

## STAFF REPORT

**DATE:** November 7, 2017  
**TO:** City Council  
**FROM:** Kelly Stachowicz, Assistant City Manager  
**SUBJECT:** Police Oversight Process –Consultant Contract

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### **Recommendation**

Approve resolution (Attachment 1) to authorize the City Manager to execute a contract with Barbara Attard of Accountability Associates and Kathryn Olson of Change Integration Consulting, LLC to complete a police oversight process, based on their proposal (Attachment 2).

### **Fiscal Impact**

The contract is proposed not to exceed \$48,000, including travel and expenses. Funds are from the General Fund and will be taken from the existing budget in the City Manager's Office.

It is estimated that recommendations stemming from the police oversight review process will have additional costs, to be determined by the City Council after conclusion of the consultants' work.

### **Council Goal(s)**

This work falls under the goal of "Ensure a Safe and Healthy Community" but is not a specific task.

### **Background and Analysis**

On July 11, 2017, following a discussion on police oversight, the City Council directed staff to hire a short-term consultant to complete the following:

1. Review current system, historical documents and recommendations from the Human Relations Commission.
2. Participate in up to five public or sponsored forums (sponsored forums could be for vulnerable groups who may not be willing to come to public forums) as content expert. Forums should be used to solicit community input on the goals of oversight, guiding principles, and key desired processes for oversight.
3. Recommend 1-3 options that would seem to fit in Davis given size, history of policing and community needs.
4. Include model contract and scope of work for ombudsman/auditor and details of the role of any other entities and how they might change from what is currently in place.

The Council further requested that the consultant and staff present the results in a comprehensive report to the City Council for decision making on a preferred model upon completion of the work above.

Following the Council action, Mayor Robb Davis prepared a paper (Attachment 3) to flesh out his thoughts and ideas about what a process to determine an appropriate police oversight model might look like. The mayor, on behalf of the City of Davis, also spoke with a number of individuals in the area of police oversight and attended the NACOLE (National Association of Citizen Oversight of Law Enforcement) conference in September. Upon conclusion of these efforts, staff invited the team of Barbara Attard and Kathryn Olsen, two experts in the field of police oversight, to spend a day in Davis, meeting with some key stakeholders and learning about the community's structure, issues and concerns. They have subsequently prepared a proposal to outline their approach to looking at police oversight in Davis.

Both Olson and Attard have vast experience in the area of police oversight (Attachments 4 and 5). Barbara Attard, currently of San Francisco-based Accountability Associates, has served as the San Jose Independent Police Auditor and in police review positions both in Berkeley and San Francisco. She also worked with UC Davis on recommendations for their police department after the pepper spray incident in 2011. Kathryn Olson, who received her undergraduate degree from UC Davis, also has a long professional history working in the police oversight field. A practicing attorney, Ms. Olson is currently a principal at Change Integration Consulting, focusing on police accountability issues. Previously, she held positions as the Director of the Office of Police Accountability in the city of Seattle and with the Equal Employment Opportunity Commission in Seattle and Los Angeles.

Their proposal is divided into three phases, which are detailed in Attachment 2.

Phase I	Complete by February 16, 2018	Information Gathering and Review	Review historical information and gather information through community meetings, interviews with stakeholders, etc.
Phase II	Complete by March 31, 2018	Report Preparation	Analyze information and prepare report with recommendations and findings for Davis.
Phase III	Complete by April 30, 2018	Present Findings	Make presentation to City Council.

### **Attachments**

1. Resolution
2. Consultant Proposal
3. Robb Davis Background Paper
4. Barbara Attard CV
5. Kathryn Olson Resume

**RESOLUTION 17-\_\_\_\_, SERIES 2017**

**RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT WITH  
CHANGE INTEGRATION CONSULTING, LLC AND ACCOUNTABILITY  
ASSOCIATES FOR POLICE OVERSIGHT REVIEW PROCESS**

WHEREAS, the City Council has directed staff to hire a consultant to engage the community in a process to look at police oversight; and

WHEREAS, Barbara Attard of Accountability Associates and Kathryn Olson of Change Integration Consulting, LLC, are uniquely qualified to provide this service for the Davis community; and

WHEREAS, Attard and Olson have prepared a proposal to facilitate a stakeholder engagement process and complete a report with recommendations for the City Council on police oversight; and

WHEREAS, work on this effort is expected to begin immediately and conclude with recommendations to the City Council by April of 2018; and

WHEREAS, the cost proposed for the effort is not to exceed \$48,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis authorizes the City Manager to execute a professional services contract, in consultation with the City Attorney, with Barbara Attard of Accountability Associates and Kathryn Olson of Change Integration Consulting, LLC in an amount not to exceed \$48,000.

PASSED AND ADOPTED by the City Council of the City of Davis this 7<sup>th</sup> day of November, 2017, by the following vote:

AYES:

NOES:

ABSENT:

Robb Davis  
Mayor

ATTEST:

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Zoe Mirabile, CMC  
City Clerk

*Kathryn Olson  
Change Integration Consulting, LLC  
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Sammamish, WA 98075*

*Barbara Attard  
Accountability Associates  
60-29<sup>th</sup> Street #616  
San Francisco, CA 94110*

**Proposal for Services  
Stakeholder Engagement on Police Oversight  
City of Davis, California**

OVERVIEW

On July 11, 2017, the Davis City Council passed a motion to establish a community-based process to define police oversight options for its consideration and action.<sup>1</sup> At the direction of City Council, the Davis City Manager's Office is to hire a consultant to:

- Review the current system, historical documents and recommendations from the Human Relations Commission.
- Participate in up to five public or sponsored forums (for vulnerable groups who may not be willing to come to public forums) as content expert. Davis-based facilitators could provide structure for community dialogue at the meeting, but the consultant would help ground the conversation with accurate technical information input. Forums should be used to solicit community input on the goals of oversight, guiding principles, and key desired processes for oversight.
- Use own experience, public input from forums, input from the Davis Police Department, and review of extant systems to recommend 1-3 options that would seem to fit in Davis given size, history of policing and community needs.
- Recommendations should include model contract and scope of work for ombudsman/auditor and details of the role of any entities (Chief's Advisory Board [CAB], Police Advisory Committee [PAC]) and how they might change from what is currently in place.<sup>2</sup>

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<sup>1</sup> Assistant City Manager Kelly Stachowicz provided the statement of the City Council's motion concerning the creation of a community-based process for defining oversight options. The Consultants have made some minor editorial changes to the motion for ease of reading. The timeline revision is based on discussions with Assistant City Manager Stachowicz and Mayor Davis.

<sup>2</sup> While the stakeholder engagement process will result in recommendations for enhancing oversight in Davis and will include broad scope of work details, the Consultants were advised that they should not be concerned with drafting a model contract, as the City Attorney would handle that task. Thus, this proposal does not include work by the Consultants on this aspect of the City Council's motion, though they are available to assist on a continuing contract basis following conclusion of the stakeholder engagement project.

The engagement work, including a comprehensive report with recommendations as to oversight models that might best address stakeholders' concerns, originally was to be completed by December 31, 2017, with a presentation to City Council in January 2018; however, those dates have been extended into 2018.

The City Council motion noted that input from the Davis Police Department (DPD) should be independently solicited on key elements, questions, and concerns about oversight that DPD wishes to have considered and highlighted in any eventual policy. The motion also provided that City Council supported the Human Relations Commission recommendation regarding biennial reports to Council by the police auditor.

The ultimate end of this stakeholder engagement process is to have an oversight system that builds accountability with regard to both Davis police officers and the Davis Police Department (DPD).<sup>3</sup> Oversight that fosters police accountability and transparency, in turn, builds police legitimacy, a key outcome of any oversight effort. Similarly, any oversight system adopted by Davis should itself strive for accountability, transparency and legitimacy with the community served.

Thus, the purpose of the stakeholder engagement process on police oversight is to bring a diverse group of Davis stakeholders together with police oversight experts to learn more about oversight options and to develop a set of guiding principles for police oversight, with 1-3 models or options for oversight in Davis that fit the needs of the community. Accomplishing the following objectives will be critical to achieving this purpose:

- Community members gain a more complete understanding of the elements of police oversight—such as complaint processes, the role and functions of a police auditors, personnel review processes, data collection and analysis, critical incident investigations, public communication—and how they can fit into an oversight model/approach.
- Community members help define key guiding principles that will form the foundation of police oversight and elements they would desire to see as part of eventual Davis programmatic options.
- Under-represented populations within the City also help define guiding principles and oversight elements, but also deepen the broader community's understanding of their experience of the police in Davis (which is very likely different from what the majority of citizens experience).

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<sup>3</sup> In describing the goals and objectives of this stakeholder engagement process, the Consultants attempted to include the values expressed by Mayor Robb Davis and other stakeholders during an initial round of meetings held on October 12, 2017, and through other discussions about the project.

- Police, as key stakeholders, provide input into elements and options to assure full understanding of the implications of the chosen elements.
- An external consultant brings together input from all public processes, reviews key documents and individual and small group interviews, to inform and create a final report and recommendations for City Council consideration and action.

Kathryn Olson and Barbara Attard (“the Consultants”) are uniquely qualified to engage Davis stakeholders in an exploration of concerns about policing and various forms of oversight available, to assist Davis in determining which approach best suits the needs of the City, bearing in mind the purpose and objectives outlined above.

#### A. STATEMENT OF QUALIFICATIONS

Kathryn Olson and Barbara Attard are consultants specializing in the enhancement of police accountability and transparency. Both are past presidents of the National Association for Civilian Oversight of Law Enforcement (NACOLE), have served on the NACOLE board of directors and various board committees, and regularly present at NACOLE conferences, as well as in other forums. They have worked individually and together on police oversight projects in the U.S. and internationally, including stakeholder engagement in jurisdictions considering the adoption or reformation of civilian oversight. Attard and Olson also wrote and published the *Police Misconduct Complaint Investigations Manual*, a comprehensive guide to conducting robust, fair and timely investigations, covering topics from intake to making difficult credibility determinations and reporting on complaint trends, as well as administrative considerations for oversight agencies.<sup>4</sup>

Barbara Attard’s career in civilian oversight spans over 30 years and includes having worked as the San Jose Independent Police Auditor, as the director of the Berkeley Police Review Commission, and as one of the inaugural staff of the San Francisco Office of Citizen Complaints. During her career, Attard has conducted, supervised, and audited investigations of police misconduct complaints and critical incidents. She has worked with jurisdictions to establish oversight across the U.S. and internationally, including making recommendations for oversight of the University of California Davis Police Department. Attard has conducted training seminars in the U.S. and several other countries, including Mexico, Brazil, Canada, Nigeria, and Russia. In a recent project, Attard worked with a team of law enforcement trainers, civil rights attorneys, psychologists and academics to develop “Police Peer-Intervention Training,” a curriculum

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<sup>4</sup> The *Police Misconduct Complaint Investigations Manual* is available directly from Attard and Olson or can be ordered through Amazon at: [https://www.amazon.com/Police-Misconduct-Complaint-Investigations-Manual/dp/0692736778/ref=sr\\_1\\_1?ie=UTF8&qid=1508434468&sr=8-1&keywords=attard+and+olson](https://www.amazon.com/Police-Misconduct-Complaint-Investigations-Manual/dp/0692736778/ref=sr_1_1?ie=UTF8&qid=1508434468&sr=8-1&keywords=attard+and+olson)

that works to develop “critical loyalty” amongst officers, teaching them to intervene in incidents to prevent their partners from committing excessive force. Attard works through Accountability Associates in San Francisco, CA.<sup>5</sup>

Kathryn Olson served as the civilian director of the Office of Professional Accountability (OPA) from 2007-2013, where she managed sworn personnel handling all misconduct complaint investigations involving Seattle Police Department officers and other employees. She now provides consulting and training on a variety of topics related to policing and civilian oversight. Kathryn continues to handle complex, sensitive investigations, including those involving police commanders, and has been retained as an expert witness on investigation best practices and ways misconduct undermines procedural justice and police legitimacy. Recent projects include consultation with a number of jurisdictions on civilian oversight alternatives, an end-to-end assessment of a federal law enforcement agency’s misconduct investigation and discipline system, and work with a team that developed a system to standardize analysis of use of force, within and across police agencies. Olson co-directed NACOLE’s first academic symposium, held in February 2015 at Seattle University, which focused on the role of civilians working on policing issues other than misconduct complaint investigations. The symposium stressed collaboration among law enforcement policy makers, officers, oversight practitioners, community representatives, and academics, and stressed the need for research to better understand the civilian role in law enforcement.<sup>6</sup> Prior to her OPA appointment, Olson was a Supervisory Trial Attorney with the Equal Employment Opportunity Commission, where she managed litigation in a five-state region. Olson’s current work on police oversight and other law enforcement issues is conducted through Change Integration Consulting, LLC, while some of her work on use of force issues was developed through Police Strategies, LLC (previously, Sanford, Olson & Scales, LLC).<sup>7</sup>

While Olson and Attard share some similarities in their backgrounds, there are important differences they bring to this stakeholder engagement project. Attard lives in the Bay Area and has a unique perspective on the development of civilian oversight in jurisdictions throughout the region, having worked or consulted with a variety of California oversight agencies. She is well connected with oversight advocates and practitioners and can bring those resources to the discussion in Davis, as appropriate. While Olson has also worked in or consulted with a number of civilian oversight agencies, she brings her legal background and lengthy experience in civil rights litigation to her work on police oversight. She also

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<sup>5</sup> Accountability Associates: <http://www.accountabilityassociates.org>

<sup>6</sup> Hendrickson, Kimberly and Olson, Kathryn. *Introduction, NACOLE/CJPR Special Issue: Moving Beyond Discipline – The Role of Civilians in Police Accountability*; Criminal Justice Policy Review; 1-8 (Sage Publications 2015).

<http://cjp.sagepub.com/content/early/2015/07/09/0887403415594844.full.pdf?ijkey=EuWS1eDYEGzQdT9&keytype=finite>

<sup>7</sup> <http://www.scalesstrategic.com>

has consulted on many law enforcement matters outside of oversight, including use of force, early intervention, and hiring for a diverse work force, and brings those experiences to bear when relevant to the oversight discussion. Having worked together on other stakeholder engagement projects, Olson and Attard appreciate the advantage of having more than one subject matter expert actively listening and responding to the depth and breadth of issues that are typically raised during meetings with stakeholders. However, they will avoid duplicative efforts when reviewing historical information and writing their report with findings and recommendations. The fixed-fee proposal below reflects the estimated costs of Attard and Olson meeting together with stakeholders, while dividing up other tasks associated with this engagement.

Curriculum Vitae for Attard and Olson are attached.

#### B. PROPOSED CONSULTING SERVICES

The Consultants propose an engagement of stakeholders to explore policing concerns and oversight options using an integrated approach that will facilitate input from a variety of sources. Based on their experience, involving stakeholders at all stages of the City's consideration of police oversight options is key to inspiring confidence in the process and final outcome. Making explicit the concerns, experiences and insights of those who will be affected by a decision to revise Davis' approach to police oversight will help ensure accountability, transparency, and legitimacy – values that underlie civilian oversight and the work of Attard and Olson.

Attard and Olson propose three primary project phases:

**Phase 1** will begin with a review of the Davis Independent Police Auditor system, historical documents related to policing and oversight issues in Davis, relevant media coverage, recommendations from the Human Relations Committee, and the DPD Strategic Plan for 2017 - 2019. As part of this first step, the Consultants will meet with the former Independent Police Auditor to learn more about his experience in providing oversight in Davis.

Next, the Consultants will gather information on current concerns of stakeholders about policing in Davis, along with ideas about how stakeholders anticipate changes to Davis' oversight program might address such issues. Stakeholders to engage include:

- **Community Members**—Includes all who choose to participate in various discussions, meetings and forums to educate themselves and/or provide input into guiding principles and elements of police oversight. They are self-selected and will come with an interest in engaging the conversation and learning more.



- **Under-Represented Community Members**—Community members who may have a different experience with policing in Davis than other residents, but may have fears or concerns about expressing their opinions in general public sessions. They most likely will be able to provide important insights into policing and what they need in terms of a safer and more accessible complaint process and general law enforcement oversight.
- **Police Administration/Leadership**—Police leadership can provide high-level insight into the DPD. Receiving their input regarding oversight and understanding their views will be beneficial as a new system is devised. They have led a process with the entire force that led to police oversight as one goal of the police strategic plan and have, thus, made a commitment to helping define a system for the city. They will be critical to implementing recommendations concerning policy and procedural changes arising from oversight activities.
- **Police Officers**—Officers will always be a focus of oversight given that individual officer behavior is one key aspect of any system. Their cooperation with an oversight system will be critical and their perspectives regarding oversight will help to shape recommendations. They have legally-defined rights that must be considered in creating an oversight program.
- **Other Key City Staff and City Leaders**—Since the police serve under the leadership of the City Manager, any oversight development process will engage city leaders, including those from the City Manager's office, the City Council, and the Human Resources Commission. Their participation and full support of the proposal to the City Council will be critical, as will their questions about practical operationalization of recommendations.

In meetings with stakeholders, the goal is to elicit input from the widest sample of perspectives possible. Stakeholder input will occur through a series of meetings to include: two public community-wide meetings; four sponsored forums with community groups such as, African and African-Americans, Latinx, Muslim, and University of California, Davis (UCD) students; invitational groups and individual interviews with other stakeholders, for example, DPD police officers, the Chief and his command staff, the Chief's Advisory Board, the Davis Police Officers Association, the City Manager, the City Attorney, Personnel City Attorney, members of the City Council, and the Human Relations Commission. The Consultants also will continue to seek input and build on the information exchange on October 12, 2017 with stakeholder representatives from the ACLU People Power, the Davis Phoenix Coalition, Justice for Picnic Day 5, and Blacks for Effective Community Action.

The public community-wide meetings will be held at different times and locations, to

accommodate stakeholders' schedules. Sponsored forums will be aimed at getting input from community members who may not feel comfortable engaging in larger public meetings. The Consultants will prepare and use a PowerPoint presentation and/or written materials to educate stakeholders about civilian oversight approaches and factors to consider in revising Davis' oversight model. Finally, to the extent that time permits, the Consultants will go on ride-alongs with DPD officers, to better appreciate first hand how DPD patrols Davis.

In addition, the Consultants will coordinate with the City Manager's Office to set up a website portal for people to provide answers to a series of questions related to oversight alternatives and other written input. They also will work with the appropriate City resource to create a media strategy for rolling out the engagement effort, advertising public meetings and forums, providing information about the website portal, and the like. The City of Davis will arrange for community facilitators to work closely with the Consultants to design and facilitate all public and sponsored forums. These Davis-based facilitators will explain the purpose and processes for each public forum, work to ensure that participants can accomplish the goals of the forums, and assure that all attendees be given an opportunity to fully participate. The Consultants will bring in additional oversight experts to participate in larger community forums as deemed important to a particular event.

The Consultants will work with the City Manager's Office and other stakeholders to schedule public meetings, sponsored forums, invitational groups and individual interviews to be held during two visits to Davis, one planned for early December 2017 and the second for mid or late January 2018. Meetings will be scheduled over a 2 – 3 day period on each visit, with a goal to efficiently use the Consultants' time while maximizing the variety of stakeholder input to the engagement process.

Phase 1 is planned to be completed by February 16, 2018.

**Phase 2** will involve collating and analyzing all historical information and stakeholder input gathered during Phase 1, and then writing a comprehensive report with findings and recommendations for reforming Davis' civilian oversight system. The report will include a description of various forms of police oversight models that exist, particularly in California, with an emphasis on cities and police departments of approximate size and governance as Davis. The Phase 2 report will discuss major characteristics of different forms of oversight, including scope of authority, governance structures, and consideration of such issues as:

- How and by whom members of the oversight entity are selected/appointed.
- What, if any, role does the oversight entity have in the complaint process.

- Whether the oversight entity serves as a decision maker or an appeals board for complaints and/or officer discipline.
- To what extent the oversight entity reviews departmental policy.
- To whom the oversight body reports/interfaces, e.g., City Council, City Manager, Police Chief.
- Estimated annual cost of such oversight.
- An assessment of the pros and cons of such models in terms of access to information such as personnel files, case files, the ability to influence policy and the ability to share information publically as well as other relevant factors.

The Phase 2 report will make recommendations to the City of Davis as to which of the various oversight approaches may best address primary concerns identified by stakeholders during Phase 1.

Phase 2 is estimated to be completed by March 31, 2018.

**Phase 3** of the project will entail the Consultants presenting their final written report to the Davis City Council, with an opportunity for City Council and other stakeholders to ask questions concerning their findings and recommendations.

Phase 3 is planned to conclude by April 30, 2018.

#### C. COSTS AND EXPENSES

For the services outlined above, the Consultants jointly seek a fixed-fee contract of \$44,000, plus expenses, estimated to be \$3256. The Consultants will submit an invoice covering half of the fixed-fee once stakeholder meetings are concluded, anticipated to be by February 16, 2018. A second invoice covering the remainder of the fixed-fee will be submitted following the Consultants presentation of their recommendations and findings to City Council, anticipated no later than April 30, 2018. Invoices for reimbursement of travel expenses will be submitted within two weeks of any trip made to Davis for purposes of this engagement.

The Consultants have proposed bringing in other locally based oversight professionals to provide additional resources for the community, as deemed useful and appropriate. The oversight leaders brought in by the Consultants will be at no additional cost to the City of Davis.

The Consultants will be reimbursed for expenses related to travel necessary to deliver the consulting services. Travel estimates include:

- Round-trip airfare, Seattle to California 3 trips: \$750
- Hotel, 5 nights x 2: \$117/night - \$1170
- Per diem, 7 days x 2: \$64/day - \$896
- SeaTac off-site parking: 10 days: \$20.00/day - \$200
- Ground travel SF-Davis 3 trips at 150 miles round-trip .535/mile: \$240<sup>8</sup>

The total estimated travel and related expenses are \$3256. The Consultants agree that they will not incur travel expenses exceeding \$3800, without prior approval of the City of Davis. The Consultants will adhere to and familiarize themselves with the City of Davis Travel Policies and Procedures and will retain receipts for and substantiate all travel expenses. The City of Davis will ensure that payment is made for services and expenses within thirty (30) days of receipt of an invoice.

#### D. ADMINISTRATIVE SUPPORT

The ability to successfully deliver stakeholder engagement on police oversight is heavily dependent on the City identifying a staff person (in the City Manager's Office or otherwise) who can assist with access to stakeholders and provide support such as:

- Finalizing the specific individual and group stakeholders with whom to meet.
- Scheduling public meetings, sponsored forums, focus groups, individual interviews and the final City Council presentation.
- Scheduling meeting space, noticing participants, and assembling any audio/visual equipment needed.
- Arranging for the services of Community Facilitators for those meetings where such services are advisable.
- Arranging for interpreters and note takers for meetings, as needed.
- Setting up a City website portal to solicit written input on police concerns and oversight.
- Creating a media strategy to advertise meetings, the website portal, etc.

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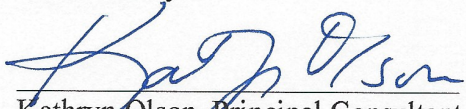
<sup>8</sup> Hotel and per diem reimbursement estimates are based on rates posted for 2017-2018 by the U.S. General Services Administration for Davis, CA. The round-trip airline estimate is based on typical fares for Seattle to the Bay Area or Sacramento. Hotel nights and per diem estimates are based on an assumption that the Consultants will be in Davis two nights in December and January; one hotel night and a day of per diem is included for the final presentation before the City Council.

CONCLUSION

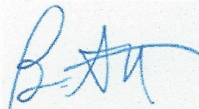
Olson and Attard appreciate the thoughtful approach the City of Davis is taking in assessing the strengths and weaknesses of the Independent Police Auditor oversight model that has been in place since 2006, and in considering ways to enhance police accountability, transparency and legitimacy. The City's commitment to soliciting a wide range of input from all stakeholders throughout all stages of the engagement process is commendable. Olson and Attard look forward to the opportunity to assist in this endeavor.

Date Submitted: October 20, 2017

Submitted by:



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**CITY OF DAVIS**

*Approved By:*

\_\_\_\_\_  
Dirk Brazil  
City Manager

\_\_\_\_\_  
Date

# DRAFT FOR COMMENT AND CORRECTION

## POLICE OVERSIGHT IN DAVIS, CA

### Outline of a Process for Engaging the Community on Directions to Take

#### **Background**

This document provides more detail on the purpose, people and processes of a community-based approach to developing police oversight recommendations for the City of Davis. On July 11, 2017, the Davis City Council passed the following motion to establish a community-based process to define police oversight options for its consideration and action:

*City Manager's Office: Hire short-term consultant to*

*1. Review the current system, historical documents and recommendations from the Human Relations Commission.*

*2. Participate in up to five public or sponsored forums (for vulnerable groups who may not be willing to come to public forums) as content expert (Davis-based facilitators could provide structure for community dialogue at the meeting). Forums should be used to solicit community input on the goals of oversight, guiding principles and key desired processes for oversight.*

*3. Use own experience, public input from forums, input from the Davis Police Department, and review of extant systems to recommend 1-3 options that would seem to fit in Davis given size, history of policing and community needs.*

*4 Recommendations should include model contract and scope of work for ombudsman/auditor and details of the role of any entities (CAB, PAC) and how they might change from what is currently in place.*

*This work could be completed by December 31, 2017.*

*Independently solicit input from the DPD on key elements, questions, concerns about oversight that they wish to have considered highlighted in any eventual policy.*

*Present results of foregoing in comprehensive report to the CC for decision making on preferred model in January 2018.*

#### **Ultimate Ends of Oversight**

While this paper lays out the process to be used to arrive at recommendations for police oversight in Davis, the ultimate end (goal) is to create a police accountability system that increases transparency, builds trust, and fosters policing practices and policies that create public safety for the entire community. This accountability must involve both the police as an

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agency and the behavior of individual officers. Accountability builds legitimacy—a concept that some consider the key outcome of any oversight effort.

The concept (legitimacy) holds that the police have legitimacy when they enjoy the understanding, trust, and support of the people they serve... Legitimacy takes a comprehensive view of policing, looking at individual officer conduct, police departments as organizations, and relationships with the entire community. (Walker and Archbold (2014) *The New World of Police Accountability*. pp9-10)

Legitimacy also means that officers and police leadership themselves view the process as legitimate.

Thus, the end of this process must be an oversight system that increases transparency for both the oversight process and the work of the police, builds police accountability, strives for evidence-based decision making, and provides for ongoing correction and quality improvement. The outcome will be a police department that enjoys the trust and support of the community.

While this process will help define the exact nature of the oversight system, typically oversight systems include some or all of the following:

- Accepting and referring police misconduct complaints
  - Investigating police misconduct complaints
  - Monitoring or auditing a police department's internal investigations and findings
  - Conducting hearings and making decisions on police discipline matters
  - Conducting pattern and practice reviews
  - Making recommendations for improving police policies, practices, and training
  - Reporting on oversight and its impact on policing
  - Fostering community education and engagement about police and oversight matters
- (from Attard and Olson (2016) *Police Misconduct Complaint Investigations Manual* p2).

### **Purpose of Davis' Public Process**

With the foregoing as background, we can articulate the purpose of the process called for in the motion as follows:

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**To bring a diverse group of Davis stakeholders together with police oversight experts to learn more about oversight options and elements and develop a set of guiding principles for police oversight and several models or options for oversight that fit the needs of the community.**

Accomplishing the following objectives will be critical to achieving this purpose:

1. Community members gain a more complete understanding of the elements of police oversight—such as citizen complaint processes, the role and functions of a police auditors, personnel review processes, data collection and analysis, critical incident investigations, public communication—and how they can fit into an oversight model/approach.
2. Community members help define key guiding principles that will form the foundation of police oversight and elements they would desire to see as part of an eventual Davis programmatic options.
3. Under-represented populations within the City also help define guiding principles and oversight elements, but also deepen the broader community's understanding of their experience of the police in Davis (which is very likely different from what the majority of citizens experience).
4. Police provide input into elements and options to assure their full understanding and engagement. Police here would include input from the Davis Police Officers Association as the bargaining unit for the sworn and unsworn members of the police department.
5. An external consultant brings together input from all public processes, review of key documents and individual and small group interviews, to create a final report and recommendations for City Council consideration and action.

### **Stakeholders and Participants in the Process**

The following people will be involved in the community-based process to accomplish the purpose stated above.

**Content Expert/Consultant**—This individual will provide critical input into the process by laying out key elements of oversight and models for how they can be brought together in a comprehensive and cohesive model or models, and bring input together in a final report. Specifically, s/he will 1) help educate the public; 2) summarize key learnings from community forums; 3) review relevant historical and background documents from the City (and University where relevant); 4) conduct small group and one-on-one interviews with police leaders and officers and other city leaders to solicit their ideas/concerns about oversight; 5) author a



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comprehensive report summarizing community and police input and developing options for City Council action in the form of specific recommendations. Ideally sh/e will have personal experience in police department oversight and internal reforms that have evidence of improved transparency and legitimacy, especially with populations historically overrepresented in policing incidents.

**Community Facilitators/Scribes**—These individuals will work closely with the Consultant to design, facilitate, and capture participant input from all public and sponsored forums. These Davis-based facilitators will explain the purpose and processes for each public forum, assure that participants can accomplish the purposes of the forums, and assure that all attendees be given an opportunity to fully participate.

**Other Content Experts**—These individuals may be invited for one or more discreet events such as panel discussions to provide a richer context and understanding of best practices, challenges, and experiences with police oversight from other communities.

**“Conveners”**—These are community groups or individuals who may host sponsored forums for underrepresented groups within the city or others (e.g. UC Davis and DJUSD students, international visitors, migrant workers, students who have had encounters with the police, etc.) with specific interests or needs vis-a-vis policing and police oversight.

**Community Members**—These are all those who choose to participate in various activities—discussions, forums—to educate themselves and/or provide input into guiding principles and elements of police oversight. They are self-selected and will come with an interest in engaging the conversation and learning more.

**Under-Represented Community Members**—These community members have a different experience with policing in Davis than other residents but may have fears or concerns about expressing their opinions in general public sessions. They most likely will be able to provide important insights into policing and what they need in terms of safer and more accessible citizens’ complaint processes and general police oversight

**Police Administration/Leadership**—These people will be critical to the success of any oversight program and their “insider” view will be critical. They have led a process with the entire force that led to police oversight as one goal of the police strategic plan and have, thus, made a commitment to helping define a system for the city. They will be critical to

## DRAFT FOR COMMENT AND CORRECTION

implementing recommendations concerning policy and procedural changes arising from oversight activities.

**Police Officers**—Officers will always be a focus of oversight given that individual officer behavior is one key aspect of any system. Their acceptance of and cooperation with an oversight system will be critical and their perspectives on oversight will help shape recommendations. They have legally-define rights that will have an impact on choices made about personnel review activities in particular.

**Other Key City Staff**—Since the police serve under the leadership of the City Manager, any oversight process will engage city leaders. Their engagement and full understanding of what is being proposed to the City Council will be critical, as will their questions about practical operationalization of recommendations.

### Process

The foregoing has suggested some of the elements of the process and they include, but are not necessarily limited to, the following elements:

1 - Panel Discussions—These discussions will lay out key concepts and have experts discuss, in more detail than may be permitted in community forums, specific details of police oversight. They would be designed primarily as input for other discussions and include questions/answers with participants. They would not be designed to solicit community input per se but rather to help community members better understand the legal landscape of policing and police oversight in California. They will provide an opportunity to expand and diversify the voices providing input about police oversight.

2 - Community Forums—They will provide more limited input into the definition and elements of police oversight and solicit community input on guiding principles for Davis' oversight process and suggest key elements that should be part of it. These forums form the backbone of the process sought by the City Council and follow a more recent tradition of actively seeking input on key community decisions before the City Council. They are a primary way for the broader community to speak into the decision making around police oversight. They will involve large and small group discussions and allow for the capturing of agreements and disagreements that surface in the discussions.

## DRAFT FOR COMMENT AND CORRECTION

3 - Sponsored Forums—These meetings will enable under-represented groups of individuals who may not be willing or able to come to the Community Forums. These forums could be organized by any group in the City and will follow a format similar to Community Forums but also enable people to discuss their experience with policing in Davis.

4 - Document Review—The Consultant will undertake this part of the process to review critical historical documents related to policing and police oversight in Davis, including, where deemed relevant, documents relating to policing and oversight on the UCD campus and any resource-sharing agreements between Davis Police Department and other law enforcement entities including but not limited to the University police. The review will include City Council actions from 2006, Human Relations Commission actions and recommendations and other relevant documents that will provide a deeper understanding of policing and police oversight in Davis.

5 - Individual/Small Group Interviews—The Consultant will organize these with specific stakeholders such as the DPD leadership, officers, other DPD staff, City leaders, City Attorney and others s/he deems critical to helping provide a fuller understanding of the opportunities and constraints to any particular model or elements of police oversight.

6 - Final Report and Presentation to the City Council—The foregoing will culminate in a comprehensive report and presentation to the City Council with clear options and recommended next steps and actions in developing police oversight.

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[www.accountabilityassociates.org](http://www.accountabilityassociates.org)

## **EXPERIENCE**

### **POLICE PRACTICES AND POLICE ACCOUNTABILITY CONSULTANT**

2008-Present      Consultant, expert witness, and speaker on civilian oversight and police practices. Specialized focus on stakeholder engagement and development of oversight/accountability programs, analyzing and conducting investigations of police misconduct, statistical analysis, policy review, audits of internal affairs practices and investigations, review of police reports. Trainer on interviewing and investigation techniques, ethics, statistical reporting, and civilian oversight.

### **SAN JOSE INDEPENDENT POLICE AUDITOR (IPA)**

75 East Santa Clara Street Suite P-93, San Jose, CA 95113

**POLICE AUDITOR**      Audited SJPd internal affairs misconduct investigations, developed  
1/2005-12/2008      comprehensive reports and made policy recommendations. Responded to the scene of officer-involved shootings and reviewed shooting investigations. Conducted extensive community outreach through personal appearances, community forums, and media interviews. Fiscal and personnel management responsibilities. Reported directly to the San Jose City Council.

### **BERKELEY POLICE REVIEW COMMISSION (PRC)**

1947 Center Street, Berkeley, CA 94704

**PRC OFFICER**      As chief investigator: Conducted and/or supervised investigations  
1/98-12/2004      of police misconduct complaints and policy review. Reviewed reports of investigation to determine need for additional legal research, analysis or investigation. Organized up to 30 annual hearings of misconduct cases.  
As director of the PRC office: Fiscal and personnel management responsibilities. Worked with staff to develop new procedures and policies to increase productivity, efficiency and improve service.  
As administrative officer to the PRC: Prepared agenda and supplemental information for meetings. Reviewed pending legislation and present recommendations for action to the PRC on relevant legislative issues. Presented PRC issues and recommendations to City Council. Handled media relations to include issuing press releases and responding to inquiries. Ensure that Commission business is conducted within the parameters of relevant open government laws. Liaison to City government. Conducted orientation workshops and training for commissioners. Organized public hearings and community forums on topical issues.

### **THE OFFICE OF CITIZEN COMPLAINTS, (Current name, Office of Police Accountability),**

#### **S.F. Police Commission**

25 Van Ness Avenue, Suite 100, San Francisco, CA

**SPECIAL**      Worked to develop and implement outreach project, particularly to  
**ASSISTANT**      underserved populations. Analyzed complaint data for Early Warning  
**TO THE**      System that targets officers with multiple complaints for counseling.  
**DIRECTOR**      Reviewed complaint issues to determine policy failures and prepared

9/96-12/97 policy recommendations. Developed comprehensive training program for full staff and conducted in-house investigator training. Monitored legislation and determined strategy for agency response. Acted as liaison to other government agencies, spokesperson for agency when assigned. Coordinator of hearing and mediation programs.

**SENIOR INVESTIGATOR**  
9/88-9/96 Supervised, trained, and evaluated investigative staff. Lead on officer-involved shooting and large demonstration cases. Set office policies and procedures for the office as member of the management team. Spokesperson for the agency at various community and civic forums, and before the Police Commission and the Board of Supervisors in the absence of the director. Liaison between investigative staff members and police command staff. Helped develop organizational strategies and goals report. Prepared agency budget and statistical report.

**INVESTIGATOR**  
9/83-8/88 Investigated complaints against police officers and made policy recommendations. Extensive report writing. Member of original staff group that organized OCC at its inception.

#### **FRIENDS OUTSIDE, San Francisco, CA**

**PROGRAM DIRECTOR/ JOB DEVELOPER**  
8/78-8/83 Administrator, counselor and employment development director of program that worked with ex-offenders recently released from state prison and county jail. Responsibilities included program development, grant writing, interfacing with funding agency, budgeting, staff development and management.

#### **SAN FRANCISCO SHERIFF'S DEPARTMENT, City and County of San Francisco, CA**

**COUNTY PAROLE COUNSELOR**  
1/78-7/78 Worked with inmates and those recently released from SF County Jail to develop re-entry programs. Placed participants in drug and alcohol programs, and educational and employment settings.

#### **EDUCATION**

1995 UNIVERSITY OF SAN FRANCISCO  
Master of Arts Degree: Public Administration

1977 HUMBOLDT STATE UNIVERSITY, Arcata, CA  
Bachelor of Arts Degree: Social Science and Philosophy

1969-70 CITY COLLEGE OF SAN FRANCISCO

#### **PROFESSIONAL TRAINING / LICENSES**

**BUSINESS REGISTRATION** Licensed in City and County of San Francisco, Certificate #476694

1986 to present **LICENSED PRIVATE INVESTIGATOR**, State of California, #00011670

**PROFESSIONAL TRAINING**

NACOLE Certified Practitioner of Oversight Credential 2014-Present  
ILEAA (International Law Enforcement Auditors) Audit Certification  
POLICE OFFICERS STANDARDS AND TRAINING (POST)  
Homicide Investigations, Criminal Investigations, Internal Affairs, Officer Involved Shootings, Interview and Interrogations  
PC 832, LAWS OF ARREST CERTIFICATION, S.F. Police Academy  
CITY OF BERKELEY  
Frontline Leadership, Performance Measurement, Progressive Discipline, Sexual Harassment Prevention, CORE Employee Training  
S.F. CIVIL SERVICE COMMISSION  
Management Seminar, Managing Problem Performance  
GRANTSMANSHIP AND PROPOSAL PREPARATION TRAINING  
State Department of Mental Health  
MEDIATION WORKSHOP: IACOLE Conference, 1995, Vancouver, BC, Canada

## TASER TRAINING: San Jose Police Department

**PROFESSIONAL ASSOCIATIONS, BOARD OF DIRECTORS POSITIONS**

NACOLE 1994-Present	National Association of Civilian Oversight of Law Enforcement President, 2006; Past President, 2007; Vice-President, 2001-2005; Secretary, 2000-2001, active member since 1994.
Hunter's Point Family 2007-2012	Former member Board of Directors of engagement program for severely at-risk youth in San Francisco's Bay View Hunter's Point District
National Lawyers Guild 2009-Present	Member, Active on Legislation Committee

**HONORS AND AWARDS**

2009 Commendation from Councilmember Madison Nguyen, awarded for leadership in improving the police complaint process, and increasing accountability of the San Jose Police Department.

2009 Freedom Fighter Award, awarded by the Silicon Valley Chapter of the NAACP, for leadership of the Office of the San Jose Independent Police Auditor

2008 Don Edwards Civil Liberties Award, awarded by the Northern California ACLU, Silicon Valley Chapter, for leadership of the Office of the San Jose Independent Police Auditor.

2008 Commendation from Assemblyman Mike Honda, for leadership of the Office of the San Jose Independent Police Auditor.

2006 Public Safety Award from Mayor Gonzales, City of San Jose, for promoting public safety through the Office of the San Jose Independent Police Auditor.

2002 Public Safety Award from Mayor and City Council, City of Berkeley, for promoting public safety through leadership of the Police Review Commission.

1990 Public Managerial Excellence Award, Awarded by Mayor Agnos, City and County of San Francisco for management and leadership of the Office of Citizen Complaints.

**CAREER ACHIEVEMENTS**

- Met with stakeholders and developed and co-authored recommendations for oversight of the Pasadena Police Department, 2016.
- Developed recommendations for oversight of the U.C. Davis Police Department, May, 2013.
- Conducted international training on US civilian oversight models, investigations and professional standards: Abuja, Nigeria; Brasilia, Brazil; Chilpancingo, Guerrero, Mexico; Vancouver, BC Canada.
- Lead board member in producing NACOLE professional development conferences 2001-2008. Organized panels for annual NACOLE conferences 2001-2015.
- Presented expert testimony at forums in communities seeking to implement or change civilian oversight programs: Bay Area Rapid Transit (BART) Board of Directors, Eureka, Fresno, Riverside, Oakland, Santa Cruz, San Jose, Santa Rosa, Sonoma, CA, University of California, Davis.

- Developed training manuals and training programs for staff in San Francisco OCC, Berkeley PRC and San Jose IPA offices.
- Published updated and expanded “A Student’s Guide to Police Practices,” three language primer for youth and parents on issues from profile stops and discrimination to “common crimes,” to bullying and cyber-bullying, youth as victims of crime, child abuse and internet safety.
- Brought forth successful policy recommendations to the San Jose City Council that the SJPD establish written TASER guidelines and expand its shooting at vehicles policy.
- Authored published article on mediation in police misconduct cases, “In Praise of Mediation.” Directed alternative dispute resolution/mediation programs at SF OCC and Berkeley PRC.
- Convened task force meetings with community groups and individuals, civic leaders, commissioners in Berkeley, CA, and BPD command staff to develop policy and training recommendations and City Council items. Subjects include: Gay, Lesbian, Bi-sexual Training; Homeless Issues; Critical Mass/Bicycle Issues; Proposal of a Canine Program.
- Developed “Early Warning System” for detecting and counseling San Francisco police officers whose citizen complaint records indicated possible problematic behavior patterns.
- Selected as member of “Police Discipline Roundtable”—a task force comprised of members of the San Francisco Police Commission, police administration, the police union, and the community, which made recommendations to solve problems in the S.F. police discipline system.
- Presentations on radio talk shows, at community forums and schools, at the commission meetings, and before the legislative bodies in San Francisco, Berkeley, San Jose, and Sacramento, CA.
- Negotiated procedures for referral of police complaints from the San Francisco Youth Guidance Center Juvenile Probation Department medical staff, and Juvenile Division police officers.
- Organized and promoted a series of community meetings culminating in a public forum on community policing in Berkeley, CA. Organized and promoted a successful PRC community forum on racial profiling and a public hearing on homeless issues.

### **PUBLICATIONS**

Co-authored, *Police Misconduct Complaint Investigations Manual—For Investigators, Auditors, Monitors, and Others Conducting or Reviewing Investigations*, a training manual and handbook for those concerned with or overseeing policing in their communities.

Co-authored, “Overview of Civilian Oversight of law Enforcement in the United States,” an analysis and description of oversight mechanisms.

Authored peer-reviewed article on the importance of civilian oversight of law enforcement, a critical overview. Pace Law Review Vol. 30 Issue 5, Fall 2010 “Oversight of Law Enforcement is Beneficial and Needed—Both Inside and Out”.

Co-authored Op-Ed in San Francisco Chronicle, “SFPD needs to explain how it would use Tasers,” March 16, 2010.

Authored article “In Praise of Mediation”, published in California Association of Human Relations Organizations, CAHRO Newsletter, Winter 1999, Reprinted by National Association for Civilian Oversight of Law Enforcement NACOLE Review, Summer, 2000.

Authored 2006 NACOLE President's Message and NACOLE Annual Report.

Authored in part, edited and directed 2008 revisions and updates to "A Student's Guide to Police Practices".

Authored in part and edited for the years 2004-2007 annual and mid-year reports, San Jose Independent Police Auditor. Report presented in-depth analysis of audits of complaints investigated by the San Jose internal affairs department. Also reported on policy issues and presented recommendations to improve police policies.

Authored Annual Reports of the Berkeley Police Review Commission (PRC) for the years 1999-2003. Reports analyzed complaints filed and investigated by the PRC, as well as annual reporting by internal affairs. Also reported on policy review and recommendation process.

Authored article, "Stun Guns, ECD's Are Not *Nonlethal* By Any Name—Debunking Some ECD Myths", Published in San Francisco Bay Guardian and National Lawyers Guild Newsletter, March, 2013.

#### **EXPERT WITNESS TESTIMONY**

April, 2009: CA Assembly Public Safety Committee—Testified as expert witness on civilian oversight for the legislative committee hearing to establish BART oversight.

December, 2009: ProPublica investigative journalism—Provided review and expert analysis of internal affairs investigations of police shootings after Hurricane Katrina.

January, 2010: CA Assembly Public Safety Committee: Testified as expert witness on civilian oversight at committee hearing to establish BART oversight.

January 14, 2010: US District Court, Northern District of California, Judge Lowell Jensen—Certified as expert witness in criminal trial; provided testimony on police practices, foot pursuits, officer and public safety, safe handling of weapons, and supervision.

March, 2010: Provided review and expert analysis of officer's signed statements for investigative journalism project regarding police shootings following hurricane Katrina.

April, 2010: Advised and provided expert testimony on Taser use and training for National Public Radio (NPR) news story on a Taser incident involving BART police officers.

April, 2010: Consulted with New Orleans Inspector General Edouard Quatrevaux and staff of the office of the New Orleans Office of the Independent Police Monitor regarding police oversight.

September, 2010: Provided on-camera commentary for news analysis of Taser incident involving Marin County Sheriff's Department.

November, 2011: Interviewed by Cy Musiker, National Public Radio, regarding use-of-force during demonstrations.

November, 2011: On-camera news analysis of use-of-force during Oakland, CA Occupy demonstrations.

December, 2011: Testified at CA Senate Education and Assembly Higher Education Joint Committee Hearing convened in response to use of force at Occupy demonstrations. Informed legislators about policing demonstrations, police accountability, and issues that have arisen on college

February, 2012: Testified at CA Assembly Public Safety Committee hearing convened in response to use of force at Occupy demonstrations. Spoke about police use of force and police accountability.



January 2012: Consulted with University of California (UC) committee assigned to review, system-wide, police orders and policing of campuses in the UC system. Discussed police oversight and accountability.

December, 2016: Presented use-of-force analysis of BART police arrest during press conference.

### **PRESENTATIONS AND PROJECTS**

- 2000 Lihue, HI, NACOLE Conference, Presenter and Moderator, Mediation of Complaints.
- 2001 Denver, CO, NACOLE Conference, Co-presented training session "Evaluation of Investigations."
- 2002 Cambridge, MA, NACOLE Conference, Moderator and Speaker "Making Sense of the Choices: Gaining an Understanding of Established Models of Oversight."
- 2004 Toronto, Ontario, Canada Canadian Association for Civilian Oversight of Law Enforcement (CACOLE) Conference, Speaker on Trends in Oversight of Policing in the United States.
- 2005 Brasilia, Brazil, United Nations Development Program Conference on Civilian Oversight of the Police. Participated in 2-day conference and presented on oversight in the US.
- 2006 Vancouver, BC, Canada, CACOLE Conference, Presentation on establishing a code of ethics.
- 2007 Chilpancingo, Guerrero, Mexico: Conference to establish oversight of the police in La Montana  
Presenter on US oversight and consultant to review proposed oversight model.
- 2007 San Jose, CA, Hosted Thirteenth Annual NACOLE Conference. Moderated and organized workshops on: Oversight through the Media, Oversight of Jails and Prisons, International Oversight; Presenter on Statistical Reporting.
- 2007 Eureka, CA, Presenter on models of civilian oversight in the United States.
- 2007 Fresno, CA, Delivered presentation on models of civilian oversight.
- 2008 Palo Alto, CA, Presenter on establishing Taser policy and oversight of use of Tasers.
- 2008 Cincinnati, OH, NACOLE Conference, Moderated and organized presentations on Domestic Violence Perpetrated by Police Officers and International Oversight.
- 2008 Fresno, CA Speaker at forum on establishing oversight and overcoming resistance.
- 2008 Abuja, Nigeria, CLEEN Foundation Training Program for the Police Service Commission, Developed and co-trained workshops on ethics, investigations, analysis, statistics, use of force, early intervention, policy review, biased-based policing, civilian oversight in the US and internationally.
- 2009 Oakland, CA, Development of Oversight for Bay Area Rapid Transit Police (BART)  
Met with members of the BART Board of Directors to present history of oversight and review of models of oversight in the U.S. Discussed statistical reporting, policy development and strengths and weaknesses of models.
- 2009 Met with delegation of members of the Jamaican Police Civilian Oversight Authority. Presented overview of civilian oversight agencies in the San Francisco Bay Area, discussed strengths and weaknesses of models, introduced delegation to members of oversight agencies in San Francisco and Berkeley.

- 2009 Worked with California legislators regarding BART oversight. Invited presenter before the State Senate Public Safety Committee.
- 2009 Austin, TX, NACOLE Conference: Organized panel presentation discussing hidden injuries of war, post traumatic stress disorder (PTSD) and traumatic brain injury (TBI)—the implications for policing, and the importance of testing and treating.
- 2010 Seattle, WA, NACOLE Conference: Designed panel discussion of police dealing with persons with mental illness.
- 2011 Oakland, CA, Consultant and advisor to community groups working to increase civilian oversight of the Oakland Police Department.
- 2009 New Orleans, LA, NACOLE Conference: Organized and moderated panel of investigative journalists to discuss their investigation and reporting of police shootings after hurricane Katrina, which resulted in federal prosecution of responsible officers.
- 2011 New Orleans, LA, NACOLE Conference: Worked with New Orleans civil rights attorney to hone presentation regarding re-thinking issues of police loyalty and overcoming the barriers to ethical policing presented by the “code of silence.”
- 2012 Presented to the Vallejo, CA, Public Safety Committee about civilian oversight models in the United States.
- 2012 Member of working group that is developing a “police peer intervention” training program. This comprehensive proposal presents training to teach police officers “critical loyalty”—training them to intervene to prevent misconduct, rather than having to live with the consequences of covering up for unwarranted excessive force or other problematic behavior.
- 2012 San Diego, CA, NACOLE Conference: Presented concept of “police peer intervention” training with other members of the police peer intervention working group.
- 2013 Los Angeles, CA, International Law Enforcement Auditors Association (ILEAA) presenter at training seminar on oversight of law enforcement in the United States.
- 2012 University of California, Davis. Presenter at community meetings regarding development of oversight in the United States. Presented recommendations to the UCD Chancellor for oversight of UCD police department.
- 2013 Moscow, Russian Federation. Participated in an “exchange of information” project funded through the Eurasia Foundation. Members of civil rights non-governmental organizations in Russia partnered with members of the National Association for Civilian Oversight of Law Enforcement (NACOLE) in the United States to inform groups in the United States about oversight of prisons in Russia, and inform groups in Moscow about oversight of law enforcement in the U.S.
- 2014 Eurasia Foundation Project. Member of Rule of Law Working Group. Members of civil rights non-governmental organizations in Russia partnered with members of the National Association for Civilian Oversight of Law Enforcement (NACOLE) in the United States to create “how to” informational documents and videos about oversight. Our U.S. project was writing an investigative handbook for oversight practitioners.
- 2014 Austin, TX. NACOLE/ILEAA Conference presenter of an interactive workshop, “Introduction to Investigation of Police Misconduct Incidents”.

- 2014 King County, WA, Consulted with Auditor's Office regarding important components of independent oversight to enhance police transparency and accountability.
- 2015 Oakland, CA, IGNITE Conference to Empower Young Women, Panelist on police issues discussion.
- 2015 Riverside, CA, NACOLE Conference. Developed and moderated panel discussion, "International Perspectives on Police Oversight.
- 2015 New Orleans, CA. Worked with the NOPD Police Monitor to develop and present a taped "Know Your Rights" workshop with high school students.
- 2016 Pasadena, CA. Consulting project in partnership with Kathryn Olson to conduct outreach in the Pasadena community and make recommendations for oversight of the Pasadena Police Department to the Pasadena City Council.
- 2017 San Francisco, CA. Member of SFPD Executive Working Group for Accountability reviewing and implementing recommendations set forth in the DOJ COPS "Collaborative Reform Initiative—An Assessment of the San Francisco Police Department".
- 2017 Spokane, WA. NACOLE Conference. Presenter on Panel "Leveraging Relationships with Internal Affairs to Improve Police Accountability". The discussion explored the ways oversight agencies interact with internal affairs bureaus or units to enhance police accountability.

**Kathryn Olson**  
**Change Integration Consulting, LLC**  
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**Sammamish, WA 98075**  
**206.890.5932**  
[Kathryn.olson@change-integration.com](mailto:Kathryn.olson@change-integration.com)

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## **PROFILE**

Kathryn works with law enforcement agencies at all levels of government, civilian oversight bodies, and diverse communities to identify and address issues impacting policy/community trust, and to enhance procedural justice and police legitimacy. She is a recognized expert in police accountability and transparency, focused on system integration to optimize integrity and ensure fair and effective policing.

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## **PROFESSIONAL EXPERIENCE**

### **Change Integration Consulting, LLC**

**2013 - Present**

*Principal, Professional and Organizational Accountability*

<http://www.change-integration.com>

Background in law, executive leadership, investigations, litigation, and training combine to create a unique, wide-ranging skill set to identify, analyze and respond to individual conduct and systemic policies and practices that undermine police professionalism. Provides training on civilian oversight, bias-free policing, use of force, complaint investigations, credibility determinations, and other topics. Recent individual and team projects include data collection, analysis, and report writing with findings and recommendations, regarding:

- Assessment of use of force complaint handling by sheriff's office.
- Evaluation of criteria for investigating internally and externally generated police complaints.
- End-to-end analysis of complaint and discipline process at U.S. Customs and Border Protection.
- Review of functionality of early intervention system used by sheriff's office.
- Evaluation of federal law enforcement agency's initiative to recruit more females.
- Stakeholder engagements to consider structural options for oversight in different jurisdictions.
- Expert witness for state police employees and county agency on leading practices in complaint investigations and ways misconduct undermines procedural justice and police legitimacy.
- Investigation of police executive's off-duty misconduct.

Co-author of *Police Misconduct Complaint Investigations Manual* - <https://www.amazon.com/Police-Misconduct-Complaint-Investigations-Manual/dp/0692736778>

Past president (2010 – 2012) of National Association for Civilian Oversight of Law Enforcement (NACOLE); Board member (2009 – 2013); Seattle Conference Planning Chair (2010); Newsletter Committee Chair (2013); with funding from the Eurasia Foundation, one of two NACOLE representatives who developed U.S.-Russia partnership on civilian oversight, providing for travel to Los Angeles and Moscow and report on oversight in the U.S. Co-directed first NACOLE academic symposium (2015), held at Seattle University School of Law with Criminal Justice Department, bringing together criminal justice scholars, law enforcement and government leaders, oversight practitioners, and community representatives to collaborate on ways to enhance police accountability and transparency. Co-wrote introduction to related articles in *Criminal Justice Police Review*. <http://journals.sagepub.com/toc/cjp/27/5>  
Member of Seattle University Criminal Justice Department Advisory Committee.

**Sanford, Olson & Scales, LLC****2015 - present***Partner*<http://scalesstrategic.com>

Founding member of company with mission to promote fair and effective policing through evidence-based data analysis, collaborative research, and technical assistance. SOS developed the Police Force Analysis System™ (P-FAS), a standardized method to assess force within and across police agencies, using existing incident reports and officer statements to evaluate individual uses of force. The evaluation and research components of P-FAS contribute to evidence-based best practices for use of force tactics, reporting, training and policies. The system also provides a useful means to educate the community about force issues, promoting law enforcement agency accountability and transparency.

**City of Seattle Police Department****2007 - 2013***Director, Office of Professional Accountability*

Appointed by then Mayor Nickels and successfully managed OPA during time of heightened public scrutiny, including DOJ use of force and biased policing investigation. Advocated for focused and measurable reform goals in consent decree negotiation and for community involvement in the process. DOJ found OPA investigations to be "thorough, well-organized, well-documented, and thoughtful."

- Developed and implemented strategies to improve complex and sensitive police misconduct investigations, made policy and training recommendations and monitored implementation, regularly issued public reports (on complaint trends and selected topics such as impediments to SPD's dashboard video camera usage), and conducted outreach.
- Helped Department implement strategic initiatives to foster a culture of transparency and accountability, including crisis communication following high profile incidents.
- Oversaw sworn personnel handling investigation of misconduct complaints in context of SPD policy and labor contracts. Sought opportunities to use alternative dispute resolution.
- Determined disposition on all but sustained complaints; advised on discipline.
- Played integral role in training on matters of profiling and biased policing, both internally and with diverse communities.
- Centrally involved in efforts to develop training curriculum on procedural justice, along with the King County Sheriff's Office and DOJ COPS.
- Coordinated with counsel on discipline appeals and litigation, and with Mayor's Office and City Council on legislation related to policing and collective bargaining issues.
- Collaborated with other SPD oversight entities and community organizations focused on policing.
- Helped arrange for Restorative Circles to address issues between SPD and family and friends of Native American woodcarver killed by SPD officer.

Provided extensive training through NACOLE and other organizations.

**Equal Employment Opportunity Commission – Los Angeles and Seattle Offices****1991 - 2007***Trial Attorney/Supervisory Trial Attorney*

Work at the EEOC provided deep experience and expertise in all phases of employment law and litigation management, including investigation, depositions, supervision of attorneys and support staff, litigation strategy and execution, settlement negotiations and consent decrees.

- Responsible for litigation filed in five state region alleging violations of Title VII, the Age Discrimination in Employment Act, the Equal Pay Act, or the Americans with Disabilities Act, often involving novel questions of law or class issues. Hired as attorney and promoted to supervisor for legal and support staff.
- Managed litigation strategy; reviewed pleadings, motions, and discovery; oversaw litigation budget. Consistently met or exceeded local and national litigation goals.

- Represented the Commission at trial and in hearings, mediation and settlement conferences. Coordinated litigation with private counsel and other EEOC offices.
- Participated on office management team, coordinating review and prioritization of administrative charges and investigations, and interface with litigation functions. EEOC Chair's Core Award 2004 for successful office partnership and strategic planning. Recognition and award in 2006 for role in facilitating agency reorganization.
- Responded to grievances and EEO complaints arising internally in unionized environment.
- Presented on variety of substantive and procedural topics related to employment issues associated with diverse workforce.
- As certified mediator, mediated employment and labor disputes involving federal employees. Received Seattle Federal Executive Board Award and EEOC Chair's Core Award in 2005.

**Marshall College of Law, Cleveland State University**

**1983 - 1990**

*Assistant Director and Lecturer in Law – Fair Employment Practices Clinic*  
and

**Women's Law Fund, Inc.**

*Attorney*

Experience at these two organizations overlapped as litigation was often handled jointly, with Marshall College of Law professors and law students from the Fair Employment Practices Clinic assisting with cases litigated by the Women's Law Fund.

- Litigated employment law matters on behalf of non-profit organization specializing in sex discrimination.
- Taught employment law and clinical courses on individual and class action discrimination.
- Assisted in development of litigation strategy and sat second chair on case successfully argued before US Supreme Court - *Firefighters v. City of Cleveland*, 478 U.S. 501 (1986).

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**EDUCATION**

- J.D. - Case Western Reserve University Law School, Cleveland, OH; 1982.
- B.S. - Applied Behavioral Sciences; University of California, Davis; 1975.

Sample certifications and courses related to policing and criminal justice: Fair and Impartial Policing: A Science-Based Perspective (2017); Executive Leadership Academy - Criminal Justice, Seattle University (2013); Use of Force and De-escalation; International Association for Chiefs of Police (2012); An Integrated Approach to De-escalation and Minimizing the Use of Force; PERF Critical Issues in Policing Series (2012); Race: Power of Illusion (2012); Police Executive Research Forum Senior Management Institute (2011); Force Science Research Certification (2008); Tools for Tolerance for Law Enforcement: Leadership Initiatives for Command Staff Training Program (2008); Tools for Tolerance for Law Enforcement: Perspectives on Profiling Facilitator Training (2008); Internal Affairs: Legal and Operational Issues; International Association of Chiefs of Police (2007).

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**BAR ADMISSIONS**

- Washington and Ohio.
- United States District Court for the Western and Eastern Districts of Washington.
- United States District Court for the Northern District of Ohio.
- United States Court of Appeals for the Sixth and Tenth Circuits.
- United States Supreme Court.