

POLICE BUREAUWIDE ADVISORY COMMITTEE

REGULAR MEETING

Meeting Summary

Wednesday, March 15, 2023

6:00 – 8:00 p.m.

ATTENDEES:

PBAC Members:

Nirel Jackson Wardwell, Chair  
Karin Branch, Vice-Chair  
Doug Blauer  
Corinne Frechette  
Richard Ham-Kucharski  
AnaMaria Perez  
Megan Robinson

Members Absent:

James Ellis  
David Komeiji  
Don Levine  
Maggie Vining

PPB Staff:

Elizabeth Gallagher, Analyst IV, Budget and Strategy Unit, CSD  
Genevieve Kruse, Hatfield Fellow  
Ken Lee, Senior Business Operations Manager, Business Services, CSD  
Chloe Massarello, Strategic Planning Analyst III, CSD  
Pamela Neronha, CSA III, CSD  
Lt. Martin Padilla  
Tori Rohrbach, CSD Admin Support  
Brody Sargent, Equity and Inclusion Program Specialist  
Romla Johnson-Shields, Equity Data Analyst, Equity & Inclusion Office

Guest Speaker:

DA Mike Schmidt  
Liz Merah, MCDA

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**AGENDA**

**(6:05 pm) Welcome** - Nirel Jackson Wardwell, PBAC Chair

**(6:06 pm) Report from the Chief's Office (CHO)** – Lt. Martin Padilla

***Report from the Chief's Office:***

1. Personnel and staffing: hiring ceremony on 3/16/23; 15 new police officers, giving a total of 816 sworn. We will continue at this rate. We hired 76 police officers last year. An additional DPSST session (30 plus are “warehoused”) has been obtained. They are working on getting a DPSST that will be satellite in the Metro area, for all regional partners. Still in conversation with DPSST regarding this. Just finished a promotional process for first-line sergeant positions; 23 candidates were successful; top 10 shows a 50% diversity between gender and cultures.
2. Mobile Field Force Training: midway through; complete by May for all members. This is not meant to replace the current Public Order Team, it is meant for response to smaller or medium-sized events.
3. Dramatic increase in traffic fatalities. Staffing numbers for traffic division: 10 individuals, primarily motor officers citywide during swing shift hours.

**Questions:** None

Lt. Martin Padilla leaves the meeting.

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**(6:10 pm) Introduction of Members/Panelists for the Guest Speaker**

**(6:16 pm) Guest Speaker** – DA Mike Schmidt

***The following four questions were sent to the DA for review prior to the meeting:***

- 1) What successes do you feel the DA's office has achieved?
- 2) What areas do you feel need additional support or increased visibility?
- 3) What is the DAs office doing to build trust with the citizenry of Multnomah County?
- 4) What is the DAs office doing to progress the 'restorative justice' in the County and Judicial system?

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A. **What successes do you feel the DA's office has achieved?**

1. Elected in May 2020. They went from 100 to 72 attorneys. Thirty percent prosecutorial decline. In his first 2.5 years, one of the things he is most proud of is building back the DA's Office. They now have 85 attorneys. Hoping to keep the resources they now have. We are now 26 percent under on resources needed to handle the workload we have. The county is continuing to make the investments in our resources. We are aligned in our vision, which is critical to public safety. We have added victim advocates, attorneys, and staff.
2. We have built a justice integrity unit. Our work is reactive (from police), and it is prospective (the incident happens, a case is created, and resolved). The justice integrity unit is the exception: it looks to the past. It is critical that we look at it openly and transparently. *See reference below regarding errors in arrests (wrongful convictions).*
3. "Step Court" is a treatment court, but it targets Measure 11 crimes – assault and robbery. It is a sentencing law passed by the voters in the 1990s – one strike and you're out. The number of people in Multnomah County that were prosecuted for assault and robbery – the disparity was 25% of the convictions were young black men ages 18 to 35. Young black men make up close to 1 or 1.5% at most of the population. Seventy percent of people charged with Measure 11 crimes don't have a felony criminal history. When people go to prison, 50-60% of them will be convicted again after release with a new crime within 3 years in Oregon. There is a capped amount of space, however. There are 65 people in this specialty court right now. It has been in operation for a year and a half. Only one person has been re-arrested for a misdemeanor in that period of time.

**Questions:** None.

**Answers:** None.

**References:**

Question #1: [False Oregon DMV records lead to mistaken arrests, convictions for driving with suspended license - oregonlive.com](#)

B. **What areas do you feel need additional support or increased visibility?**

1. Victim services. There are never enough resources. Survivors of domestic violence. Coffee Creek Prison – 90% of the female population are survivors of domestic violence. Also, gun violence. "Healing Hurt People." Not just the right thing to do, but it is good for public safety.
2. Cases coming in and referral data, is way down. Misdemeanors are down to 33% of what it was pre-pandemic (33% of 1,000 cases per month). Gun violence and

homicide is up. Reformation of the traffic unit is a good step forward. There are less DUI prosecutions and arrests happening. Referrals – what is happening and why. Theft referrals are way down. Three percent will become an arrest and a case for prosecution; 97% will not. The CHO reports that big box stores are not retaining people now. There are conversations going on regarding organized retail theft. Making bigger cases related to reselling stolen goods online. What deters crime the most is being afraid of getting caught. Referrals have gone unexamined.

**Questions:**

1. Define - organized retail theft?
2. The connection between referrals and lack of public defenders.
3. It is not clear when the referral rate started to go down. There is a clear decline around the pandemic in misdemeanor prosecutions. Do you have a percentage or rough estimate of the number of referrals specifically for misdemeanors that you have prosecuted?
4. Regarding the balance between the lack of PPB officers and staff, and the number of public defenders and your staff, what role can PBAC play to help push these issues?

**Answers:**

1. Refers to the catalytic converter operations.
2. Property felonies have the most cases dismissed; misdemeanors have the most resources; Measure 11 crimes are covered. It is the “middle” felonies that are being dismissed due to public defender resources. Tens per week – the number of cases dismissed. Re-filing the charges would be much better. Not doing anything sends a bad message. The court might dismiss the charges, but if they can prove it, the charges are brought back again and hopefully a public defender will be available.
3. Around March 2020 is when misdemeanors went down (pre-pandemic, 60% were prosecuted). The prosecution of them went down as cases were not going through the courthouse, backlogs, etc. They eased back on filing the charges. Now they are back to pre-pandemic levels of prosecutions. Need evidence, witness, and victim on board in order to prosecute any case post-pandemic (after COVID restrictions ended).
4. Between the pandemic and the resurgence of a civil rights movement (George Floyd’s death), we saw all the systems “buckle.” Everything was compounded: PPB staffing and law students seeking other jobs not in public defense. Investing in resiliency is the primary goal. Our city used to be very safe regarding violent crime. Now we have new attorneys and new police officers – it takes time for them to come up to speed.

**References:**

Question #3: Dashboard – Misdemeanor Cases

C. *What is the DAs office doing to build trust with the citizenry of Multnomah County?*

1. Our Map Program. Multnomah County used to lead nationally – instituting neighborhood prosecutors; it went away due to budget cuts. However, we are now bringing back two programs as a pilot: Old Town and the Rockwood Neighborhood; also, in the Hazelwood Neighborhood – one more map attorney was added. They are embedded in community organizations: Central City Concern; the Rosewood Initiative; various community partnerships. They carry caseloads specific to the neighborhoods they are serving.
2. Justice integrity work. Legal Services Day – expungement of old fines and fees; old convictions also.

**Questions:**

1. Is the pilot program going to be expanded and when?
2. What is the status of the Municipal Court?

**Answers:**

1. Map attorneys should expand especially in East County. That is our goal. They work with the city and community-spaces: Environmental Design for Public Safety work. Being in the neighborhood and understanding the issues: example in Old Town with Chinese-speaking business owner. It is up to the County, that controls the DA's office's budget.
2. The Municipal Court – see Commissioner Gonzalez. There are several hurdles that need to be navigated to accomplish this. Prosecutors are expensive and it is difficult to find public defenders. There is a 90-day study period right now. It is currently not a part of the DA's Office work right now.

**References:** None.

D. *What is the DAs office doing to progress the 'restorative justice' in the County and Judicial system?*

1. We have a restorative justice program. We applied for a 4 million dollar grant with the state, and we are working with a group called the Insight Alliance to help get the program up and running. There are about a dozen cases in it at various stages; a victims-centered approach. We approach the victim first and ask them how they want to proceed: an option to have a restorative process instead of going through the criminal system altogether. Research shows that victim satisfaction is very high, and recidivism is lower than a traditional criminal system response.

**Questions:**

1. Regarding disparate impact, can you speak to your plans for reversing the trend of reducing the disparities on the victim's end?

2. Do you track the incidences of people being multiple victims of crimes?

**Answers:**

1. People who are both defendants and victim, frequently come from the same communities. We want to be sure people are not treated differently based on race and or ethnicity. We track this regarding outcomes of cases. As prosecutors we want to be certain we are not increasing disparity. We also try to prioritize cases regarding the disparate population.
2. No, we do not track re-victimization.

DA Schmidt and Liz Merah leave at 7:08 pm

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**(7:08 pm) Budget Update** – Elizabeth Gallagher, Analyst IV, Budget and Strategy Unit, CSD

Update: Spring Budget Monitoring Process (BMP) due on 3/16/23. *See slide deck link below as a reference.*

Council work session: March 9<sup>th</sup> for PPB (see Council Work Session slides on slide deck).

Traffic Division is the largest area for staffing concern right now.

Gun violence deference and property crimes are a focus.

Key Performance Indicators: Call volume and response time

**Questions:**

1. Are the new numbers of sworn personnel 816, as Lt. Padilla previously mentioned, or 839?
2. At what point will be the PS3 portion of the budget be added back in?
3. Why does the PS3 program have limited-term status?
4. Will we be able to see the differentiation of how our recommendations actually made impact on the budget? How do we request this next time, in writing?

**Answers:**

1. There are 839 authorized sworn positions as of July 1<sup>st</sup>.
2. It was one-time money allocated for PS3 positions. There must be sworn positions that supervises them. There are vacancies within the current PS3s. There are also bargaining issues involved. There was no opportunity to request it in this budget; it was unclear whether the monies were going to be carried forward. With the fall 2022 BMP, they clawed back some of the money from the PS3 program – only “1.5” was left in the program. Seven PS3 positions will be reasonably added to the existing program. 1.2 million will be rolled over from the 1.9 million for two years (this comprises the seven positions). And a portion of this will go toward the “coach pay.”
3. There are currently 42 full-time ongoing PS3 positions; in the current budget year, 3.5 million was allocated to fund 28 additional positions on a one-year basis. There are

continued labor union conversations and limited funding allocations. The hope is to turn them into permanent positions.

4. Elizabeth will pull this together for the next meeting: May 17<sup>th</sup>.

**References:**

1. See Elizabeth's PPT presentation: [3.15 March PBAC Presentation-1.pdf\(Shared\) - Adobe cloud storage](#)
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**(7:39 pm) Strategic Plan RFP Update** – Chloe Massarello, Strategic Planning Analyst III, CSD

March 2<sup>nd</sup> – Second phase of the selection process: develop and submit a presentation.

Finalist is the following: it was a joint proposal.

[Home | Slalom](#)      Leading the core strategic planning process.

[Home | Tryxcellence](#)      Leading the community engagement process.

Next steps: We have a meeting with them next week to have a preliminary discussion regarding follow-up questions on their proposal. There are two sub-contractors mentioned. More clarity on their communications planning and how the community engagement will tie into the strategic plan process.

Then, contract negotiations. Work would start at the end of June or early July; could be an eight-month timeline, or likely longer.

**Questions:**

1. Is this something the PPB would want publicity/local press for?
2. Is there a tie in with what we are doing at PBAC regarding community engagement?

**Answers:**

1. Will eventually build up a communications plan once the consultant is hired. We have had some conversations with the communications teams of the bureaus, but they decided against it at this time, due to the timing.
2. This has been flagged in the RFP regarding community engagement: involving our community advisory groups. It is something we want to follow up on due to what they have outlined in their strategic plan. Prior and current advisory groups should be consulted on an ongoing process.

**References:**

[Home | Slalom](#)      Leading the core strategic planning process.

[Home | Tryxcellence](#)      Leading the community engagement process.

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**(7:45 pm) Housekeeping Items** - Nirel Jackson Wardwell, PBAC Chair

1. Year-End Review: intentions of members desiring to continue with a second term starting in July, or resigning in June:
    - a. Nirel Jackson Wardwell – remaining.
    - b. Doug Blauer – remaining.
    - c. Corinne Frechette – remaining. Agreed to Co-chair with Nirel.
    - d. Karin Branch – resigning.
    - e. AnaMaria Perez – resigning.
    - f. Megan Robinson – remaining.
    - g. Richard Ham-Kucharski – remaining.
    - h. Maggie Vining – resigning.
    - i. Tahanni Al-Essa – will be starting her term in June 2023.
    - j. James Ellis – uncertain whether he will be joining us or not.
  2. We are looking at guest invitations for the next month or so.
  3. We are anticipating recruiting new members over the next few months.
  4. New Performance Analyst will be joining us on 3/16/23: Nicholas Macdonald (replacing Lizzy Dreyer's position).
  5. Nathan Leamy will return in July.
  6. Genevieve Kraus is leaving her position as Hatfield Fellow on 3/24/23.
  7. Spring/Summer Break: we will not hold meetings in April and August this year.
  8. Brody Sargent – updates: The revised Racial Equity Plan (REP) has been shared with the CHO. We are currently in a review process. Thank you for all the comments that were contributed during the revision process.
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**(7:50) Approval of February 2023 Meeting Minutes** - Nirel Jackson Wardwell, PBAC Chair  
Nirel moves to approve the minutes from the meeting on February 15, 2023. Corinne seconds the motion. All agree to approve the minutes. Minutes approved.

**(8:00 pm) Meeting Adjourned**