED] City of Spokane | Assistant to the Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.6748 | [REDACTED]@spokanecity.org



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[REDACTED]

From: Sanders, Theresa
Sent: Wednesday, March 11, 2015 12:27 PM
To: Isserlis, Nancy; [REDACTED] Szambelan, Timothy
Subject: RE: Reimbursement Check

Thanks much Nancy. Let me know if I can provide any additional leverage.



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



From: Isserlis, Nancy
Sent: Wednesday, March 11, 2015 12:26 PM
To: Sanders, Theresa; [REDACTED] Szambelan, Timothy
Subject: RE: Reimbursement Check

I have already alerted the OPO counsel that the email and behavior are unacceptable. He has already responded that he is on it. And you are not misunderstanding anything, Theresa. This is unacceptable behavior from anyone. [REDACTED] has been in contact with Tim in my office re this and other issues. Happy to discuss further.

From: Sanders, Theresa
Sent: Wednesday, March 11, 2015 12:23 PM
To: [REDACTED] Szambelan, Timothy
Cc: Isserlis, Nancy
Subject: RE: Reimbursement Check

Thanks [REDACTED]

Nancy – you, Tim and I should talk. The behavior is not appropriate or acceptable. Perhaps I misunderstand the OPO Commission role with regards to City staff. If so, I should be educated on the matter.



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



From: [REDACTED]
Sent: Wednesday, March 11, 2015 11:26 AM
To: Sanders, Theresa; Szambelan, Timothy
Subject: Fwd: Reimbursement Check

[REDACTED]

From: Szambelan, Timothy
Sent: Wednesday, March 11, 2015 1:14 PM
To: [REDACTED]
Cc: Sanders, Theresa; Isserlis, Nancy
Subject: RE: Reimbursement Check

[REDACTED]

Thank you for the email! He just does not understand who you work for and his response lacks professionalism! I will be contacting Breean on this matter.

Tim

From: [REDACTED]
Sent: Wednesday, March 11, 2015 11:26 AM
To: Sanders, Theresa; Szambelan, Timothy
Subject: Fwd: Reimbursement Check

I think that this response I received from Adrian is important for both of you to read. It appears as though the commission is unclear on a couple of things.

[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: Adrian Dominguez <adominguez@srhd.org>
Date: March 11, 2015 at 9:11:18 AM PDT
To: [REDACTED]
Subject: RE: Reimbursement Check

Yes I do have a problem with your choice to put other OPO business before paperwork you received on a Friday, thus pushing it to be completed on the following Monday or Tuesday (as you cannot recall which day it was... I'm going with Tuesday). I still have yet to received check. Again you don't seem to not acknowledge my frustration. Yes there is a lack of communication. If you did not have time to do the paperwork then you should have said so. Again, you don't seem to understand this. I don't need to talk to anyone. What's done is done, however I did not know you reported to Theresa Sanders or Tim Szambelan. So is what I'm hearing, if we have a problem we need to talk with Theresa Sanders or Tim Szambelan? I will be talking with Rachel and Kevin about this matter. This process is not working and needs to be resolved.

Adrian

Adrian E. Dominguez, MS | Epidemiologist II | Disease Prevention and Response/Community Health Assessment, Planning, and Evaluation

509.324.1670 - Direct | 509.232.1706 - Fax | adominguez@srhd.org
Spokane Regional Health District | www.srhd.org
1101 West College Ave. Suite 356
Spokane, Washington 99201-2095

Always working for a safer and healthier community

-----Original Message-----

From [REDACTED]

Sent: Tuesday, March 10, 2015 6:01 PM

To: Adrian Dominguez

Subject: Re: Reimbursement Check

Adrian if you have a problem with my choice to put other OPO business before your paperwork I received on a Friday, thus pushing it to be completed on the following Monday. I suggest you speak with Theresa Sanders the City Administrator or Tim Szambelan the OPO legal counsel.

In regards to a lack of communication, you ask about your reimbursements and I immediately sought the information for you, despite being out of the office at CIT training.

[REDACTED]
Sent from my iPhone

On Mar 10, 2015, at 12:10 PM, "Adrian Dominguez" <adominguez@srhd.org> wrote:

[REDACTED]

I'm not looking for excuses or explanations and I don't want to beat a dead horse.

What's done is done. I think communication needs to be better. If I would have known that you could not do the paperwork until either Monday or Tuesday, I would have done the paperwork myself. I think this is a priority of work that needs to be done in the office when we go on trips. If I would have known that inner office mail takes two days, I would have walked over the paperwork myself.

I hope you understand my situation and frustration. I'm having to pay out of pocket expenses at this time for a bill that I accrued while doing business for the city. My payment was due and I had to use my own money to pay that bill. I'm not complaining that I cannot afford the payment but my frustration lies in the principal of the matter. Also, what frustrates me is the fact that I was the person that brought the issue up. If I had not said anything I would not have known that it took almost a week before paperwork was received by finance.

Adrian

Adrian E. Dominguez, MS | Epidemiologist II | Disease Prevention
and Response/Community Health Assessment, Planning, and Evaluation
509.324.1670 - Direct | 509.232.1706 - Fax | adominguez@srhd.org
Spokane Regional Health District | www.srhd.org
1101 West College Ave. Suite 356
Spokane, Washington 99201-2095

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-----Original Message-----

From: [REDACTED]
Sent: Tuesday, March 10, 2015 11:49 AM
To: Adrian Dominguez
Subject: Re: Reimbursement Check

Adrian,

You gave me the paperwork on Friday the 20th. I was not able to complete it that day due to my various, and numerous, other responsibilities in the office. After the weekend, I finished it on either Monday or Tuesday, I don't recall which. In regards to interoffice mailing, that is the typical length of time.

Do you have any suggestions, other than the form to set you up for direct deposit, to avoid this situation in the future?

[REDACTED]
Sent from my iPhone

On Mar 10, 2015, at 10:28 AM, "Adrian Dominguez"
<adominguez@srhd.org> wrote:

[REDACTED]

Whatever the case may be, three weeks is still unacceptable especially when I was told that I would have check within a week. And I don't know why paperwork took 3 days to process in office when it was given to you on the 20th and then it takes another 2days for them to receive it.

Adrian

Adrian E. Dominguez, MS | Epidemiologist II | Disease Prevention
and Response/Community Health Assessment, Planning, and Evaluation
509.324.1670 - Direct | 509.232.1706 - Fax | adominguez@srhd.org
Spokane Regional Health District | www.srhd.org
1101 West College Ave. Suite 356
Spokane, Washington 99201-2095

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-----Original Message-----

From: [REDACTED]
Sent: Monday, March 09, 2015 6:35 PM
To: Adrian Dominguez
Subject: Re: Reimbursement Check

Adrian,

I finished your paperwork and sent it out interoffice mail on 2/23-24. It takes 1-2 days to get to them. So it's been about 1.5 weeks. To avoid this issue in the future, we need to get the paperwork to set you up as a vendor completed.

[REDACTED]
Sent from my iPhone

On Mar 9, 2015, at 12:26 PM, "Adrian Dominguez" <adominguez@srhd.org> wrote:

This totally unacceptable. I was told that it would generated in a week. It now almost a month.

Adrian E. Dominguez, MS | Epidemiologist II |
Disease Prevention
and Response/Community Health Assessment,
Planning, and Evaluation
509.324.1670 - Direct | 509.232.1706 - Fax |
adominguez@srhd.org
Spokane Regional Health District | www.srhd.org
1101 West College Ave. Suite 356
Spokane, Washington 99201-2095

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-----Original Message-----

From: [REDACTED]

Sent: Monday, March 09, 2015 12:20 PM

To: Adrian Dominguez

Subject: Re: Reimbursement Check

It is in the final steps of processing and I've been
told that it shouldn't be more than a few days for it.

[REDACTED]
Sent from my iPhone

On Mar 9, 2015, at 11:02 AM, "Adrian Dominguez"
<adominguez@srhd.org<<mailto:adominguez@srhd.org>>> wrote:

[REDACTED]

I still have not received my reimbursement check. I need to pay my bill. Do you know what the status is?

Adrian

Adrian E. Dominguez, MS | Epidemiologist II |
Disease Prevention
and Response/Community Health Assessment,
Planning, and Evaluation
509.324.1670 - Direct | 509.232.1706 - Fax |
adominguez@srhd.org<<mailto:adominguez@srhd.org>>
Spokane Regional Health District |
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[REDACTED]

From: [REDACTED]
Sent: Monday, April 13, 2015 8:52 AM
To: Dolezal, Rachel
Cc: Berkompas, Kevin; bbeggs@pt-law.com; Conklin, Debra; Dominguez, Adrian; 'Adrian Dominguez'; Richter, Scott; Szambelan, Timothy
Subject: RE: OPO Report - Approval Needed

Rachel,

To avoid this in the future, it would be useful to have a bulleted item listing an action item being to approve the OPO monthly report, as it occurs every month. Unless you specifically find it a necessity to have OPO administrative staff ask for the commission's approval, despite the fact the commission knows it needs to be approved, it would be most appropriate for the members of the commission to lead its own meeting and to make any needed motions to approve such items.

Thank you,



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [\[REDACTED\]@spokanecity.org](mailto:[REDACTED]@spokanecity.org)



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From: Dolezal, Rachel
Sent: Saturday, April 11, 2015 12:26 AM
To: [REDACTED]
Cc: Berkompas, Kevin; bbeggs@pt-law.com
Subject: RE: OPO Report - Approval Needed

[REDACTED]

You have my approval for the monthly report. Please be sure to ask for a motion to approve after you present the report, so we can act on it. That is the purpose of having an action item listed at the end of the report section in the agenda.

Thank you for requesting approval.

Best Regards,

Rachel

R. Dolezal

Chair, OPO Commission

From: [REDACTED]

Sent: Wednesday, April 08, 2015 1:17 PM

To: Adrian Dominguez; Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott

Subject: OPO Report - Approval Needed

Greetings,

In all of the spirited discuss of the various items of interest, you did not approve the OPO monthly report at your meeting last night, as has occurred in the past. I will need your official approval, from the Chair, in order to move forward in the process (i.e. sending it to upper management of COS, etc). I **will not** move forward until I receive this, per OPOC request to review and approve OPO monthly reports.

Thank you,



[REDACTED] | City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org



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OPO 0074

[REDACTED]

From: [REDACTED]
Sent: Monday, April 13, 2015 10:54 PM
To: Cote, Brandy
Subject: Out Tomorrow

Considering the inappropriate and disrespectful meeting I had with Adrian (Debra & intern also in attendance) today, in light of everything else related to their behavior, I will not be in tomorrow. I would like to take a personal/sick day.

[REDACTED]
Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: Monday, April 13, 2015 9:46 AM
To: Dolezal, Rachel
Cc: Berkompas, Kevin; Conklin, Debra; Richter, Scott; Dominguez, Adrian; bbeggs@pt-law.com; Szambelan, Timothy; 'Adrian Dominguez'
Subject: RE: Pastor Shawn- invitation on the use of force one day training

Rachel,

It was apparent that there was confusion regarding the event with Pastor Davis, specifically whether it was a "citizen's academy," how it related to the citizen's academy beginning in May, and whether the community had been informed about its existence, per DOJ recommendation 10.3 on page 96. The video is available at the following link, if you would like to review that portion of the meeting. <https://vimeo.com/spokanecity/>

My email was vague about the discussion and only stated there was confusion, and requested information to clarify the details of the event for everyone. The email was not intended to characterize the discussion and of course it did not do so, as that was not the intent.

I sought information directly to help ensure the commission members were as informed as possible. I would appreciate it if you did not direct others to disregard my emails.

Thank you,



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org



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From: Dolezal, Rachel
Sent: Saturday, April 11, 2015 12:24 AM
To: Armstrong, Kathy
Cc: Berkompas, Kevin; [REDACTED] Conklin, Debra; Richter, Scott; Dominguez, Adrian; bbeggs@pt-law.com
Subject: RE: Pastor Shawn- invitation on the use of force one day training

Kathy,

Please disregard the email sent by [REDACTED] I did not direct her to send that email nor did it characterize the nature of the discussion about the Citizens Academy or the April event with Pastor Shon. I fully understand that they are two separate things. The DOJ did ask if the Commission knew about the April 18th event, and at our meeting April 7th, I was merely informing the Commission about it and that I was going to attend not only in the role of NAACP President (which

is what I was listed as per the invite from Pastor Shon), but also as a representative of the OPO Commission (per the recommendation of the DOJ that I also represent the Commission at this training).

It appears that [REDACTED] was confused, so thank you for clarifying things to her. However, I do not think the rest of the Commission was confused. I appreciate your prompt response and look forward to attending both the April 18th training as well as the meetings I can make for the Citizens Academy.

We appreciate your thoughtful and thorough service. Please do not ever hesitate to call my cell if you have any questions: (208) 215-8357.

Best Regards,

Rachel



R. Dolezal
Chair, OPO Commission

From: Armstrong, Kathy
Sent: Wednesday, April 08, 2015 1:53 PM
To: [REDACTED] Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Cc: Meidl, Tracie
Subject: RE: Pastor Shawn- invitation on the use of force one day training

Hello, [REDACTED] and Commissioners,

I hope to clear up any confusion. The Citizens Academy and event on April 18th are two separate things. I'm providing the Citizens Academy flyer that was emailed to you on March 24, 2015. The Citizens Academy is coming up in May, open to the community, and has been shared with our partners. It is a month-long series of classes about law enforcement. Commissioner Richter and [REDACTED] are attending. Hopefully more Commissioners or people you know will also attend; we appreciate you helping spread the word.

In response to concerns about the DOJ recommendation 10.3, page 96 of the DOJ report states: "The SPD should re-instate SPD's citizen's academy, and it should ensure that it informs both the public and community organizations of the citizen's academy when it is re-instated. The OPO, the ombudsman, and commission members should also be invited to the citizen's academy. This academy, like the media academy, should be held on an annual basis and provide citizens with an insider's perspective what it is like to be an officer and patrol the city of Spokane." We shared the Citizens Academy with OPO staff and commission members; see attached email string.

The April 18th event is a follow up to a meeting held on December 22nd, 2014, with SPD and community leaders (particularly multicultural faith leaders and leaders from District 81, Whitworth, Eastern, Mayor's Office, etc.). The meeting was in response to local and national concerns about race and policing. It took place at Life Center and was facilitated by Pastor Shon Davis of KFCA ministries. As a follow-up to that meeting, Chief Straub extended an invitation to the same group to a meeting that contains a mini Citizens Academy so that leaders can experience training and discuss use of force and de-escalation. Unlike a traditional use of force class or the regular Citizens Academy, 90 minutes of discussion is scheduled for community leaders and SPD Executive staff, community outreach unit, and training unit. The April 18th event was not shared with the

media or general community as it is a follow-up to the ongoing discussion with a particular group, and there were only 35 slots available (34 which were filled when I checked last week). Pastor Shon included OPOC Chairperson Rachel Dolezal in his invitations to the April 18th event and lists her as attending.

I've provided some background information and I've also copied Lt. Tracie Meidl (although she is out of the office this week) as she and her unit are involved in coordinating this event with Pastor Shon. When she is back in the office, she can provide additional information if requested.

We also have the one-day civilian use of force training on October 23 and the three-day Force Encounters training coming up. We're offering a lot of training opportunities.

Have a great day!

Kathy Armstrong | Office of Professional Accountability | Spokane Police Department
509.835.4519- desk | 509.370.8041- cell | karmstrong@spokanepolice.org

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From: [REDACTED]
Sent: Wednesday, April 08, 2015 8:40 AM
To: Armstrong, Kathy
Subject: Pastor Shawn- invitation on the use of force one day training
Importance: High

Kathy can you provide the event information for the one day event on the use of force training (on 4/14) that Pastor Shawn was inviting folks to. There was concern from the OPOC Chair that this information was not distributed to the community or the OPOC, per the DOJ recommendations regarding holding a citizen's academy. There was also confusion if this was a citizen's academy, etc.

If you can provide the information and clarification on its purpose, I will be sure the OPOC receives the information.

Thanks,



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [\[REDACTED\]@spokanecity.org](mailto:[REDACTED]@spokanecity.org)



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[REDACTED]

From: Conklin, Debra
Sent: Monday, April 13, 2015 9:50 PM
To: Dolezal, Rachel
Cc: [REDACTED] bbeggs@pt-law.com
Subject: FW: Pastor Shawn- invitation on the use of force one day training

I did find the discussion at the OPOC meeting confusing. And the email from Kathy Armstrong was quite helpful for me in explaining things. The Commission may want to ask [REDACTED] not to take the initiative to follow up on things that come up at our meetings without explicit direction from the Commission. But I thought this email to Ms Armstrong was not respectful of [REDACTED] and her work.

Debra L. Conklin, Commissioner
Office of Police Ombudsman Commission

From: Dolezal, Rachel
Sent: Saturday, April 11, 2015 12:23 AM
To: Armstrong, Kathy
Cc: Berkompas, Kevin; [REDACTED] Conklin, Debra; Richter, Scott; Dominguez, Adrian; bbeggs@pt-law.com
Subject: RE: Pastor Shawn- invitation on the use of force one day training

Kathy,

Please disregard the email sent by [REDACTED] I did not direct her to send that email nor did it characterize the nature of the discussion about the Citizens Academy or the April event with Pastor Shon. I fully understand that they are two separate things. The DOJ did ask if the Commission knew about the April 18th event, and at our meeting April 7th, I was merely informing the Commission about it and that I was going to attend not only in the role of NAACP President (which is what I was listed as per the invite from Pastor Shon), but also as a representative of the OPO Commission (per the recommendation of the DOJ that I also represent the Commission at this training).

It appears that [REDACTED] was confused, so thank you for clarifying things to her. However, I do not think the rest of the Commission was confused. I appreciate your prompt response and look forward to attending both the April 18th training as well as the meetings I can make for the Citizens Academy.

We appreciate your thoughtful and thorough service. Please do not ever hesitate to call my cell if you have any questions: (208) 215-8357.

Best Regards,

Rachel



R. Dolezal
Chair, OPO Commission

From: Armstrong, Kathy
Sent: Wednesday, April 08, 2015 1:53 PM
To: [REDACTED] Berkompas, Kevin; Conklin, Debra; Dolezal, Rachel; Dominguez, Adrian; Richter, Scott
Cc: Meldl, Tracie
Subject: RE: Pastor Shawn- invitation on the use of force one day training

[REDACTED]

From: Dolezal, Rachel [rdolezal@ewu.edu]
Sent: Tuesday, April 14, 2015 11:21 AM
To: Berkompas, Kevin; Richter, Scott; Conklin, Debra; adominguez@srhd.org
Cc: [REDACTED]
Subject: OPO Commission Special Meeting April 21

Follow Up Flag: Flag for follow up
Flag Status: Completed

Dear Commissioners,

I am (again) locked out of City email, so I'm sending this from my other account. Is anyone else having this problem with getting locked out of email? Please note that I found a venue for our April 21st special meeting. We will be meeting at the Moot Courtroom at Gonzaga University Law School. We have the space reserved free of charge for the evening meeting. Please let your constituents know about this.

[REDACTED]

Please make sure this location is on the OPO website and gets publicized. I will get you the agenda to post for the meeting shortly. It will be a very simple agenda, since we have one basic objective to engage the community in dialogue around the topic of Dr. Byrnes' report.

Thank you,

Rachel

R. Dolezal, MFA

Eastern Washington University

Africana Education Program

Advisor, Black Student Union

204D Monroe Hall

Direct: (208) 215-8357

[REDACTED]

From: [REDACTED]
Sent: Friday, April 10, 2015 12:29 PM
To: Berkompas, Kevin; Conklin, Debra
Cc: Dolezal, Rachel
Subject: OPOC Meeting Notes - RH - 4/7/15
Attachments: 4.7.15 OPOC mtg notes.pdf

Greetings,

Attached are the meeting notes from 4/7/15.

Have a nice weekend,



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [REDACTED]@spokanecity.org



Emails and attachments sent to or from the City, including personal information, are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW

4/7/15

5:31 start

Chair- full agenda- review agenda packet materials.

All approve the agenda and packet materials

All 5 commissioners present and B.Beggs

Community input:

Mclay, from Rattlesnakes Motorcycle club: passed out flyer on ryan holyk incident/accident. Valley police vehicle involved but investigation by the SPD. SPD claim have 3 reconstructionists , but witness claims occurred different matter. Took witness to the DOJ, witness would not be interviewed by SPD. Claims Tim took photos and SPD not allow in. claims the SPD officer asked why not being allowed- if media gets involved then they would not be given any more information if they press on this issue.

Chair as a question: Spokane valley vehicle, investigated by SPD.

-McLay: Agree not collision on front, yet at rear- hit back end at rear wheel or rear quarter panel

Beggs- potential misconduct of valley not under jurisdiction. The OPOC could be involved with the SPD portion

Biel: Witness on Holyk accident. Accident injuries horrendous, something amiss- injuries so extensive. He had an optimum viewing spot. Doesn't make sense- no vehicle impact. Landscaping that was not to code also an issue with the incident. Been recommendation to have trees removed. Thanks for time.

Richter- WSP would be investigating- is there a way to have the WSP review.

Beggs-who is primary, based on availability. If WSP wasn't assigned, aren't normally as interested. Typically if not assigned at time, not involved. May be a chance rather than the getting the DOJ involved. Have you?

Mclay: greater concern- deputy babino- related to WSP- so the plot thickens, doesn't trust any of them.

Chair- tank you- will take into consideration

Mclay- how do you not provide medical assistance.

Henry Pierce: nice to be in front of OPOC. Discussed the amount of offenders - prison boom. Police become a industry. With the Rattlesnakes club- worked to organize protest on militarization of county PD. Beggs very knowledgeable.

OPO 0082

Patricia Barber: body camera stakeholder group. Ret. Deputy for LA county. Concerned about whether effective. What are the next steps of the body camera project. Concerned about the camera being 2 way. Q: are we going to actual be accomplishing anything, coming up with recommendations? Concerned no ombudsman. Doesn't want to be apart of an ineffective group.

Chair: commission recommended BC stakeholder group that would inform and collaboratively inform and to be responsive. Grp will be formed.

In order for there to be transparency they need to give information. Is there people from the SPD that want to be involved with the group?

Chair: Chief said yes

Will they be high level? Or lower level. Is it worth her time.

Chief: appreciate honesty and concern.

Stephan James: doctorate student WSU- involved in sleep lab since 2009. former British army officer. Research on fatigue and performance.

WSU deeply involved with research.

Research to inform policy. How does fatigue impact performance. Villa involved for many years. Sought how fatigue impact task performance via simulation.

2 elements that kill officers most- driving and OIS

DRIVING- how it was in relation to shift work etc.

Understanding deadly force. Approach- grant from DOJ/NIJ- techniques: concept mapping. Subjective info from multiple individuals to get objective measure. Ability to measure performance- accident theory. Central theory- when you have complex environment adds for the ability for mistake- chances probability of having a good outcome. In cit-LEO interactions- prob. Can do everything right and have a good outcome and vice versa.

80 police officers from Spokane into sleep lab, multiple rounds of testing. Half time was immediately after shift. Tested multiple variables??

Results now instructing the on national level.

Tactical situations. Informed training curriculum- officers framework to alter interactions for favorable outcome. Can do same within crisis situations? Helping refine the CIT training. SPD is the only in nation that are having 100% in training.

WSU Spokane helping frontier and SPD take further- advanced CIT (60hrs) 15 officers will have gone through 100 in just CIT.

Conference in July- interdisciplinary-gather information but share what has occurred here.

WSU- assist with DOJ recommendations and him for 1 year, focusing on training and evidence-based training, and evaluation training, etc.

As an academic great that the department on every level open to outside involvement and improvement.

Chair: questions: outcome on research on fatigue:

What elements of job does fatigue impact? How does adrenaline affected? being used to distracted driving- does negate some. Implicit biases- but not seen within simulations- UOF/ deadly force

Kevin-changes to training-distracted driving- research helps shape risk reward model. Shift changes-

Chair-what shift changes would you make based on research?

Should be answered jurisdiction by jur. Understanding the dangers. Longer on job likely to make an error. How much does understaffing cost a city?

Adrian- articles? Would like a copy of article(s). will you be researching the effectiveness of policy/training changes? – how are you assessing the impact of behavior on outcome?

Currently have 4 under review- many more. Look at complaints etc. can you change behavior? Via test not nec. Meaningful. Need to review their behavior on the street. To survey the community can do but can be expensive.

(4)Prof. Byrnes- research- special meeting to facilitate community engagement: 4/21 @5:30pm- offsite chair take lead.

(5) community outreach strategy- revised version-

Define: what does community engagement mean? What is the behavior at the meeting? He has attended many meeting with SPD there but not engaging the community. Would like them to have community forums to repair relationship. Body camera presentation- was no community input. What are their definitions. Website- difficult- email to Tim Schwering- not CI

Making recommendations to revise based on DOJ matrix? OPOC should make metrics on this topic. Adrian's information- not engaging the community and if taking info- who's analyzing? Can they show turns into policy.

DOJ community perspectives and outreach- what is active participation and engagement look like?
Looks good on face value (doc) but .eds.

Not a community engagement plan just describes what events they attend. Doesn't mean the community is engaged. Would like to go back and have discuss to improve.

Deb- seen the same issues with the police officers at meeting she at- language that elicits behaviors change-

does the SPD have their own workbook as OPOC does? Yes

Adrian will take lead on and Rachel to assist on this report/project

(6) 3 meeting in one day- 1st meeting reviewed rec. to OPO and OPOC. Asked questions

Area for community input at meetings could respond to items address during- if decision- give ability to address, DOJ need to have ability to respond to what is heard. Concern about length of meeting and disjointing of meeting. Concern about having a time limit. As public servants, should allow public to speak.

Discussion of this topic: action items- length of time speaking- suspend the 5 minute speaking time- for beginning and to try new approaches to implement DOJ recommendations, not to limit it.

B. review OPO policy and procedures for how business conducted and process of civilian oversight- manual start with template from DOJ and build on. To customize Spokane. First draft of policy procedure manual by June-

Richter- OPOC to review not writing policy- OPOC not writing policy but need ombuds to writing.

Staff not qualified – but need template, need ombuds

Beggs- Tim- Szambelan to work with RH to document OPO procedures. Ordinance focuses on "OPO" not ombudsman. Not inappropriate for the DOJ to provide, but is it practical.

Independent investigation cases- until ombuds nothing will happen. No procedure criteria on this. OPOC should work on drafting this so ready once get ombuds. DOJ send templates

Synop- of each of 4 cases.

3rd Friday OPOC, SPD DOJ also check in with PD

OPOC can't start IIR without ombuds. Can start without or to go to the commission

OPO report and status etc.

Edits to ombuds job description. OPOC able to use pool of applicants. Committee able to have a pool of 3 before next OPOC meeting. Interim can only serve a 4 month term. Boise has pool of candidates potentially has gone without one for 2 yrs. Pay

(9) Body Camera stakeholders group: convene a meeting of initial group-needs to be workable group

Discussion – Deb and Adrian: convening meeting for stakeholders with grp itself

(10) OPOC outreach brochure

Richter- audit –

Outreach the commission would like the outreach handouts to be more professional like other items.

Evaluation of staff members without an ombudsman? Are they not meeting their obligations? How can you evaluate someone without understanding their job?

Ride along by Rachel. Commissioners need to work on scheduling the second.

Adjourned 8:08 pm

OPOC 4/7

- rec w/dos.

the UOF invitation from
Pastor Shaun Davis.
April 18th - one day

contacted
4/8
will send
details

all commission members
can attend

→ check w/ Kathy to
* get invitation

Facebook addition of
input to meetings, etc.

- draft form? me writing?
describe & have template
documenting whats happening
weekly.

Supposed to be outlining/doc
other procedures w/in OPO?
Then OPOC can edit. -
w/out Ombudsman?

Malay
↑

509 714 7974

* send emails
to adrian's
STHRD.org

Synop - of each of the 4
HR for next meeting.

Comment @ intern attending
meetings?

Issue w/ me closing the office
w/ attending the various
training endeavors
and for the city paying
for my training.

~~on to~~
* Job description for assistant
and interns
↳ need advice (per)

• email out my personal job
description to OPOC

4/13 - 2 pm MTG Deb - Adrian
Manual

- email Deb

[REDACTED]

From: Berkompas, Kevin
Sent: Tuesday, April 14, 2015 1:52 PM
To: Dolezal, Rachel; Conklin, Debra; Richter, Scott; adominquez@srhd.org
Cc: rdolezal@ewu.edu; Breean L. Beggs; [REDACTED]
Subject: April 7 Draft Minutes
Attachments: 2015-04-07_OPOC Minutes Draft v2.docx

Follow Up Flag: Follow up
Flag Status: Completed

Commissioners,

Attached are draft minutes from our meeting last Tuesday. Rachel has read and approved for review. Please reply with your suggested edits, but do not "reply to all." I will reconcile competing suggestions as best I can and recirculate.

On our next meeting we shall attempt to approve minutes from Feb 24 & Mar 3 (both drafts of which you have seen), as well as this April 7 draft.

Best,
Kevin



Office of Police Ombudsman Commission

Meeting Minutes: April 7, 2015

1. Welcome, Proposed Agenda & Material Review

Chair Rachel Doležal called the meeting to order at 5:30 PM. Commissioner Doležal welcomed members of the public in attendance. She noted all other Commissioners present:

- Kevin Berkompas
- Debra Conklin
- Adrian Dominquez
- Scott Richter

Other Attendees:

Commission Secretary [REDACTED] and Commission Counsel Beggs were present.

- Agenda and materials approved

2. Community Input

- Mr. Scott MacClay, Mr. Tim Viall, and Henry Pierce of the Rattlesnake Bikers Club questioned the veracity of the SPD investigation of Spokane County Sheriff's deputy who was involved in a fatal accident with a youth on a bike.
- Ms. Patricia Barber spoke about the Body Camera Stakeholders' Group, wondering if the group will influence actual SPD policy decisions.

3. SPD/WSU Collaboration: Research Informing Policy/Training

Mr. Stephen James of WSU spoke about the collaboration between WSU and SPD on studies on police officer fatigue and performance in various job requirements such as driving, inherent bias, and use of force. Eighteen police officers volunteered to be tested numerous times, up to six hours after their shifts were completed. Areas of potential impact on police policies include training, scheduling, procedures, equipment, and others. Three nationally-available academic articles are about to be published based on the data from SPD-WSU studies.

4. Community Engagement on Race & Policing Meeting

In the absence of a perfect date & time for all, Commissioners agreed to hold a special public meeting on race and policing on April 21 at 5:30 PM. Dr. Edward Byrnes will present, and answer questions about, his recent paper, "Officer Contacts with Civilians and Race in the City of Spokane: A Quantitative Analysis." Dr. Byrnes is an Associate Professor at Eastern Washington University. The location of the meeting is TBD.

5. SPD Community Engagement Report & COPS Metrics

Commissioners discussed the recently-published Spokane Police Department Community Engagement Strategy. This document appears to be drafted in response to the DoJ COPS recommendations. Commissioners discussed that, while there are several meetings and events listed where SPD personnel participate, the questions of what community outreach entails and what metrics are used to measure improved outreach, are unanswered by this document. Some Commissioners noted SPD personnel attending public events but not speaking to community members, taking notes, or otherwise demonstrate active engagement with the community.

6. OPOC DOJ Recommendations & Progress

Chair Doležal briefed progress toward DoJ recommendations and workbook for the Commission. She noted DoJ recommended community input during Commission meetings be extended beyond the first agenda item.

- Commissioners agreed to suspend previously adopted Community Input rules of procedure, yielding to the Chair to design new proposed procedures through the agenda into the next meeting, in the spirit of increasing meaningful community input on pending Commission decisions.

Chairperson Doležal also relayed DoJ's recommendation that, while an Ombudsperson is not in place, to "wipe and reload" procedures based on recommended templates that have been proven useful in other communities. This might include new procedures for soliciting, nominating and conducting independent investigations. Commissioners discussed whether, under the ordinance and City Charter, such changes can legally be made in the absence of an official Ombudsperson. Commission is awaiting templates submitted by DoJ before reaching consensus or conclusions on these matters.

Chair Doležal briefed that she is conducting monthly phone calls with the Department of Justice to discuss progress on their recommendations. These are conducted on the third Friday of each month.

7. Ombudsman Office: Monthly Report

██████████ briefed the draft March OPO Activity Report. In light of the previous month's discussion, she briefing Commissioners that a new procedure was agreed for SPD Internal Affairs to notify OPO when critical incidents had occurred; these procedures were deemed desirable for the interim period without an official Ombudsperson in place. ██████████ noted she will attend both the SPD and Spokane County Sheriff's citizens' police academies simultaneously, with no plans to curtail office hours during these additional hours.

- Commissioners raised no objections to the draft Public Safety Report for March.
- Commissioner Berkompas made a statement for the record that current security procedures for the OPO accept too much risk, and mitigating procedures should be adopted to better provide for the safety of office personnel.

8. New & Interim Ombudsman Selection Process Update

Commissioner Dominguez, the Search Committee representative, stated the Search Committee would be meeting soon to discuss Ombudsperson applications that had been submitted. The Search Committee acting Chair has not set an official date for this meeting.

Counsel Beggs briefed Commissioners that, as of an hour before the meeting, the City had posted the job solicitation for Interim Ombudsperson.

7. Body Camera Stakeholders Group

Commissioners discussed the timeline for commencing the Body Camera Stakeholder's Group.

- Commissioners agreed the first meeting target date would be May 2015, using April to make arrangements.
- Commissioners Conklin and Dominguez agreed to lead the BCSG.

8. OPOC Outreach brochure & community education

Commissioners discussed a draft tri-fold brochure for potential publication and distribution to the public. Discussion included the need for print materials to engage and inform the public, and the suggestion to include mention of the Commission and its role in an OPO informational brochure. No consensus or conclusions were made about the purpose, language, or utility of the product presented for effectively informing the public about what they need to know about the OPO or the Commission.

10. Adjournment

Chair Doležal adjourned the meeting at approximately 8:05 PM. She thanked Officer Flynn for his professionalism and informative dialogue during her recent ride-along.

Amanda

From: Dominguez, Adrian
Sent: Monday, January 05, 2015 2:39 PM
To: - [REDACTED]
Cc: Conklin, Debra
Subject: OPO Procedures and best practices

[REDACTED]

Deb and I are looking for OPO procedures and best practices from other OPOs that have been initiated for other cities/counties. Can you please have the interns do a literature review on existing procedure manuals and best practices for OPOs? We need this information to do the tasks that we are charged with for the committee that is responsible for oversight of OPO. Please let myself or Deb know if you have any questions.

Thanks!

Adrian

[REDACTED]

From: Conklin, Debra
Sent: Friday, January 02, 2015 12:05 PM
To: [REDACTED]
Cc: Richter, Scott
Subject: office manual

Adrian and I just met about our part of the SPOT document process, which includes office procedures. I have talked with both of you about this, and I believe that you've both agreed to put together a document with a first draft of an office manual that covers: intake, complaints, processing, documenting and referring. Also current practice for keeping complainants up to date on their case, and processes for closing out complaints.

Adrian and I are also interested in finding out if any other jurisdiction that has police oversight has an office manual of this sort. Or does NACOLE have model processes? [REDACTED] could you do some research and check and see if other jurisdictions have any procedure manuals that they would share with us?

Thanks for your help with this. Hope you are enjoying this first now of the new year!!

Deb

Debra L. Conklin, Commissioner
Office of Police Ombudsman Commission

what happens
• at end of complaint
• referral of complaints

• what happens w/ critical incidents
- how to cover w/ Ombud out of town/office

Outline (table of contents)

w/ the policy from various Jurisdiction

SOP

they will then review to create "policy"

(things are occurring that don't have time to reference whether or not it would be what was the practice under him.)

City employee handbook

does it supersede or conflict etc.
outline.

- policy reimbursements
- employee conduct when engaging community

- hiring & firing of Ombud

- 2 manuals - office and one for the OAC
- SOP for the office

interns - hiring & firing, who reports to etc.

intake
hearings

my body language
my attitude, my facial expression

contact to see
Liz progress on
resource list

Processing Complaints

How to take complaints if need assistance

details on the procedure for outsourcing of
complaint taking assistance

Every Call, email, etc

this is specifically for office ~~to let~~ so staff
knows what's going on/da, OPOC, eventually
public

— meet every other week

progress, status update — to give OPOC
update @ next meeting in May

* 29th 3:30 pm

Boise — directive on where to look
on where

— also have current procedure on SOP
for as much as possible.

Meeting with Ombudsman Commission Subcommittee on Manual

April 13, 2015, 2:00 p.m. – 3:00 p.m., Location: Office of Police Ombudsman

Attendees:

██████████ Assistant to Police Ombudsman

Amanda Smitley, OPO Intern – Senior at Whitworth University

- Working on the requested literature review on current manuals from civilian oversight agencies.

Debra Conklin, Ombudsman Commission member and member of subcommittee tasked with manual project

Adrian Dominguez, Ombudsman Commission member and member of subcommittee tasked with manual project

Purpose of meeting:

To clarify and understand what the commission members would like to be included in the literature review. To ask follow-up questions from the original request made in email form to me, since research has commenced and manuals have been received and reviewed.

Meeting:

I led the meeting with noting that this project was originally assigned to Jared, and was later assigned to Amanda and Ian (other OPO Intern- Senior at Whitworth University), due to its quite large and looming nature. I then stated that the current issue we are having in moving this project forward to a finished product was that in drafting a traditional literature review we found that in order to explain any differences in the two currently received manuals (Boise Community Ombudsman and Alaska State Ombudsman) we were forced to repeat much of the information in the manuals themselves. In order to avoid regurgitating the information in the manuals we wanted to know specifically what the commission was looking for from the manuals and how they would like the information provided to them.

As I continued to ask more and more questions to clarify the statement that they wanted a literature review. Adrian told me that I was making more out of it and as the exchange between he and I continued, he became apparently agitated and more aggressive with me. I said to Adrian: "Adrian you are getting very frustrated with me, I'm just trying to understand what the you want."

After some continued conversation about the manual, as I do not recall every detail of the conversation, tension increased. Adrian told me that I was cutting him off, even though he cut me off multiple times to tell me that I was making more out of it and what he thought I needed to do. I was trying to have a conversation about the subject, not one of him dictating to me what I needed to do. The reason why I

pushed for more clarification beyond him telling me what I needed to do was that it did not provide clarification regarding what he *actually* wanted in the form of a finished product.

The conversation moved towards how both of the commission members were taken a back by the fact that the OPO did not have any manuals when they first were seated on the commission under the previous Ombudsman Tim Burns' reign. Further relating the information of what I have been tasked with doing regarding the current office procedures. They asked to read what I was given and I told them what the email from their attorney had provided to the assistant city attorney assigned to the OPO had given to me. I then went to provide them information that during our research on this project we asked the other agencies how long it took them to move towards drafting one and then completing it. I let Amanda explain the details, as she had the specific information to reference. Adrian then cut Amanda off in order to tell me the following:

That doesn't make it okay or that we don't need to do it.

I felt as though the impression was that I was saying that by bringing up the information, I said that the opposite was the case and that it is important to remember that I started two weeks before Tim left and that I am just handling things as I was trained.

Adrian then stated that that was the problem with not having it written down. He can't go to Tim and ask him if that was actually how he did it. He brought up the commission's concern that early in the year (February) that I was "not taking" any complaints that weren't from individuals that had a language barrier or were unable to write it, until I sought guidance on it from the city attorney assigned to the OPO. [It is important to note that I was told to only take complaints in writing, from the previous ombudsman and the city attorney assigned to the OPO and various other involved individuals, as I was not the Ombudsman and could not take a verbal complaint. It also outlines in the enabling ordinance that if the Ombudsman is unavailable that complaints are to be taken in writing]

Somewhere in the conversation it went awry and Adrian then proceeded to tell me: That's what the problem is with you, you act like you don't care, your body language, your attitude, and your facial expression.

[Note: I was sitting at the end of the four-chair table in the office. I was not able to slide my legs underneath due to the leg of the table. I was sitting with my legs crossed, left over right knee, with a note pad on my knee, taking notes. My face had no expression on it. For reference on my demeanor, please view the Ombudsman Commission video recording from 04.07.2015 available on the City of Spokane's Vimeo page]

As he is saying these things to me I am trying to interrupt him to say no that is not the case, what are you talking about, etc.

I said to Adrian, "you are being very aggressive and attackive with me." Eventually I said, "You're being very rude and disrespectful. I don't have to put up with this as a city employee" and it was clear that I needed to end the interaction because he was behaving inappropriately, so I said, "this conversation is over" and slid my chair back to get up.

I do not recall what happened or what was said next, but I did not complete the action of getting up out of my chair.

Amanda completed much of the remaining interaction to get the final information that what the commission members wanted was not actually a literature review, yet a collection of policies from the manuals and a table of contents to direct them to where they might be interested in looking.

Adrian and Debra scheduled the next meeting with us on the project, only asking us if the final date worked. They requested to be briefed on the project on that date to relay it to the other commission members at their monthly meeting. They also asked for the outline/narrative of step-by-step current procedures of everything in the office.

[REDACTED]

From:

Sent:

To:

Subject:

[REDACTED]
Wednesday, April 08, 2015 3:54 PM

Cavanaugh, Christine

Accepted:

[REDACTED]

From: [REDACTED]
Sent: Wednesday, April 08, 2015 3:54 PM
To: Cavanaugh, Christine
Subject: Accepted:

Szambelan, Timothy

From: Breean Beggs [bbeggs@pt-law.com]
Sent: Wednesday, April 08, 2015 11:43 AM
To: Szambelan, Timothy
Subject: OPO Commission

Tim,

Please thank [REDACTED] for the summary of procedures on creating the annual report. I will be reviewing with the Commission for any of their feedback on the content and formatting but it met my expectation of what you and I discussed getting from her at this point in time.

The next priority from the Commission is the current procedure for accepting and tracking complaints as they move through the IA process. I imagine there are other procedures she accomplishes on a daily/weekly/monthly basis. The Commission's ongoing request is that she document each of those as she performs them for eventual incorporation into a manual, much like she did on the annual report.

My only feedback for her at this point is that she should assume she is writing the summary of procedures for a new employee in her position so it could probably be improved by some additional narrative under each step that includes more detailed instruction on how to actually accomplish each task, where templates are stored on the network, who to speak with in the police department, helpful tips, etc.

Commission Chair Dolezal reported at last night's meeting that the DOJ is insisting that the City complete a full OPO procedures manual by June. That presents a resource issue for the City under existing conditions and is probably worth further discussion between myself and your office. I am unclear what carrots and sticks come with the COPS oversight and how eager the City is to comply with their directives. The Commission fully supports completion of the OPO policy manual but has no authority to re-direct resources towards its accomplishment. The Commission has requested templates for such a manual from DOJ and other jurisdictions but thus far has not received them. Once they arrive, it may not take that long for [REDACTED], an intern or other city employee to customize them to Spokane at least for a first draft.

Breean L. Beggs
Paukert & Troppmann, PLLC
522 W. Riverside Avenue, Suite 560
Spokane, WA 99201
509.232.7760
www.paukertlawgroup.com

"The arc of the moral universe is long,
but it bends towards justice." - MLK Jr.
quoting Theodore Parker

[REDACTED]

From: [REDACTED]
Sent: Thursday, April 09, 2015 2:02 PM
To: Cavanaugh, Christine
Subject: RE: OPOC Meeting Video - 4/7/15

Chris I really haven't watched it, probably about an hour/hour and half in is when the focus went towards the OPO manual and pretty much from then on "OPO staff" was the focus.

I don't really know how I feel about doing all this, maybe I should just adjust my expectations of others' behaviors and deal with it. Their 2/24 meeting was along the same lines and I just dealt with it then, hoping avoidance would be effective in managing it personally.

From: Cavanaugh, Christine
Sent: Thursday, April 09, 2015 12:23 PM
To: [REDACTED]
Subject: RE: OPOC Meeting Video - 4/7/15

Hi [REDACTED] - thanks for this - is there a time in the meeting I should be focusing on?

From: [REDACTED]
Sent: Thursday, April 09, 2015 9:02 AM
To: [REDACTED]
Subject: OPOC Meeting Video - 4/7/15

Here is the link to the OPOC meeting on Tuesday.

<https://vimeo.com/spokanecity/>



[REDACTED] City of Spokane | Assistant to Police Ombudsman
Office of Police Ombudsman | 808 W. Spokane Falls Blvd., Spokane, WA 99201
509.625.6742 | fax 509.625.6748 | [\[REDACTED\]@spokanecity.org](mailto:[REDACTED]@spokanecity.org)



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From: [REDACTED]
Sent: Thursday, January 15, 2015 12:56 PM
To: Cavanaugh, Christine
Subject: Accepted: Meeting

[REDACTED]

From: Szambelan, Timothy
Sent: Wednesday, February 25, 2015 8:20 AM
To: [REDACTED]
Subject: Meeting 2:00

[REDACTED]

Come on up to my office at 2:00.

See you then.

Tim

Timothy E. Szambelan
Assistant City Attorney
Office of the City Attorney
West 808 Spokane Falls Blvd.
Spokane, WA 99201
(509) 625-6225

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[REDACTED]

From: Szambelan, Timothy
Sent: Wednesday, February 25, 2015 4:16 PM
To: [REDACTED]
Subject: Re: OPOC

We will it worked out!

Sent from my iPhone

On Feb 25, 2015, at 4:13 PM, [REDACTED]@spokanecity.org> wrote:

Oh really. Okay, that's different from my understanding of the discussion at the meeting last night.

Have a good one!

From: Szambelan, Timothy
Sent: Wednesday, February 25, 2015 3:53 PM
To: [REDACTED]
Subject: OPOC

One of the phone calls while you were in my office was from Breean. We discussed the same issues that we talked about.

It appears that the commissioners just want an outline of the daily tasks that you do not create a new operating manual!

We are going to meet with Nancy Isserlis next week. Did get the complaint issue worked out!

Have a good evening!

Timothy E. Szambelan
Assistant City Attorney
Office of the City Attorney
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[REDACTED]

From: [REDACTED]
Sent: Friday, April 10, 2015 9:14 AM
To: Cavanaugh, Christine
Subject: RE: Change meeting time

No problem

From: Cavanaugh, Christine
Sent: Friday, April 10, 2015 9:11 AM
To: [REDACTED]
Subject: Change meeting time

Hi [REDACTED] – could we change our meeting time to 11:15 and in my office instead of 4C? My son & daughter in law had a daycare emergency this morning so I've got the granddaughter – I'll be putting her down for a nap at 10 in 4C.



Christine M. Cavanaugh | City of Spokane | Human Resources Process & Program Manager
509.625.6383 | fax 509.625.6379 | ccavanaugh@spokanecity.org | spokanecity.org



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[REDACTED]

From: [REDACTED]
Sent: Thursday, April 09, 2015 4:54 PM
To: Cavanaugh, Christine
Subject: RE: OPOC Meeting Video - 4/7/15

Okay

From: Cavanaugh, Christine
Sent: Thursday, April 09, 2015 3:27 PM
To: [REDACTED]
Subject: RE: OPOC Meeting Video - 4/7/15

Hi [REDACTED] - I was just coming up on the part where the discussion about the procedure manual came up, I'll finish watching this afternoon. How about we talk about your expectations tomorrow after I've seen the video? Does that work?

From: [REDACTED]
Sent: Thursday, April 09, 2015 2:02 PM
To: Cavanaugh, Christine
Subject: RE: OPOC Meeting Video - 4/7/15

Chris I really haven't watched it, probably about an hour/hour and half in is when the focus went towards the OPO manual and pretty much from then on "OPO staff" was the focus.

I don't really know how I feel about doing all this, maybe I should just adjust my expectations of others' behaviors and deal with it. Their 2/24 meeting was along the same lines and I just dealt with it then, hoping avoidance would be effective in managing it personally.

From: Cavanaugh, Christine
Sent: Thursday, April 09, 2015 12:23 PM
To: [REDACTED]
Subject: RE: OPOC Meeting Video - 4/7/15

Hi [REDACTED] thanks for this – is there a time in the meeting I should be focusing on?

From: [REDACTED]
Sent: Thursday, April 09, 2015 9:02 AM
To: [REDACTED]
Subject: OPOC Meeting Video - 4/7/15

Here is the link to the OPOC meeting on Tuesday.

<https://vimeo.com/spokanecity/>



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OPO 0109

