

**POLICE OVERSIGHT BOARD
CASE REVIEW SUBCOMMITTEE
Tuesday, December 22, 2015 – 12:00 p.m.
Plaza del Sol, 600 2nd Street NW –
Westside Ground Floor, City Engineering Large Conference Room**

Members Present

Leonard Waites, Acting Chair
Joanne Fine
Jeffrey Scott Wilson

Members Absent

Dr. Moira Amado-McCoy, Chair

Others Present

Diane McDermott
Marlo Kiefer
Edward Harness, Exec. Director
Charles Arasim

MINUTES

- I. Welcome and Call to Order:** Acting Chair Leonard Waites called the meeting to order at 12:05 p.m.
- II. Approval of the Agenda:** Copies of the Agenda were distributed. Subcommittee Member Fine moved to approve the Agenda. Subcommittee Member Wilson seconded the motion. Approved.
For: Wilson, Fine, Waites
- III. Approval of Minutes:** Copies of the Minutes from the Case Review Subcommittee meetings on October 12, 2015 and November 24, 2015 were distributed and reviewed.
 - A. Subcommittee Member Fine moved to approve the **October 12, 2015** minutes. Subcommittee Member Wilson seconded the motion. Approved.
For: Wilson, Fine, Waites
 - B. Subcommittee Member Fine moved to approve the **November 24, 2015** minutes. Subcommittee Member Wilson seconded the motion. Approved.
For: Wilson, Fine, Waites
- IV. Public Comments:** Community Member Charles Arasim addressed the Subcommittee with the following comments:
 - A. Mr. Arasim stated that it is his understanding that the former IRO (Independent Review Officer) and Acting Executive Director of the CPOA falsified records in a case that was brought before her. The DOJ apparently had a lot to say about her in its report. Mr. Arasim doesn't want to be politically incorrect, but wants members to know that the former IRO is on the docket as one of the candidates for the job of Inspector General (IG). Mr. Arasim fears that if she's elected as the IG that she could have undue influence on the CPOA. Mr.

Arasim wonders if the Subcommittee would be interested in speaking with the City Councilors about this. Mr. Arasim wished to bring this issue to the CPOA's attention. Mr. Arasim believes she could open up erroneous investigations on the CPOA, in light of the fact that there seemed to be a lot of friction between her and the CPOA.

- V. Review of November/December Activity:** The Subcommittee reviewed and clarified the process for reviewing letters to citizens.
- A.** The Dropbox has not been working. Director Harness is in the process of getting everything onto Sharepoint, so that Board members have access to review the cases. This should be set up by week of December 28, 2015.
 - B.** The Subcommittee's job is to review all of the cases, and sort them according to cases that may be contentious as opposed to administratively closed. This will allow the Board to not have to review every single case.
 - C.** The Subcommittee discussed the method by which Director Harness will make discipline recommendations. Director Harness will need to find a way to communicate to the Subcommittee and the Board how he reached his decision for a recommendation of discipline without exposing confidential information about officers. A closed session with Attorney Mark Baker regarding this issue may be necessary.
 - D.** Board Member Fine illustrated the matrix for the review process, which will be published on the CPOA website by the Community Engagement Specialist, Amanda Bustos.

VI. Prep Methods for January POB:

- A.** If Sharepoint isn't working before the next POB meeting, Director Harness will find an alternative way to get cases to the Subcommittee members, such as putting the cases on a CD.

VII. Backlogged Complaints: Director Harness distributed a list of backlogged cases from the CIRIS website to Subcommittee members.

- A.** The Subcommittee discussed open cases that preceded the July demarcation point. There are older cases that still need to be reviewed that are in different stages of completion. The agency may need Mark Baker's input on how to handle older cases.
- B.** CPOA staff will bring a report to the next CRC meeting with the status of the cases that precede the July demarcation point so they can be reviewed.

VIII. Keeping up with Incoming Timeline:

A. Report from CPOA Executive Director

i. From CPO Director Appeals

- i.** There is a two-tiered appeal process. Appeals regarding findings go through the Board, and appeals concerning discipline go through the Chief Administrative Officer.
- ii.** The current Board does not currently have any appeals, but the old Oversight Commission does have appeals.
- iii.** Director Harness will craft a letter to appellants to let them know that the new Board will be unable to facilitate an appeal.

B. Interface with Policies and Procedures Subcommittee

- i.** Dr. Ginger believes that the Use of Force policy will be done by the end of the year. Internal Affairs is likely almost done with the rewrite of their SOPs.
- ii.** The proposed policy regarding Serious Use of Force cases was rewritten to say that officers will be asked to give a statement, then review the lapel video, and then be allowed to supplement their statement if necessary.

IX. Other Business and Committee Recommendations:

- A. Leonard Waites will attempt to contact Dr. Amado-McCoy regarding Chairing the next meeting.
- B. Director Harness would like to get actionable cases in front of the CRC Members at the next meeting.

X. Next Meeting: The next Case Review Subcommittee Meeting is scheduled for **January 5, 2016 at 11:00 a.m.** in the Plaza del Sol 3rd floor Small Conference Room.

XI. Adjournment: Subcommittee Member Fine moved to adjourn the meeting. Subcommittee Member Wilson seconded. Meeting adjourned at 1:40 p.m.

APPROVED:

Dr. Moira Amado-McCoy, Chair
Case Review Subcommittee

Date

CC: Julian Moya, City Council Staff
Natalie Howard, City Clerk
Dan Lewis, City Council President