



Multnomah County Charter Review

Safety & Justice Subcommittee

February 28, 2022, 7:00 – 8:00 pm

SUBCOMMITTEE MEETING 2

Purpose: To determine what common values and goals should focus the subcommittee’s work and develop research avenues for Charter amendments that could help the subcommittee achieve those goals.

Attendees

Committee Members Present

- Donovan Scribes (he/him)
- Nina Khanjan (she/her)
- Ana del Rocío (she/her)
- Salma Sheikh (she/her)
- Danica Leung (she/her)

Absent:

- J’reysha (Jay) Brannon (*she/her*)

Staff:

- Kali Odell (she/her), Charter Review Committee Program Coordinator

In addition, members of the public were welcome to observe the meeting as non-participatory attendees. There were no observers at this meeting.

Welcome

Kali Odell opened the meeting with a brief overview of Zoom logistics and the agenda.

Discussion of values and goals

Kali summarized research directions that were brought up in the subcommittee’s January 31st meeting. She then invited the subcommittee members to discuss what values and big-picture goals the subcommittee wants to focus its work as a way of helping them determine what next steps to take.

Ana suggested looking at what other jurisdictions have done with their charters, starting with Minneapolis, New York City, and King County. She mentioned that King County created an amendment to exert more control over its sheriff’s office.

Donovan advocated for being bold. He discussed the history of oppression and exclusion in Oregon state history and law that excluded people of color from opportunities like owning property. He expressed his support for removing funding from policing and finding alternatives to policing that would improve public safety, particularly in unincorporated areas. He pointed to Portland Street Response as an innovative solution that reduced police calls in one neighborhood by 4%. He is interested in examining what can be done with the Charter to allow for public safety alternatives.

Nina expressed support for taking responsibilities away from policing when it comes to certain areas, like responding to folks in mental health crises. She expressed interest in the idea of adding some oversight or a department or position that could take responsibility for these areas. If they take away some power from policing, where does that responsibility go? She said there would need to be another emergency response team to take that on.

Salma spoke generally about experiences in her community with police response and supported the idea of more proactive public safety that offered community support. She is in favor of doing something tangible and supported Nina's ideas.

Donovan mentioned the Sheriff Office's budget and suggested looking at that to help them figure out what seems like it belongs under the policing umbrella and if there are things that could potentially be shifted elsewhere by the Charter.

Danica supported the idea of using the budget as an entry point to reform. She looked at a Los Angeles County Charter reform called Measure J that would set aside public funds for social services and jail diversion programs, and specifically prohibited the funds from being spent on policing. Danica mentioned she was not at the last meeting so did not know if this kind of possibility had been discussed in the Oregon context, but she thought this could be a method the subcommittee looks into.

Ana said she was glad they were getting into a conversation about budgets. She noted that her read of the Multnomah County Sheriff's budget is that it has ballooned significantly with the most recent contract they entered into to coordinate policing on public transit. Her read is that because the Sheriff is independently elected, the Board of Commissioners cannot really touch that office's budget. Bringing the Sheriff under the Board of Commissioners by making that an appointed rather than elected office would give them more control, she believes, but she also wondered if voters approved that change, what would happen with the existing contract? She acknowledged that the State constitution requires having a sheriff, but felt that the increased budget allows the Sheriff's Office to do more than is required under those state laws. Ana also raised that the people of Multnomah County do not have much say in what happens with extra revenue brought in by the Sheriff's Office unless that is under the purview of the Board of Commissioners. Ana would like to know, as the local public health authority, what Multnomah County can do to have employees carry out constitutionally mandated sheriff's functions while not being armed or contributing to the public health crisis of racism that the County has already declared. Can they make them social workers? How can they qualify them for the sheriff functions without being traditional police?

Donovan brought up a group in Minneapolis that was working to abolish the police department. He acknowledged that the Sheriff's Office serves some functions and that there aren't plans or research in place to support abolition, but wanted to lay down that it could be in this group's authority to get rid of or remove some things. He wondered what it would look like to turn away from what the Sheriff's Office has traditionally been.

Salma mentioned an act of violence in her community and brought up the idea of community involvement in public safety. In response to this incident, there were questions about how to respond if the police do not come in time. She said this led to conversations about what else public safety could look like and what other resources might be available to support them.

Danica tied back into Donovan's point and brought up the option of splitting a department. She mentioned that the Charter gives the Sheriff sole administrative power over County jails and correctional institutions and wondered if any other subcommittee members had thoughts about breaking up that unilateral power and perhaps giving it to another person or body?

Ana shared that her experiences speaking with people involved in the Multnomah County justice system revealed that for a single case, people are intersecting with multiple facets of county operations. They might be arrested by the Sheriff's Office, and then they go into the courts and might intersect with the Office of the DA, and then they may get services from other county departments. She said it can be very convoluted and can make it challenging for them to know who to hold accountable.

Ana also brought up that she had recently read that the Sheriff-run jail is under probationary status based on public health outcomes in the jail. She doesn't think the Board of Commissioners can intervene and would like to know what standards they might be able to put in the Charter that would hold the Sheriff's Office to the same or higher public health standards than those required by the accrediting body. She is not sure what is possible, but is interested in looking at possibilities for harm reduction in jails and the pipeline that is filling Multnomah County jails, with the goal of making sure people are diverted to the resources they need and face less punitive outcomes.

Donovan agreed that he was interested in the goals Ana raised and would be interested to learn more about the probation status Ana mentioned. Kali shared a link in the Chat (Appendix A) to the article Ana had referenced.

Ana explained that an accrediting body that is external to the County put the jail on probationary status. She does not know what all of that means, but she has questions about it.

Kali responded to some of the ideas the subcommittee surfaced in case that was helpful in determining their next steps. She shared that Multnomah County has had an appointed Sheriff in the past, but that office was changed back to elected several decades ago. Making the Sheriff an appointed office again has been recommended by other Charter Review Committees, most recently in 2016, and those amendments have been rejected by voters. She stated this did not mean the current subcommittee had to avoid this recommendation, especially if the subcommittee's goal is to give the Chair more authority over that role, because other elected officials cannot wield authority over an elected Sheriff. She mentioned that the time and environment may be

different than in 2016, so if this recommendation helps the subcommittee meet its goals, they can consider it. It is also a change they clearly can recommend, legally speaking.

Kali also brought up their interest in oversight and pointed out that they might want to hear from the Auditor about what her office can do when it comes to oversight. She also said that there was a letter on the Auditor's website notifying the Sheriff in 2019 that her office was conducting an audit of the County jails. Other documentation about that audit was not currently listed on the website, but Kali suggested that might be something that would interest the subcommittee.

Subcommittee timeline

Kali gave the subcommittee an overview of the timeline: the last date the MCCRC can present its recommendations to the Board of Commissioners is August 4th. She pointed out that in order to reach this point, subcommittees need to make recommendations to the full MCCRC for discussion, and that they should plan for that to take some time. She strongly encouraged aiming to have recommendations together by May to pass on to the full MCCRC and mentioned that she would be discussing a restructuring of the MCCRC's meeting dates and times in May/June/July to maximize time for discussion, drafting, and feedback.

Logistically, Kali asked subcommittee members if they want to proceed with meeting twice a month, on the 2nd and 4th Mondays. Subcommittee members supported that. Kali also recommended adding time to one or both meetings so that they are 90 minutes to allow time for public comment.

Donovan voiced support for giving adequate time to public comment. Other subcommittee members also agreed; no one spoke against 90 minute meetings.

Research plan and next steps

Kali asked subcommittee members what next steps they wanted to pursue. She highlighted that it seemed there had been support for looking at what other jurisdictions are doing in their charters, and also brought up inviting people to come speak, or spending time outside of the meeting researching relevant information.

Danica looked at the Willamette Week article Ana had brought up that reported the probation status of the County jail and pointed out that there was supposed to be a follow-up in mid-April. She was interested in reading the accrediting body's initial report and perhaps hearing testimony connected to that. She also said she was interested in looking at the Sheriff's budget, because even though they might not have much power to do anything about it directly, it might give them some ideas for limiting the Sheriff's power.

Donovan agreed that they should read the FY2021 budget for the Sheriff's Office and that it would be a good idea to read through the past three years of budget cycles so they could see where in the budget there have been increases and decreases. Then they can discuss the line by line breakdown at their next meeting.

Salma also supported reading through the budget, and mentioned assessing at their next meeting who they would like to hear from.

Donovan shared that he had reached out to the "Yes for Minneapolis" communications campaign manager to see if she could talk to him or the group about lessons learned from their charter amendment campaign to replace the Minneapolis police department with an office for public safety. He has not received a response yet.

Salma mentioned that in a different meeting someone had brought up a former Multnomah County Charter Review Committee member who was maybe a judge or something like that, and she wondered if that would be a good person to hear from. She thought maybe Donovan had brought this person up.

Donovan wondered if she was talking about Joanne Hardesty, who he believed was part of the City of Portland's process in 2012 and had tried to limit Portland Police's powers. He thought she might be a good resource for understanding what they could push for in a charter, if that feels valuable.

Ana had to leave the meeting a few minutes early.

Kali pointed out that Danica wrote in the Chat that she would be interested in hearing from 2016 Multnomah County Charter Review members about what happened with their proposed amendment to make the Sheriff an appointed office. Kali said that was an option if they wanted to identify who would be a good former committee member to hear from on that topic.

Kali summed up the subcommittee's agreement on work ahead of the next subcommittee meeting: reading the report about the County jail from the accreditation body and looking at the past three budget cycles for the Sheriff's Office. She raised doing independent research on other jurisdictions as an option and also committed to sending the subcommittee the link to the Auditor's website where they could find her letter informing the Sheriff about her audit of the County jails.

Donovan encouraged people to look at Reimagine Oregon's platform; this is a coalition of Black groups that formed during the 2020 protests and demanded that the County take \$50 million from the Sheriff's Office and move those resources to community-centered efforts that supported health and well-being. He believed that only \$1.8 million was reallocated.

Kali affirmed what several subcommittee members had brought up in discussion, that the Charter is not a budget document. Her understanding of the subcommittee's purpose, though, was a desire to use the Sheriff's budget to better understand how the Sheriff's Office is operating and use that information to pinpoint potential areas for change through the Charter. Once those areas are identified, Kali said they should start a conversation with Katherine Thomas (Assistant County Attorney) about what they can do legally. She said it would be most helpful to present Katherine with some specifics, like the goal they want to achieve and the outline of how they want to achieve it, so she can give more specific legal analysis.

Nina said she would be interested in hearing from the Auditor about her responsibilities. Other subcommittee members supported that and Donovan said that could pair well with their discussion at their next meeting.

Kali committed to reaching out to the Auditor about presenting to the subcommittee as soon as possible.

APPENDIX A: ZOOM CHAT

19:02:45 From Danica Leung to Hosts and panelists:

Hey y'all!

19:29:19 From Donovan Scribes (he/him) to Everyone:

<https://reimagine.la/>

19:41:56 From Kali Odell (she/her) to Everyone:

<https://www.wweek.com/news/2022/01/19/an-accreditor-has-placed-the-downtown-multnomah-county-jail-on-probation/>

19:44:54 From Ana del Rocio to Everyone:

It's a good reminder. "That was then, this is now" is the general sentiment I am getting from community. There is a greater interest in govt accountability mechanisms now than there was in 2016.

19:45:12 From Donovan Scribes (he/him) to Everyone:

^^

19:47:48 From Salma Sheikh to Everyone:

just to clarify, you said april 4th?

19:49:58 From Ana del Rocio to Everyone:

Yes

19:50:03 From Danica Leung (she/her) to Everyone:

should be fine!

19:51:40 From Danica Leung (she/her) to Everyone:

Agreed!

19:54:29 From Donovan Scribes (he/him) to Everyone:

<https://www.multco.us/budget/fy-2021-adopted-budget>

19:55:26 From Ana del Rocio to Everyone:

So sorry, have a kiddo with a stomach ache that needs me so I have to jump off now but please let me know what work to prep for next meeting! Good night everyone

20:00:14 From Danica Leung (she/her) to Everyone:

That's related the point I was going to bring up, Salma! Since the 2016 sheriff (elected-->appointed) amendment was rejected I'd be interested in having a committee member from that year testify and talk to us about lessons learned, allies in this issue + how we can build consensus

20:00:52 From Salma Sheikh to Everyone:

^ I agree!

20:02:35 From Donovan Scribes (he/him) to Everyone:

<https://www.multco.us/justiceagenda/reimagine-oregon#:~:text=Reimagine%20Oregon%20wants%20to%20ensure,County%20a%20%E2%80%9Csanctuary%20county.%E2%80%9D&text=The%20Sheriff's%20Office%20adheres%20to%20Oregon%20law%20and%20court%20cases,Immigration%20and%20Customs%20Enforcement%20Agents.>

20:05:33 From Danica Leung (she/her) to Everyone:

Absolutely!