
Multnomah County Commissioner, District 2

June 10, 2022

Dear Charter Review Committee Members:

Thank you so much for your time and commitment to the work of the Committee. These are not easy issues to grapple with, and I greatly appreciate the thoughtfulness with which you have approached them.

I write to offer my thoughts on the subcommittee recommendations before you.

Safety & Justice Subcommittee

- Require members of the County Board of Commissioners to inspect county jail facilities a minimum of four times per year with the participation of constituents.

Ensuring that the Board of Commissioners has an understanding of the operations and conditions in the County jails is vital, and the current requirement of an annual visit is an essential component of creating that understanding. During the visit, we tour the two County jails, accompanied by the Multnomah County Sheriff and their leadership team, and have an opportunity to ask questions about jail operations at a level of detail that we aren't typically afforded during Board meetings or briefings. Seeing and being in the facilities also provides another important layer of perspective.

That said, and while I am not opposed to more frequent visits, I am not sure that additional visits would add greater value. I'd encourage you to consider what the objective of additional visits would be. These tours are necessarily fairly tightly controlled - they are not intended nor do they serve as spot inspections, for example - and repeating them more frequently is unlikely to yield new information.

If the intent is to deepen the Board's understanding of jail conditions and of the experience of adults in custody, there may be other ways to do that, such as requiring engagement with external stakeholders such as adults in custody and their families, advocates, and the like. The details of and mechanism for meeting such a requirement would take time to develop, but perhaps the Committee could enshrine a general such requirement in the Charter, leaving it to be more fully fleshed out in County Code.

Multnomah County Commissioner, District 2

Equitable Representation Subcommittee

- Require Multnomah County to adopt Ranked Choice Voting in its elections.

I am supportive of ranked choice voting as a way to more accurately reflect the will of the voters.

- Require Multnomah County to expand voting rights in Multnomah County elections to the extent allowed by law.

I am very supportive of this recommendation. Multnomah County serves all residents (subject to federal and state restrictions) of the county. All residents, regardless of citizenship status, contribute to the economic, social, and cultural fabric of the County, and providing the right to vote on matters that affect their daily lives will encourage civic engagement and improve access to and delivery of the services and resources necessary for all County residents to thrive.

Government Accountability Subcommittee

- Change process for selecting Charter Review Committee members; extend Charter review process timeline.

I am supportive of these changes. As an aside, I would suggest that the Committee have an opportunity to hear from the Chair and Commissioners early in the process of their learning about the County's operations and governance structure.

- Codify the existing Good Government Hotline in the Charter; add language that explicitly requires the auditor's timely access to records, information, and materials related to audits; add a requirement that the county include "right to audit" clauses in contracts and subcontracts; establish an ombuds office within the office of the auditor.

I'm generally supportive of these recommendations, subject to the details of the scope and language that are developed.

The Government Accountability Subcommittee had previously asked that I answer two questions with respect to the Auditor's recommendations. I apologize for not providing answers prior to the

Multnomah County Commissioner, District 2

Subcommittee's final meeting - I was dealing with an inconvenient bout of COVID - but provide them now in case they are still of interest.

1. Does the charter, as it stands, guarantee the auditor's independence and ability to conduct a sufficient number of audits per year?

I don't think any structure or charter requirement would guarantee the auditor's independence and ability to conduct a sufficient number of audits per year.

The current structure does raise the possibility of influence on the independence of the audit function. This arises from the fact that the auditor's budget is determined, in the first instance, by the County Chair, who, as the Chief Executive Officer, is responsible for the operations being audited; and who also presides over the meetings of the Board and has a vote on the Board.

That said, I have seen no evidence that the current structure has actually impacted the auditor's independence, nor that there has been any attempt on the part of the Chair or the Board to do so. Budget decisions certainly impact the number of audits the auditor can conduct, just as they impact the size and scope of all County departments.

As I have previously stated during oral comment, I do not believe enshrining in the Charter a requirement of a specific percentage of the County General Fund for the auditor's budget is workable or advisable. I will not repeat here my reasoning, but I'm happy to discuss it further if Committee members have specific comments or questions.

2. Do you oppose all of the auditor's amendments or are there some that you support?

Please see above my comments on the recommended changes.

Again, thank you so much for your service to Multnomah County.

Sincerely,

Susheela Jayapal