**Citizen Review Committee Meeting**

**08/07/2024**

**DELEGATO:** - Citizen Review Board. Let’s go ahead and get started. I’m going to go around the room here and if everyone can just introduce themselves, name, pronouns, where you’re dialing in from, and maybe just share a little bit about something you’ve enjoyed this summer or something that you’re looking forward to with the last month and a half that we have here. So, I’ll go first. Yume DELEGATO, he/him. I am the current chair of the CRC, dialing in from downtown Portland. And I have a friend that’s getting married in September, so I’m looking forward to taking a little bit of time for that. Why don’t we go Noah, Michael, and Chris.

**TRUESDALE:** Hi, everyone. Noah TRUESDALE, he/him, just a normal board member. I’ve been really, kind of, taken with how much music I’ve been having access to this summer. I’m been to, like, two concerts a week. I was going to see Ween tomorrow, but they canceled. But I’m always overwhelmed by how great the music scene in Portland is.

**WALSH:** I’m Mike WALSH, he/him pronouns, and I’m a CRC member from the border of northeast and north Portland. And I am really looking forward to a vacation on the St. Lawrence river next week.

**PIEKARSKI:** Awesome. I’m Chris PIEKARSKI, CRC member, southeast Portland, he/him pronouns. I had a very exciting July with my wife, thought it was a fantastic kind of year to go to Palm Springs. And so, it was 120 during the day and 90 degrees in the morning, when I go out to try to get my walk in before it got too hot, and that was - a good thing was, I was forced to stay inside and take lots of naps because there was just nothing else to do. So, I got good sleep.

**DELEGATO:** Chris, I was just in Vegas, and it was about the same. I think we only got up to 110, but better than you, but not my much.

**PIEKARSKI:** Amateur.

**DELEGATO:** All right. Well, why don’t we go with Nate, and Kiera, and then Ross.

**HOLTON:** Nate HOLTON, he/him pronouns, coming from southeast Portland. And my family and I went to Lost Lake for a few days earlier this summer, and it is my happy place.

**CALDWELL:** Is that Kiera next, Yume?

**DELEGATO:** Yeah

**PAPPAS:** Hey. This is Kyra. I am in East County. And over the summer, actually got to relax a little bit more than I normally do, and so, just looking forward to enjoying the nice weather here the last month before we get back into the swing of things.

**CALDWELL:** Hey, everybody. Ross CALDWELL, he/him pronouns. IPR. This time of year, I’m just looking forward to a cooling down. So, like, there’s pre-season football games starting, which means fall is around the corner, so pretty much just thinking about that. I was going to say, before today I probably would have said that I’m grateful we haven’t really got a lot of smoke around here, although I know there’s been a ton of fires in California, but it looks pretty hazy out there, so can’t say that.

**DELEGATO:** We spoke a little too soon on that one, Ross.

**CALDWELL:** Yeah.

**DELEGATO:** All right. Greg, I think you might have missed the introduction here, but we’re just going around the room and name, where you’re from, and maybe something that you’re enjoying or looking forward to this summer. So, we’ll go Greg, David, and Lisa.

**GRIFFIN:** Hey, everyone Greg GRIFFIN here, north Portland. CRC member. Something I’m looking forward to? A cool day, just a really cool day. I just really want some coolness here, and I can’t take the over 90 degrees, just, it makes my skin crawl.

**NGUYEN:** Hi, everyone. My name’s Davide NGUYEN. He/him pronouns. I work for IPR. And one thing I look forward to is the college football season. So, I’m a huge Oregon Ducks football fan, so.

**ROGERS:** Was I next? Okay. Hi, everyone. My name’s Lisa ROGERS. I’m a Deputy City Attorney. I use she/her pronouns. I’m here tonight to support and answer questions, to the extent that you have any, about the Nominating Committee, and that process. And I already took my big vacation for the summer, so that’s kind of behind me. But unlike all of you, I love the hot weather. So, I’m not looking forward to that leaving, but for my vacation I did get to go to Virginia, so I got plenty of it this summer.

**DELEGATO:** Thanks, Lisa. All right. Well, let’s get started here. David, is the chat open for participants to go ahead and introduce themselves?

**NGUYEN:** Yeah. Let me enable that.

**DELEGATO:** Okay. So, I think we have five people in the audience this evening. Feel free to go ahead and introduce yourself in the chat if you’d like. We’ve got a decent agenda for us tonight. I think, first off, we have the set of minutes to approve from the May 1st meeting, so hopefully everyone has had a chance to review those. We can go ahead and approve them. David, I do have just a couple of notes, technical edits, my name. I will put the correct spelling in the chat.

**NGUYEN:** Okay.

**DELEGATO:** And I think we’re using the - we might be using a template for this, the interview transcript template, so we might want to take that header out.

**NGUYEN:** Okay.

**DELEGATO:** But aside from that, I think we’re good to go.

**NGUYEN:** Yep. I can change it.

**DELEGATO:** Anyone else have any changes or corrections that they needed to make to the minutes? Okay. Hearing none, I would accept a motion to approve.

**WALSH:** So moved. Approve the minutes.

**GRIFFIN:** Seconded.

**DELEGATO:** All right. So, that was Mike and Greg, I believe.

**PIEKARSKI:** Yes.

**DELEGATO:** Just make a note here. All right. And I’m going to try and do a new thing here, and just go alphabetical to keep things easy for people. So, let’s start with Yume DELGATO, I vote aye. Greg?

**GRIFFIN:** Aye.

**DELEGATO:** Nate.

**HOLTON:** Aye.

**DELEGATO:** Kyra.

**PAPPAS:** Aye.

**DELEGATO:** Chris?

**PIEKARSKI:** Aye.

**DELEGATO:** Noah?

**TRUESDALE:** Aye.

**DELEGATO:** And Mike?

**WALSH:** Aye.

**DELEGATO:** Okay. So, that is seven in favor and no nays or abstentions. All right. Next up, I think we have the Director’s report. So, Ross, I will turn it over to you.

**CALDWELL:** Thank you. Yeah, just a handful of little updates to give you. There’s a lot going on at the city right now, a lot going on around the settlement agreement. First thing I would just mention is the bodycam rollout, so that is - that’s happening. We are kind of working out some of the kinks, as far as how we review video, how we make sure that everything is properly saved in our files, as far as links to videos and things like that. As you can all imagine, especially those of you have done a lot of ERBs (ph) having bodycams on, administrative investigations is a sea change. And so, it’s a lot of information to make sure that we are kind of bringing in appropriately, and analyzing. And in some ways, it has the potential to probably save some time in administrative investigations, in other ways it makes them much, much longer. So, a lot of implementation issues to work through there, but overall I’d say things are going really well. The Bureau actually kind of managed to hit their timeline. When they said summer, I kind of thought, okay, that might be fall, but it actually is happening in the summer, and that’s really great, and something that’s been long overdue. So, that’s a big thing for us. There is - we had a meeting a couple of weeks ago, with the new monitor on the settlement agreement, and one of things we asked him in that meeting is if he would be willing to come to one of your meetings and just kind of a - you know, answer questions, introduce himself and maybe members of his team. He said he would be happy to do that. So, I think, anytime in the next few months, depending on if we get an appeal or not, something like that, he will probably come to one of the next meetings, maybe bring some of his team members. So, we’ll work on setting that up with Yume and Greg. And then, I think the last thing I have kind of related to this is, as most of you probably all know, there’s a fairness hearing on the 29th, and that is to get Judge Simon’s okay to change the settlement agreement, specifically the accountability section, so that that will enable the city to move forward and get the new accountability system up and running. So, that’s something we’re very interested in, and hoping everything goes well on the 29th, so that continues to move forward. So, I think the city was kind of spending a lot of time on bodycam stuff, and then spending a lot of time on the monitor, and now there’s a lot of energy going into the new accountability system, which is great for us. So, I think that’s pretty much - that obviously ties into what you’re going to talk about tonight, with the nominating committee, so I don’t think I really need anything else there. Oh, sorry, one more thing I said I would mention. We need a couple of people to get back to David on background check issues and also on reimbursement issues. So, if you’ve got an email from David, or if you get an email from David soon, please just find some time to reach out to him. If not, we’ll try to give you a call and get you on the phone. We just have a couple outstanding little housekeeping things we need to get done. Other than that, I think those are kind of our big updates. We’ve got the Director’s report there. Let me know if any of you have questions about that, and I think that’s all I have.

**DELEGATO:** Thanks, Ross. I’ll open it up to questions. I actually have one. I think we talked about this one a few months back, but there’s one case out there that’s just skewing your averages there, right, the one that’s 700 days plus. Is that stuck in, like, PRB (ph) land, or is -

**CALDWELL:** I think that’s probably the Fairground 192 (ph).

**DELEGATO:** Okay.

**CALDWELL:** So, yeah, those are - that’s something that we - it had a start date, kind of an official start date, but that’s not something we actually had the capacity to work on for a very, very long time until we were able to hire more investigators, and things like that. So, yeah, something like that, I mean, we don’t want to take it out of the report, but it’s kind of an asterisk.

**DELEGATO:** Kind of an outlier, okay.

**CALDWELL:** Yeah.

**DELEGATO:** Anyone else have any questions for Ross on the Director’s report? All right, then. Well, moving into the Chair’s report, here. I think most of what I have to report back on, we’re going to have an opportunity to discuss here in a few minutes. I did have an opportunity to go on kind of my refresher ride along. So, a little vague in the guideline as to whether or not we have to do one every three years, but I think it’s a good idea to make sure that we’re keeping current on our training things. Obviously, for those of you who are getting onboarded, make sure that you’re keeping in touch with David. And I know we’ve got some PRBs coming up, so we appreciate everyone being prepared for that. But yeah, back to the training piece. I had an opportunity to go on a ride along with a supervisor. That was something I’d asked the Training Division, so I want to thank the Training Division and East Precinct for making that happen. It was a real interesting perspective into some of the supervisory issues that we see. A lot of times, most ride alongs are with the rank and file patrol officers. So, that was an interesting perspective. Training has been the theme of CRC all summer. So, for those people in the audience, obviously, we took a couple months off for June and July, partially as part of, sort of, our normal summer break, but also because our new members have been going through a lot of trainings and we needed to claw back some of that time so that they could do their required onboarding training, which I think is wrapping up. So, appreciate the public’s understanding on that and appreciate all of you for doing those trainings. As Ross mentioned, we will be talking tonight about the transition process. Appreciate Lisa for being here as well. We are hopefully coming to at least nearing the beginning of the end, here, for that process. And to that end, Greg and I will also be - the meeting’s scheduled with the Mayor, I think, at the end of this week. So, hopefully, we’ll have something to report back at the next meeting. So, that’s the Chair’s report, but that really does just tie in directly to the discussion about the transition report and nominating representatives to the Nominating Committee for the new Community Oversight Board. So, as Ross mentioned, just to frame this and give a little bit of background here, the Community Police Oversight Board proposal and the updated code language was released, I believe, in July. I’m losing track of time, here. There was a public meeting on that with the City Attorney’s Office, and with Stephanie HOWARD from the Mayor’s office. That is going to a fairness hearing, and once that happens we’re going to move ever closer to actually implementing that system. The first step of that will be for people to apply to be on the new board and for a nominating committee to vet those applications and make recommendations to City Council as to who to appoint to that first board. I believe - Lisa, you can correct me if I’m wrong - that nominating committee will also be responsible for vetting the first director of the office of police accountability. I apologize, I’m blanking on the acronyms tonight. So, as part of the current proposed code package, the Citizen Review Committee, or members - representatives from the Citizen Review Committee will have two seats on that nominating committee. I believe it’s different once a committee is seated, but right now we don’t have an exit committee or an exit board, so we’re filling in those positions. So, at tonight’s meeting, we’re going to ask people to put their names forward if they want to be on the Nominating Committee. That’s going to be alongside representatives from the counsel offices, representatives from the chief’s office, from the Portland Police Association and from the - I always get this wrong, but I believe it’s the Portland Police Commanding Officers Association. So, PPA and PCOA. And that work will take place presumably this fall, assuming everything is approved by DOJ and City Council. So, there are a number of ways that people can continue their service to the CRC and to the city. One is just being a CRC member and continuing to fill out your term, which is what I hope everyone will do, and we appreciate. But for people who want to go further, there are opportunities for further service. So, our understanding, looking at the code - and, again, Lisa, I will just give you carte blanche to jump in and interrupt me if I get something wrong. Some of you may choose to be on the - or, to apply for the new board. Obviously, that’s not a guarantee, right? You will have your application go up before the Nominating Committee. But, to our understanding, there’s nothing currently that would preclude people from doing service. So, being on the final CRC and also being a founding member of the new Community Oversight Board. We are going to need other people. We’re going to need at least two volunteers, and potentially one or two alternates, depending on levels of interest, to serve on the nominating committee. That is going to be a lot shorter commitment, obviously, but we anticipate that will be probably kind of a fast and heavy lift in the fall or in the winter. So, once this thing gets approved, we have to get that board appointed pretty quickly so that they can start moving into the transition phase. So, definitely an opportunity for service, definitely something that - it’s not going to be forever, but it will be something that you’re going to have to make a little bit of time commitment and make sure that you can make yourself available for that. So, they’re both good opportunities if you want to be involved in that sort of process or transition. Being candid, I will say that my intent, at least at this juncture, is probably to volunteer or offer myself as potentially one of those people on the nominating committee. I think my goal is to make sure that this transition goes smoothly, and then what may be a new generation take over starting the new process with the new board, at least for a while. Going to tak a year or two off after all this. So, before we get into actual nominations, I want to open up the floor, see if anyone has any, you know, general questions about that process. Obviously, that’s why we’ve asked Lisa to be here with us this evening, if there’s any sort of technical questions about what comes next. We want to make sure people understand what’s going on and what kind of commitment. Obviously, if you are thinking about applying for the new oversight committee, or the new oversight board, you do not need to make that decision tonight. I think it is only, sort of, a factor for someone who wants to be on the nominating committee. Obviously, you can’t review your own nomination. So, also, you know, if that changes, that’s why we’re going to ask for alternates. If someone, you know, wants to be on the nominating committee, and then they say, you know what, after thinking about it, I really feel like I’m called to apply for the new oversight board, you could potentially drop off before the review process starts and make your application. So, don’t feel like you are committing yourself for all time and eternity, but definitely the intent is to, you know, maybe kind of pick a lane. So, I’ll open it up for questions. Noah, why don’t you go first.

**TRUESDALE:** So, kind of that notion of juggling alternates versus, like, members of the nominating committee, I know they’re - I’m more interested in working with the nominating committee than serving on the actual board, but I know there’s a lot of - there are a lot of people in, like, my work life, professional, and personal life who have expressed interest in applying for the board. Would those alternates stay on to kind of edge out the, like, clear conflict of interest that would serve if I was on the nominating committee, like, reviewing the application of, like, a coworker or a friend? Because I want to make sure that does not happen that, like, there’s, like, a clear conflict of interest for that.

**DELEGATO:** Sure. I think I might - Lisa, if you don’t mind, I might ask you to speak to that. Obviously, the fact that CRC members are going to be on the nominating committee means that, like, there’s not going to be a complete veil of ignorance about some of the people in the community who are applying for this new board, but I feel like the City Attorney could probably answer that question better than I can, or give better guidance than I could.

**ROGERS:** Yeah. I don’t think that it would be a conflict of interest, automatically, just to be familiar with a particular applicant whose application you’re reviewing. I think that if you had an extremely close relationship with a particular individual, such that you didn’t think that you could have - or, maybe you’ve had a negative relationship with them in the past, right, that you didn’t feel like you could have a sort of neutral review or be able to give their application a fair review, then you might need to - you’d likely be advised to disclose that and you might need to recuse yourself from reviewing that particular applicant. But in terms of a kind of full-blown conflict of interest, such that you couldn’t even serve on the nominating committee, I don’t think that that would be a concern.

**TRUESDALE:** Okay. Yeah. I was more concerned about the mechanics of, like, an individual person, but that’s helpful information. Thank you.

**DELEGATO:** Lisa, I know that we had sort of chatted about this at the last information session. I think I chatted with Heidi about it. But is the intent that this will be strictly scoring related, where you’re just scoring an application, or are we assuming that, probably, there will be some sort of end bank review with the other members of the nominating committee?

**ROGERS:** You know, the code is silent as to the exact form or protocols that the nominating committee will use to complete their review. So, to me, that means that the nominating committee is going to be able to decide - once this process starts moving, part of their initial work is going to be to decide how they want to complete that review and how they want to - what sort of protocols they want to put in place for reviewing applications, maybe there might be an interview process, and how they want to get to the point where they’re putting forth a slate of board members to council.

**DELEGATO:** Okay. Thank you.

**ROGERS:** And Chair DELEGATO, also, you had mentioned that the nominating committee would be reviewing the director applications, and I took a direct review of the code and that’s accurate. The one distinction is that for board members, the nominating committee is making - you know, they’re recommending appointments to council, whereas, for the director position, you’re recommending candidates to the board.

**DELEGATO:** Okay. Lisa, can I ask a follow up question, and it’s okay if the answer is we don’t know, we need to get back to you. So, the initial committee that CRC is going to have to staff will impanel the first community oversight board. Will we then swap out our seats before the director is nominated, or is the goal for us to stay on long enough to make a recommendation to the newly seated board?

**ROGERS:** That is an interesting question. The code doesn’t contain that level of detail, from my review. And so, let me get back to you on that answer.

**DELEGATO:** And I know there are people in the audience who have opinions of this, so I’m sure that you can avail yourself and make those known to the City Attorney’s office or in public comment this evening, if you have a preference either way. But that’s something to keep in mind, is that this first panel may need to stay impaneled for a little bit longer, just past seating the first board. But Noah, to your question, I think that means, you know, depending on what the board decides how the nominating committee - I want to draw that distinction, not the board - how the nominating committee decides to handle that process. Obviously, it’s a good opportunity to make sure that if you do have, you know, a casual relationship with someone, that you can bring that forward, right? So, like, if - you know, if Lisa decides to apply for the new board, I would say, hey, you know, Lisa and I know each other from our time working on the CRC and the PAC, and I don’t feel like that impedes my judgment, to make a discussion about her application. But, you know, putting it out there, that way there’s no concern on that front.

**TRUESDALE:** Yeah. I just wanted to make sure it was beyond reproach, in terms of - so, thank you. That’s -

**DELEGATO:** Always a good question, and always a good thing to be careful about, I’m sure. Any other questions? Anyone else have a question for - about the process, or for Lisa specifically? No? Hearing none, I think what I’m going to do is - so, like I said, I’ve expressed interest, Noah has now expressed interest. I’m going to kind of open up the floor, if people are interested in being on the nominating committee, this would be a good time to maybe state that. And then, depending on how many candidates we have, or how many expressions of interest, we can decide a way forward. Chris?

**PIEKARSKI:** And I’m sorry, what was the number of people to be on the nominating committee?

**DELEGATO:** So, there are two seats. And all this is TBD because it hasn’t been approved by council or DOJ yet, but what has been proposed and what is substantively similar to what City Council already passed last year is two seats. So, I’d like to have two people that are primary, and then one or two people that perhaps could be alternates. Lisa?

**ROGERS:** Yeah. Just a slight clarification, which is that DOJ - the city and DOJ are putting forth, jointly, these proposed amendments. So, I think you had said that DOJ hadn’t approved, but that they are joining the city in putting for the amendments. It is the court and council who we still need to have (inaudible - 00:27:35).

**DELEGATO:** Good to get clarification. So, Judge Simon will be, you know, obviously weighting in on this as part of the fairness hearing. All right. So, I’m going to leave it open. Nate.

**HOLTON:** I would be interested in the nominating committee. And knowing that I am, you know, tied for the least senior person in this group, I’d be happy to take an alternative spot if that’s available.

**DELEGATO:** Okay.

**TRUESDALE:** I’m also happy to take the alternative spot, if you want, Nate. I just want to be helpful.

**DELEGATO:** All right. Well, thank you both. We might be in a weird spot of having to figure out who wants to be an alternate. I do not, so I can say that much. I will open the floor to everyone else here. So, Mike, Greg, Kyra, Chris, based on what Nate and Noah have said, do any of you have an interest in being on the nominating committee? Not on the board, but on the nominating committee?

**GRIFFIN:** Not at this time.

**PIEKARSKI:** I’d be open to an alternat position if an alternate was needed, but I’m not interested in being a direct nominee.

**DELEGATO:** Okay.

**WALSH:** Yeah. I’m not interested in the nominating committee, I’m more interested in the board, itself, the Police Oversight Board itself, applying for it.

**DELEGATO:** All right. And Kyra?

**PAPPAS:** Let me think a little bit about it, and see what’s going on, and look at the time - more about the time requirements for it. And I apologize, I’m having - I normally don’t say if I’m having tech issues, but I’m having, like, massive tech issues right now, so.

**DELEGATO:** All right. well, you’ll have plenty of time to decide if you want to be on the new community board. I think we might move forward with nominating - or, choosing our designees for the nominating committee. So, Chris, based on what you said, I’m going to say that it sounds like maybe you would like to be our second alternate, and then we just need to decide who wants to be our second primary person and our first alternate. So, we can definitely call a vote on that, or, Nate and Noah, if you want to decide that amongst yourselves -

**TRUESDALE:** I’ll defer to Nate on that. I’m happy to be the alternate. Like I said, I just want to be helpful. That seems just easy to do. We can move on to more pressing work. It’s cool.

**PIEKARSKI:** On that date, if I nominate Yume, and then Nate would be our nominating committee designees, and then Noah as first alternate, myself as second alternate.

**DELEGATO:** Okay. I’ll second that. Lisa, would you like us to take a formal vote on this or does it just need to be your consensus?

**ROGERS:** I think you should follow the rules for voting that you typically would follow, to make decisions.

**DELEGATO:** Okay.

**ROGERS:** And apologies, this is my first CRC meeting, so I’m not sure what those are.

**DELEGATO:** Well, welcome. I guess I’m just too used to seeing you at police accountability functions in the past, but good to see you in this context. All right. Well, since Chris put it forth as a motion, and I seconded, why don’t we just go ahead and vote. So, let me pull up the roll here, and -

**SPEAKER:** Can you just repeat it again real quick? I think I understood it, but I want to make sure I got it, the motion.

**DELEGATO:** Absolutely. So, would someone chime in if I got this wrong, here, but Nate HOLTON and myself will be on - the two designees to the nominating committee, Noah TRUESDALE will be our first alternate, and Chris PIEKARSKI will be our second alternate. Did I get that right? Okay.

**SPEAKER:** Yes.

**WALSH:** Thank you.

**DELEGATO:** Perfect. Any questions before we move to voting? David, point of order. Do we need to - if this is a vote of the CRC, do we need to open it up to public comment?

**NGUYEN:** Sure, if you want to.

**DELEGATO:** Okay.

**NGUYEN:** It’s up to you.

**DELEGATO:** All right. Just, again, as I say, Cesar above reproach, and whatnot. We will go ahead and open up to public comment. So, if anyone in the audience would like to make a comment on this panel, please raise your hand and we will - and I am assuming that’s you.

**HADELMAN:** Yeah. This is Dan HADELMAN (ph), this is my phone. Hi, Dan HADELMAN, he/him pronouns, supporting Cop Watch. My comment isn’t on the specific people you’re nominating, but more the process you outlined, that it was indicated there’d be more time to think about whether you want to be on the new board than whether you want to be on the nominating committee. But, in fact, the nominating committee won’t be needed until the applications are actually handed in. So, it actually seems like you’d have about the same amount of time to make a decision. But I think it’s good that you’re voting tonight. You can always change up who you have nominated later on. But that was just a point I wanted to make. Thank you.

**DELEGATO:** All right. Thanks, Dan. I think that’s a fair point. If anyone changes their mind and feels strongly that they don’t want to be on the nominating committee, that’s why we have alternates, we have someone, if so moved in the future, that they feel like they would like to be on the nominating committee and maybe did not have enough time to think about it, please let me know and we can have that conversation. Sameer Kanal (ph), I see that you are also in the audience and you have your hand raised. Let me - there you go.

**KANAL:** Yeah, hi. This is Sameer Kanal, I was the Police Accountability Commission’s Project Manager, and I’ve been following along with this process, subsequently. I have no particular comments on your decision, process, or the folks you pick, but I just wanted to say thank you to everyone who is involved in any capacity in this process, because it’s going to be really important to ensure that it starts off really well, and that includes, obviously, the CRC members who may be serving, anyone who may apply for it, and the folks who support it, including, like, Lisa, for example, out of the City Attorney’s office. So, just wanted to say thanks and make sure that I’m - it’s expressed that it’s good that the CRC is putting as much emphasis on this and time into it as you are. Thanks.

**DELEGATO:** Thanks, Sameer. Obviously, we appreciate Community Safety Division’s work in getting this packaged, put together, and also in helping us with our staffing. So, the fact that we have people who can volunteer for this work is largely thanks to the hard work of IPR and CSD, so thank you all. All right. I don’t see any other hands raised for public comment, so I will go ahead and call the roll. All of our B last names are out today. So, Yume DELEGATO, I vote aye. Greg?

**GRIFFIN:** Aye.

**DELEGATO:** Nate.

**HOLTON:** Aye.

**DELEGATO:** Kyra.

**PAPPAS:** Aye.

**DELEGATO:** Chris?

**PIEKARSKI:** Aye.

**DELEGATO:** Noah?

**TRUESDALE:** Aye.

**DELEGATO:** And Mike?

**WALSH:** Aye.

**DELEGATO:** All right, perfect. So, awesome. All right. So, thank you to everyone who’s volunteered for our nominating committee, or for an alternate role. We will be in touch or, actually, Lisa and company will be in touch when the time comes, and we need to get started with that process. For the rest of you, as Dan pointed out, we do have some time for anyone to think about whether or not they decide they want to be - or, make an application to the new oversight board. And I think some of - I’m sure some people will like the opportunity to take a well-deserved rest, especially some of our class of 2021 may feel like their time has been served. But it’s definitely a good opportunity for anyone who’s interested, to take the, you know, experience that you’ve gained here on the CRC and apply that to the new board. They’re going to need voices, people with lived experience of what it’s like to be on the other side of this process. So, it’s definitely a good opportunity. It’s one I definitely thought about, but I feel like my efforts need to be directed here, to making sure that we can finish strong. So, thank you to all of you, again, for your continued service. That takes care of new business, I believe. David, I don’t think I saw anything on the new business list. Why don’t we move into reports from the work groups. So, Mike, did you have - oh, Lisa, you have your hand up.

**ROGERS:** Apologies. Yes. I just was going to excuse myself, and thank you all for your time this evening and for all of you who volunteered to continue serving towards forming this first board.

**DELEGATO:** All right.

**ROGERS:** Thank you.

**DELEGATO:** Thanks, Lisa. All right. Well, thank you, Lisa, for being here. And, Mike, why don’t we move into work group updates.

**WALSH:** Okay. Yeah. I’m Mike WALSH again, he/his/him pronouns. And so, we had a transition work group meeting August 1st, and we discussed the public meeting about the code revisions. And I wanted to just kind of bring up, I think I have six points or thoughts I want to bring here. The point of our discussion was to first of all talk about what we heard, and then to discuss if there were points that we thought might be useful for the CRC to consider to put into some kind of communication to the city, about our perspective on what we learned about, in terms of the language in the clean copy that we got. So, I’m going to just go ahead and do that. The first thing is just a general statement that - it’s kind of obvious, but the CRC obviously has a stake in the transition. And it’s a big part of why we have a work group, but I guess it’s important, I think, just to kind of get there, as a matter of record, that we have a stake, but we also have expertise, too, so we want to put that out there. So, some of the topics that came up that I wanted to put out here for conversation are starting with the language about bias with respect to - members came up. And if you were at the meeting about the document about the code language, that was obviously a huge part of the conversation, and so, no surprises that came up with our work group as well. And we had some discussion about it. We didn’t - the point of it wasn’t to necessarily come up with what the change would be, but the general consensus was that a change might be useful, especially to define what bias means. And so, that’s a - that could be a point of conversation for us tonight, to talk about that, would that be a useful thing for us to bring up and either agree on or not agree on, and then send to the city as part of a memo or some kind of document that provides guidance from us. And let me just say that those who were there at the transition work group, my notes - because when I’m facilitating, I can’t take great notes. So, David and anybody else who was there, who might have been taking notes, please fill in any blanks that I have here, so. The next one I wanted to bring up was, the requirement for a ride along came up as a potential issue of concern and something I thought we ought to, as the CRC, consider and discuss, and then, discuss - if we decided that that might not be, you know, appropriate, based on some obvious issues about people feeling uncomfortable doing ride alongs, then maybe we could talk about alternative trainings. So, that came up as well. And the third one I wanted to bring up was relating to the nominating committee itself. Some questions came up about majority versus consensus. I think the language in the code is consensus, and - or, maybe I have this backwards, but I think it’s - the language is about consensus, it may make more sense to have majority. And then, a provision for a tie breaker was brought up as an issue of concern that we might want to discuss. And the fourth one was the importance of recruitment and having a strategy for recruitment, to maintain or, you know, make sure of diversity of membership. And the last one I want to bring up is that we know that there isn’t really, as far as we can see, a project manager for this whole transition and, you know, we can’t necessarily be relied on, as a committee, to be a project manager. So, one of the thoughts was to recommend that there be a project manager or, if there is one, to make sure that that person is really clearly identified, for us to be able to interact with. Okay, those on the work group. So, I think I listed five points, the first one was about us having a stake, but then there were five points that we might want to consider. Did I miss something that you might want to bring up? And especially, I’m looking at you, David. I think you said you were also going to take notes.

**NGUYEN:** Yeah, you got everything.

**WALSH:** Oh my gosh. Okay. I’m happy to repeat any of those. I know I just kind of put them all out there. So, I guess I’d open it up to discussion. Are those of interest to talk about and, I guess, I don’t know what order we do this in. Do we want to, do we think it’s appropriate and helpful for us to do a communication of some sort?

**TRUESDALE:** Mike, it could be helpful to type those, like, five in the chat.

**WALSH:** Yeah.

**TRUESDALE:** Just, for quick bullet points.

**WALSH:** So, I’ll be typing that, so I may not be facilitating or listening as well because, contrary to popular belief, humans can’t actually multitask. So, I’ll do my best at listening but, Yume, if you can maybe help me with facilitating.

**DELEGATO:** Yeah. So, I think I will just offer a thought, as we kind of work through the ideas that Mike brought forward, here, from the meeting. I think one of the challenges for CRC weighing in on policy issues is just the cadence of how often we meet, and the fact that whatever decisions we make have to be vetted in public session, right? So, we have to do it within the context of this meeting and take a vote if we want to advance, you know, a particular policy edge and/or whatever. Obviously, we can have curiosities that, you know, I can forward on to Ross, and Ross can forward on to the City Attorney’s office or the City Council. That’s also feedback that Greg and I can bring up in our one on ones with the Mayor. So, there are sort of informal sentiments or concerns that we can bring forward, which are a little bit easier to do and, obviously, all of you are welcome to do that as individual members of the CRC. When it comes to making a formal statement, the challenge there is, I know that, you know, there are certain things that maybe are more salient or time sensitive and there are certain things that are not. I do think that, typically, you kind of get one bite at the apple in the sense that, like, if the CRC is going to make the statement or issue a report, I think that is more impactful if we issue one cohesive one as opposed to, you know, making the statement tonight, and then another one next month, et cetera, et cetera, right? There’s only so much bandwidth to track what stakeholder groups are putting forward. So, I think I would open up the floor to members of the CRC if they have, you know, questions for Mike, things that they maybe want to highlight as things that they’re concerned about. I think if we are to put forward a statement tonight, from this meeting, it would have to be pretty concise and, like, have to, you know, kind of flag that pretty quickly. The other thing that we can do is, we can give feedback to the transition committee and ask them to come back to us next month with a proposed statement. Noah?

**TRUESDALE:** Well, I also had - I think Mr. Handelman pointed this out in the work group, that nothing, substantive policy wise, would change before the fairness hearing in August. So, just considering the timeline and what - without looking, in terms of any negotiations, just thinking about that. I just want to flag that.

**WALSH:** Yeah. I think it’s a great point, and it may - that help the order of what we’re doing. Maybe, right now, we just discuss the topics, and I think that’s what Yume’s saying, and you’re saying too, Noah, but we discuss the topics, and then come back later and discuss whether we do something.

**DELEGATO:** Yeah. I don’t want to put my thumb on the scale too much here, but if I were to make a suggestion, it might be that, as a group, we take the next 10 minutes, or so, and just kind of talk about the things that rise to the top for people, and then we can give direction to the transition work group to say, hey, we’d like you to prepare a statement and then bring that back at the September or the October meeting, depending on how long that takes. So, I will open up the floor. I will flag that the next thing I’m going to ask after we do work group updates is if we want to meet in September, because that’s, I think, the day after Labor Day. So, be thinking about that as we discuss this, but I’m going to put myself on mute for a second and open the floor to our CRC members if they want to weigh in about things that rise - that are of concern to them or that they’d like to see maybe delved into further by the transition work group.

**WALSH:** Looks like, Nate, you have hand up.

**HOLTON:** Yeah. And it’s more of a question about the point about bias with respect to members. And I think I know which section you’re referring to in Chapter 35, but just to confirm. Are you looking at F, the restrictions on membership? Is that -

**WALSH:** Yeah, that’s correct.

**HOLTON:** - what that is referencing?

**WALSH:** Yeah. So, I think it’s on Page 12-13, 35B.020. So, the statement is number nine, objective demonstration of bias for or against police. So, the discussion that we had was, bias is hard to - it needs to be - well, argument wise, it could be defined much better, and there is various ways that we came up with possibly defining it.

**TRUESDALE:** I would also add that I think the Boulder Inspector General’s office - Mr. Handleman flagged this - had kind of the issues with using that kind of, like, generalized language, in terms of free speech questions, and then also kind of, like, weeding out members that might have certain opinions, that it’s, like, hard to operationalize, too, it’s kind of a question - and that it’s not necessarily necessary, given, like, later stipulations that you have to execute independent judgment, and that having that bias is already kind of baked into that qualification, or some or, like, the kind of themes that came up in that conversation.

**WALSH:** Another idea that came up was to not necessarily make bias be a qualifying factor for membership, but to use it in terms of the actual hearings that are had. If someone can demonstrate that a person’s bias for or against police was a factor in a decision, that might be a better way to do it. And someone also pointed out that probably, no matter what, that is going to be a basis for people, you know, appealing or, you know, arguing against a particular decision, anyway. So, that may be something we want to think about.

**HOLTON:** I mean, I would say that - not to rehash what your conversation probably was, but I don’t know how that’s defined, and I’d imagine that if someone is aiming to search for bias in someone, for or against police, that they could probably find something that they could attempt to characterize as bias, for pretty much anybody.

**WALSH:** Yeah. I think that was part of the gist of that discussion, yeah. And it is - Mr. Handelman pointed, and it’s also in another section, it’s similar language. Actually, the interesting thing is that the language is different in both sections. One of them says objective something or other, and the other - I think it’s objective demonstration, and then the other one doesn’t - I don’t even think it uses the language of objective. It just says any individual has demonstrated bias for or against. So, those are the two places, the two locations that it comes up. So, you know, we could - the simplest thing we could do is say make sure that language is consistent, but the bigger issue is trying to define what bias means. And we had a short conversation about how that could be defined. For instance, you could use language that you hear in things like civil rights cases, which is, you know, pervasive, persistent, and those kinds of things. So, that was part of the discussion.

**TRUESDALE:** You made the -

**WALSH:** Other thoughts? Go ahead. Other thoughts on that topic, or any of the other ones that were raised? Also, I want to just point at Debbie. I added a couple more in there that she had emailed to me, as well, that I neglected to include. One was sizes for the city regarding the panel sizes for the new board. The current code calls for three board members, CRC has five. So, having three may make it difficult to achieve a desirable level of diversity. And then, the other one - the other panel size you might want to comment on is having 11 for the deadly force cases. Those who have participated in PRBs understand how much time it takes to read. Asking 11 to take on that much work may lead to burnout or other issues.

**DELEGATO:** Thanks, Mike. Russ?

**CALDWELL:** Yeah, sorry. I don’t want to interrupt, but I know, watching the community forum a few weeks ago, it seems like some of these exact same issues were raised -

**DELEGATO:** Yeah.

**CALDWELL:** - and maybe raised by the exact same people. So, I don’t - that just - that seems kind of relevant. I’m assuming this meeting was probably recorded, so if anybody wants to go back and see if it’s just kind of the same people making the same suggestions, as opposed to a wider swath of the community, you know, that might be something relevant if you do decide to, you know, put something in writing, or, you know, if this is going to stay more general than that.

**DELEGATO:** Yeah.

**WALSH:** Yeah. That’s a good point. Thank you.

**DELEGATO:** Yeah. I do think, for the CRC to consider as we talk about, like, what we want the work product to be, is, you know, if there are things that we can uplift or we can add perspective to, I am sensitive to the point that Ross makes about City Attorney and City Council perceived a lot of feedback on this, right, and CRC weighing in on something can carry some weight, but it also sometimes can be helpful to have something to add to that conversation if we are going to exercise that voice. Before we talk about, maybe, any of these other individual items, I think I might - I’m going to go ahead and proffer a suggested work product, Mike -

**WALSH:** Yeah.

**DELEGATO:** - and tell me if it sounds good to you. I think it would be good for this body to give some direction to the work group if there are certain things that we would like to see addressed. I also would charge the work group with coming up with the recommendations they want to bring to this group, right? I would tend to think of that as being something like we did - a much smaller version of what we did for the crowd control report, where -

**WALSH:** Mm-hmm.

**DELEGATO:** - we say these are the things that we’ve identified, and those can be posed as questions or concerns, although I think, you know, the hour is growing late and I’m not sure that council has a lot of bandwidth, you know, to further parse -

**WALSH:** Yeah.

**DELEGATO:** - just a general concern. It can also be a suggested remedy, right? And so, I would probably give that latitude to the work group and say -

**WALSH:** Yeah. That’s good.

**DELEGATO:** - hey - if you say we’re concerned about this, and we have a suggestion on this. But I do think, to Ross’s point, it hopefully should add to the conversation a little bit. I think if we want to do something officially, as the CRC, I mean, we can continue to have these conversations and we can set aside time during a general meeting to have that discussion a little bit more broadly, but I think if we want to actually output a document from the CRC, then my ask to the work group would be to meet as many times as you need, and then come to us with a document that we can redline and vote on. So, you know, we’ve put together this letter, it’s ready to go, there are 10 clauses in it, you know, which ones is the CRC comfortable, you know, voting on?

**WALSH:** Yeah.

**DELEGATO:** So, that would be my recommendation. I don’t know if that’s going to take a month, or two months, or whatever, but that would probably be my recommendation. And it sounds like biases, that was the question that members of this panel are concerned with, and so maybe, you know, we can refer that to the work group. Are there any other things that stand out in what Mike read off, and some of the comments that have been proffered, that members of this body want to sort of refer back to the work group to ponder? We’re not asking them for a specific outcome at this juncture.

**WALSH:** And just to fill out, kind of, the timeline for us, I mean, we wanted to have our discussion, and then bring it here for discussions so that, you know, we could do that output, that work product, to - you know, we want to hear from you all a couple things. First of all, just your thoughts about each of those. And I hadn’t thought of this, actually, until just now, but, you know, are there ones on there that you’re like, just strike it because we’re not going to comment on that? I doubt that we’re going to get to that today, but that’s another thing that might be helpful, to help us narrow it down. Are there any questions about the topics? Especially, I pointed out the ones that Debbie brought up because I didn’t put it in the original list and didn’t describe it as well, probably, but want to make sure that there’s ample time for that as well. So, what I would do is, I would just really welcome emails and comments, because I often recognize people will walk away from a meeting and go, I really wish I had said that. You know, and email me, hopefully you have my email. I don’t know if it would be helpful for me - I could put it in the chat, so I can collect that information. My plan is to probably draft something for the transition work group to look at, based on our original conversation and the feedback we’ve gotten here. And then, we’ll have a meeting, one meeting to start, and we’ll hopefully advertise it enough that we’ll get more people there and have a good discussion there. It might take a - it’s probably going to take two or three meetings to fully discuss and come together with something that we’ll have a consensus on that we can bring back to you all. So, September, unlikely. But Yume, you and I can talk, too. If you think it’s like, we gotta do it by September, you know, we’ll get it done.

**DELEGATO:** No. I think, realistically, as you pointed out, I don’t think there’s going to be any major changes to code between now and when this thing starts to move in. There’s discussions to be had about transition, there are discussions to be had about the administrative roles, and there are things that, you know, the new board will have to consider. And there may be some future members of that -

**WALSH:** Yeah.

**DELEGATO:** - new board in this meeting tonight, we don’t know.

**WALSH:** Right. Yeah.

**DELEGATO:** So, I would encourage you all to take as much time as you need to do this thoughtfully and, to Ross’s point, to continue to think about what we can add and what would be - I don’t want to be pessimistic, but what will be listened to.

**WALSH:** Yeah.

**DELEGATO:** So, whether that takes, you know, a month, or two months, or three months, we will need to continue to monitor this process, and even after we make any recommendations, I think the goal of the transition work group will be to remain an active partner in monitoring of this thing until we gavel us out for the final time.

**WALSH:** Yeah. I agree.

**DELEGATO:** Ross?

**CALDWELL:** Yeah. Sorry to keep butting in. I think I’m kind of agreeing with what Yume said. But, you know, CRC’s going to need to continue to exist for a while. A lot of what you’re talking about here are just city code changes, which are much easier than charter changes. And so, it might be possible that as this thing is getting off the ground, there will be - you know, it’s going to have to be tweaked.

**WALSH:** Yeah.

**CALDWELL:** Something this big, I don’t think anybody ever sticks the landing the first time. So, you know there’s probably going to be iterations of this and, you know, whether you’re on the board, or you just have experience from being on CRC and - you know, there could be future attempts to weigh in, that’ll be, I think, pretty valuable.

**WALSH:** Yeah, that’s a great point. Yeah, exactly, and I think we can frame it that way, you know, that it’s going to - this is a future looking document, for future revisions, you know, as we make the transition, because it’s all about that. And I just think what I’ll definitely do is frame it with the first thing I talked about, which is, you know, that we have a stake in the transition, obviously, and we have certain expertise that might be useful, and that speaks to what Ross and Yume, you’re talking about, in terms of making it an add value kind of thing to whatever we’re doing. So, we’ll use that as kind of, like, the paradigm to create the product itself.

**DELEGATO:** Sounds good. Thank you for leading this work, Mike.

**WALSH:** Yeah. My pleasure.

**DELEGATO:** All right. Moving on. I think we talked about the fact that we don’t necessarily need to have a big update or even any update from every work group every month. I would like to make sure that we’re taking at least some time, quarterly, to hear from our recurring audit work group, but I will open the floor if there are any updates that you all would like to share.

**PAPPAS:** We’re going to be meeting this month, we’re just getting some schedules together, and then we’ll get that out to David so that the public can be notified, and start moving forward with that and help with the transition.

**DELEGATO:** Awesome. Thanks, Kyra. All right. So, moving into, kind of, final business here. I will raise the question. So, our next meeting is - let’s see, here, is scheduled for Wednesday, September 4th. That’s two days after Labor Day. So, just want to sort of check in with folks and see if they’re able to make that meeting. I’m seeing some head nods. Ross and I, as Ross mentioned, have been talking about continuing to have - you know, there are a lot of stakeholders, and there are a lot of projects that are going on right now with the settlement agreement with body cams with, obviously, the transition. So, we will probably continue to try and bring in subject matter experts to engage with this committee, barring appeals or other new business. So, at this juncture, I think, unless people have objections or know they can’t make it, we will plan on having a September meeting. David will probably check in with you closer to when we send out the meeting notification, just to make sure. So, if something comes up, make sure to let us know proactively, if possible, but we’ll plan on that. So, Mike, you have the option to bring us something in September but you’re not under any obligation, take the time that you need. Before we gavel out tonight, I know of some people trying to go to the PSET (ph) meeting that we are - kind of is on the same timeframe. So, I will open it up, though. Any updates from members before we go to public comment? Okay. Going once, going twice. All right. Before we close, I will open it up to public comment. As a reminder, please raise your hand and you will have three minutes to give public comment if you wish to do so. I think we’re down to three members in the audience, so, at most, we’ll be here another nine minutes. All right. Dan, you should be ready to go.

**HADELMAN:** Good evening, again. This is Dan HADELMAN again. So, as somebody who worked on the Police Accountability Commission for 20 months, and saw the city go behind closed doors for half that time, with the Police Association, to discuss the code, and now you’re in a position of trying to make it a statement before August 29, if you want to make a difference, it’s very frustrating. But I would suggest that if you have members who want to go as individuals in the community, and just let the judge know the CRC is looking at the five, or seven, or eight, however many topic areas you have placed on there tonight, I - just so that he knows you’re working on it. You don’t even have to give a position, but you can just say these are things that we’re looking at. I think that would be really powerful. I think that the thing I put in the chat about the changes to the DOJ agreement is that those are going to override any suggestions you have. Like, if you want to change the ride along requirement, it’s probably going to be - they’re probably going to say, oh, but the DOJ requires us to do that. So, somebody’s going to have to make a different - I also posted in the chat a link to a letter from a majority of the PCCEP (ph) members, and it’s pretty strong, about the bias issue. And the gist of it is, there’s plenty of language that’s already in the code that says you have to make neutral decisions. Why do you also have to say you don’t have to have bias? And I think somebody already mentioned that, but - and, you know, you were talking about writing to the city. I was going to say, and you should write to the court too, but it sounds like you’re not going to be doing that tonight. So, like I said, maybe somebody can just make a presentation to Judge Simon, as an individual, just to update him on what the CRC is doing, or you can assign somebody to do that. It also occurred to me, after I made my comment about how the applications are going to be in before the nominating committee has any work, that it’s too bad the City Attorney has left, because the nominating committee should help design the applications, really. I mean, because, otherwise, there’s no community involvement in making those applications. It will be up to the board in the future to see what those applications look like, but the first round’s going to be really important and there needs to be community involvement. So, that’s just another idea. At another meeting, it was mentioned that the Public Safety Division might be staffing the ramp up, and the new charter configuration puts the new oversight board under city operations, which is a different place from the Public Safety Division, particularly because the police bureau is part of the public safety - what is going to be the public safety area of the city. So, I’m hoping that, to be consistent, that some kind of city operations people will be running the ramp up, but I haven’t heard anybody talk about that in any particular, specific way. So, a couple months ago, CRC talked about doing a retreat. Maybe you held off on that until you had your new members. I would like to hear if there’s any update on that. And my ongoing concerns about the presentation of the director’s report are, now there’s a new one, which is, there was no text at all for anything that Director CALDWELL mentioned tonight, for me to follow along with what he was saying, but I tried to write it down. And as usual, there were no questions from the CRC about the use of deadly force cases that are on the report. It’s down to nine. There were -

**SPEAKER:** 10 seconds.

**HADELMAN:** - 17 or 20 of them before, so it’d be helpful to know what happened to all those other cases, if they got processed and had police review boards already. But I’m assuming that’s what happened, but, you know - okay. That’s my time.

**DELEGATO:** Thank you, Dan. I think, Dan, you raised a good question about, you know, some of the implementation questions, and Ross, I hope you will help me remember to pose those questions to the city, in terms of what that transition looks like. That has been, I think, a common theme of what we’ve been asking of the Mayor’s office, of counsel, and of the City Attorney’s office, is just some clarity and thoughtfulness about what comes next, first and foremost staffing, in terms of making sure that they are ready to hit the ground running on this. I think, looking at the budget, there was some sense that maybe they were going to hire somebody. Just being candid, I’m not sure if they’re going to have time to do that if they want to get this done before the end of the year, which I think has been, sort of, the goal. So, we’ll see. I hear you on the - you know, the capacity of CRC to weigh in. I think I will say, candidly, from my own perspective, I’m not speaking for the CRC, but I do not believe that there’s a ton of appetite amongst City Council or other leadership that would be making these decisions, to change that code proposal, and I don’t perceive that there’s a ton of public organized hearing on this. If this is something that the work group wants to bring, you know, a recommendation on, we’ll definitely hear it, but I’m not sure that there’s a lot that we can do, on that front, at this juncture. And we are also going to have to move into, you know, a footing where we are supporting the transition. And so, I think, if there’s thoughtful commentary that we can offer, I want to make sure that we do that. But I don’t want us to make a very quick statement if it’s not something that there’s, you know, appetite or, you know, thorough buy in from the rest of the CRC for. So, I appreciate Mike leading that conversation. As Dan mentioned, anyone is welcome to go to the fairness hearing if they so choose. Mike?

**WALSH:** Yeah, thanks. I appreciate, Mr. HADELMAN, you bringing those items up. And one of the things we discussed, as well, was that some of the recommendations or ideas we have could be just procedure issues. So, code - you know, you could have - the code may not change the language that says bias, but we could provide guidance to the nominating committee on procedures for determining bias. And so, there’s - that could be - it could be as simple as that. So, I just want to kind of put that out there, that all is not lost if we can’t get something done by August 29th.

**DELEGATO:** Thanks, Mike.

**WALSH:** Yep.

**DELEGATO:** All right. Any other public comment? All right. There’s no other public comment and no other feedback from CRC members. We will go ahead and conclude this meeting. It is 6:42. Thank you all for being here. We will see you in September. Have a great August.

**TRUESDALE:** Thank you.

**WALSH:** Thanks, Yume. Thanks everybody.

**PIEKARSKI:** Thanks.