

Portland, Oregon
FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Cristina Nieves		2. Telephone No. 503-823-4124	3. Bureau/Office/Dept. Commissioner Fritz's Office
4a. To be filed (hearing date): October 29 th , 2014	4b. Calendar (Check One) <div style="display: flex; justify-content: space-around;"> Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/> </div>		4. Date Submitted to Commissioner's office and CBO Budget Analyst: October 24 th , 2014
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

Consider candidates for independent monitoring of City's compliance with Department of Justice Settlement Agreement (Report)

2) Purpose of the Proposed Legislation:

To consider the final candidates for the position of Compliance Officer Community Liaison; the chosen applicant who will independently monitor the City's compliance of the DOJ settlement. The purpose of this legislation is also to update the public on the hiring process, and to encourage input on the process. Council will then give final decision on November 5th.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|--|------------------------------------|------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

This legislation will neither generate nor reduce the City's revenue.

5) Expense: What are the costs to the City as a result of this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the **level of confidence**.)*

There is no direct cost connected to this legislation

6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*
- **Will positions be created or eliminated in future years as a result of this legislation?**

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

- ☒ **YES:** Please proceed to Question #9.
☐ **NO:** Please, explain why below; and proceed to Question #10.

9) If “YES,” please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

The community will receive an update on the hiring process, information on the candidates, and also be able to provide feedback during the Council hearing.

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

Numerous community groups have participated in the interview process by helping to structure the interview process and questions.

- Legal Aide of Oregon
- Portland Commission on Disability
- Office of Mayor Hales, Commissioner Fritz, Commissioner Novick, Commissioner Saltzman and Commissioner Fish
- Independent Police Review
- Multnomah County Youth Commission
- Disability Rights Oregon
- NAMI
- Mental Health Association of Portland
- Citizen’s Review Committee
- Urban League of Portland
- Albina Ministerial Alliance/Coalition for Justice and Police Reform
- Portland Human Rights Commission
- Carl Goodman, former Multnomah County Corrections Manager

c) How did public involvement shape the outcome of this Council item?

The public has given a great amount of feedback on the final candidates through the City’s website and mailing list.

d) Who designed and implemented the public involvement related to this Council item?

The Mayor and Commissioner Fritz office designed and implemented the public involvement for this Council item

e) Primary contact for more information on this public involvement process (name, title, phone, email):

Joe Wahl 503-823-5582

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

Yes. After this report is presented to Council, community members may give feedback on the COCL candidates.

Mayor Charlie Hales



APPROPRIATION UNIT HEAD (Typed name and signature)

10/29/2014

History of the COCL Selection Process

Good Afternoon, my name is Joseph Wahl, and I am the Deputy Director of the City's Office of Equity and Human Rights.

We are here today to present and take public comment on an important section of the Settlement Agreement between the City of Portland, the Department of Justice, the Albina Ministerial Alliance for Justice and Police Reform, and the Portland Police Association.

I, along with Ellen Osoinach and David Woboril from the City Attorney's Office will make three brief presentations prior to opening up for public comment regarding the selection of the Compliance Officer/Community Liaison (COCL) who will oversee and evaluate the implementation of this Agreement.

I will start with background on the COCL selection process.

Ellen Osoinach, who has been the City's lead attorney in this matter, will present a history of the agreement itself for additional context of people viewing at home.

Then Dave Woboril, will provide information on specific requirements and responsibilities for the position of the COCL as laid out in the Settlement Agreement.

Then we will open the floor for public comment.

Planning Committee

Planning for the selection process of the COCL, began in the summer-fall of 2013, as part of the City's response to the DOJ Settlement Agreement related to Portland Police practices. A coordinating committee was brought together by Commissioner Amanda Fritz to review the DOJ Settlement Agreement, as well as to begin developing a process for the selection of the COCL, who would oversee the City's implementation of the Settlement Agreement.

This planning committee would include city staff, community members connected to stakeholder organizations and individuals with lived mental health experience. Including representatives from:

- Commissioner's and Auditor's Offices
- Office of Equity & Human Rights
- City Attorney's Office
- Portland Police Bureau
- Albina Ministerial Alliance for Police Justice and Reform
- Mental Health Association of Portland
- Portland Commission on Disabilities
- And community members with lived experience.

Application Process

This group helped to craft the “Invitation to Submit a Letter of Interest,” which was used for the position announcement. A copy of the posting is attached to this report.

-Outreach

The **Invitation to Submit Letters of Interest** was posted on the Mayor’s website, as well as the City’s main webpage and the Bureau of Human Resources webpage. It was distributed to community organizations who were asked to help distribute the announcement. It was also sent to local, regional and national organizations related to police reform and law enforcement. A list of organizations which were sent the announcement is attached.

-Application Review/Selection Process

Twelve people initially applied for the position in January. I have assisted with coordination of the assessment of the applications, in partnership with Commissioner Fritz and the planning committee.

Two separate panels of reviewers – including community members with experience in mental health care services, law enforcement, the Albina Ministerial Alliance Coalition for Justice and Police Reform, and city staff – chose the three candidates to be interviewed.

The DOJ settlement requires the City to identify a list of three potential candidates for public review, from which the City Council will select one.

The candidates made public presentations and participated in public interviews on Monday, Sept. 29. The three interview panels included community members representing a broad range of organizations, including: the Albina Ministerial Alliance Coalition for Justice and Police Reform and advocates for people experiencing mental illness. The initial presentations by the candidates were broadcast on Channel 30 via Portland Community Media, and the video has been posted on the Mayor’s website in the “DOJ Feedback” tab.

A list of this Selection Advisory Committee members is included in these Council documents filing. Along with the facilitator’s summary of feedback received from the Selection Advisory Committee.

Following the public presentations on Sept 29, the City Council also interviewed each candidate.

In accordance with the Settlement Agreement, following the identification of the three candidates, a 30-day public comment period began. Comment will continue to be taken throughout this evening.

Additional details are at the Mayor's website in the "DOJ Feedback" tab.

The Council will vote next Wednesday, November 5th on which candidate to enter into contract negotiations with.

The final three candidates for review are:

John Campbell of Campbell DeLong Resources Inc., a Portland firm that since 1989 has provided research, training, facilitation, and planning for the purpose of public safety problem-solving, community-oriented policing, and the goal of more effective law enforcement results.

Dennis Rosenbaum, executive director of the National Police Research Platform and evaluator of police organizations, police management and police community relations. He has pioneered ways to measure police-citizen interactions and procedural justice, as well as new approaches to police training.

Daniel Ward, executive director of the Oregon Drug and Alcohol Policy Commission. Former CEO of Metro Crisis Services Inc. in Colorado which manages a mental health crisis line and referral services. Years of experience working with police and community on development of crisis intervention processes and programs.

If people are interested in learning more about the candidates, their original applications are available at the Mayor's website.

In addition, following the public presentations and interviews on September 29th, each candidate has submitted detailed supplemental information in response to feedback and comments regarding candidate's perceived strengths and weaknesses

All of this information can also be found at the Mayor's website in the DOJ Feedback tab.

I will now turn it over to Ellen Osoinach to provide information on the overall history of the DOJ Settlement Process.

COCL Selection Process

Outreach Plan

2014

Submitted by
Joe Wahl
10/29/2014

Organizations sent announcement and asked to post:

1. Oregon State Bar Association
2. NW EEO
3. American Association of Affirmative Action
4. PARC
5. Partners in Diversity
6. State of Oregon, Advocacy Commissions Offices
7. State of Oregon, Governor's Office of Diversity & Inclusion
8. City of Seattle, Civil Rights Office
9. King County, WA
10. Police Executive Research Forum
11. International Association of Chiefs of Police
12. Major Cities Chiefs Association
13. Center for Problem-Oriented Policing
14. LinkedIn/Facebook
 - a. Connector Project
 - b. City of Portland, HR, OEHR
15. City of Portland's HR website
16. Mayor's Office website
17. City of Portland's Main Webpage (scrolled banner)
18. Office of Equity & Human Rights
 - a. Portland Commission on Disabilities
 - b. Portland Human Rights Commission
19. Office of Neighborhood Involvement's Disability List Serve:
 - United Cerebral Palsy of Oregon & SW Washington
 - National Psoriasis Foundation
 - Oregon Disability Sports

- HASL
- Oregon Developmental Disability Council
- Tri-Met Special Needs (Lift Program)
- Deaf & Hearing Out Reach (DHOR)
- Trillium Family Services
- Quad United Against Dependency
- Mental Health Association of Portland
- Friendly House
- Clackamas County
- Autism Society of Oregon, Multnomah County Chapter
- Oregon Health and Science University (OHSU)
- Oregon Business Leadership Network
- PHC Northwest
- National MS Society - Oregon Chapter
- Independent Living Resources (ILR)
- Disability Service Advisory Council for Multnomah County
- INACT Inc.
- OHSU Behavioral Health Sciences
- Independent Living Resources (ILR)
- Portland Supported Employment
- OHSU Oregon Institute on Disability & Development
- Disability Resources
- Hearing and Speech Institute
- Oregon Deaf & Hearing Impaired Access
- Hemophilia Foundation of Oregon
- Easter Seals Society of Oregon
- National Multiple Sclerosis Society
- Umpqua Valley Disabilities Network
- Goodwill Industries of the Columbia Willamette
- Ride Connection
- Arch D people w disabilities
- PHAME Academy
- NW Portland Ministries
- Beatrice M. Brantman, Inc.
- Oregon Developmental Disabilities Council
- Multicultural Resource Center PSU

- Oregon Advocacy Center
- Epilepsy Association of Oregon
- University of Portland
- State Service For Autism
- American Lung Association
- Epilepsy Association of Oregon
- Cancer Counseling – St. Vincent’s Hospital
- Incight
- Letty Owings Center/Addictions Recovery Association
- Independent Living Resources (ILR)
- The Arc of Oregon
- Commission on Judicial Fitness & Disability
- Independent Living Resources (ILR)
- NorthWest Down Syndrome Association (NWDSA)
- American Tinnitus Association
- Disability Rights Oregon
- Oregon Advocacy Center
- David's Harp
- Independent Living Resources (ILR)
- Oregon Lion's Eye and Hearing Foundation
- Sr. Citizens Council of Clackamas County
- Elders in Action
- The Arc of Multnomah-Clackamas
- Mt. Hood Kiwanis Camp
- Portland Habilitation Center
- Mental Health Partners, Inc.
- Fair Housing Council of Oregon
- Oregon Housing and Community Services Department
- Disability Solutions
- Native American Rehab Assoc. of the NW, Inc./ Family Wellness
- Inclusion, Inc.
- Multnomah County Aging & Disability Services
- Our House of Portland
- Portland State University
- Elks Children’s Eye Clinic
- DePaul Treatment Centers

- Tucker-Maxon Oral School
- Disability Advocates Coalition of Clackamas County
- Cascadia Behavioral Healthcare, Inc.
- Oregon Disabilities Commission
- DBA USA
- Portland Community College
- Easter Seals Oregon
- Cascade Aids Project
- Oregon Paralyzed Vets of America
- PHC Northwest
- Tucker-Maxon Oral School
- Metropolitan Family Service
- Christie School
- HIV Day Center
- Portland Association of Retarded Children of Multnomah County
- National Multiple Sclerosis Society
- Metropolitan Family Service
- Exceed Enterprises
- Learning Disability Associations of Oregon
- Brainstormers I (support group)
- Inclusion, Inc.
- Oregon Commission for the Blind
- SPOKES Unlimited
- Oregon Ombudsman Program
- The Underrepresented: Americans with Disabilities
- Oregon Association of Blind
- ASAP Treatment Services
- Mental Health Partners
- Brain Injury Association of Oregon
- NAMI Multnomah



Office of Mayor Charlie Hales
City of Portland

Submitted by
Joe Wahl
10-29-2014

**CITY OF PORTLAND
REQUEST FOR RESUMES AND LETTERS OF INTEREST
TO SERVE AS COMPLIANCE OFFICER AND
COMMUNITY LIAISON**

**UPDATED: APPLICATION DEADLINE EXTENDED
TO MARCH 10, 2014**

I. Introduction

The City of Portland seeks qualifications from experienced individuals able to serve as a Compliance Officer and Community Liaison (COCL) to assess the City's implementation of a Settlement Agreement. The Settlement Agreement strengthens initiatives already begun by the City to ensure that encounters between the City's police officers and persons experiencing mental illness do not result in an unreasonable use of force. The full and sustained implementation of the Agreement is intended to protect the constitutional rights of all members of the community, continuously improve the safety and security of the people of Portland, keep police bureau employees safe, and increase public confidence in the City's police bureau, all in a cost-effective, timely, and collaborative manner. To access information about the Settlement Agreement and the City's implementation to date, please visit the DOJ tab on the Portland Police Bureau's website.

II. Background

In July of 2011, the United States began a 14-month investigation of the City's policing practices. In September of 2012, the United States reported its finding that most uses of force they reviewed were constitutional. But they did find reasonable cause to believe that systemic deficiencies in the City's policy, training, and supervisory oversight mechanisms had resulted in a pattern or practice of police officers using unreasonable force against persons who have or are perceived to have mental illness. The United States sued the City of Portland in United States District Court for the District of Oregon (Case

No. 3:12-cv-2265). The United States and City reached a proposed Settlement Agreement to remedy the identified problems.

On February 18, 2014, U.S. District Judge Michael Simon will conduct a Fairness Hearing to determine whether to accept the Settlement Agreement as a fair, adequate, and reasonable resolution to the problems identified in the complaint. The City will not enter into a contract with the successful applicant unless the Court accepts the Settlement Agreement. To access key documents in the case and information about the Fairness Hearing, please visit the [court's website](#).

III. Scope of Work

The COCL will synthesize data and gather input from the public to create reports about the City's compliance with the Agreement for the City Council, Department of Justice (DOJ), and the public. The COCL is not attached to any one City office, is wholly independent of the police bureau, and shall be responsive to the entire City Council, the public, and DOJ. A detailed description of the COCL's specific duties is set forth in the Agreement at paragraphs 74-77, 85-88, 95, 141-144, 149, 154, 160-169, 173-176.

IV. Period of Performance

The City intends to enter into a professional services contract with the successful applicant; the COCL will not be an employee of the City. The term of the COCL contract will expire once the Settlement Agreement is terminated. The Settlement Agreement will be terminated once the City has substantially complied with all provisions of the Agreement and maintained substantial compliance with all provisions for one year. The United States and the City anticipate that the City will have substantially complied with all provisions of the Agreement no later than October 12, 2017.

V. Funding

The City is prepared to negotiate a contract with the selected applicant, which will not exceed \$240,000 annually.

VI. Work Performed by the City

The Portland Police Bureau (PPB) has assigned a Compliance Coordinator to oversee the action items listed in the Agreement. The Compliance Coordinator will respond to requests from the COCL and service requests for information and data from the City. The COCL will

need to supply their own administrative support for the Community Oversight Advisory Board (COAB), which will be created as part of the duties of the COCL outlined in the Agreement and necessary reporting.

VII. Place of Performance

Services will be performed primarily at the COCL's facility. Periodically, the City may provide temporary work space for specific tasks/work deemed necessary for completion of this project. The COCL must be available for regular in-person contact during the week and on short notice due to the established timelines in the Agreement. Attendance at community meetings, including during the evening and on weekends, may be required.

VIII. Selection Process

The selection process has three distinct phases and is expected to take approximately six months from beginning to end. The City will involve diverse community organizations throughout the process.

Phase 1 consists of a review of submitted materials and an extensive interview process. Phase 1 should be completed by March 2014. **The City requires any community member who participates in Phase 1 activities to keep applicant information strictly confidential.**

Phase 2 consists of the public introduction of three potential candidates and a thirty-day public comment period which is required by the Settlement Agreement. Phase 2 should be completed by April 2014.

Phase 3 involves candidate selection and contract negotiation. The anticipated start date for the COCL is June 2014. Because the City is a public body, records submitted to it are presumed to be subject to public disclosure under Oregon's public records law unless an exemption applies. The City recognizes that disclosure may deter qualified persons from applying if names and applications materials are publicly disclosed during Phase 1. In order to encourage such persons to apply, the City will oblige itself in good faith pursuant to ORS 192.502(4) not to publicly disclose the names and application materials of candidates who do not move on to Phase 2 if they include the following statement on their application materials: **"I am submitting to the City application materials for the COCL position on the condition that they be kept confidential from public disclosure."**

The COCL will hold a position of public trust that demands a high degree of personal integrity. In addition, the COCL may receive information obtained from criminal justice information systems (CJIS) or

may have unescorted access to secure areas, such as police precincts, where CJIS computers are housed. In order to bolster public

trust and comply with federal and state laws regarding CJIS, the City will require applicants to pass a background check prior to being moved to Phase 2.

IX. Submission Requirements

Interested individuals should provide a resume and letter of interest describing: (a) current or recent experience relevant to the tasks described in the Settlement Agreement; (b) how the applicant meets the minimum qualifications; (c) whether the applicant possesses any of the desired qualifications; and (d) other personnel whom the applicant may employ. The resume and letter must not exceed 10-pages having 1-inch margins and 12-point Arial or Verdana font. Applicants must also describe methodology and answer a supplemental question in a document that must not exceed 5-pages having 1-inch margins and 12-point Arial or Verdana font. Submit application materials to cocl@portlandoregon.gov.

The application deadline is Monday, March 10.

Minimum Qualifications: Demonstrated expertise in the following three areas:

- Police practices
- Crisis intervention
- Community engagement

Supplemental Question: Mental illness affects people of every race, sex, age, national origin, socioeconomic status, religion, and sexual orientation. In order to have credibility and trust in all segments of the community, the COCL must have an awareness of and respect for the diversity of people in the Portland community. In addition, the COCL must be or should become well informed about the challenges of persons experiencing mental illness, and the local dynamics surrounding the provision of mental health care and other social services. Describe in detail your knowledge, skills, and background in working with diverse segments of the community, including relevant work with people experiencing mental illness or people in crisis.

Desired Qualifications: Previous experience with several:

1. effectively managing complex projects;
2. law enforcement policies, practice, and data regarding the use of force;
3. service delivery systems for persons experiencing mental illness;
4. engaging the community in public processes and incorporating their feedback into actionable information;
5. appearing in legal proceedings as a judge, monitor, counsel or expert witness;
6. directly managing or overseeing police personnel;
7. engaging community members interested in policing issues;
8. evaluating processes for supervisors and managers who oversee accountability in a large organization;
9. working with people experiencing mental illness and/or other disabilities;
10. working with leaders and/or elected officials in changing the culture and outcomes of a large organization;
11. assessment of compliance with court-enforceable settlement agreements;
12. auditing the performance of large organizations via written reports;
13. collaboration with multiple stakeholders including federal agencies, municipal employees, collective bargaining units, elected officials and community advocates;

Methodology: The methodology for assessing police performance is still at an early stage, and there is no complete set of statistical tools and techniques for measurement and analysis. Based on your review of the Settlement Agreement and your experience, please describe the processes and methodology you would use to review the City's compliance with the Settlement Agreement.

Personnel: Please describe any areas of expertise in which you may want to employ the assistance of others and provide their names and qualifications.