



CITY OF PORTLAND, OREGON



Bureau of Police

Ted Wheeler, Mayor

Charles Lovell, Chief of Police

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Police Equity Advisory Council (PEAC)

Date of Minutes:

7/20/21

Attendance (Via Zoom):

PPB Representatives:

Chief Charles Lovell-Present

Deputy Chief Chris Davis-Present

Marlon Marion - Present

Brody Sargent – Present

Lauren Rosenstein- Present

PEAC Members:

Chair - Tony DuVoix – Present

Co-Chair - Shaina Pomerantz – Present

Member - David Benson - Present

Member – Ana Brophy - Present

Member – Britt Clarke – Present

Member – Katrina Eerkes – Present

Member- Zuleyma Figueroa - Present

Member - La Trece Gaither - Present

Member - Dave Galat - Present

Member – Loresa Novy - Present

Member - Tina Semko – Present

Member – Danny Stribling – Prearranged Absent

Member - Sandy Wilborn – Present

Member – Stacy Williams - Present

Guests:

Patrick Alexander- Present

Maxine Bernstein-Present

Nathan Castle- Present

Leah Drebin- Present



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Theresa Huggins-Present
Heather Kell-Present
K Avi Klepper- Present
Phil Levinson- Present
Suzie Payne-Present
Tyler TerMeer- Present
Nirel Wardwell- Present

Discussions and Votes:

1. Members were informed that recordings of the discussion were legal but the Equity and Inclusion Office requested that all those who wished to record first inform the group.
2. Members were reminded of Police Equity Advisory Council (P.E.A.C.) ground rules. The ground rules included brave space, respect, accountability, ongoing learning, discretion and active participation.
3. The group went through introductions.
4. Members made the following amendments to June minutes:
 - a. Amended that Program Specialist spell out acronyms.
 - b. Amended that “Wants to help EIO keep them accountable” be rewritten for clarity.
 - c. Amended that TAC (Training Advisory Council) Equity Task Force (subcommittee) has been not been created but is being discussed.
 - d. Amended last bullet point on the letter E to include that two community members and one other Portland Police Bureau member also review the Red Door Project.
 - e. Amended that subtotal of votes on items 8 and 9 after the votes.
5. Members voted on approving the amended minutes.
 - a. Benson, David - Yea
 - b. Brophy, Ana - Yea
 - c. Clark, Britt - Yea
 - d. Duviox, Tony - Abstain
 - e. Eerkes, Katrina – Yea
 - f. Figuero, Zuleyma- Yea
 - g. Gaither, La Trece – Yea
 - h. Galat, Dave - Yea
 - i. Novy, Loresa - Yea
 - j. Pomerantz, Shaina - Yea



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- k. Semko, Tina - Yea
 - l. Stribling, Danny – Absent
 - m. Wilborn, Sandy – Yea
 - n. Williams Stacy- Abstain.
 - o. Total: 11 Yea, 2 Abstain, 1 Absent
6. Deputy Chief Davis Spoke on the New Disciplinary Structure and Oregonian Article found here: <https://www.oregonlive.com/portland/2021/06/city-seeks-to-negotiate-disciplinary-guide-for-portland-police-that-would-include-restorative-corrective-options.html>
- a. Chief Davis summarized general principles of discipline that he has learned in his research but not specifics of the current bargaining process with the PPA. In his summery he emphasized:
 - In the city and Portland Police it is very rare to terminate employees.
 - Traditionally discipline or corrective action was a punitive measure like suspension without pay, demotion or termination of employment. These were not always made objectively, often case by case. This meant that discipline was often inconsistent.
 - In order to make discipline more consistent the police bureau created a discipline guide found here:
<https://www.portlandoregon.gov/police/index.cfm?&a=759448>.
 - There are a spectrum of categories of offenses A (least severe) through F (immediate termination). Discipline also takes into account aggravating and mitigating circumstances.
 - The literature shows that strictly focusing on punishment is not the most effective way to change behavior. Other agencies are getting away from focusing on punitive focus. One model in Los Angeles County is the use of education based correction. This model focuses on what went wrong and how it can be fixed in the future.
 - b. Chief Davis then answered questions from the audience. The questions and answers have been truncated and edited for clarity and length.
 - Question: Is the education based correction plan created by a council or committee?
 1. Answer: In LA County the plan is created by the person and their training division. In Portland it would look different due to differing local needs.
 - Question: Would EIO or Community Partners be involved?



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1. Answer: First we need to work this out in the contracting process. Once we have figured out a direction with the Portland Police Association we will have more time to figure out questions of implementation. [Marlon added later that there has been discussion around getting community input on these items. Chief Davis mentioned later that half of the bargaining sessions were in public so that the public could attend it].
- Question: Can you explain a little bit more why the “embarrassment clause” is in the discipline process and how it’s supposed to be implemented?
 1. Answer: This is in our Portland Police Association and Commanding Officers Association contracts. I am unsure if it is in other non-Police Unions or how common they are nationwide. There is some disagreement on how exactly to interpret that clause. The point of the clause is when you publicly shame someone you can cross a line as an employer making the employee unlikely to get the point and causing the employer to lose legitimacy with the employee. Some interpret this as saying the organization cannot say anything about the employee publicly but Police are covered by Oregon Public information laws, which exempt employee discipline information from release unless the needs of public interest are great enough to outweigh the employee’s privacy rights. Sometimes we release the entire internal investigation in high profile cases when the need of the public for that information is high enough but it is a balancing act. We at the city of Portland need to balance our responsibilities as an employer and as public servants.
- Question: Will the Department of Justice’s recommendations be included in the process?
 1. Answer: Any policy we enact related to the Settlement Agreement does have to be approved by the Department of Justice.
- Question: Who defines what constitutes embarrassment?
 1. Answer: If an employee believes that the employer violated an embarrassment clause in the contract they would file a grievance with the city. If we are unable to resolve that in discussion with the union they could take it to an arbitrator who would decide if it was violated and what would happen next. This a rare occurrence.



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- Question: How do we get financing for Training?
 1. Answer: There are a number of options. For education-based discipline, one idea that comes out of Denver is to have a list of classes that cover issues they regularly see. Some are classes provided in-house, others through community contract and others don't cost money (like writing a research paper or giving a presentation to your team). A lot of these could be accommodated from existing resources and some might need to more funding. The cost for this should not be too high as the amount of individuals being disciplined at one time is not that large. So this could be done fairly inexpensively.
- Question: Does discipline for Officers vary? Is this effected by rank?
 1. Answer: Discipline for Officers is not supposed to vary by rank. We often consider rank to be an aggravating factor because we hold people with more standard to a higher standard. In Oregon we have a 'just cause' standard which means we must give consistent punishments to employees with similar offenses.
- Question: You mentioned some of the repercussions for larger corrective discipline may offset some suspension time. However, what are the benefits for someone to have education based discipline for smaller corrective issues? Also, what if an officer at a traffic stop demonstrates transphobic behavior? If there is an education-based solution to volunteer at the Q Center, could an officer use the embarrassment clause to fight it?
 1. Answer: These details aren't worked out but the situation you described could be a possibility. Some other agencies allow community service (related to the offense) to be part of discipline. Agencies that do use education based typically do use it for lower levels that do not get time off, however it does not begin to offset things until you get into suspensions. The example you mentioned would likely not be subject to the embarrassment clause.
- Question: It appears that the disciplinary process is very much internally controlled by the police and there is not much community involvement. Has there been any move for the bureau to step away and allow more community involvement in determining some of the flaws and what hasn't been working?
 1. Answer: I think there is an important balance to strike. Leadership needs to hold people accountable and shouldn't be able to shirk



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responsibility to the community. However if an offense is great enough it will go to our Police Review Board which does have community volunteers on it. We are always looking for volunteers. We are always looking for community input on policy changes and any new policy goes through a review period where the public can comment. (Found here:

<https://www.portlandoregon.gov/police/59757>)

7. During the transition to Chief Lovell's section Chief Davis was asked about whether a leader from outside is capable having impact on shifting the culture or whether that was more likely to come from promoting from within.
 - a. Chief Davis' Answer: I think it is a balance. There are times when it helps to promote from within but it can also be valuable to have an outside perspective. It is important to not overestimate how much change an outsider can do. Turnover is another major factor. Culture change takes time and when there is frequent turnover in leadership positions it is hard to maintain efforts to change. It is critical that Chief's Office remain active in monitoring training to ensure the values of Training are not drifting away from the Chief's Offices vision and policies. Consistent leadership is important for PPB. Chief Outlaw made a lot more organizational changes then she gets credit for and now it is time for us to consolidate those changes.
8. Chief Lovell answered questions relating to the recommendations submitted by the Police Equity Advisory Council and his response. The questions and answers have been truncated and edited for clarity and length. Question order is based on order of Chief's responses.
 - a. Question: What is the future of the Coalition of Advisory Groups (CAG) currently looking like? Will we have something more inclusive of other advisories?
 - Answer: It will continue as a group although we have had some members step down. I think we will see an environment where more of the other advisories can come and see where there is some synergy.
 - b. Question: With the support of PEAC, the PEAC chairs had submitted to the Chief's Office some recommendations around the Coalition of Advisory Groups, specifically the Anti-Blackness in the space. We have not received follow through on that. What kind of insurances can we have from you that our recommendations will be received?
 - Answer: The recommendations that come forward I do look at and make decisions on and try to be responsive to. In the situation with CAG the members involved had differing interpretations about what took place.



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There are limits to what I can do especially as it relates to volunteers. I cannot force volunteers into a mediation or activity they do not want to do. All recommendations are considered and valued but I cannot always act on them the way people want me to act on them.

1. PEAC Member responded hoping that the Chief would consider having a standard of willingness to address harm done through an equity lens even when there is differences of agreement on what happened at an event. Stressed the importance of tending to impact.
- c. The Chief overviewed the Portland Street Response program in response to PEAC Recommendation One. He compared and contrast Portland Street Response to the similar Eugene CAHOOTS program, and noted that Portland would need to make adjustments due to having different needs. Hopes that this can take some mental health calls away from the police.
 - d. Question: When the unit expands will it add Non-Sworn to the program?
 - Answer: There are no officers currently in the program or PPB staff of any kind. We do have a Behavioral Health Unit at the Police Bureau but it is different from the Portland Street Response.
 - e. Question: Currently, the Portland Street Response (PSR) team has a four-member team that works Monday to Friday from 10:00-18:00. Unfortunately, crises may not happen during standard “business hours” Currently, their analytics only show the calls they responded to, but not potential calls outside of their business hours. The most similar section of PPB to Portland Street Response is the BHU (Behavioral Health Unit). At this time, PPB has cut part of the department, and they also work a “standard” business hour shift. Since Portland Street Response services the Lents community during a limited time frame, the BHU’s resources have been cut, and the BHU section works on a fixed schedule. How do you see a sustainable solution to serve all of Portland during all times of the day with staff capable of handling mental health crises and non-emergency situations with dignity and respect?
 - Answer: We have a 24 hour operation. Our BHU is a three team unit. Every Officer in the bureau has 40 hours of Crisis Intervention Training (CIT) and about a 100 Officers have Enhanced Crisis Intervention Training (ECIT). Other Officers can call for an ECIT Officer to assist them on their call. Afterwards you can refer that person to the Behavior Health Unit for follow up. That gives us coverage for the weekends and late hours.



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- f. Question: What's holding back PPB from maximizing & recruiting diverse police officers? What recruitment sources and strategies are most effective at attracting LGBTQ+ and BIPOC employees?
- Answer: This is something that is changing for us as we are trying to recruit in a really tough recruiting environment. One thing that has changed is we no longer require a four-year degree. This makes it harder to recruit people with experience working with diverse populations as many people interact with more populations that are diverse during college, so we try to take that into account. We try to ask questions around diversity in the interview process. When it comes to the LGBTQ+ population, it is a bit more difficult because we do not ask those questions. We can advertise in locations that may better reach these populations (we also do this for BIPOC) but we do not request individuals disclose that information. We don't want to pressure people to disclose to us information they do not want to disclose. We want to attract a work force that reflects the community so we want to make sure that we attract a diverse set of recruits.
- g. Question: What is being done to assess one's fitness to work with diverse populations regardless of their background? For example, here are some thoughts: Community service orientation: proven commitment to helping and serving others. Flexibility/Valuing Diversity: The ability to adapt one's approach in a variety of situations, and to work effectively with a wide cross-section of the community representing diverse backgrounds, cultures and socio-economic circumstances. Developing Others: Commitment to helping others improve their skills.
- Answer: Those are great criteria. We look for a lot of that in the backgrounding process, looking for people who have lived experiences. I think it is important to get officers exposed to diverse communities in Portland early. The program I was hired through had a community-volunteering component where I worked at IRCO (Immigrant and Refugee Community Organization). It is great for relationship building with the community and lets the community know the officer before they are in uniform. Background is something we are looking to expand, we moved from 18 to 7, do to our hiring slow down. We also background for other bureaus. We need to expand if we want to start hiring again.



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- h. Question: Lateral Transfers: What are you doing to ensure those officers coming from other agencies or military do not have a history of anger management or disciplinary issues?
- Answer: We do check this in the background phase. We don't get a lot of transfers. We go to their agencies, get their files, and talked to people where they live. Its important to do intense backgrounding on anyone who is joining the Police Bureau (lateral, military, or new recruit).
- i. Question: What if there was an education credit system within the bureau for sworn or would be sworn officers? Do you think it could work to incentivize officers to continue education?
- Answer: I like this. The PPA has some educational re-imbusement funds. I think this is important especially for our high school graduates, as this gives them to opportunity to further their education. I also think we need more robust training plans in the Training Division. If you want to be a Sergeant there should be a lesson plan for what classes would be useful for you. Or if you plan on working a district for a while, be able to take evening classes on a language spoken in that district. The more ways we can assist people in their education and growth the better.
 - Answer (DC Davis): Portland Police also does a comprehensive psychological evaluation designed to screen out problematic behaviors like aggression and bias.
- j. Question: Have you considered expanding those recruitment efforts by employing paraprofessionals - those with lived experience in addition to your current practices?
- Answer: We try to utilize community recruiters. Barbers, Councilors at School, Coaches. We got really good results that way. This might be something to expand. I am not sure if this is still happening. We currently do not have any recruiters. At one point we had a recruitment manager and two recruiters, these have been cut due to budget. I think this concept has a lot of merit.
- k. Question: Does PPB have diversity training for incoming police officers?
- Answer: We have Cultural Competency Training. The Equity Training Specialist will be building out more here. We want to focus more on getting individuals the opportunity for interactions. Get them with the right coaches and connected with the community. As time goes on we will see where individuals need help and growth. In police work, we spend a



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lot of time on skills work but most of our job is people work. We do not get a lot of training on how to talk to people and interact with people. We want to build that into the skill set as much as possible. In the past we had Equity 101 training. This talked about the importance about redlining and housing inequities and how it impacted the nation and Portland. These are the kinds of trainings we want more of. Its important that members know more about Vanport, Albina District, and the history of the Portland Police.

- l. Question: Some departments offer extra points for college degrees during promotional testing to encourage promote continued education.
 - Answer: We want to be sure to be fair around this. We don't want to disadvantage someone because they potentially didn't have the money to pay for college. This could be a disadvantage for BIPOC people.
- m. Question: Specific to attracting queer applicants, how much of a commitment do you have to fully implement and support policy directive 0640.38? Full implementation and support for this policy would certainly make a strong case for PPB walking the talk around serving the queer community.
 - Answer: This is something we are putting into policy. We want to create a welcoming environment for potentially incoming staff and members of the queer community who are already in the organization.
- n. Question: Chief do you support directive 0640.38 "Interacting with Members of the LGBTQIA2S+ / Queer Community"?
 - Answer: I support it. We want to adopt it in a way that makes it not only policy but also part of the culture. If policies exist on paper but aren't woven into culture they aren't always successful. We want to implement this in a thoughtful way.
- o. Question: Is the goal to hire people with a different mindset or is the goal to change training? It's important to bring in young folks but also older people with some wisdom.
 - Answer: I think that switching to high school and GED requirement helps. This helps with younger perspectives. It can also get people who went into a trade. On the training piece I think about what's going to make us better? I want to host more conversations in the Police Bureau. Officers and community members talk about what their experiences are. The problem is staffing, every hour an officer is not on patrol they have to be covered. If 800 people have to take a class and are covered at a day and a half that can be very expensive. We have taken many financial hits this last year, and



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you can't always do more with less. With our heavy attrition, it can be hard. I see the conversation around reform to be a conversations around improvements. I always want to be thinking about how to improve.

- p. Question: Can you speak on having more officers living in the communities? In the 90's when Chief Moose lived in the community there was a drop in crime.
- Answer: I believe there is some benefits to officers living in the neighborhood. As a Chief, I can't mandate that. However, I think what people really want is officers who care about communities. I know officers who live in Portland and some who live outside and find that it's more about who the person is then where they live. I think what's more important is an officer working a consistent beat. Maybe the City could incentive officers to live in Portland, especially younger officers who are less likely to be able to live in the City. This is something we can discuss with PPA.
- q. Question: I would think that the lives and safety of our community, especially Black and Brown folx, would outweigh those expenses?
- Answer: I agree. However there is only so much money that the City will allow us to use on training. There is a lot of training we would like to do that we just cannot.
- r. Question: Can you discuss recommendation 13? Recommendation: Ban racial profiling by ending: stop-and-frisk, consent searches, pretext stops.
- Answer: We have never really done Stop and Frisk. I recently told officers to shift our focus from things like expired tags and license plates and focusing more on behaviors like speeding that can lead to traffic fatalities. As far as stops of people, we want to make our stops more efficient and effective, without disparities. We are interested in seeing if this is beneficial.
- s. What is the future of the CAG? Is it meant to be a group specifically focusing on recommendations for you? Or should PEAC continue to give recommendations through EIO to you.
- Answer: I think the work is done in individual groups. Keep sending recommendations through EIO. CAG is more an opportunity for groups to check in with each other and see what work the other groups are doing and see opportunities for collaboration.
- t. Additionally the Chief discussed a program in which community leaders gave Portland Police Recruits a walking tour of North Portland, which discussed some of the history of the area and the importance of it.



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- u. Several Questions were posted but not directly addressed by the Chief.
 - Question: Can you add a voluntary discloses for LGBTQIA+?
 - Question: Is there capacity for those referrals? If I'm not mistaken, you all are stretched pretty thin. Do officers actually make those referrals (BHRS)??
 - Question: Are exit interviews conducted when people leave the bureau and are demographics tied to that data? Wondering the rate at which BIPOC or LGBTQIA+ folx are leaving and what their stated reason may be.
 - Thoughts on incorporating community members critiquing training scenarios?
 - Will these conversations going to be honest and real conversations? Polite conversation has not gotten us anywhere.
 - In answering #5, you pointed out that an external survey of different demographic groups' attitudes toward, and experiences with, the Portland Police would require some expertise. Couldn't this task be contracted out to an independent professional survey company? Tracking police-community trust seems critical.
 - Question: I know we are talking about trainings and how expensive they are, but for long term change, can there be discussion or inclusion of social emotional learning incorporated as well as the equity and inclusion? It seems critical that officers know how to conduct and understand these things about themselves.
 1. Answer (Equity Training Specialist Lauren Rosenstein): I think that equity and inclusion inherently addresses social and emotional learning when it is taught correctly, intentionally, and holistically. These trainings don't need to be separate, they need to be integrated with a whole systems approach. I'm happy to speak with anyone more in depth about training and the work I am doing: lauren.rosenstein@portlandoregon.gov.
- 9. Members thanked the Chief and Deputy Chief for their presentation.
- 10. Equity Manager thanked the Chief. He then brought up the issues around CAG. He stressed the need to address the harm while also recognizing that some members feel like it is taking a lot of committee time.
 - a. Shaina spoke on the need to be able to have conversations openly. Stressed that we can disagree without being disagreeable. Stated that members of the advisory need to know that Police leadership is hearing the council.



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- Chief Lovell replied that PEAC is heard. He stressed that it is important to acknowledge harm, although he cannot force apologies. He committed to hearing recommendations and implementing them where he can.
- Loresa pointed out that CAG is a very diverse group with differences of opinion and life experiences. While they may not always get along it is up to the Chief's Office to set a basic code of conduct for how people behave in meetings and to make sure the space is transparent and welcoming.
- Dave stated that he felt that this wasn't the right place to bring up a grievance separate from the task of body for this meeting. He felt like it was a little disrespectful for the members of PEAC who were not involved in the CAG situation. He also stated that while he was grateful for the Chairs facilitation he would have preferred to ask his own questions with his own voice rather than have them read in the chat.
- Shaina thanked Dave for sharing his concerns. She felt that as the Chairs were invited to CAG as PEAC representatives that makes their treatment by CAG relevant to PEAC.
- Dave agreed with Shaina's point but still felt like this meeting was not the time for the discussion.
- Shaina stated that in future conversations the chairs would be open to other ways of doing questions if the members desired. Members were encouraged to propose alternatives.
- Ana Brophy informed everyone that CAG is stepping back from making decisions and focus more on just being a connection space.
- Request were made to include chat with minutes.

11. PEAC Business

12. Member Updates

- a. There were no conflicts of interest brought up during the meeting.
- b. Police Equity Advisory Council member updates included:
 - Shaina gave updates relating to CRC (Citizen's Review Committee)
 1. Crowd Control Report press release was approved by CRC (Citizen's Review Committee) this month. It will be presented to city council in September.
 2. Here is the link to the July CRC (Citizen's Review Committee) meeting with Commissioner Hardesty talking about the new appeal oversight body:
<https://fb.watch/v/L92H3FhL/>



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- c. Guest Updates
 - There were no guest updates.
13. The Equity and Inclusion Office gave updates in place of the optional discussion.
 - a. The Equity and Inclusion Office has selected subcommittees
 - b. Lt. Hank Hays will be presenting on the Portland Police Bureau's Plans for a Restorative Justice option.
 - c. Civic Life is no longer supporting the online portal. We will be returning to physical submissions for members who have not yet completed their mandatory trainings.
 - d. The Equity and Inclusion Office requested that members review the monthly Racial Equity Plan update and send the Equity and Inclusion Office Recommendations on how to make them more accessible.
 - <https://www.portlandoregon.gov/police/80321>
 - e. The Annual Equity Retreat is coming up. All members and frequent guests are invited and encouraged to come.
14. Next Meetings
 - a. September 21st
 - Lt. Hank Hays will present on Restorative Justice.
 - Members will discuss the future of meetings.
 - Members will select their subcommittees.