**Citizen Review Committee Meeting**

**09/04/2024**

**DELEGATO:** Good evening. Tonight is Wednesday, September 4th. This is the September meeting of the Citizen Review Committee. I’m the chair, YUME DELEGATO. Let’s get started with introductions, and I think our first item on the agenda is meeting with our new Independent Monitor. So I’m gonna start with CRC members and IPR staff, and then we’ll let the Independent Monitor introduce himself when we get to that part of the presentation. Again, my name is YUME, he/him. I am dialing in from Southwest Portland, or Northwest Portland, actually. I’m sorry. And apologies if you hear the Max Line behind me. Why don’t we go to CHRIS, then MIKE, and JESSICA?

**PIEKARSKI:** Hi, CHRIS PIEKARSKI, he/him pronouns. I’m in Southeast Portland, member of the CRC. Thank you for joining me today.

**WALSH:** Hey everybody, I’m MIKE WALSH, he/him pronouns. I’m a CRC member, and I’m calling in from the border of North and Northeast Portland.

**KATZ:** Good evening, everyone. My name is JESSICA KATZ. I’m a member of the Citizen Review Committee, and I am phoning in from Northeast Portland.

**DELEGATO:**  Wonderful. And Community Members, I don’t think we have too many people with us tonight ,but feel free to introduce yourselves in the chat. Let’s go to BRIAN, NATE HOLTON, and KYRA?

**BUTLER:** Hi everyone. My name is BRIAN BUTLER. I am a CRC Committee member here. I am dialing in from downtown, but I live in the Northeast.

**HOLTON:** Hey everybody, NATE HOLTON, a CRC member from Southeast.

**PAPPAS:** Hey, and I’m KYRA. I’m a CRC member, and I’m from East County.

**DELEGATO:**  Thanks KYRA. I got ahead of myself. ROSS, why don’t you introduce yourself, and then maybe you can introduce our guest this evening?

**CALDWELL:** Yeah, thank you. Hey, everybody. Thank you for being here. ROSS CALDWELL, he/him pronouns, from IPR. And so we have had a few different people drop by these meetings. I think we had the new police chief a while ago, and tonight we are fortunate enough to have MARK in the new Monitor Team. And so I think we’ve talked about this in previous meetings, but let me know if anybody needs more context. The Monitor Team oversees compliance for the settlement agreement. And as I think we’ll talk about maybe with them, and maybe a little later in the meeting, there is lots going on with the Settlement Agreement right now. So we’re very fortunate to have them here and to bring their team. IPR staff got a chance to sit down with several of them. I was gonna say it was a couple days ago, but it’s probably several weeks ago. It’s very hard to tell anymore. So we’re grateful to have them here, appreciate their time. They’ve got a ton of experience in a lot of different directions, and once again, just thank you all for bein’ here and please, ask them lots of questions. MARK, you wanna take off?

**SMITH:** Yeah, happy to. Thank you for the introduction, ROSS. Thanks to YUME and to the entire CRC for having us here. ROSS said it I think as well and accurately as could be said. There’s a lot going on with the Settlement Agreement. We understand that, including just recently, and we’re happy to do our best to talk through and talk about what our role is. But before any of that, I just wanna let you know how much we appreciate being a part of this meeting tonight. Thank you for allowing us to do so. ROSS, thank you for helping us get set up and facilitated. And as much as anything, introductions are valuable to us, and maybe that’s sort of a, I don't know, a junior high-ish thing to say, but it’s actually really true. Being able to let you know who we are and make sure that we’re accessible to you, and to have connections with you for myself and the rest of our team is of value. So let me start off. I’m MARK SMITH, the lead monitor for NPS and Associates, LLC, which is the independent monitoring team, as ROSS indicated, overseeing compliance with the settlement agreement. We will take many more questions, I’m sure, but I’ll do a couple more introductions for our team, and I’m gonna hand it off to Deputy Monitor BRIAN BUCHNER.

**BUCHNER:** Hi, good evening everyone. My name is BRIAN BUCHNER. I’m serving as a Deputy Monitor for the Independent Monitoring Team. In addition to serving this role for the Settlement Agreement, I’m also an Assistant Inspector General with the LAPD’s Office of the Inspector General and have spent most of my career, the vast majority of my career, working in and around civilian oversight and police accountability and reform. Glad to be here. Thank you.

**SMITH:** Okay, thank you, BRIAN. Uh, ANTOINETTE?

**EDWARDS:** Greetings all. My name is ANTOINETTE EDWARDS, and I am home. I’m from Portland. Well, I migrated from the segregated south when I was 7 years old for a better life with my grandparents, and I have been committed for over 50 years to workin’ for social justice and equality for my beloved community. I’ve had the opportunity to work with the County and the City, and my most recent position that I retired from was Director of the Office of Violence Prevention for the City of Portland. And I’m just really hopeful and excited for the opportunity to serve with the Monitoring Team as a Community Engagement Specialist, and I look forward to the work that we all get to do together, so thank you for having us.

**SMITH:** Well, thanks for that ANTOINETTE. We have Dr. SURSUTA SUDULA.

**SUDULA:** Good evening everyone. My name is Dr. SURSUTA SUDULA. I’ll be working primarily on data-related components for the monitorship. I’ve work simply with civilian oversight with various agencies, including the Port Authority of New York, New Jersey, LA PD, Chicago Police, NYPD. I’ve worked in various roles as an auditor, researcher, investigator, analyst. I also have a doctoral degree in criminal justice from John Jay College, and I’ve worked on various publications and presentations related to policing and other areas in political justice, and I look forward to working with you all. Thank you.

**SMITH:** Thanks SUSRUTA. Dr. ROBERT FORNANGO.

**FORNANGO:** Hi, thank you. Yeah, my name’s ROB FORNANGO. I have a PhD in criminology. I’ve spent the last 25-plus years as an active researcher. The first 15 years I spent as an academic researcher in criminology, studying law enforcement interventions and evaluating those, and for various agencies across the country, and then spent the last 10 years also working in healthcare quality improvement, again doing largely program and policy evaluation around Medicare and Medicaid programs for the federal government and for 18 different states across the country. So I’ll be assisting Dr. SUDULA and the rest of the team with the data-related activities for the monitorship, and I thank you everyone for giving us the opportunity to meet with you tonight.

**SMITH:** Thanks ROB. And then I’ll try to wrap up our portion of this so we can get back to your meeting schedule, whatever it might be, quickly. There are a few members of the team who aren’t here tonight. There are nine team members in total at present. The ones who could not be here, one is CHE RAMIREZ (ph). He was former Deputy Mayor over homelessness in the City of Los Angeles, and currently is still an advisor to the Los Angeles City Mayor on homelessness issues, as well as worked in that space in many other capacities, in addition to his jobs with the Mayor. We have VALENCIA THOMAS (ph), who retired from the Los Angeles Police Department just about a year and a half ago, I believe. The thing that I’ll mention about her is that she retired as a Senior Captain over LAPD’s Internal Affairs Division, really monitoring all of their accountability systems with regard to Internal Affairs, a pretty hefty job that I think will be of great value with respect to the monitorship here. We have COREY LOWE (ph), who retired within the last year or so from Albuquerque Police Department. While she was there, for the last six years of her career there, and she ended up as Deputy Chief in Albuquerque, which is a similarly sized city and similarly sized police department to Portland’s Police Bureau, COREY was really in charge the last six years of her career of their accountability with a Consent Decree, which is very much akin to Portland Police Bureaus Settlement Agreement. And so she really did a great job getting them into full compliance, and that’s a very successful story in many ways, as far as their level of compliance after many years under federal oversight. And lastly is RUSSELL BLUME (ph). He is currently the Independent Police Auditor for BART, the Bay Area Rapid Transit System. They have their own police department of about 200 sworn officers and another 100 or so civilians. And they have civilian oversight in the form of an auditor, and I’ve known RUSSELL for well the better part of a decade. We worked together in that same office before I moved on to another job. And so he’s a wonderful oversight professional and a great addition to the team. Lastly, and gosh I’m sorry I’m taking this long, YUME. I realize I didn’t say anything about myself. I can get into more of this later, and if there are questions about myself or the team’s background, or what we combine in terms of our skills, happy to talk about those. If not, that’s okay too.

For me, I spent my career in civilian oversight of law enforcement ever since graduating from law school. This was my first and only career. I worked for the Los Angeles Police Department, Chicago Police Department, the BART Police Department. I also spent some time working as a direct report to the Los Angeles County Sheriff as a Constitutional Policing Advisor, where my job was to spot out issues before they became bigger issues and try to advise how to solve those problems, and LA County at that time was under multiple consent decrees with the federal government, still is under many of those consent decrees. And lastly, my last six and a half years before this monitorship were spent as the Inspector General for the Los Angeles Police Department, again doing civilian oversight of that agency. All right, I said a lot. We went very quickly. We are happy to talk more about our backgrounds, answer questions. Let me stop talking, go back on mute, and turn it back over to our meeting hosts to do whatever you need to do, as far as your agenda goes.

**DELEGATO:**  Well thank you, MARK. First of all, I wanna welcome you and all of your team here this evening. We’re glad to have you here with us. I will just note for, you know - we did not necessarily interact with COCL very often, and sometimes we would find that there were things that we needed to clarify with them or that they needed to clarify with us in terms of their reporting. So I hope that this is the first of many meetings that we have with your team, not the only one by any means. And I also wanna welcome our Vice Chair, GREG GRIFFIN, who was able to join us during your introductions. So welcome, GREG, good to see you here. I think I will just get started by asking I think sort of a framing question here.

Many of our members, or about half of our members are fairly recently appointed, so they may not have had a lot of context around the settlement agreement or the transition from COCL to the Independent Monitor. All of us are new to each other in the sense of this is a new arrangement with the Department of Justice. So I would love it if one or more of you would be willing to maybe give us just a little bit of context about not so much the settlement agreement itself, but where we’re at in that process and maybe how things are going to differ, both from the City’s perspective, and from a certain extent, from CRC’s perspective or from IPR’s perspective between how we dealt with COCL and their very, very long reports, and how we should anticipate dealing with your organization.

**SMITH:** Yeah, thanks YUME. I’ll try to respond to those as best I can. Well first of all, I think one of the big differences from what’s happened in the past is the decision to go to an independent monitoring team. There is a lot of meaning in those words. There’s meaning for me, and I hope that there is meaning for stakeholders throughout this process, including, but not limited to the CRC. I think although it is not impossible to envision a scenario where a compliance with something like a settlement agreement or a consent decree, or whichever terminology you want to use, can happen where you have one of the parties really kind of acting as that monitor, as the DOJ did, it’s not idea, and I think it may have hamstrung some success. And as I imagine people know, the Settlement Agreement in Portland has gone on for an extended period of time. That’s not unusual. One of the things that we didn’t necessarily focus on in our little introductions there is that multiple members of our team, including ones here tonight and others who couldn’t make it, have experience with agencies at various stages of federal oversight. Those agencies that were about to enter into a settlement agreement, agencies that were in the middle of it, sort of like Portland Police Bureau and the City of Portland is, and we have experience working with agencies that have come out of federal oversight, and we have seen what it takes to make sure that there’s no backsliding on those reforms, that the improvements made are lasting and durable.

And so back to your questions, one of the important differences I think is, A, a full recognition of real progress that has been made these 12 years, in our humble opinion, have not gone in vain or have not, you know, been effortless or directionless. There is a lot of movement and progress that has been made, and we recognize as well that the Bureau was really very much in compliance before the events of 2020. And so there’s a lot to be recognized, acknowledged, and understood there. And the fact that around half of the Settlement Agreement has been eliminated. When they decided to come in with an independent monitor, they recognized that roughly half of the paragraphs were in compliance and no longer needed monitoring. Those are all very positive things.

At the same time, the other side of that coin, it’s been 12 years. It’s a long period of time. There needs to be resolution to this. And so there’s a little bit, you know, more work yet to do, a number of paragraphs yet to satisfy to ensure substantial compliance, and the end goal is not just to say, “Yep, we hit this percentage point. We’re gone.” The end goal is to ensure that policing actually has gotten better in these remaining areas, that policing actually is constitutional, respectful, professional, serving the interests and the needs of every aspect of Portland’s diverse communities, that policing in service of the greater community actually is serving the greater community, and all aspects of it. That’s what these paragraphs are aimed at. And there’s a little ways yet to go. And I would like to believe - I don’t wanna put a feather in our cap, we haven’t done much of anything yet. We’re only two months in, so I’m not tryin’ to claim any credit about anything whatsoever. But I would like to believe that an arrangement where there is an independent monitor is gonna be more effective in getting to that finish line. Again, not for the sake of breaking that tape, but for the sake of saying Portland Police Bureau and the City are in a better place in terms of serving the citizens in a productive and constitutional way than they were before those reforms were made. And I think this system is better equipped to do that, and this arrangement’s better equipped to do that.

You mentioned a couple of other things. One is communications with the COCL, and yes, very lengthy and sort of academic, in some ways, reports. We recognize that. It’s not the first time we have heard that feedback, that commentary. And I suppose I have two things to say about it. Number one, I think some of the skills on this team are well designed to recognize that concern and make sure we are communicating in an effective way to multiple audiences. If we write something that is so sort of off in the weeds or hyper-technical in its language that even if things are great in terms of improvement with PPB, and they’re doing things that everyone wants them to be doing, if we don’t communicate it well, well then where’s the general public left? Not in a wonderful place. So that’s our responsibility, to make sure that we are communicating effectively. Part of that is being here at these meetings. I mentioned the importance of introductions. I meant it genuinely. I want us to be accessible to you. In a moment when I get a chance, I’m gonna put into the chat the easiest ways to reach us. We want to be responsive and make sure you can reach us at any time, so I’ll do that in just a moment. But the last thought I had is, we want to hear from you as well. You talked about, you know, what the expectations are about how we’ll communicate. I wanna know how the CRC wants us to communicate, and I wanna be responsive and adaptive to that. I wanna know how other community groups want us to communicate with them. I wanna make sure that we are doing so in a way that makes sense and is meaningful to them, and that includes this group here. And so if there are thoughts about what you’d like to see, things that you thought were challenging in the past that you hope could change, tell us. I want to know those things. I can’t guarantee to you that we’ll be able to meet every single request that we hear. I understand that. But I wanna know what they are, and I wanna strive to meet as many of ‘em as we can within our responsibility. And our responsibility is assessing compliance with that Settlement Agreement and making sure PPB is policing the right way that the agreement calls for.

Okay, that was a lot. If you don’t mind, I just wanna see - and not to put my folks on the spot, but if people do have things that they wanna add, and maybe things that I’ve missed or gaps that I left, I just wanna see if anyonewould like tomake any other comments. And if not, that’s okay too. Good? Okay. We’ll have more opportunity, I’m sure. All right, so let me know if that was at least a somewhat responsive answer to your question, or are there things that you wanted me to focus on more or our team to focus on more? We can certainly do that too.

**DELEGATO:**  Thanks, MARK. I’m gonna throw to ROSS here in a second, but I will say, I think, you know, as we enter sort of this hopefully last phase for the CRC, we are trying to make sure that we are good partners in the community and that we’re sort of modeling some of the behaviors that we can expect the new system of oversight to do. And so without wishing to speak for the whole group as chair, I would say we’d definitely welcome you back periodically. And I am sure that the many, many community advisory organizations within the city will not be shy in telling you how and where and when they want you to speak up, especially our colleagues at PCEP (ph) and some of the other organizations. But ROSS, I’ll throw it to you.

**CALDWELL:** Yeah, thank you. Sorry, I don’t mean to hog the time. I know this is more for CRC to ask questions than for me. But I wanted to ask PAUL a question, or MARK, or just the whole monitor team. I think one of the interesting things about the Settlement Agreement is that in 2019 the city was in substantial compliance. And then 2020 happened and, you know, now obviously out of compliance. There were a bunch of remedies. There have been a lot of changes since then. I guess I’m wondering, how unique is that? Have any of you in your experience with different studies, have you seen something similar where it’s - you know, I don’t have experience in other jurisdictions with this, but it seems like it’s usually kind of trajectory towards substantial compliance, you get there, you get out. And I think one of the things that causes heartburn for especially people in PPB is that they feel like they were there, and then they’re not there anymore, and now we gotta climb this whole mountain again, and we’re never gonna be able to do it, and I’ll be retired before it’s all done. I kinda hear some of those things, as I’m sure you have, so just kind curious if you’ve seen something like or having insight from it, if you have.

**SMITH:** I’ll start us off, but I know that there are other folks who can speak maybe more knowledgably than I can. So a short answer is that in my experience, that reversal based on a very specific response to a horrifically tragic murder is unusual. I haven’t seen that sort of a major change in the trajectory of an agency headed towards compliance with one of these federal oversight, or other types of oversight whether it be federal or state, or another level. What’s not unusual, in my experience, however, is that an agreement gets dragged on longer than expected, and often times for a singular specific reason, or a small set of reasons that can drag on for a lengthy amount of time. One of the paragraphs or sets of paragraphs or main sections in a consent decree in a settlement agreement oftentimes is the hardest one to meet or the one that has the least buy-in or willingness from the city or the police department, or maybe costs the most money, or some combination thereof, and everything else gets a compliance, but the full agreement is not in compliance because of this outstanding area. That I think we have seen multiple times. And that can drag on far longer than what you would imagine was going to be the case for that particular agreement. So it’s unfortunate that happens, but that is not unfamiliar. Let me stop there and see if any of my colleagues who’ve worked at a couple different agencies I know who have dealt with this feel like they wanna chime in.

**FORNANGO:** MARK, I could chime in and say that - and this actually crosses industry boundaries as well. I’ve participated in a settlement agreement that involved a healthcare agency in another state in the country. It was Department of Justice. I was working on the side with the state, and it was similar, exactly the way you described it MARK. You know, we saw a situation where we had a small set of reasons in that agreement that dragged on and actually extended the life of the agreement several years. And so, you know, I agree with you, in terms of saying you can get to a lot of pieces being in compliance, but some of those sticking points that are a little more challenging, those can cause things to move forward. But I have not seen a situation quite like what happened in 2020 with Portland.

**CALDWELL:** Thank you.

**DELEGATO:**  All right. I think we’ll move into some questions from members. Thank you both for those answers. NATE, why don’t we get started with you? Thanks for raising your hand.

**HOLTON:** Yeah, and appreciate the opportunity. So with our current agreement, what would you all anticipate as being the items that are the likeliest to extend the timeline of the agreement? You know, what are gonna be the last things, and why is that the case? Or what are the most challenging items? Or what are the items that are gonna be attracting a disproportionate share of your attention?

**SMITH:** Yeah, two that come to mind for me, and I don’t profess to have a crystal ball, and so certainly could be surprised by things. But two that come to mind for me are the Police Bureau’s Employee Information System that deals with patterns of officer misconduct and trying to identify those and mitigate risk and understand where problems are going to arise based on sort of past behavior and deviations from one officer to the next on how many uses of force they have, how many complaints they have, and I say it for two reasons. One, I think that’s known as a challenging area, in this settlement agreement in particular. And two, the example I was trying to think of for the last question that we were asked, oftentimes that extending factor, maybe not always but oftentimes, at least I think in a couple of instances that I can think of, that extending factor has been whatever the agency’s version of its risk management tool was, its employee system, its EIS, its early warning system, as they’re called in some places. That is often just a sticking point, and I think, you know, it’s gonna be a challenge for us to look at here. And the second one is one that I imagine is familiar to this group, as much as any part of the settlement agreement might be, and it’s the new oversight system. And there are changes with how that’s developing, even as recently as I think last week. ROSS, I lost my sense of time as well. I think it was last week, changes as recently as last week. And I think the development of that system and getting it in a healthy place, because I believe to my core in civilian oversight, again that’s my career. Other members of our team, that’s what we’ve been focused on. So I believe in it as strongly as anyone I know, and so getting that system set up, running, and healthy and actively doing what it’s meant to do is gonna, I think, take some time and effort, and it’ll be a big challenge for the city. Okay, I don’t wanna call on folks and hopefully it won’t be that formal, but I’m wary of being the lone voice in here too much. Anyone else have thoughts? If not, that’s okay.

**FORNANGO:** I would second those same two items, MARK. From my perspective, those are the two probably big sticking points.

**SUDULA:** I think also, just from a data perspective, looking at their systems and seeing, you know, how many reports they have for certain uses of force, for instance, if there’s any more qualitative components that we would have to go through, like reviewing video footage, things like that, it’ll just take more time too, just because of the shear number of things and how in-depth certain (inaudible - 00:27:58) will be data wise.

**DELEGATO:**  All right, thank you for that. And MARK, you can call on anybody you like. I can’t guarantee what that does for your office staff. We have I think just maybe about five or ten minutes left, so I wanna continue to open the floor to our CRC members, if any of you have any questions. I know MARK, you touched a little bit of the transition here, which I think for some of us, we were watching the City Council just about 10 minutes before this meeting, so there’s a lot that continues to go on. But do you see any challenges with the upcoming transition and sort of the timeline there that we should be aware of?

**SMITH:** Oh, tough question. Nothing specific comes to my mind immediately about things that you should be aware of, with regard to the timeline. I’m gonna tell a quick story, and whoever’s got the mute button should feel free to just use it at their discretion and say, “Hey, we’re done listening to this guy.” Just hit mute. That is completely okay, and I won’t take any offense to it. I’ll make it a short story.

I had the great opportunity, and was very grateful for it and proud of it, to establish that oversight office that I mentioned a couple times in BART, the train system for the Bay Area. And they hadn’t had one before, and they decided that they really needed one after the tragic shooting of a young man named OSCAR GRANT on a BART platform New Year’s Day 2009. I was very pleased to be able to set up that oversight system. It was a small office. When I left it there were only three employees. They’ve grown to I think five now under my colleague RUSSELL, who’s not here tonight. But it was a small oversight office, but doing a really important job for an agency that touched parts of five different counties in the bay area. So a lot of people, 500,000 people ride, you know, BART, have a trip on BART every day. And as I was getting there, they had no set-up before. They had no furniture. I had an office, but that was about it, and the computers were kinda needed to get up and running. No employees, no staff. It was starting from scratch. And there was a particular oversight professional in San Diego who I think of maybe not as a mentor, but one of the founding members of the oversight community many decades ago. She was really one of the pioneers, and I have such great respect for her. And I was extremely worried that in setting up this little office, this small oversight system which did have a board not unlike the proposed board that’s coming out for Portland Police Bureau, certainly some major differences, but a community board that needed a nominating committee, needed to set up it’s bylaws, needed to make a lot of structural decisions. All that that we were going through, I was freaking out, to use a common vernacular term with you, a technical term, freaking out, after six, seven, eight months that we were not making more progress. And I got a call from her, and she was just checking in on me, and I told her that I was worried about this. Like we’re not delivering on this promise. There’s a lotta work yet to be done. And she had looked at what had been done so far, and she said, “MARK, you’ve got it all wrong. This stuff takes a ton of time. And if someone doesn’t realize that, whether they be in the government or an elected official, or whoever it might be, that’s on them, they’re misunderstanding. These things take a ton of time to set up correctly. What you’re doing is good. You know, you’re on the right path. You’re making progress. You should feel okay about it. She said, “I’ve seen this.” And she had seen it for decades at that point. This was now decades ago. She had done this work for decades longer than that. The point of the story is, she was extremely encouraging to me and reinforcing that these systems take a long time to get set up, with all the little features and functions and bylaws and nominations and challenges, etc. And so for anyone to think that this is going to happen sort of according to a perfect strict timeline that’s never going to be deviated from, and by X date we will have Product Y, I just don’t think that’s unfortunately a extremely realistic perception based on this industry and the challenges that are faced when setting up an oversight system.

So your question, things to look out for, things to be concerned about. I think there’s gonna need to be a lot of patience. And if it turns out that I’m wrong, wonderful. If it turns out that things move more smoothly and more according to the plans than expected, all the better. But I think everyone who is a stakeholder in this process would be well-served to have patience as the new system is set up. That’s the end of the story. I don't know if you needed that sort of advice from me. It’s not really advice at all. But when I think about where the city is with its set-up of this brand new system, which has new authorities, plus the new form of government coming in, the first reaction that I have is be prepared, it’s going to take time. I thought I was running way behind on this tiny little easy agency, and I was advised no, you’re doing it right, it takes a long time. I don't know, that’s the thought in my head.

**DELEGATO:**  Thank you MARK. And I agree with you. I agree, freaking out is the legal term of BART for police accountability work.

**SMITH:** This isn’t being recorded, right? No, I’m sorry. That was not the greatest way to put it, I apologize, but it’s what came to my mind.

**DELEGATO:**  It is. Well, I mean, I’ve been there, so I know how you feel. MIKE, why don’t you go.

**WALSH:** All right, thanks YUME. Yeah, I appreciate you all bein’ here. It’s wonderful that you’re taking time with us, and it’s what led to my question. What is your and your team’s experience making use of citizen groups like ours in the process, you know, and so, you know, the obvious question after that is how best can we help you help the police get better and do better?

**DELEGATO:**  Yeah, thank you for that. And again, I’m gonna try to see if other voices wanna come in here. ANTOINETTE, you wanna go?

**EDWARDS:** Yes, that was a great question. How can we help each other? I think building on the great work that you have done, and as I read your bios, the diversity of your thought, and just the evolution of CRC, and yet we’re changing. So I think, how can we all work together, is kind of recognizing, acknowledging that kind of common goal and expectation, and how do we hold each other accountable to the commitment that we’ve made, that when go away, the settlement goes away. And I’ve often said, “I live here. What have we done together that we can all be proud of? That this is truly helping PPB to be all that it can be, beyond checking all the boxes?” So I think how do we all - it’s acknowledging all the work. There’s so many community groups, the diversity of those. And I think it’s our opportunity, and especially when I focus on community engagement, reaching out, reaching in and listening, and really responding. And as MARK shared so eloquently, being sure that we’re speaking in a language that folks understand that they can really be involved in the process and feel like this is something that we move together on. And for me, the commitment is that many that have been lost will not be in vain, that I’m honoring that this work is going on and it’s been a great sacrifice, but I’d like to - and reaching out and working with community and groups such as yours, let us know when we’re getting it right, and especially when we’re doin’ it wrong. You know, I guess I would ask, lessons from COCL? What would you want more of or less of? What works for you, and how do we make sure that we have an agreement that we’re moving together with a common goal. So.

**DELEGATO:**  Thank you for that. JESSICA, I think I saw your hand up?

**KATZ:** Yeah, it’s just sort of part to MIKE’S question, which was if - like there’s a lot of collective experience and wisdom here, I’m just curious, where have you seen the oversight be the most functional? And if you could give us a couple of bullet points about what made it so from your vantage point?

**SMITH:** Yeah, wonderful. One of the members on our team - again, a lot of oversight experience, it’s really valuable. In terms of groups like the CRC, by the way, many of these groups are very different and have different aspects to them, but in the groups like the CRC, a lot of our folks have great familiarity working with, helping stand up these groups, and it’s an important part of what we bring to the table. One thing we bring to the table is our Deputy Monitor, BRIAN BUCHNER, who is former president of the National Association for Civilian Oversight of Law Enforcement, or NACOLE. That’s our, the people workin’ this agency, the number one biggest umbrella group that deals with civilian oversight. He has worked with places all around the country that have different forms and different successes, and I’ll shut up and see if BRIAN can offer some thoughts and respond to your question.

**BUCKNER:** Yeah, thanks MARK. It’s a great question, and it’s a very challenging one to answer. Because I think as MARK alluded to, there are hundreds of different models of civilian oversight across the country, and there’s really no exact duplication across any of those different spaces. The oversight models share characteristics, and some of them share authorities and some of them share titles, but they’re all very different. So oversight as a community has been very challenged to define what successful oversight looks like and how it functions. And that’s not me attempting to avoid answering your question, it’s just that it’s something that the oversight community, going back to its roots many, many decades ago in the civil rights movement has really struggled to understand. In one line of thinking, just having a com voice, being able to weigh in and comment on policing and how the community is policed is a success, because there are communities where there is no such formal mechanism or structure. So the existence of oversight at least creates an opportunity for people impacted by policing to be able to raise their thoughts, concerns, objections about policing. So that, I think, is important to acknowledge at the top.

I think one of the other consistent things that we’ve seen where oversight is working well or is effective, again that means different things to different people, is that the oversight model itself is reflective of community needs and priorities, and that whatever, if it’s called the Police Commission or Review Board, a Review Committee, Inspector General’s Office, there’s lots of different names that the oversight entities are called, but if the community had a voice in shaping what that oversight model looked like, were clear on both the powers and authorities of that oversight entity, but also its limitations, what the oversight entity was not authorized or able to do or to accomplish, and that there was an ongoing dialogue between the public, the oversight entity, the law enforcement agency being overseen, elected officials, the different stakeholder groups about whether or not that oversight office was meeting the expectations and is fully living out its authorities as defined by whatever governing doctrine or legislation created it, I think those are the models that tended to be more effective.

Models that operated in obscurity or were sort of opaque in how they worked or weren’t transparent themselves with the public, those are places where you saw less effective oversight, or where the oversight, either the volunteers or the paid full-time professional staff in that oversight office themselves weren’t clear on exactly what their oversight scope or authority were. Those are also places where oversight wasn’t as quite effective. It’s hard, I mean, it really is. It’s a great question, and it’s something that we’ve sort of struggled with for many, many years, and I’m happy to talk, you know, further, maybe not tonight, but certainly as this is a part of an ongoing dialogue with the monitoring team and the CRC and other stakeholders in Portland to dig into more specific models or specific questions that you might have about how oversight works in other places. But to MARK’S earlier point, Portland is going to be going through a major transition in its oversight and accountability structure, and those are very, very challenging moments in a community, and so I think it was sort of sage advice from MARK, who has worked in this field for many, many years in many different places that communication is key, patience is key, as this represents a really, really significant change in the way that oversight works in Portland. And so I think everyone rightly recognizes the complexity that something like that brings.

**KATZ:** Thank you.

**DELEGATO:**  Thank you. All right, well I appreciate all of you being here tonight. I will put one last call for questions out to our CRC members if anyone has a further curiosity, I think now is the opportunity. Please raise your hand and let me know, otherwise again, MARK and team, we want to thank y'all for being here. We’re looking forward to working with you, although hopefully not for too much longer, because you will stay, and at some point we will go away. We’re gonna talk about that later on in this meeting, but I appreciate you takin’ the time. I think, you know, a lot of what we’ve heard tonight is very thoughtful and will serve the city well if we continue to work together to move this process forward, both with the old system, which you’re meeting with tonight, and hopefully with the new system which we hope will be coming soon. So, seeing no other questions from my members, I want to thank you all for being here, and MARK, I will let you have the last word here.

**SMITH:** Thank you. I’ll try to be brief and not derail your meeting any further. Thank you again very much for having us. I did put our group email and my own email in the chat. Please feel free to take it and use it any time you want to reach us and let us know something, whatever that is. We want to listen. And I think lastly, I’ll just say I really wanna echo something that ANTOINETTE spoke to, and she, as usual, spoke to it beautifully. We get excited about this work because our team has a lot of passion for it. We have a lot of passion for good policing and policing reform that serves the citizens the way it ought to. But at the same time, we should never ever be blind to the work that’s been done by multiple stakeholders before, including the CRC and others, and IPR for that matter, I can name many others. We are not blind to that, and we should certainly never be blind to the fact that there have been lives lost when it comes to policing that’s not up to appropriate standard. And we never walk into a situation, this Zoom meeting or any others, not thinking that maybe someone on this call has lost a loved one or had someone suffer a significant injury with regard to police interaction, whatever the circumstances might be. It should never be off of our mindsets that that’s kinda where we’re coming from, in whatever situation we’re in, and you can name other cities too, but certainly in Portland. And so we try to be mindful of that and will try to be mindful of that. Thank you again very much for having us, and please reach out any time that you’d like.

**WALSH:** Thanks MARK and team.

**KATZ:** Thank you.

**DELEGATO:**  Thank you for bein’ here.

**SMITH:** Is it acceptable if we stick around to observe? If not, you can kick us out. But if you’re good with it we’d love to - for those of us who are available, we’d love to stick around.

**DELEGATO:**  Yeah, absolutely. Feel free. All right, now we get into regular business here. So I believe the first item of business, also, NOAH, welcome. Glad you could join us. First item of business is the minutes from, I believe, the August 7th meeting. So before we jump in, any questions on that? Or would someone like to make a motion to approve as submitted?

**PIEKARSKI:** I’ll move to approve the minutes.

**DELEGATO:**  Second?

**GRIFFIN:** I’ll second.

**DELEGATO:**  Okay. CHRIS, you moved? Sorry, I had my camera off. Thank you CHRIS, thank you, GREG. All right, I am just going to go in alphabetic order by last name here. So when I call your name, just please come off and vote. BRIAN BUTLER.

**BUTLER:** Aye.

**DELEGATO:**  All right. YUME DELGATO, aye. GREG GRIFFIN.

**GRIFFIN:** Aye.

**DELEGATO:**  NATE HOLTON.

**HOLTEN:** Aye.

**DELEGATO:**  JESSICA KATZ.

**KATZ:** Abstain.

**DELEGATO:**  Right, thanks for reminding me. Do not believe we have NATE KUHN (ph) with us. All right, KYRA.

**PAPPAS:** Aye.

**DELEGATO:**  CHRIS.

**PIEKARSKI:** Aye.

**DELEGATO:**  NOAH.

**NOAH:** Aye.

**DELEGATO:**  And MIKE.

**WALSH:** Aye.

**DELEGATO:**  All right, perfect. And then, moving on into the Director’s Report, so I believe we actually have both the annual report and the monthly report. ROSS, if you wouldn’t mind just goin’ over both of those with us here?

**CALDWELL:** Sure. And DAVID, do you mind puttin’ a link to the annual report in the chat as well, please? Yeah, so Director’s Report first, and we’ve got all our kind of normal stats in there. The big news from last week from the Fairness Hearing, which I think we’re gonna talk about in a bit so I don’t’ wanna steal anybody’s thunder, but DAVE SIMON did approve amendments to the Settlement Agreement, but he made those effective in January. So that means that it’s gonna be - as I’m sure you’re all aware, there’ve been newspaper articles about this and newspaper articles about the newspaper articles probably. But that means that it won’t be the current city council appointing the nominating committee or the new board, it’ll be the next council. And so I think I’m gonna try to take advice from MARK and be patient. The challenging thing is that we’ve been being patient since 2020, and it’s a challenge for our employees when we don’t know, you know, when we’re gonna be doing different jobs or what those new jobs will be. So we are trying to get those conversations moving.

As we approached this Fairness Hearing, the city, I think, was starting to take that transition, it was becoming kind of top of mind. And so I think we were starting to get some momentum around conversations about, all right, where are our folks gonna work in the future? And we’re gonna try to make sure that those don’t get pushed back and that we continue to have those conversations. I think it’ll be a big reassuring answer to be able to tell our employees that. And you know, that will kind of take the elephant out of the room for us. The thing that we’ve been afraid of the whole time is that there will be a gap in service between the current system and the future system, so that’s what we’re trying to avoid. So we need people to kind of work up until that new system is off the ground, starts taking cases, and then our folks are gonna need to finish their investigations and kinda taper off as that new system is taking on the new things. So it’s gonna be kind of a tricky thing that the city’s gonna have to stick the landing on. So we will give you updates as we know more about that, but it’s now gonna be further away. And I think because the new council’s gonna have some other things to do as soon as they start office than start appointing people to Nominating Committees, I don’t think this is gonna be a setback a month. I think this is gonna be a setback probably a year, at least. So, we’ll see. That was a bit frustrating, but we will kinda continue to move on with it.

Other than that, I think the big thing that we’re working on is really just a continuation of what we talked about last time, which is just implementing body-worn camera video into our investigations. I think there’s kind of a temptation when you haven’t had body cam video to think of, well, we’re just gonna keep doing our investigations and now we’ll have video as well. But it really is such a sea change that all your kinda processes need to be rethought, because we just have so much more information than we’ve had in the past. And those of you who have done a lot of PRBs I think will understand that as you continue to do PRBs, which I’d really encourage you to do, I know there’s kind of a lot of ‘em coming through right now, but again, much appreciate people that sign up for those, and please keep doing them. But as we get far enough along with those, it’ll probably be a few months before we have the body cam video, but it’s gonna be a very different experience I think to review an investigation with a body cam video as opposed to without it. A lot of those will have, you know, maybe some kind of security video, maybe a cell phone video, or somethin’ like that, but having multiple body cam videos to review, it’s a very dramatic change. So we’re tryin’ to implement that all into our processes and make sure that we’re kinda doing everything right, make sure we’re meeting the timelines of the Settlement Agreement as much as we can, that’s always a big thing for us. And yeah, I think that’s kinda where we’re at right now. It’s been extremely busy with all of that going on.

And then I will talk real quick here about our Annual Report. So if you’re new to CRC you probably haven’t seen one of these before. It’s about 19 pages long. A lot of that is kinda charts and graphs and some big graphics, so it’s not a ton to read. I would encourage you to take a look at it when you get a chance. We have some kind of high-level numbers just to kinda how many complaints came in, and we separate those out into - and you probably know this if you’ve done a lot of PRBs, but C cases that come from Community Members, versus B cases that come from Bureau Members. And then we do a lot of intake investigation, so that’s kind of the initial part. Some of those then go across the street and Internal Affairs takes it from there. Sometimes we do the full investigation, it just kinda depends on what our capacity is. We get a lot more stuff coming in the door than IA does, and so if we’re getting kind of a ton of stuff in the door, a lotta times we’ll send things across the street. And we monitor those investigations, so when Internal Affairs finishes them, they send ‘em back to us for our review, so, you know, we still get to have eyes on those. And we work very closely with Internal Affairs, and we have the ability to send things back. If we think, hey, you know, we think you should’ve interviewed this person or asked another question here, or something like that. So we have some stats about that.

We have just kind of some updates about hiring positions. As you know, if you’ve been around for a while, we fully staffed - IPR used to be 16 people back when we were in the Auditor’s Office. As we were moving out of the Auditor’s Office we lost two positions, so we went from 16 full to fully staffed 14. And once the ballot measure passed a lot of people left IPR, and so there was a big delay in us being able to hire new people. Part of that was navigating the transition between being, you know, an office within the Auditor’s Office, and going from that to being kind of a small floating bureau that wasn’t really under any elected official. And so there were a lot of challenges there. There was a long period of time where we were not able to hire badly needed investigators because we had some - there was just a lot of bureaucratic things that needed to be worked on. So there’s just a slight recap of kind of getting over the hump there and adding - we added some admin folks and we added two investigators, which have been a tremendous help.

And then after that we have - some staff saw complaints, complaint numbers that kind of compare past years to current year, and just kinda trends over time. We have a bit about protest complaints. And then we have some other charts that just kinda show what happened with complaints. You know, did they go to full administrative investigation where they closed? Why were they closed? Did they go for supervisory investigation? So there’s kind a whole - if you remember from your training in our nightmare spreadsheets that we have, there’s a lotta different pathways to different things to take, so we try to - without making this a 1000-page document, we try to kinda show some of that as best we can.

And then we have a little bit of a breakdown about what kind of allegations we received in 2023, and then years before. And then that’s pretty much it. There’s kinda further breakdowns about what happens with cases, that I think toward the end of that chart, that just kinda shows who does what in the current system. What does IPR do? What does IA do? What does the PRB do? The Chief? All the way up to kind of an arbitrator if, you know, the Union wants to fight, impose discipline, and it goes to arbitration. So we try to make this as informational as possible. If you’ve been around for a while, it might not be aimed directly at you because it’s kinda - we wanna go a little more lowest common denominator and make sure that people understand how these things work. And we have a glossary of terms at the end to kinda help define some of this stuff, because there’s a lot of lingo. It’s very complicated, it’s a little hard to follow, especially if you’re new to them. So take a look, and you can send me an email. If you have any questions, be happy to set up a call and talk about it.

**DELEGATO:**  ROSS, I had one question. One of the charts that I wasn’t quite sure on was the intake case load. It says the optimal work load is one. I’m assuming that’s not one case though. So is there?

**CALDWELL:** I think that’s just kind of a Statistical One. I think what we tried to do, if I remember right, which I could be wrong about this, but I think we started trying to track this back when we started losing people post ballot measure, and we wanted to be able to kinda show what we thought - if a case turns out to be an average case, and it’s an average amount of hours put in by an investigator, or, you know, an average amount of hours put in for a full administrative investigation, you know, what do we need to do kind of the average caseload. And you can kinda see, if you look at that chart, that for a while there we were kinda well above what we could handle. And then we’ve kinda come down from that. You know, it’s a very hard thing to represent with a great degree of accuracy. It’s very rough, and a lotta cases aren’t average cases, some are simpler and some are much more complicated. But I think the real takeaway from that is just that adding those two investigators, you know, I think we have - you know, and we’ve kinda mostly got out of our 2020 cases. We still have an investigation under Paragraph 192 of the Settlement Agreement that is related to 2020, and that’s a really big lift. That’s something we really didn’t have capacity to work on for a very long time. Once we hired those two new investigators, we kinda regained the capacity once they were able to start takin’ their own cases. So this is just kind of a - and, you know, it kinda leaves all the 192 stuff out and some other complicated things.

So it’s a pretty rough example of just where we’re at, but I think the general idea is that we’re now, you know, able to take on kind of the peaks, you know. Because these kinda go in peaks and valleys. I think there’s some seasonality to it. You know, I think one thing that we’re really wondering about is, are there gonna be a lot of protests and a lot of police response to protests in the presidential election. Depending on who wins there might be a lot of protests after that. So that’s something, you know, we’re always kind of trying to see around the next bend in the rollercoaster. So it started as a tool to help us kinda plan, and, you know, when we lost those two positions as we were leaving the Auditor’s Office we had a bunch of vacant positions and we had to make some decisions on, do we wanna hire more investigators, do we wanna hire something else? And based on what we were seeing, you know, we decided, what we really need is investigators, that we’re now gonna just be kinda finishing this work, we didn’t think it would drag on as long as it has, but it was kinda just some internal math a little bit too, to try to make those decisions to see what capacity we were most in need of. It’s a long answer to a short question.

**DELEGATO:**  Yeah, thanks ROSS. Refresh my memory, how many investigators does that put as at now?

**CALDWELL:** We have seven.

**DELEGATO:**  Okay.

**CALDWELL:** We have one lead investigator and then six investigators. The lead investigator is kinda like half investigator, half coach, I guess, kind of a player-coach.

**DELEGATO:**  Mm-hmm.

**CALDWELL:** He has some of his own cases, but he also helps, especially in our new investigators, kinda - they have administrative investigation experience. That’s really what we try to hire for, but, you know, there’s a lotta nuance to figuring out how to find things, especially in the Police Bureau.

**DELEGATO:**  Yeah.

**CALDWELL:** Police Bureau generates a lot of documentation, not a lot of it is helpful. And so that is one big thing that our lead investigator does is say, “Oh, did you look here? Did you do this? Did make a request for this? Did you make a request for that?” and is really a big help right now in trying to put together some plans for how we intake complaints and then kinda match that up with body cam video as efficiently as we possibly can, so.

**DELEGATO:**  I know that obviously when we talk about an officer-involved shooting or another, you know, sort of use of force case, like that is often influenced by just the amount of time that it takes to go to grand jury and to, you know, have the Training Division do their review and whatnot, so I know that the tail on those is quite long. But I would imagine that if - thinking back to 2020 and the many, many PRBs that a lot of us had to do on the way out of that, if we do have another, you know, sorta series of cases come in as a result of protest action later this year or into the next year, that can really end up impacting our sort of average time or the amount of time it’s going to take to clear these cases, won’t it?

**CALDWELL:** Yeah, it certainly could. I mean, OIS’s are generally the longest thing because there’s so many things that the, you know, accountability system can’t control. IA, IPR can’t control. You’ve gotta wait for detectives to do the Criminal Investigation, and that’s gotta go to Grand Jury. For a long time there was a huge backup at Multnomah DA’s Office taking things to Grand Jury. That was kind of a - if I remember, like kind of a post-pandemic issue. Things just weren’t happening, and so that created a pretty sizable backlog. So hopefully things don’t take that long. But if there is a criminal investigation, that definitely slows things down. And detectives, you know, there’s a lot more shootings than there used to be. We don’t have substantially more detectives than we used to. If you follow this in the news, they recently moved over kind of the remaining Property Crimes Detectives to focus on Person Crimes, which is really concerning in a lotta ways. I mean, property crimes are way up right now, and so that’s something that we actually get a lotta complaints about, that people say, “My car was stolen, and I don’t feel like the police has done anything to find it.” A lotta times complaints like that aren’t really alleging misconduct as much as they’re alleging capacity issues. But it is kind of a thing we hear about. It’s a bit of a tangent, but yeah, I think there are a lot of concerns about things getting done timely there, for sure. And some of those we don’t have a lot of - you know, we can’t control our workload. We can try to be as efficient as we can, you know, but if it’s at the DA’s Office there’s not much we can do to - you know, we can contact them a whole bunch of times. In my experience, that doesn’t really make them work faster or make them have less cases either, so.

**DELEGATO:**  Thanks ROSS. Any questions from CRC members with regards to this month’s records report or the annual report? Okay. All right. And I will just note. Sometimes we get this question in public comment. Obviously, we do expect the members of the CRC to review the Annual Report, which they get well in advance of this meeting. Director’s Reports, sometimes we get a little bit closer to meeting time, just based on timing and where we are in the month. But generally speaking, when I’ve polled membership in the past on this, there’s not been a lot of interest in doing like a full page-by-page presentation. If that changes, I would encourage CRC members to let me know if one of you, you know, has curiosities. Otherwise, the point of this is maybe not to rehash the content, but to make sure that any questions are answered. ROSS, was that it for Director’s Report? Okay, thank you.

So moving into Chairs Report, a couple of announcements or updates for y'all. First of all, I have some sad news. FOREST, I believe, I’m just making sure I’m reading the right email here. FOREST is, unfortunately, gonna be submitting his resignation from the CRC. He’s a very dedicated public servant, and I think when he started, he was anticipating that his work was gonna have him here in the Portland area and stateside a little bit more frequently than it turned out to. But due to the amount of international travel that he is having to take on his job, he has decided to step down from the CRC. So we thank him for the amount of time that we did get with him on the CRC, and we will be looking to appoint someone from the alternates pool here hopefully in time for the next meeting. I’ll talk with ROSS and IPR staff off line about that. So that’s one big update, we’re down a person for the time being, but we do have a robust pool of alternates, and we’ll get one of those seated. So thank you all for those of you who are continuing to serve.

I did meet with the mayor, I believe it was three weeks ago now, I’m losin’ track of time. And we mostly talked about the upcoming transition, which we’ve been to - sort of my next item here. For those of you who have been following, obviously there have been quite a few developments in the transition plan in the last week or so, including at about 4:50 this afternoon. So the City had planned, as we talked about at our last meeting, to, you know, take the new accountability system to the Fairness Hearing with the Department of Justice, and then to move pretty quickly into passing the updated code and moving on to appointing a Nominating Committee, which we discussed at our last meeting. Based on Judge SIMON’S decision last week, the Nominating Committee will not be seated until 2025, until January, which was I believe a suggestion to allow the new council to pick the Nominating Committee and to be able to vote on those recommendations from the Nominating Committee. I see that we have a couple people from the City in the audience, so I would encourage either of those people to raise their hand if they want to add any context to this. But that obviously poses a pretty substantial delay, as ROSS alluded to. Not only is that four month’s delay before we can start the process of nominating, but that means that all of the stuff that can go on in the interim, you know, hiring the Transition Manager, starting to do recruiting, all that kind of stuff is going to be delayed. I’m not sure how much the city plans to work on right now. I’m not sure if the city is planning on appealing Judge SIMON’S decision, but that is potentially a pretty lengthy delay, because we’re gonna be going to a new council and asking them, you know, during the very first phases of this new form of government to appoint nominators from their district. Which means we’ll not only need to get new counselors, but those counselors will need to agree on who they want on the Nominating Committee, and then that Nominating Committee will need to spin up, do a recruitment, look at those applications, interview those people make their recommendation to Counsel, have Counsel vote on it, do the same for a Director, get that director and that new board seated, and then begin hiring staff because the Director is the one who gets to hire staff for the new accountability system.

So as ROSS alluded to, that potentially can be a substantial delay. I believe, if I heard correctly at City Council that Judge SIMON had intended for all of that work to happen within a year of council adopting the new thing, which is very difficult if you are going to give them a four-month handicap in the process. So I will say, as Chair, just speaking personally, I think this is one of the more shocking and darker moments of my tenure on the CRC, and, you know, I say that as someone who went through a period of time where our emails were, you know, in the newspaper on a weekly basis. This really, I think in my mind, threatens, you know, sort of the continuity of service, as ROSS was talking about, of the city’s police accountability system. Like it is asking us on the CRC and on the Police Review Board to continue to serve for a longer period of time. I know some of you, like me, have extended their service for a second term. I think when I was recruited for this, they said probably 18 months. We are long past that. We are approaching 180 months if we’re not careful here. So it’s disheartening. It’s disheartening that we’re gonna be, you know, dealing with this delay that requires us to remain staffed longer. I think more than that, it is disheartening and upsetting that the fine people of the Independent Police Review are gonna have to exist with this uncertainty about their careers for an extended period of time.

So if we are able to keep to Judge SIMON’S schedule, which will I think require the city to rush through a recruitment in 2025, that still means we’re all here for a longer period of time. That means IPR staff is here for a longer period of time without, you know, a lot of certainty as to what happens next. I know that they City has stated that they have an intention to try and make sure that there are homes for IPR staff members who remain on City or who want to apply for the new system, but Mayor WHEELER has indicated that we are heading into a real budget crunch in 2025, in this fiscal year and definitely in the next fiscal year. So if you are throwing out - like it is great to say that we want you to have a chair when the music stops, but if you are throwing out a lot of chairs, I question the degree to which the City can live up to that promise. So I find this all, quite frankly, pretty disheartening. I have done some soul searching this last week about, you know, if I even wanna stay on the CRC in the long term. And I think it is too early to make decisions about that, but it is definitely, you know, an interesting moment that we find ourselves in. You know, I think we have had some talks, especially in the last year or so, about just the difficulty of keeping CRC staff for another year or two years, or two and a half years. So to add, like ROSS said, probably at least a year to that process is difficult. And I think, you know, those are all selfish reasons, right? Like I care about the members of the CRC. I care about our colleagues on the Police Review Board. I care deeply about the hard work of the people of the Independent Police Review. But that’s to say nothing of what we promised voters to do in 2020, and what all of us have signed up to help shepherd forward, right? No one on the CRC currently joined before voters voted to disband the CRC, right? All of us signed up to help sunset this organization, and here we are, we’re still here.

So, I wanna thank all of you for stepping up to do this work, and I think when we get to New Business we’ll have a little bit of a discussion about, I know MIKE wants to bring up some stuff in his report from the Work Group, but we’ll have a discussion about, you know, if there’s anything that we wanna say as an organization. But, I wanna thank all of you for being part of this process. I wanna say I’m sorry. I’m sorry that we’re here, and I’m sorry that we are, you know, having to kind of figure out what comes next. And, you know, I think my job as Chair has been to really encourage people to stick around and to, you know, stay on the CRC and keep us staffed. And I’m not sure if I feel, in good conscience, like I can continue to exhort people to do that if we have, you know, this much uncertainty as to what comes next. So that’s kind of a dark update, and I apologize for throwing that all on you, but this is a real shock, I would say, that we find ourselves in this moment. So I know people will have some questions when we get to New Business. Like I said, I’m gonna bring forward an item to maybe consider how we wanna proceed here.

But that’s my report from the Chair. We will continue to meet. Like I said, hopefully in October we will be able to see the replacement for FOREST, so we will plan on meeting in October, which will also satisfy our quarterly meeting requirement. Although COCL’s gone, so I don't know if our new friends at the Independent Monitor are quite so strict about that. But we are obligated to meet quarterly, so we will gavel in for Q4, and as I mentioned at the outset, ROSS and I have been working to make sure that we are engaging with stakeholders, as we’ve done with the City, as we’ve done with the Independent Monitor and some of the other organizations that exist in this ecosystem, we will continue to do that. And then at our October meeting, we will also discuss just where we are at for the remainder of the year. Typically we take a break for the holidays in December. But I also wanna take temperatures. Well actually I’m probably going to suggest at our October meeting that we perhaps do not gavel in in November, just because it will be the day after the election, and I think there will be a lot of uncertainty in the city, both on the national level and just as we wait for our first foray into rank choice voting to go through. So I would say plan on not meeting in November, but we’ll make that determination in our October meeting. So that’s the Director’s Report. I think we will move into updates from the Work Groups. So, KYRA, if you don’t mind me putting you on the spot, I’m gonna have you go first and then we’ll go to MIKE.

**PAPPAS:** Hey there. I’m reporting out for the Audit Committee, and we were able to meet, GREG and I and pulled YUME into it. And just to kind of go over what do we need to do? We’re gonna be building out a database for folks to be able to take and hopefully utilize when we do this transition, that it’s not gonna be something that goes and sits in somebody’s shared file drive somewhere in the city, but there’s some information on it. But we’re gonna be looking at the types of cases that the CRC has seen over the last five-ish years, and they’re gonna be looking at CRC members’ experience, from onboarding to offboarding, so folks left early or before their term ended, why was that, and if they stayed on, why was that. So those are things that we’re gonna be focusing on over the next couple of months and hopefully gain some traction and have some information for everybody.

**DELEGATO:**  Thanks KYRA. MIKE, you wanna report out from Transition?

**WALSH:** Right on, yeah. Yeah, so I’ll report on the Transition Work Group. In the last CRC meeting I laid out a list of six items that the Transition Work Group had identified as things that might, you know, topics that we as a group might comment upon related to the transition and related to, you know, what the City’s working on, essentially. And so I think at that meeting I asked you all to think about those six things, so hopefully you thought about them a little bit. What I thought I could do is put them in the chat here again. And I just thought what I’d do is just open up a conversation among the CRC here about the six items. Essentially, what I think we need to do, and it’s related to what YUME, I think, is getting at, in terms of what do we say as a group. You know, what of those six things are something that you think would be important for us to comment on, and what are not? And maybe we vote. That’s up to YUME, I think. But I think it’s time for the CRC to look at that and really discuss it, and we may run out of time, we may have to do it at a later date. But we do have an opportunity, I think, to get something to the City because the vote was three to two, and I think it has to be unanimous. So I think we actually have time to get some comments, and it might dovetail with what YUME wants to do. So I don't know, YUME, what do you think about that? About that idea. I mean, we may also run out of time too. I recognize that.

**DELEGATO:**  Yeah, I do wanna be sensitive to time here. But yeah, why don’t you put those things in the chat here -

**WALSH:** Yeah.

**DELEGATO:**  - and I’ll just open it for a few minutes if CRC members want to weigh in. So MIKE, if I’m understanding you correctly, you’re kinda lookin’ to us for some marching orders in terms of maybe some areas that we would like to develop. And I will just remind everyone, so our Working Groups work with members of the community and members of the CRC to, you know, sort of tackle issues that are salient to what’s goin’ on in police oversight in the city in general. Currently we have a Transition Work Group, and as KYRA mentioned, we have recurring audit. They can, you know, interview people, talk to guests, like make recommendations, but any actual decision or report has to come from the CRC. So, you know, in the past when we’ve done reports, those are written by a working group and then brought to the CRC for approval, and then also a discussion about distribution. If we make a recommendation or if we put out a statement, those can also be drafted by the Working Group, but they have to be voted on here. Which is why, in general, we don’t really make too many statements because by the time you can like draft it and then get it out, it often is something that, you know, takes too long to do.

So I think, you know, without putting words in MIKE’S mouth here, if we are going to ask the Working Group to maybe draft some language or recommendation, or just to continue to investigate, it would be good to tell them the things that we have an appetite to, you know, consider, so that they don’t come to us with recommendations that we can’t come to a consensus on or just don’t have interest in bein’ seen to the public or to whoever the intended audience is. So I think MIKE has put some great options in the chat here. As someone here who has worked on this process, and obviously has followed it very carefully, I try and stay a little bit neutral or let y'all have some time to discuss without opining myself. But if there are things that stand out in this list, maybe we should talk about that and we can give some feedback to the Transition Work Group.

**WALSH:** Thanks, YUME. That’s great. Maybe there’s questions about them, or maybe you have a statement about, you know, Number Three is not an issue that I think we should discuss. Or I think what would be helpful is exactly what YUME said is, you know, we need to know what we should work on essentially that we can bring back to you. And I should say, I don’t wanna talk too much here, but we may wanna bring it back sooner than the next time the City Council votes too. I mean, that’s a consideration to think about.

**PIEKARSKI:** MICHAEL, I just wanted to make sure I understand what Number Two means.

**WALSH:** Yeah, that was related to the addition of the clause that states essentially that any individual who has a demonstrated bias for or against law enforcement would be barred from being on the new board. That’s what that means. And I can’t remember when that was added in, but that was a clause that was added in and has been a source of discussion. And when Judge SIMON was having the Fairness Hearing, I think that was brought up there, as well as probably the ride-along requirement. I was only able to hear about 20 minutes of the Fairness Hearing, so I don't know what all was brought up. So essentially the argument is that the decision making by the new board must be unbiased, and if there’s an issue with bias that that’s where it should be challenged, not in the membership. That’s the argument of those who would say we shouldn’t have that clause. You know, the argument on the other side of it is, you know, if we can show - and this is part of the problem with it, honestly, is how do you prove some kind of objective bias. But if we can show that there is some kind of truly negative bias, that a person is completely opposed to police in any way, shape, or form, and has expressed that they would always find a police officer guilty of whatever, you know, if there’s a public - I know I’m hyperbolizing here, but if there’s a public statement on something like that, you know, I could see that that would be an argument that’s like, yeah, that’s why we need this clause, is there may be a case like that. And I’m tryin’ to show both sides both sides here. But anyway, ROSS?

**CALDWELL:** Thank you, yeah. My thought is - and I might have missed this, but I think Judge SIMON already approved the amendments to the Settlement Agreement, which and I think the plan is to include, you know the Ride-Along, Community Academy device. I think that’s all been settled, it’s just a timing thing. It’s not gonna take effect until January. So are you talkin’ about making a recommendation?

**WALSH:** Well, my understanding is the City Council still has to approve it, and it has to be unanimous. And so if we were got get information to the City saying, “We really feel strongly about this and this, and we’d like you to make amendments prior to your next vote,” I guess that’s what I’m saying. If that’s not possible, then it’s moot. But my understanding is that is actually possible.

**DELEGATO:**  Well I believe, as just a point of verification, I belief the item moved to the Second Reading, which presumably will be either next week or the following week. So I think if we were to make a recommendation, unless there’s something that we’re prepared to recommend on tonight, by the time we could bring this back in October, the City will have voted on it.

**WALSH:** Yeah, and that’s what I meant by having a vote prior to that time, if we decided that there was enough here that was super important. And that’s part of why I wanted to generate discussion, especially the controversial ones are Number Two and Three. The other ones are, I mean, I think are probably straight forward. I would guess most people would agree with Number One. I think most people would probably - and maybe not. Four is also a little controversial. I mean, the idea of using majority versus consensus maybe is controversial. I think Five and Six are probably non-controversial. So I’m tryin’ to generate discussion on especially Two, Three, and maybe a little bit of Four. NOAH.

**TRUESDALE:** I don't know if Six is controversial, but I did appreciate the notice. If my understanding is correct, there is was that the like Transitioning Manager will be under a different city administrative bucket than what the new board will be on, and I think the argument was that probably the person that’s gonna be running that project should be in the same City Bureau, was my understanding is what Six was speaking to. I could see that being like an easy fix that could be talked about.

**WALSH:** Okay. And also, Mr. HANDLEMAN (ph) put in the chat that a Project Manager position was posted, so that may also render Number Six moot if that’s already in the process. Yeah, so I don’t want the Transition Work Group, for instance, working on Two and Three if we as a CRC are like, “No. You know, we’ve seen the writing on the wall, there’s absolutely no way that we’re gonna have an influence anyway. It’s more important for us to just say these other things,” you know. And I’m not putting words in people’s mouths, but if that’s the statement of the CRC, then that gives us guidance. It could be that nothing is said here today and we’ll just bring back in October something that will have all six.

**DELEGATO:**  All right. MIKE, I’m gonna pause here and just see if anyone from the City Attorney’s Office, such as HEIDI BROWN, would like to maybe give us just a little bit of insight as to kind of where we are in that process.

**WALSH:** That’d be great.

**BROWN:** Yeah, good evening everyone, HEIDI BROWN with the City Attorney’s Office. I use she/her pronouns. I cannot figure out how to turn my camera on, I apologize for that. Can you all hear me okay?

**WALSH:** Yeah.

**BROWN:** Thank you. Okay. So, just to clarify on one issue. regarding the question of the removal from the EBPA for bias - for an objective demonstration of bias for or against, please remember it’s both for or against police, that language Judge SIMON already amended the Settlement Agreement to require that as one of the bases to remove someone. So, regardless of what recommendation went to Council, we still are bound by the Settlement Agreement and we have to follow that. Similarly for the Ride-Along and Community Academy, that was also an amendment to the Settlement Agreement that Judge SIMON adopted last week, and so similarly, even if you were to recommend to the City Council that they change code, we would still be bound by the Settlement Agreement language that requires the Ride-Along and Community Academy.

**WALSH:** HEIDI, thanks for that. I have a quick question. The part about bias for removal, that’s later in the package. The part we’re talkin’ about is for membership. So did Judge SIMON speak only about removal, or is it also about the membership being placed on the board itself?

**BROWN:** I believe it was just on removal, and I’m sorry, I need to look at it again.

**WALSH:** So yeah. So the issue is for the Nominating Committee about - the issues is not about removal when you see objective bias. The issue that was brought up with the Transition Work Group was just consideration of someone being on the board. So you would be barred from being appointed to the board, is what that language is. And I’m not taking sides, I’m just trying to explain that that’s the issue. So it shows up twice in the package.

**BROWN:** That’s right. So if there were an objective demonstration of bias for or against police, and I think your example was a good one of a bias against, there could also be somebody who just posts something that says, “Police never do anything wrong.”

**WALSH:** Yeah.

**BROWN:** They should not, you know. So it goes both ways.

**WALSH:** Right. Yeah.

**BROWN:** But that is correct, that that language is in there. It’s both on the front end -

**WALSH:** Great.

**BROWN:** - if that’s there in the front end, and on the back end that somebody could also be removed.

**WALSH:** And you’ll notice that the language is actually different in both. I think one uses “objective” and one doesn’t. Anyway, my point is, I don't know that he ruled on the first, but he ruled on the second. And maybe he ruled on both. I wasn’t able to hear, so if it’s both then, you know, we won’t comment on it at all. But if it’s just the one related to removal, that opens the door to comment, if the CRC wants us to comment, which we may not want to do that.

**BROWN:** So the Settlement Agreement states that City Council shall have the authority to remove a member of the CBPA -

**WALSH:** Mm-hmm.

**BROWN:** - for cause, including, but not limited to, and that’s the objective demonstration of bias for or against.

**WALSH:** Yeah. So if he ruled only on that, then I would assume the part in the beginning related to appointing was - there was not a ruling on that.

**BROWN:** That is correct.

**WALSH:** Okay. So then we could make the statement to the City Council, and they could make an amendment that would change it, and that would not deviate from Judge SIMON’S ruling, right?

**BROWN:** It would not deviate from the Section 8 amendments. It would require the City to go back to the DOJ and to others, like our labor partners, to negotiate that change. But, as far as -

**WALSH:** Just kind of start all over basically, just for that one change, right?

**BROWN:** It would put us back at the bargaining table with both entities. Yeah.

**WALSH:** Yeah.

**WALSH:** Well I just asked - you know, it’s super important information, so we may be able to do it. But that brings us back, you know, a long time.

**DELEGATO:**  Yeah. I think there’s also a point to be made that if the eligibility requirements differ from the terms of the Settlement Agreement for removal, right? Like you potentially put the City in the position of seating someone, having them decide a case, and then letting the PPA or PACOA (ph) grieve that decision and force their removal when they go to decide the case.

**WALSH:** Oh, I get it. That’s why I think that the language in both sections should be exactly the same, and they’re not. So if there was anything, then we would go back to the - and it’s not gonna happen. But unfortunately, what my reading was is the language is different in one. One uses “objective” and one does not.

**DELEGATO:**  Hm.

**WALSH:** And I think that’s actually a pretty important difference, that those are different. So I doubt that we’ll be able to get that changed. But, you know, because what the - if used objectively, it still raises the question of who determines that. But we could say, “The Nominating Committee determines that, and they can determine their on protocol on how to do that.” But if it doesn’t have “objectively,” if it’s not there, then it’s gonna call into question how are you actually determining it. If you say “objectively,” then you could say this is our rubric for how we’re going to determine that. So it’s a little bit of an issue, I think, if that’s not there. But I don't know, I can’t imagine we’re gonna get that changed. We’ll just have to - I think if anybody brings that up from the public, we’ll just have to say that we will develop a rubric, the Nominating Committee will develop a rubric to adhere to the, you know, the spirit of the rule, which is it is supposed to be an objective determination.

**DELEGATO:**  All right.

**WALSH:** So I would probably move to just take that out of anything that we would wanna talk about in the Transition Work Group, and I don't know how much time we have YUME, and I don't know if you want us to vote. But I would say take Two out and Three out. Obviously Three is moot based on HEIDI was saying to us.

**DELEGATO:**  Yeah, I think I will pose two questions to our members. One is if we were to make a statement, like if we wanted to make a statement in advance of City Council’s vote, we would have to make that decision tonight and also draft it tonight and approve it tonight. I think our agenda obviously kinda puts us out of time right now, traditionally CRC meetings, you know, run about an hour and a half. So if there’s desire from the membership to try and tackle that, we would need to do it now and fast. Secondarily, I think if we don’t wanna that, we should give the Transition Work Group kind of their marching orders, and I will say personally, I would be in favor of Option B, and I would tend to agree with MIKE, that Two and Three are things that have been, I think, litigated at great length in the court of public opinion, so to speak. And while I agree with my former colleagues on the Police Accountability Commission, many of the people who showed up at Council today that, you know, those are areas where I personally perhaps disagree with the City on some of the implementation. I am somewhat loathe to send this back to the bargaining table, especially if that will put us at odds with the Department of Justice. KYRA?

**PAPPAS:** I was gonna say, I don’t feel like those of us who aren’t necessarily on that committee have enough information, wisdom, or expertise to be able to like try to do that tonight, so I would second your opinion.

**WALSH:** Yeah. I agree. And also I think that it’s not necessary to night if we take Two and Three out.

**DELEGATO:**  Okay. So MIKE, I’m gonna propose this, and I’m seein’ some head-nodding consensus here. If anyone feels differently, please raise your hand. Now is the time to speak on this. But I’m going to recommend, based on just what we’ve heard and what KYRA said and the motions that I’m seeing in the chat, I’m going to recommend that the Work Group continue to discuss One, Four, Five, and Six. And that’s not saying that you are obligated to make recommendations on any of those or - like the work product is up to your Work Group, right? But it sounds like those were the four that maybe CRC had more interest in, and you can decided with your Work Group if those are things you wanna make a recommendation on, if you wanted to report, if you want that to be on the October agenda, if you want it to be on the November, December, January agenda, like I will leave all of that up to you. But I think that gives your work group something to work with.

**WALSH:** Yeah.

**DELEGATO:**  And maybe a little bit of certainty as to what there’s appetite for from the larger group. And you know what? If you come to some great revelation about Two or Three and you wanna bring ‘em back, feel free. Based on what I’m seein’ here tonight, I’m not sure that there’s a ton of appetite for that.

**WALSH:** Anything can happen, but I appreciate that. I don’t think (inaudible - 01:35:14), but okay. I appreciate that. And then DAVID, could we set a Transition Work Group meeting for next week? You and I can connect off line, and we’ll get that going.

**NGUYEN:** Yeah, sounds good.

**DELEGATO:**  NATE?

**HOLTON:** Yeah, and I’ve been following the conversation. The one thing I’d point out is the last time that we met there were similar comments made regarding, you know, our timing and do we have time to have an impact, and that was a month ago. And I’m happy to participate in something in between these meetings to help out. But using that type of stuff as maybe a rationale or an excuse to not publicly comment, I don’t think it’s sustainable. I think we’re gonna have to comment, especially as the months go forward and we have a new, you know, city leadership in place. They’re gonna need to hear from us, and they’re probably gonna touch some of this stuff as well and create even further delays. And so, you know, I think our voice will need to be heard at some point, but that it should be thoughtful when it is.

**WALSH:** Yeah, and I a hundred percent agree. And if we were gonna work on Two and Three and we needed it tonight, I would write it tonight and figure out a way with YUME to get it to everybody, and vote on it. But I think the reason why I feel comfortable just letting it go for now is because I do agree that Two and Three are not something we can do and make comments on, and so therefore we don’t actually have a timing issue. And I really appreciate those comments, NATE. I agree.

**DELEGATO:**  Thank you, MIKE. Any other comments from members before we move on to New Business.

**WALSH:** Thanks everybody for your help.

**DELEGATO:**  Okay. All right. So, moving on to New Business, and I wanna be sensitive to time here. HEIDI, if you are still around, I guess I will ask the question. Obviously, now that this moves to Second Reading, I don't know what the City’s plan is. I would assume that it’s gonna come back up for a vote next week, and, you know, as Mayor WHEELER said, it sounds like there are the votes to pass it. And I think the answer might be you’re not at liberty, or you don’t have the answer to this, but is the City moving forward with the January timeline as indicated, or is there any movement to appeal or file a motion or reconsider, or anything like that?

**BROWN:** Yeah, thanks YUME. I don’t know that I can answer the question tonight about next steps for the City, as far as an appeal or a motion for reconsideration, and I don’t have an answer for that. It will go next week to Second Reading. At this point, if it has the votes to pass for the code language, then it will - which an indication today was that there are sufficient votes for it to pass, then it will go into effect 30 days later. Now of course, another option would be if everyone there would agree to amend and put the Emergency Clause back in, it could go into effect right away, that’s another option. But we’ll just have to wait and see what Council decides to do next week and where the votes are.

**DELEGATO:**  And I know, I will not ask you for a definitive answer on this, but I do wanna make sure I have the general timeline sort of set in my mind, and in the minds of our Membership. At Council today we heard a discussion with yourself and the Mayor about the new system needing to start to your cases within a year. And I know that there is -

**WALSH:** We might have lost YUME for a little bit.

**BROWN:** Uh-oh. Oh, I thought it was me, and I was like, oh no.

**WALSH:** No, I think you’re close.

**BROWN:** Well that’s good either, but.

**WALSH:** No.

**MALE:** I thought it was me to.

**WALSH:** YUME is frozen.

**TRUESDALE:** YUME was askin’ too many questions.

**WALSH:** I’ll text him.

**PIEKARSKI:** NATE will have to finish his thought as Vice Chair.

**WALSH:** See if he calls in.

**GRIFFIN:** Did you get ahold of him, MIKE? I can try to -

**WALSH:** I texted him. He’s not texting back. Who knows?

**GRIFFIN:** Okay.

**DELEGATO:**  Hey everyone, sorry about that. I’m not sure how much of that was audible.

**WALSH:** We lost you about a good 45 seconds ago, or more.

**DELEGATO:**  Okay.

**WALSH:** So you were just kinda starting into what you were saying.

**DELEGATO:**  Yeah, so the question that I was asking was just do we anticipate that the new system will need to start hearing cases in the latter half of 2025 based on that outline. And I know that there was some uncertainty as to like when that year clock starts. But if I heard correctly, that sometime between August 30th and the end of 2025 is when we’re anticipated to need to have this up and running. Is that correct?

**BROWN:** That is correct. The Settlement Agreement language in Paragraph 195 says that within 12 months of Council adoption of the City Code changes, that the Oversight System will start taking cases. So if the City Code Amendments go into effect 30 days from next week, so 37 days from today, then that would be the effective date of the Code Adoption, and then we have 12 months for that new system to start taking cases.

**DELEGATO:**  Okay. All right. So I will just open the floor. Like we’re runnin’ long, and we still need to do public comment. I’m not sure that there’s a lot (inaudible - 01:42:23), you know, making a statement. But I do think the opportunity exists for CRC if we wanna weigh in on some of the things I discussed, we have that option. We can make a statement now, we can also make a statement later, speaking to how we feel about this process. Acknowledging that it is later in the evening, I’m not gonna ask CRC to do that. But if there’s appetite, let me know. We could talk about doing that tonight. I do have a statement prepared, although now I’m on my phone, so I’d have to see if I can grab it. Or we can take that up at our October meeting maybe in line with some of the work that MIKE is doing. So if anyone has thoughts about, you know, kind of ways forward. I know maybe some of you are hearing this for the first time this evening. I think I will broach the subject by we’ll probably suggest tabling it, unless someone says, “No, I think we really should wait out on this before the Council vote next week.” And I can’t see all of you, so MIKE, I’m gonna actually ask you to call on people if anyone raises their hand.

**WALSH:** Yeah, I’ll take a look. So far no hands. YUME, so you’re talkin’ about a statement, just a general statement? Or do you wanna give a little bit of context about that?

**DELEGATO:**  Yeah, I mean, I think I don’t wanna speak for our membership, right? Like I’ve made it pretty clear how I feel about this, which is I think it is a mistake to delay, and I think it’s not very fair to the members of the CRC. I don’t think it’s fair to the PRB members. I really don’t think it’s fair to the public servants that work in the Independent Police Review, whose livelihoods are impacted by this, and many of whom, I would say, have put their careers on hold for now an extended period of time to serve in the system and, you know, have to continue to do that. I don’t wanna put anyone on the spot here, but I don't know that we have necessarily considered what happens to the whole system if ROSS gets hit by a truck, right, or if KELSEY resigns or something, right? Or if we experience another mass resignation like what happened to CRC in 2020. Like, any of those things happen, like this whole system grinds to a halt, because I don’t think there’s anyone else who wants to be the Director of IPR. Like why would you apply for that job, right? I don't know that there are too many people who wanna be on the CRC, although we’re very grateful to the people who have stepped up and have taken on this kind of thankless job. So I’m frankly disheartened and surprised that, you know, Judge SIMON would make this decision without consulting the people that it impacts. And I’m also disheartened on behalf of the City of Portland. You know, there’s a very real possibility that there will be an encounter with a police officer in the next year that leaves someone dead, right, and that will be adjudicated by a system that the voters voted to overturn, you know, four or five years prior, a half a decade prior, right? So I think four months is too long to delay, personally. I think the actual year or nine months, or however long that we get based on what HEIDI is able to negotiate with the Circuit Court, I think that’s not enough time to stand up a new system, but I also think it’s too long a delay, right? We have an opportunity to start this work now, and we’re being deprived of it by the Judge’s decision.

So, if we wanted to make a statement on that, I think it would be within the CRC’s purview. Those of you who have been on the CRC with me for some time know that that is generally a thing I try to keep us from doing. I try and keep us out of the spotlight, and I try and avoid, you know, wading into the political thicket or commenting on anything that’s pending, but I do think that that’s our prerogative in this case. Whether or not we choose to exercise it is up to you, right? It’s up to you if you agree with that viewpoint. And I think it’s up to you if you wanna do anything about that viewpoint. So do not let me put words in your mouth, right? This is just my opinion. I’ve been here a while, so I know that I speak with a certain degree of experience, but that doesn’t mean that I speak for all of you. MIKE?

**WALSH:** Yeah, I appreciate you sayin’ all that. And what it makes me think about is that the only way that we could change Judge SIMON’S decision would be to appeal. We wouldn’t appeal, but for the City to appeal the decision, is that right? Did we lose? I guess what I’m getting at is if it’s - and HEIDI, I see your hand went up so maybe you can quickly answer, but what I’m getting at I think is it seems like if we were to make a comment along the lines of what you’re talking about, it would be to say we would support the City appealing that so that we could make the changes that we want or take into consideration all the things you said. But I think we also know that appealing it would take as long, if not longer. You know, so but that’s what it kind of points me towards, is that would be the comment that we’d make, I think, unless you were thinkin’ of something else. And then, HEIDI, I saw your hand go up real quick, so you probably wanna fill in the context.

**BROWN:** I just wanted to say there’s two avenues. Obviously an appeal, as you noted, would take beyond January of 2025, and therefore not be effective, as far as the impact on the delay. The other thing that’s available is a Motion for Reconsideration. That’s something that attorneys will file with the Court to ask them to reconsider their earlier decision, so just -

**WALSH:** Oh, that’s very helpful.

**BROWN:** - so you know. Yeah.

**WALSH:** Yeah. So I don't know. Maybe the comment that you’re getting at, YUME, would be to ask for a Motion - what was the Motion, HEIDI? Motion for Reconsideration?

**BROWN:** Yep, you got it, MIKE.

**WALSH:** Maybe that’s where we go. Obviously the appeal’s not a good idea. But that was one avenue, just as HEIDI said. So anyway, I don't know what you’re thinking, YUME, but that’s what it points me towards, if we were to do something tonight or within the next week to get this in.

**DELEGATO:**  Yeah, I see a question from I think NOAH in the chat. Again, apologies. I’m tryin’ to switch computers here. I don’t think that we would have the option of filing an Amicus brief, per se, since we’re not an agency. But I’m sure HEIDI will raise her hand if she thinks that’s the case. KYRA, you had a question.

**PAPPAS:** Yeah, I was wondering, I know the appeal would take too long, but I almost feel like it’s important to at least like make a request just to acknowledge the - I was gonna say the lack of respect or the level of disrespect that happens. But, you know, it’s more of doing something to show that there’s a disagreement and to kind of like bookmark that this process hasn’t gone the way that it was supposed to or that would be beneficial. So I don't know about the Motion for a Reconsideration. I feel like if that’s an approach that we’re wanting to take, that that would be an important thing for us to do, just in terms of there being - I don’t wanna say a precedent. I think precedent would be the wrong term, but like showing that there were some problems in this process. Does that make sense, or am I bein’ petty?

**DELEGATO:**  Oh, I think that makes sense, if that’s something that Membership wants to do.

**WALSH:** I don't know if you can still see, but NATE has his hand up. I don't know if you can still see YUME, but.

**HOLTON:** Yeah, just coming into this fresh and not having been around for the last four years of the saga of all this, but seeing this recent decision, knowing that an election is coming up and wanting to delay things so that a new Council can weigh in, I have a lot of respect for the fact that this impacts people’s livelihoods and their families and stuff, and that’s super unfortunate. But honestly, I think the error here was that it took this long to begin with to get to this point, and once you get to the point where you’re close to an election that’s gonna be a game changer for a city, you know, I’ve been through situations where elections come up and activity shuts down before that election, knowing that change is coming. And so, you know, in that regard I’m not terribly surprised that this happened. I think there is actually a certain logic to allowing a new Council to weigh in on this, even knowing that that’s gonna create even more delays. And Portland seems to have this uniqueness to it where things take significantly longer than they do elsewhere. And, you know, maybe that’s the lesson, is the parts that can be controlled that aren’t political but are bureaucratic, let’s get better at that and more efficient so that something like this doesn’t take this length of time because it’s egregious, and just as a citizen it should be completely unacceptable to anybody.

**DELEGATO:**  Thanks NATE, I think that’s a valuable perspective. And hopefully y'all can hear me. I just switched to a different Wi-Fi, so. Well, I think there are some people who would be in favor of saying something. I think NATE makes a compelling case for why we perhaps should hold, or at least, you know, defer this to October, although I will note that that is getting closer to another election if we do make a statement later in the year. So mindful that we are now definitely like heading over time, even over what we maybe normally would budget for a long meeting, I’m gonna make the suggestion that we table this unless someone feels strongly. I think, as HEIDI indicated, we don't know what the City wants to do. And so while I would be personally in favor of maybe encouraging them, and obviously you all are welcome to do things in your individual capacities as members of the CRC, just not speaking on behalf of the CRC, I think I’m gonna make the recommendation that we table this unless someone else has a different feeling and they’d like to make that case right now.

**WALSH:** Hi, this is MIKE. I’m okay with table, however, with the caveat that if we receive some kind of information soon that changes your mind or somebody’s mind that maybe it’s better to actually ask for a motion, or reconsideration, or whatever, that we reconvene and we have a special meeting or something, that would be (inaudible - 01:53:53).

**DELEGATO:**  Well, and you know, we always have the option to, you know, speak in individual capacities.

**WALSH:** Yeah, of course.

**DELEGATO:**  I know members of the Police Accountability Commission have written quite a few missives to the City Attorney’s Office, as HEIDI is well aware, not speaking as the Police Accountability Commission, but speaking as members of the Police Accountability Commission. So that may be a discussion that, you know, some of y'all can have off line if you decide that you wanna make your opinion known. Hearing no objection, though, I’m gonna move to table my own suggestion, since I think that’s my privilege, and if no one else has any new business, I’m gonna take us into Public Comment. Okay. Let’s go to DEBBIE here, and I apologize. Oh, DAVID, I think when I switched computers, I’m no longer a host. So looks like we have DEBBIE and then DAN who have their hands raised for public comment.

**NGUYEN:** Okay, DAN you can talk now.

**DAN:** Yes, well I thought I heard that Ms. AIONA was gonna go first.

**NGUYEN:** All right. All right, DEBBIE, you’re good to go.

**AIONA:** Okay, did it work? Yes. All right. So this is DEBBIE AIONA. I’m with the League of Women Voters of Portland. I just thought it was really interesting to hear Mr. SMITH’S reflections on how much patience it took to set up the accountability system at BART, and wondered in our case if it’s going to be equally important to show patience and do it carefully, and wonder if as Independent Monitor, if Mr. SMITH might be willing as time goes on to suggest perhaps an extension on a deadline for starting to accept complaints, because it’s kind of better to do it right than fast. And I also want to acknowledge the impact this is having on CRC members personally and on IPR staff professionally. So, you know, I realize that’s a huge part of the problem. But we also wanna have a good outcome in the end. And then the other thing I wanted to say thank you very much for going over the annual report. It’s always interesting to hear insights from Director CALDWELL on how that - you know, what it all means and kinda interpret some of the things that are confusing, so thank you for that. And then the last thing I wanted to mention is wanna respond to Mr. HOLTON’s point about the fact that this delay that the judge put on it is not the first thing that’s taking longer than what one might have anticipated. And as a former member of the Police Accountability Commission, I can tell you that, you know, we voted on this in 2020. It passed in November, but the PAC did not have its first meeting until December of the following year, so it took, you know, over 12 months to come up with the members of the PAC. So, you know, this particular big bump in the road right now just is sort of kind of part of the whole road that we’re traveling to get to what we hope is a really credible oversight system in the end. So thank you very much for all of your hard work. I really appreciate you all. Thanks.

**DELEGATO:**  Thanks DEBBIE. DAN?

**HANDLEMAN:** Thank you. Hello, everybody, this is DAN HANDLEMAN. I use he/him pronouns. I’m with the group Portland Cop Watch, and I’m a former member of the Police Accountability Commission as well. Just so you know, 15 members - well 11 initially, but 15 members of the Police Accountability Commission did send a letter to City Council asking them to delay the vote from this week, which ended up happening, saying that the one-week delay is not gonna be a big deal in the sense of the four months or the one year, or the other kind of delays that have already happened, and they ended up having to delay it anyway. We were really hoping they would take the time to make some changes. I actually was gonna paste into a chat for you a proposed definition of bias that I read into the record at City Council this morning, and I hope that you’ll think about that, and that the Transition Work Group will look at it. There’s still time to change the Code before this thing gets into motion, so I think it’s worth it. I should also point out that there was some discussion about deadly force and how it effects the Community. This morning, City Council voted on a three to two vote to appeal a $1,000,000 verdict from a jury in a case where a person with mental illness was shot and killed by the Portland Police in 2021. It just sort of seems like they still won’t take responsibility when Portland officers take the life of somebody inappropriately. It also occurred to me for some reason very strongly during this meeting that when the PAC recommended to Council that every case that involves a Community member should go to the new board, and then the City removed that and gave many of the cases back to Internal Affairs, that there’s not gonna be an appeal anymore for the people, perhaps as many as 80 to 85 percent of the people whose cases are being handled by Internal Affairs. So it may be worthwhile to think about longevity for the CRC and seeing if it could be put in under the new system, which will have a 14 million dollar budget, to continue with appeals, and, you know, talk to the City about that. 'Cause it’s not fair to take rights away from people with this new system that’s supposed to be improving Community buy-in. I don’t have a lot of time left, I know. But, the Council set to vote on this before your meeting. They didn’t have to do that. They had 21 days, they set it up for this afternoon, and knowing that you had a meeting tonight. To me, this just really seems like you’re asking them - worried about the judge not respecting people, I think the City Council doesn’t necessarily respect everybody in the Community, including you all. So you should think about that too as you’re writing up any kind of statement. Director’s Report, I continue to not understand ‘em, where the cases are that involve deadly force is one that says review level. That was what they used to call the Police Review Board. I don't know if that’s what they mean. I wish they would say things more directly.

**FEMALE:** Fifteen seconds.

**HANDLEMAN:** And for all of you, okay, I recognize that you only signed up for a certain limited period of time, but there will always be a need for people to hold the police officers accountable, so we hope that you will stay in it for as long as you can because we’re gonna need -

**FEMALE:** Time.

**HANDLEMAN:** We’re gonna need you.

**DELEGATO:**  All right, thank you, DAN, thank you, DEBBIE. And obviously I was with you when we suggested a broader area of review, so I do agree with you on that front. Although, I don’t think you would find too many people that wanna keep CRC going indefinitely. I know that that was discussed, you know, at a prior period of time. And I think that the level of appetite for that is somewhat minimal. But I think where those appellate responsibilities go is a very good question. I just don’t think it should go here, personally. But that’s just my two cents. And I think our colleagues at IPR would agree with this. So where that goes or what that looks like is a question that I’ve raised with the Mayor and continue to raise with IPR and the City Attorney’s Office, and also with the Bureau. I think, you know, it will be interesting to see how that process shakes out, and I think that’s a conversation that we’re gonna continue to need to have, although obviously most of the oxygen in the room is going towards the oversight system itself as opposed to some of the add-on effects of that. So all right. Any other public comment? Any comment from our CRC members before we close the session today? All right, hearing none, I wanna thank everyone for bein’ here. I wanna thank our guests from the Independent Monitor. I wanna thank our Indies, and obviously as always, I wanna thank our CRC members and our IPR staff. I know a lot of people say that I run a short meeting, generally speaking. Tonight was not one of those nights, so it’s like the good old days. But it is 7:35, and this meeting is adjourned. Have a great evening, we’ll see you in October.

**TRUESDALE:** Thanks YUME, thanks everybody.

**NGUYEN:** Thanks again, everyone. Take care.

**PAPPAS:** Thanks, y'all.