**Citizen Review Committee meeting**

**February 7, 2024**

**DELEGATO:** All right, greetings everyone. My name is YUME DELEGATO, he/him. I am the Chair of the Citizen Review Committee. Tonight is our February 7, 2024 meeting. We’re gonna start with kind of an amended agenda tonight, given IV’s schedule, we’re gonna try and start with her presentation, and then we’ll move on to our regular business. But let’s get started by introducing ourselves. So again, I’m YUME DELEGATO, I’m calling in from Southwest Portland, and if you can just say your name, how you prefer to be addressed, and if you’re a CDC member or staff. Why don’t we start with MICHAEL, JESSICA, and then CHRIS.

**WALSH:** All right, hi, everybody, MIKE WALSH, ESM, and I’m a CRC member from Northeast Portland.

**KATZ:** Good evening, everybody, JESSICA KATZ. I use she/her pronouns. I’m a CRC member, also from Northeast Portland.

**PIEKARSKI:** This is CHRIS PIEKARSKI. He/him pronouns. I’m in Southeast Portland, and I am a CRC member.

**DELEGATO:** Okay. And then KYRA, ROSS, and DAVID, if you want to introduce yourselves?

**PAPPAS:** Hey, folks. I’m KYRA PAPPAS. I am a CRC member, I’m out in East County, and I go by she/her pronouns.

**CALDWELL:** Hey, everybody. ROSS CALDWELL, he/him pronouns, IPR.

**NGUYEN:** DAVID NGUYEN, he/him pronoun, IPR.

**DELEGATO:** All right. And HEIDI, if you wouldn’t mind introducing yourself?

**BROWN:** I’ll be happy too. Good evening, everyone, my name is HEIDI BROWN. I use she/her pronouns, and I’m with the Portland City Attorney’s Office. Great to be here.

**DELEGATO:** Bear with me here for one second, I’m just trying to make sure that GREGG has the link to this meeting.

**CALDWELL:** Hey, GREGG, I think you just joined.

**DELEGATO:** Okay. All right, and oh, yeah. Well, GREGG is going by me tonight. GREGG, if you want to introduce yourself, and then we’ll get into the agenda tonight.

**GRIFFIN:** Okay, GREGG GRIFFIN in North Portland, he/him pronouns, and that’s it I think.

**DELEGATO:** All right. Thanks, GREGG. So we’re going to hold our normal agenda, minutes and whatnot until later in the meeting here. HEIDI is here to give us a little bit of an update and some context about the Police Accountability Commissions’ recommendations, and how that process has been going since they presented at Counsel last fall. I know that we’ve been in negotiations with DOJ and Collective Bargaining. So, this is going to be I think one of the bigger areas of focus for the CRC this year in terms of making sure that we are active partners in that transition process, and that we also are keeping our own members abreast of, you know, what comes next as we head into this new system here. And I know, MIKE, that will definitely inform some of the work that’s being done on our Transition subcommittee, so HEIDI, I think you have about 30 minutes, so I’m gonna let you get started here, and then we’ll have some time for question from CRC members after that, thank you.

**BROWN:** Right, thank you, YUME. Well, great to be here tonight. I think a lot of you know, have an overview of what’s going on, but just to briefly center ourselves on this discussion, the City Charter, which is the Constitution for the City, was amended in November of 2020 to establish a new oversight system for police accountability, to deal with certain allegations of misconduct. And as part of that, City Council referred - created a group, the Police Accountability Commission, that worked diligently for 20 months to put together some framework to the charter language, so your charter language, like any Constitutional provision is really, really high level, and it’s sort of the top of the pinnacle. And then you have code, which kind of fills in a lot of the details underneath that. And then normally, like for the City we also have administrative rules, and underneath that you have policies, and each area below the top kind of fills in more and more details, and so the Police Accountability Commission did a lot of work and came up with recommended code language to fill in the framework for how the oversight system would actually work. And then City Council, that was reported to City Council, we received that information, and subsequently we had, the City had 60 days to present to Council something for them to adopt, or excuse me, to recommend and send the City to work with DOJ and the unions, to come up with final language that we would ultimately take to the court. So for anybody who’s not aware, and I’d guess all of you probably are, but we ‘re in a settlement agreement with the US Department of Justice, and the oversight system was one of the amendments we agreed to implement as part of a new provision to that settlement agreement. And so that has certain timelines in it that we are working diligently to meet, and hence the 60-day timeline. But and then subsequent to that, the Council voted and adopted what we brought to them, and then Council had also asked that both me and others in my office, along with the Council staff who had been working on this issue, hold open another 30 days for public feedback, and so we had an email inbox where we received feedback, and also within that time we met with former PAC members, to kind of hear concerns that they had about the changes we had made to the package that they had brought forward as a recommendation. So, I think - and then as far as where we are now is, as YUME said, we’re just in negotiations. Those are currently going on and we’re diligently trying to work through, both with the union and with DOJ as far as coming up with code language and amendments to the settlement agreement that will be necessary to change from the current process of IPR, CRC to this new oversight system, which is a much more expansive approach to an independent police oversight. And so, that - I mean I don’t have a lot to say, unfortunately, because we’re still trying to get to agreement on these things, and I can’t get into details about that, but what I can talk about, and I don’t know how - I know, YUME, you’re very familiar with this, and I see some names of folks that are attending tonight who are very familiar with this from being former PAC members, but I don’t know if everybody is as familiar. And so I think I would say that the biggest thing in moving this forward was focusing on what was the mission that was voter approved for this oversight system, and that that kind of sets the stage for what we need to work within, which has to do with investigating and providing discipline for misconduct of police, and also for making policy recommendations regarding police directives. So those are the two big things that the charter amendments provided for, and as I said that’s kind of at the top. And then kind of how do you go about doing that, and we looked at either the PAC came up with a lot of wonderful recommendations, and we incorporated a substantial number of those. The places where we changed, it’s like were areas where there was concern about the different laws, for example, public meetings laws, what they require, public records laws, when we’re allowed to disclose information and records related to our employees, and specifically with police employees there’s a separate law that applies to police employees within the State of Oregon that doesn’t apply to other public employees. So, within some of these laws that constrained us, we made some changes to insure that we were complying with that law. And the other piece that was a real focus for us, and a real concern for me as a Labor and Employment attorney, was to insure that ultimately, that whatever outcome the Oversight Board came up with, as far as an allegation against a police officer, that it would be upheld. So for example, if the Oversight Board were to determine that misconduct occurred, and then mete out discipline, which is what their task is, where it’s determined that misconduct occurred, I want to insure that I have the best chance of upholding that discipline. I’m sure you’re all aware of cases where we had the - and it’s been all over the media - the HUNZEKER case, where the City’s decision to terminate him was overturned. You know, we asked the arbitrator to reconsider that decision, and that was declined, and so, you know, we have a lot of instances where we discipline where it is upheld, and oftentimes where the union doesn’t challenge it. And so insuring that we come up with the right discipline and have a case that we can defend, and that I can defend, and make sure that it stands is very important. So, you know, those were I would say the changes that were made between what was recommended by the PAC and what ultimately went to Council, really had predominantly to do with those two things. During it we complied with State law, there were areas that were really high risk that I felt were too high of a risk, and we changed those to be more in alignment with what State law requires, and then the second area was as I said, to just insure that we follow the process in a way from a labor law perspective that were most likely to be upheld, if challenged. I do want to open it up if folks have questions. I mean I can tell you more about things, but I feel like most of you know about this, and so I don’t want to talk at you about things you already know, and I’m happy to answer questions about things that you’re wondering about.

**DELEGATO:** Yeah, HEIDI, ROSS, I’ll let you go first, and then I have a couple of suggestions.

**CALDWELL:** Sorry, I don’t mean to jump ahead, I can go later, it doesn’t matter. I just had a couple of subject areas that may or may not be helpful, and I know there might not be a lot of answers here, but I think one thing that we have talked about with some of the folks in this meeting are just timelines, and I know that some of the stuff, we might be past what a lot of the kind of specified timelines in some of the DOJ settlement agreement, but I think there’s still - there might be some still to come, and then the other thing I wanted to ask about was something else we’ve talked about, is just opportunities for CRC members and PRB volunteers to engage, and just to kind of give their experience because, you know, a lot of these folks have done a lot of PRB’s, some of them on really serious cases, and some on kind of lower level cases, but I think that’s a great and a really rare perspective, because not a lot of people get to kind of see behind the curtain on these things in the current system. So I think that’s one thing that I know - I think YUME and I had talked about, and a couple - and I think GREGG and I had talked about it too is just, you know, what would be a good opportunity - and it might be down the road a ways, we might not know exactly what it’s gonna look like, but hopefully there’ll be an opportunity for some of our volunteers to engage in and give the benefit of their experience.

**DELEGATO:** Yeah.

**BROWN:** Yeah.

**DELEGATO:** Oh, sorry, HEIDI.

**BROWN:** Oh, sorry. Just real fast, the one thing I didn’t mention, which is that, you know, between when we brought this to Council, and then we had that 30-day period of receiving public feedback, and also met with former PAC members, there were some really good suggestions that came out of it. And so there is an opportunity for us to bring things back to Council. I certainly didn’t want to do it piecemeal, and bring back first things and then negotiate it and bring it, so I don’t want folks to leave here thinking that we didn’t hear those, we didn’t hear them, and there were really good recommendations made, so I just wanted to acknowledge that. YUME, I defer to you, if you want me to talk about timelines and opportunities for CRC and PRB members, or if you’d rather start on something else?

**DELEGATO:** Well, I think I’m gonna maybe tack onto ROSS’s question a little bit, and then I think there might be a couple other areas that both CRC members and people in the audience would be curious about. So, for context, you know, we had members of the CRC - or I’m sorry, the PAC, too many C names in the city - brief and update, and I obviously did some updating last summer in terms of what their proposal looked like. And we could spend many, many CRC meetings discussing all of the incremental changes between the PAC proposal and the revised proposal that went to Council.

**BROWN:** Mm-hm.

**DELEGATO:** I think two areas that will be of interest and very salient - maybe three areas that will be salient to this body, one would be - I don’t think we touched on maybe some of the revised eligibility criteria, and then the nominating process for the new Board, I think that is a thing that this body would probably be interested in just understanding. And then to build on ROSS’s question, I think not just areas of engagement, but given the revisions to the policy, you know, a lot of these people, a lot of the people on the CRC are up for reappointment this year, right, and I’m expecting that all of you will be reappointed. But it’s, you know, it’s a real consideration, when a lot of us took this job, we were told it’d be 18 months maybe, you know, and obviously that’s not gonna be the case. So as some of us recommit to the City, I think it would be helpful to understand what that transition process will look like, not just in terms of shared knowledge, but also when some of these things will ideally or hopefully go into effect, and what things will look like as that transition takes place, what will happen to IPR, what will happen in the CRC, what will happen to Internal Affairs, and obviously, some of those are I’m sure question marks, but I think it would be good to know what we do know, versus what we don’t know. And then I think the third question that I would pose to start this conversation is - we’ve had a proposal from the PAC, we’ve had an approved set of sort of bargaining points from City Council. I know that some of those things seem to be somewhat fluid, based on your comments, and also based on the fact that this is going through bargaining. I’m sure that there’s a lot that you cannot tell us about this process, but I think if there is anything that you can share about what attitudes are, or if there have been things that have been identified as areas that maybe the City is, you know, potentially going to bring to Council, I’m sure that we would be curious to hear that. I’m sure that the members of the audience would, you know, it would be interesting hearing that too. So I understand there’s probably a lot you can’t tell us, but to the degree that you can maybe give some sense, I think those would be the three areas would be good starting points. And then I will look to my fellow CRC members to share any concerns or questions that they have, maybe after you’ve had a chance to address that. And I will call on you, so have your questions ready.

**BROWN:** Great. So the first question was about the nominating process, and the revised eligibility criteria I believe. Is that right, YUME? Okay. So, the revised eligibility criteria, I think that Council staff and our office worked together, looked at what are the things that might be helpful for the Board to have, and also we were looking at the DOJ settlement agreement. There were things that were not contained in the recommendations from the PAC about the eligibility and training criteria for Board staff - or excuse me, Board members, that are contained in the DOJ settlement agreement. So some of those, for example, one thing that we added that I know folks had a lot of strong feelings about from the PAC, was a requirement for a ride-along. And it is something that’s in the DOJ settlement agreement, and so we felt like that was something that would be important to continue forward, given that we have to implement and stand up this new oversight system while under the DOJ settlement agreement. So we felt like that was important. So the main changes that I think we made in those, and you may jump in if you saw some changes that I’m not addressing.

**DELEGATO:** Sure.

**BROWN:** But was to comport a little more closely with what’s required under the settlement agreement. I think other than that was to try to insure that the other piece - oh, wait, I’m sorry. There is one more piece that I remember that folks, former PAC members were concerned about related to bias and evidencing bias. And, you know, I think that there was some concern that a person might get excluded from the Board if they’d ever had a bad experience with a police officer. That does not demonstrate a bias against police. Similarly, somebody who’s had a good experience with a police officer would not evidence a bias for police, ‘cause we said, you know, we said we don’t want people who are either biased for or against, so it’s on both ends. But there’d have to be some evidence existing that somebody really could not be fair and impartial, and that they had a bias that was going to influence their decision making. If that existed, then again, you know, I would say my concern is being able to uphold these decisions that the Board makes. And if I have to go to arbitration and the union can pull a news article, a social media post, etcetera, that shows that somebody had a bias - and I’ve had that happen in arbitrations before, where the union pulled a news article and a quote from the Mayor or the Chief or whoever, and then says, “Well, see, they prejudged the case, they weren’t impartial decision makers, and therefore, arbitrator, you should overturn this decision.” So, from my perspective, again, I’m just really trying to look at how can I have the best chance to uphold the discipline that this Board does, and having somebody who’s biased either for or against police undermines my ability to do that. So those I think were the two big things that we changed that I heard there were concerns about. YUME, did I miss anything that you can think of, or any other CRC member, something on the eligibility criteria that you saw that you’re like why did you do that?

**DELEGATO:** I think a question that I’ve heard raised, HEIDI, is just like in your experience - I’m trying to frame this in a way that’s easy for you to answer - in your experience, I could understand why the Mayor saying something about a case, a specific case, could really derail the current accountability system, giving that the hiring and firing authority rests at the command structure of the City. Have you ever encountered - I think the concern about the bias language in the revised settlement was that, you know, if I said something about George Floyd five years ago, is that going to be evidential bias? And so in your experience you think it’s more about specifically talking about a specific case, as opposed to -

**BROWN:** Well, or what if - I’m going to pose it in the opposite way, because I think most of you are concerned about having people excluded on one end of the spectrum. But what if you saw somebody who was like “All police are fantastic. We should always support our police. Nothing they do is wrong. This oversight system is the worst thing ever. I’m gonna make sure that these police, that they’re not held accountable because this is wrong, we need our police.” Okay, that is evidence that that person is biased, and is not going to fairly judge. We need people who can hold folks accountable. If there’s somebody out there posting on social media they’re perfect, nothing they do is wrong, then that’s evidencing of bias, that they cannot see that this is a human being and they’re going to do things wrong at times, and when they do, there are things that sometimes violate our policies, and they need to be held accountable when that happens. So then you have the other extreme where, you know, you see the, you know, folks who are like, “All police are horrible. Everything they do is wrong. They do nothing right.” That is again, a bias where I’m gonna have a really hard time upholding a discipline if somebody has that. I think, you know, so I think on either end, you’re not being - we’re not having fair and impartial decision makers who we can A, uphold their discipline, and B, insure that they discipline people when they need to be disciplined. Like it’s on both ends of the spectrum, right, like whether they’re against, then I can’t uphold the discipline very well; if they’re for, then we’re not gonna have the accountability we need to have. So both ends of that are not good for us as an organization, but also us as a City, you know, community members, to insure that we have a good police bureau where people are held accountable.

**DELEGATO:** And HEIDI, one area that I think also was raised that I’m not sure our current Board is up to speed with, the Nominating Committee will be comprised of community members, including I believe CRC members, and then also representatives from the two police unions, and a representative from the - is it the Chief’s office?

**BROWN:** Mm-hm.

**DELEGATO:** Okay.

**BROWN:** Right. So the original recommendation from the PAC was that the Nominating Committee would be entirely community members, and I think it was like - I can’t recall, you might remember better and I apologize - I think it was former PAC members; is that right? Anyways, I think we were interested in I think taking the same body that put together the recommendation. We looked at okay, let’s find some folks that community members we knew that Council was gonna want to have a say in who’s brought to them, because they’re the ones who ultimately have to appoint folks, so we said all right, each Council member can appoint one member to the Nominating Committee. Then we wanted - I think we had put one CRC member and one community PRB member, Police Review Board member, and there was a recommendation to us that that be two CRC members, and that’s definitely something that, you know, we took under serious consideration, and I felt was a good idea. I can’t guarantee it’ll be there later, but I feel like that’s something that was a good idea presented to us, and I’m hopeful about it coming forward in the future. I think the concern that we heard was around putting police on the Nominating Committee. From our perspective it was, you know, something to insure that we got some buy-in from A, the Police Bureau, and B, the unions, the two unions that are impacted by this, that they at least have a voice on the Nominating Committee. But if you look at the actual numbers, we have - on the first one there’ll be ten Nominating Committee members, but going forward, it’ll be nine. But on this first one where there’s ten, there are for every one member, either of the Police Bureau or the union, there are two community members. So, we insure, I mean you’ve got - on the first one it’s gonna be seven community members and three folks representing police. So, we felt like we were still staying very true to keeping a real strong pulse from the community, while also just giving a voice to the police unions and the Chief’s office, to just allow them to share their perspective. So I think that was kind of the thinking around that change. Let’s see. I think the next thing you asked about was with the revisions, what does the transition look like, what is it going to affect, which relates to what ROSS was asking about as well. I’m sorry, before I go on, any other - did anybody else have any questions about the revised eligibility criteria or the Nominating Committee? Okay. Sorry. I get the attorney going and I’m like blah, blah, blah. So please just - I’m an east coaster, so jump in and interrupt me if you want, it doesn’t bother me at all, and I welcome it. So, the transition. So right now we’re in the - this is the one part of this DOJ settlement agreement that there wasn’t a timeline on it, which is when we’re negotiating with the union and we’re negotiating with DOJ. We are under the settlement agreement language to, you know, negotiate in good faith and expeditiously with the unions, and so that’s certainly been happening. And that comports with the charter language, which says that we will comply with any bargaining obligations that may exist. So, but even the language, the voter approved charter language, you know, acknowledged that that was something that might be required. So, right now, I don’t know exactly how long that process will take, but I will tell you this. I think we are trying really hard to get through this process quickly enough so that we don’t have an entirely new Council who’s trying to learn a whole new form of government, and have a Board that hasn’t even been appointed yet. Ideally, we could have this Council appoint Board members and get the Board started, sooner rather than later, so that we have the support systems and the other things in place to help the Board and support them in moving forward. So that’s my ideal, and I think our goal for me and the other Council staff is to try to get this through, you know, relatively quickly, in order to be able to have the Board actually appointed and start their work well within this next year, before we have a whole new form of government and trying to figure that out at the same time seemed like a lot. Beyond that, I can’t say exactly how long it’ll take, but once we do get to a point where we all agree, then we have to go to court, and have Judge SIMON approve the changes to the settlement agreement that will then authorize these changes. Within that, we proposed that the IPR and CRC will remain in effect - and PRB’s - all that, the current system will remain in effect through the standing up and implementation of the Oversight Board. And in the original amendments to the settlement agreement, we had said basically what we saw was here’s IPR, they’ve got all their cases. Here starts the Oversight system, they start taking cases. IPR finishes up its cases and eventually we’re like this. So that at the end, then the cases will go there, but while there are cases - whatever cases started over here with IPR’s will stay over here with IPR and within our existing system, which is what we had talked to DOJ about and IPR folks to give them some support and knowledge that we’re committed to them, helping them get through this process, which includes all of you too, I hope, to help us get through to where we actually have the Oversight system ready to take its own cases and move those forward. So, the settlement agreement says that once Judge SIMON approves the changes to the settlement agreement, then we have to take the code language back to Council within three weeks and have them formally adopted into code, ‘cause what happened back in the end of November was that they - or was it early December - but Council directed us to take that code package forward and negotiate with DOJ and the unions. So it’s not formally adopted as code language at this point, so that formal adoption needs to still happen. And changes could be brought either before that happens, you know, like we could agree with everything with PPA and DOJ and bring it back to community folks to take a look before we go to Judge SIMON, or we could go back to Council and say hey, will you adopt these changes, and then go back to Council a second time after Judge SIMON. I think either way is a fine way to do it. But I know everybody is interested in insuring that folks in the community get a look at things prior to things going before Judge SIMON. So once Judge SIMON approves it, then we have a year to stand up the new Board, which sounds like a long time, but, you know, to request for applications for Board members, have them get appointed, have them - then they have to hire a Director, the Director has to hire all the staff, so, you know, all the - like you look at all the folks that work with IPR right now, there’s a lot of great investigators, analysts, folks that - you know, DAVID does his job, MOLLY, there’s a bunch of people there that do a lot of great work that’s really critical that we need to have, you know, taken over by the Board eventually. So we have a year to get all that up and running to where they start actually taking new cases. But even once they start taking new cases, you’ll still have that work because we still have that great overlap between them, which -

**DELEGATO:** Maybe -

**BROWN:** - kind of answers I think hopefully your last question at the same time, which is right, that that’s how that will happen, and we need IPR and CRC throughout that process.

**DELEGATO:** So realistically, just giving some hypothetical timelines here, if all this is approved and appointed by the end of this year, which I know is your goal -

**BROWN:** Mm-hm.

**DELEGATO:** - then it would probably likely be about a year before CRC and IPR would be able to stand down. So we’re talking potentially maybe the end of 2025 or early 2026, conceptually?

**BROWN:** Conceptually, I mean we have a year from when, you know, from the three weeks after Judge SIMON signs the order is when the year starts.

**DELEGATO:** Mm-hm.

**BROWN:** So, you know, if that happens, let’s say that happens before June, or I mean before the end of June, then we’ve got that, you know, five months left or six months left in the year rather to get the Board, you know, get them appointed, seek applications, all those kinds of things. So, let’s say it’s June to June, so that’s a year, but then yeah, you’ve got to add on at least another six months or so I would guess. I don’t know, ROSS would probably know better than me sort of how much time that could take between - as cases are transitioning over.

**DELEGATO:** I’ll put a finer point on that, HEIDI, so you and ROSS and I were in a PRB yesterday that was from late 2022, so let’s say 16 months I think, right? How are we gonna square that circle if we’ve got a year to do this?

**BROWN:** Well, you know, I mean for the City, we will support IPR and CRC until we get to the end of that process, and if it’s - I know I mean sometimes for those you haven’t been on PRB’s for officer-involved shootings in particular, because there is, you know, a Grand Jury investigation, there’s a lot that goes on in those cases, and so they oftentimes take quite a long time. There’s not just an Internal Affairs review of whether it’s in or out of policy; there’s a review by training, on whether it comported with training, so there’s many pieces to that. So YUME’s right, you have an incident, you know, an officer-involved shooting that occurs in 2022, and is getting to PRB, you know, a year plus later, depending on what time of the year.

**DELEGATO:** Once that process is over, my understanding - and I’m now having to cast my memory back - but obviously the PAC and the City Council set out some scope of what the new system will investigate. Certain things will be remanded to IA, right, such as I believe internal courtesy complaints between Bureau staff and allegations of truthfulness. So given that IPR and CRC will go away, those things will be handled solely by IA, and I guess they have then the discretion to keep their PRB process spun up if they so choose; is that basically what happens?

**BROWN:** Yeah, I think that, you know, we would look at the code language for the Police Bureau and whether or not it’s appropriate to maintain the PRB for those cases. But if you remember for courtesy, truthfulness, and then criminal case violations, those cases have to be reviewed by the Director of the OCPA, the Office of Community Police Accountability, the Director or their designee, but they have to be reviewed by them, and then they have a window, a period of time for them to provide feedback to the Bureau on those cases. That was another recommendation we received from former PAC members was to expand that to all IA investigations, which I think is another recommendation that we were taking very seriously and considering. And it’s just to have that window of feedback, so that way you’d still have that community input into the cases that remain with the Police Bureau. Additionally, at the end of the day, the charter language makes very clear that if there are cases that the Board deems fit to start, you know, types of allegations that they want to start taking going forward, they have that ability to do so. We put in code that all they have to do is they just have to bring something to Council to amend the code and add that new type of allegation, and that was just to keep things clean so that IA knows what cases they have, and to, you know, have some clarity on when things are gonna move between things.

**DELEGATO:** HEIDI, I’m gonna ask one last question here, and then I really would strongly encourage my colleagues on the CRC to ask some questions of their own or just, you know, it’s not often that we have the opportunity to engage with the City Attorney’s Office, so I want to encourage you to avail yourself with that. So the last question, and this is the one I suspect you may not be able to answer in a real concrete way, but I guess I will frame it as this. Has anything changed since your presentation to Council in November, December? Are there any indications that the final proposal will look any different than what was presented to Council?

**BROWN:** Well, yeah, there’s a few things that community and PAC recommended that I think had said, you know, I think are really good ideas I think we’re giving really serious consideration to, so, there’s those. And then beyond that, I can’t really talk about other things that are going on, I’m sorry about that. But certainly our plan is - everybody’s aware that we need to insure that folks see a draft of what we’re talking about, so that you have an opportunity to give us some feedback if you’re concerned with the direction we’re taking.

**DELEGATO:** Thank you, HEIDI.

**BROWN:** Yeah, sorry. I wish I could tell you more.

**DELEGATO:** Well, I had to ask, right?

**BROWN:** Yeah.

**DELEGATO:** Okay. I’m gonna open it up to other CRC members. This directly impacts us, right, in the sense of this directly affects the commitment that we have made to the City, right. And some of what it reflects when we get to stop making that commitment to the City at some of all - so, I’m not gonna call on anyone, but I would open up the floor and encourage you all to ask any questions or concerns or anything that you have of HEIDI, while she’s been courteous enough to give us this time.

**WALSH:** Hi, HEIDI, I’m MIKE.

**BROWN:** Hi, MIKE.

**WALSH:** I’m really curious about the transition. I’m gonna be working probably on our transition work with potentially, and we don’t need to talk about that here, but, you know, we can’t say - I guess you can’t answer the question that YUME just asked, and yet we also need to be involved in helping with that transition too. I mean one of the questions I have is just what is the transition structure of the PAC and the City, and how, you know, what’s the analog to I think the CRC, and how best can we, you know, engage them and, you know, what kind of information can we have to make this transition as strong as possible?

**BROWN:** Well, I think - so first off, you know, as I said, our intent is to publicize the proposed changes to the code, you know, before the Board, so I would encourage all of you to please take a look at it and provide feedback on that, so that’s gonna be earlier on, right, hopefully in the next -

**WALSH:** Yeah.

**BROWN:** - handful of months. But as far as, you know, once the new Board is established, you know, I would hope that they will avail themselves of the knowledge and experience that you all have doing your work, and -

**WALSH:** Can I just really jump just really quick, so I don’t forget -

**BROWN:** Yeah.

**WALSH:** - my - I guess what I’m trying to get at is, is there a structure in place that we can make sure that that’s gonna happen? And I don’t mean to interrupt, but I just don’t want to lose my train of thought.

**BROWN:** No, I -

**WALSH:** Is there a structure in place that would insure that they would, you know, rather than just assume that that’s gonna happen, right?

**BROWN:** Well, so there isn’t in code because in code -

**WALSH:** Yeah.

**BROWN:** - you don’t want things that are gonna be a one-time thing, right, you want ongoing things. But, that being said, it might be something to consider putting - so, you know, you have to have an ordinance to adopt code, and the ordinance can give other direction, right.

**WALSH:** Yeah. Yeah, that’s a good point.

**BROWN:** Because they adopt the code, and then it could also say Board, once you’re appointed, you know, be sure to meet with the CRC, you know, whoever, to understand, you know, IPR Director, etcetera, to understand the current - the existing system, IA, right, to really understand the existing system, and how it works. ‘Cause I think, you know, as they fill out that other section of administrative rules and policies, I think that they’re gonna benefit from all your experience. So while it wouldn’t be in code, but MIKE, it’s a good idea, and I hope you’ll email me and remind me as we get closer to that, ‘cause I may forget, but I will try not to. I’m trying to take notes and write down -

**WALSH:** Yeah, and we’ll have a -

**BROWN:** It’s a good idea.

**WALSH:** - transcript of all this too, but when would be a good time for us to connect again, do you think?

**BROWN:** When you, you know, when we come out with what we think will be the new code language, you know, based on these discussions that we’re having right now, then I think at that point, you know, then we’re starting to move towards going to Judge SIMON.

**WALSH:** Yeah.

**BROWN:** Eventually going to - back to Council, and, you know, worst case scenario, MIKE, is the ordinance comes out, you know, the Friday before the actual Council session, and you send me something and I ask Council to move to make an amendment and add it in. So yeah, that’s - it’s not ideal, but -

**WALSH:** Yeah, I hear you.

**BROWN:** - you know, I will try to put a note about this and share it out with other folks -

**WALSH:** Okay.

**BROWN:** - on Council staff and so that you have several of us trying to remember, rather than just me, so -

**WALSH:** Thank you.

**BROWN:** Yeah, yeah, that’s a good idea.

**DELEGATO:** HEIDI, with the transition, will that be CSD, Community Safety Division?

**BROWN:** The transition? Well, right now, the org chart says that the Oversight system will be within the Public Safety service area, and so that would be, you know, sort of the support would be, you know, whoever the Deputy, City Administrator of that group is. However, one of the recommendations from the former PAC folks was not to have it in that service area, and instead to have it in the Operation service area, where like DHR is. And so, that was another recommendation that we were looking at very seriously. So, it probably really depends on where it falls as far as who’s gonna provide that support on the transition.

**DELEGATO:** So it’ll be a DCA then, realistically?

**BROWN:** As far as like at least high level, as far as figuring out okay, how am I gonna set up the support that they’re gonna need, so -

**DELEGATO:** Okay.

**BROWN:** Yeah.

**DELEGATO:** Other questions for HEIDI? GREGG, KYRA, JESSICA, CHRIS, if any of you would have questions?

**WALSH:** Nothing from me.

**KATZ:** Yeah, MIKE, I’m gonna be working with MICHAEL on the transition work group, so I think my question was answered, thank you.

**WALSH:** I - oh, go ahead.

**BROWN:** You know, at some point, MIKE and JESSICA, you know, it will be helpful to, you know, have me come meet with you later as you’re going along, just reach out to ROSS and we can find a time.

**WALSH:** Okay, thank you for that information.

**KATZ:** That’d be great, yeah.

**DELEGATO:** I’m sure we will avail ourselves to that opportunity at some point during the transition. I think one request or one suggestion I would have from the CRC is that, you know, we meet once a month, and if we have an appeal, then we deal with business less than once a month. So, you know, as we approach this, and I know that it is a race to the end of the year here, it’s a race to the new fiscal year, and it’s a race to the new City Council, but as we approach that time horizon, I think our recommendation would be that hopefully that these proposals are put forward with enough time for public engagement, not just City wide, but also it would be nice if they came out sometime before the first Wednesday of the month, so that potentially, you know, someone from the City Attorney’s Office could come and brief or give us an update, or at least give us an opportunity to discuss before this goes to Council. So obviously, you’ve seen me at City Council and giving public testimony, but that’s not necessarily an option for everyone. So that would be my wish list item, but I appreciate you being here. I’m gonna time check and also poll the audience here. So my understanding is that at least one person has - possibly two people have to leave at 6:30, which means we would potentially lose quorum. I’m gonna recommend that we hold off on approving the minutes and potentially doing the Director’s Report. The remaining ten or 15 minutes or so will be impacted by whether or not we have public comment, so right now, as we adjust our agenda, I’m going to ask anyone in the audience if they wish to make public comment, to raise your hand now, and I will do as much business as I can with making sure that we allow people to make public comment, since that’s a requirement of the meeting as well. So attendees, raise your hands if you want to talk; otherwise, I’m going to continue on with our agenda. GREGG?

**GRIFFIN:** That was a mistake.

**DELEGATO:** All right. So I see - looks like DAN HANDELMAN. Anyone else want to make public comment? All right, so DAN, it’s 6:25, so in like four minutes from now, I’m going to switch over to public comment and we’ll wrap up this meeting. JESSICA, I’m assuming you still need to leave at 6:30, and I think CHRIS mentioned that as well. Okay. So, with the consent of the CRC, I’m going to hold the Director’s Report and approval of minutes to our next meeting. I think it would be useful to take these last four or five minutes here to address work groups, specifically Transition work group. So I think - KYRA, I’m not sure if you had a chance to review the minutes, but at our last meeting we discussed trying to take perhaps a less stringent timeline for our work groups, but also to make sure that they are meeting on sort of a semi-consistent basis, and then having something to report back - ROSS, I’m sorry?

**CALDWELL:** I’m sorry to interrupt. I just know HEIDI had half an hour and it’s now been closer to an hour, so I know she’s being polite, but HEIDI, if you have to go, please, you can jump off and we’ll - if anything comes up, I can follow up with you.

**BROWN:** That would be wonderful. Thank you so much.

**KATZ:** Thank you.

**BROWN:** I apologize, and -

**KATZ:** Thanks, HEIDI.

**BROWN:** - thank you for having me.

**CALDWELL:** Thank you for being here.

**WALSH:** Thanks, HEIDI.

**CALDWELL:** Sorry to interrupt, everybody.

**PAPPAS:** Thank you.

**DELEGATO:** Thanks, ROSS. So, and I think GREGG has volunteered KYRA to help you with recurring audit. So my ask for recurring audit is that you set your own agenda, in terms of what areas I think IPR has the resources to assist with, and your work group has the capacity to tackle, and then we’re gonna ask for quarterly updates, okay. So, if you can, you know, work on your - the cadence of your meetings, that’d be great. I’ve asked MIKE to - and MIKE has generously volunteered - to lead our Transition work group. I will try and be a resource to that, but I’m taking myself out of that process because I was on the PAC, and so, just like I wouldn’t hear an appeal on my own PRB case, I’m not gonna lead this discussion, but I want our attendees to know that this will continue to be a way to engage and, you know, have discussion about what comes next for the CRC, and what comes next for police accountability broadly. MIKE, have you done any thinking about when you want that work group to meet?

**WALSH:** I’ve given some thought to it, but I haven’t talked to JESSICA yet, so I think what I’ll do next is, after this meeting sometime, JESSICA and I can connect, and then I thought we would do it sometime in February, in the latter part of February, and get a first meeting going, and try to recruit some people from the public to be a part of that. So, that’s the plan. So JESSICA, probably tomorrow - or hopefully tomorrow I’ll connect with you by email.

**KATZ:** Sounds great.

**WALSH:** And we’ll just go from there and we’ll talk over things like documents that we need to read and get caught up on, and figure out a strategy for recruiting people to be on the work group, and whatever else YUME thinks we should do.

**DELEGATO:** All right. And I think - who else was on that subcommittee? Was it just the three of us?

**WALSH:** Just us two for now, and then we need to get more people on there.

**DELEGATO:** Okay. All right. So, members of the audience, I know we have some former PAC members, and some City staff here, as well as members of the community. This is definitely something that will continue to be on our radar through the transition process. We will want to engage with - not only are you welcome at all public meetings and all work group meetings, but we’ll want to engage directly with members of the PAC, City staff, etcetera, as we do our own sort of review and observation of this process. So this is not the last time that we will potentially be discussing this. At this point I want to open up to public comment. Let me make sure - I think DAN is the only person who raised their hand here, so I’m going to hopefully - yeah. You’re good to go, DAN.

**HANDELMAN:** Great. Thank you, good evening. This is DAN HANDELMAN, I use he/him pronouns, I’m a member of Portland Cop Watch, and a former member of the Police Accountability Commission, and yes, there are several of us here tonight. We’re very interested in this presentation, really appreciate you having it. I do hope that we can have discussion sooner rather than later about some of the things that got said tonight by the City Attorney’s Office. The transition plan that PAC put forward envisioned that cases that were initiated under the old system that didn’t end by a certain time, would be handled by the new Board. They would just have to use the old rules so we wouldn’t create any complexities for the employees involved, but that way you can have a, you know, a known deadline by which you don’t have to be, you know, sitting around waiting for a case to come up that might have happened, as Chair DELGATO said, a couple - several years ago. So I think that the transition plan that was written by the PAC is something I think you all should look at. There’s also the issues that came up around bias, we brought up, concerns that in Colorado, in Boulder, they got sued because they used the exact kind of language that the City’s proposing to put forward, and I understand that language was used for the Police Review Board, but this is a different system. And on that note, the stuff that they said was already in the existing settlement agreement that they wanted to make sure applies to the new Board, is very disingenuous because one of the things they’re doing is writing new parts of the settlement agreement to match how the new Board’s gonna work. So, I think there’s a lot of things to look at, and, you know, I could go on and on all night. It’s just very frustrating sitting here in the audience, not being able to speak. And, you know, one of the other pieces that I hope that you know about that we proposed, was we wanted there to be a complaint navigator from the very beginning, and I know most of you haven’t necessarily been at an appeal yet, but in the current system when there’s an appeal, you get access to an appeals process advisor. What that means, you got harmed by the police, you called the IPR office, your case got investigated, then you filed the appeal, and then you finally have somebody to help you. Our plan was to have somebody help somebody from the time they call in, all the way through the system. And the City Attorney’s Office moved that back until after the intake is done and they decide to do an investigation, which is - means that that person has to decide whether to try to appeal that on their own. So this is the kind of thing that really needs to get looked at and pushed back on, and I’m really looking forward to this work group with Mr. WALSH at the head of it, and look forward to working with you more in the future. Thank you very much.

**DELEGATO:** All right, thank you. And JESSICA, I understand you have to hop off. CHRIS, I think we have you for like two more minutes, which gives us enough time for one more public comment from - I think it was SAMEER raised his hand so, go ahead, SAMEER.

**KANAL:** Hi, I’m SAMEER KANAL, Advisory Boards and Commissions Manager at the Community Safety Division. I just wanted to clarify one thing that HEIDI had said with relation to the PAC’s recommended Nominating Committee. The PAC recommended a Transition team that would include 12 volunteers, including former PAC members, but that was for just the initial appointment, and did not specify, you know, further how that would work in terms of the number of people involved and the vetting and all of that. So just specific to that one comment she made, I just wanted to make sure that that was known. Thanks. And thanks for everyone who’s been here and the work that you all do as volunteers.

**DELEGATO:** Appreciate it, thanks, SAMEER. All right, so I think - my understanding is CHRIS also needs to leave here in the next few minutes, so given that we are about to lose quorum, I will close with this. Clearly, quorum continues to be an issue. We’re lucky that we have a specially set forum of five members, but while we are working to recruit, which will be probably one of our main items of discussion at the next CRC meeting, it is really important that we have an understanding of what quorum is, A, so that we can all plan, and also so that the community knows when there’s going to be a meeting. So DAVID will be continuing to engage with you all, and I would just encourage you, maybe proactively, if you know you can’t be available, just let us know as soon as you know that, and if I get more than two emails, I’m gonna cancel the meeting, ‘cause we know we won’t have quorum. We will still be asking people to RSVP as we get closer, but, you know, if you know you can’t be at a meeting, just let me know and otherwise DAVID will be sending out those inquiries about a week, week and a half out. This is not easy work with six or seven people, and I am looking at IPR and the City to help us recruit some new members as soon as possible, but I really want to thank all of you for continuing to show up and make time. Even when apparently some of you have conflicts, it’s very important to the work the CRC is doing. Also I want to thank all of you for stepping up and handling our caseloads. I also want to thank our attendees for being here tonight. I know that this is a topic of great concern for a lot of people who served on the PAC, and for a lot of people in the community who’ve had various feelings for or against that proposal, so we want to make sure that we’re continuing to provide that forum for you in the work group. Any final business or any final comments before we adjourn?

**CALDWELL:** Recruitment is underway, and again, just to echo YUME, thank you so much, thanks everybody for showing up. I know it’s extra work, and thank you for doing the PRB’s. We couldn’t get any of this stuff done without you, so much appreciated.

**DELEGATO:** All right, wonderful. It is 6:31. I am going to call this meeting adjourned. Thank you all for coming. Have a good night.

**WALSH:** Thanks, YUME.