

**Regular Board Meeting
Police Accountability Board
April 21, 2022 at 6:30 PM
Conducted Over Zoom**

Attendees

Board Members: Wilson, Nickoloff, Brown, Setel, Harrison

Staff: Dwyer Reynolds, Pacheco-Walker

Guests: Catherine Daviton-Burland & Elisa Mylnar – ASL Interpretation Team

Item	Details	Vote	Time
Start of Meeting	<u>Welcome & Introductions:</u> Chair Wilson called the meeting to order and reviewed Rules of Order. Pacheco-Walker completed Roll Call.	N/A	6:39PM
Meeting Discussion	<p><u>Staff Report:</u></p> <p>Dwyer Reynolds noted that a comprehensive review of staff activity was given at yesterday’s meeting with Council, and encouraged viewers to check out the video of that meeting available on City Council’s website.</p> <p>Dwyer Reynolds wished to provide 2 updates to the Board; the first being with regard to the Case Management Software (CMS) contract that was discussed last night, was signed the next morning. A 9-month procurement process for the CMS has ended, but the clock is now ticking for PAB to begin investigations. Once the CMS is setup and operational, PAB will be ready to accept complaints. Average time for CMS setups are 10-16 weeks, but they are hoping to get it done in 6-8 weeks and will be moving as quickly as possible to do so.</p> <p>Harrison noted that part of the delay in general seems to have arisen from how PAB negotiates agreements with various City departments and asked if Dwyer Reynolds had considered including a “did-not-receive” report that acknowledges that PAB did not receive everything that it asked for and why.</p> <p>Dwyer Reynolds replied that it is a very useful suggestion and that it should not only be included in his report during Board meetings, but also should be mentioned in a weekly email to the Board with updates on those items.</p> <p>Wilson noted that the matter is on the agenda, as the Board will discuss Staff needs, and agreed that she would like to see updates on how those needs are met on a weekly or bi-weekly basis until everything is done.</p>	N/A	6:40PM

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	<p>Wilson also noted that Members Harvey and Tucker are unable to attend the meeting.</p> <p>Dwyer Reynolds commented that the Staff wrap-around training ends tomorrow, next week Staff will have a mixed week of training and setup work as on Monday Staff will be receiving keys to the new office space. The formal move-in date is May 1st. Next 3-4 weeks will be very busy but the Board will soon be able to hold its meetings in the new meeting space.</p> <p>Dwyer Reynolds noted that as the second update, and included that as discussed last night, Staff has prepared a summary of requests that have been submitted to the Board.</p> <p>Wilson asked Dwyer Reynolds if he could update the Board on the RPD Chief selection process. Dwyer Reynolds answered that he had no additional information on that matter. He understood that the Board had sent a letter to the Mayor on the issue and that it has not yet been answered. Wilson confirmed that she had not received anything either. Stated that she can send a letter of inquiry tonight to request an update.</p> <p>Brown asked if Wilson could state a few things that were in the letter for the audience. Wilson replied that in the letter they had asked to participate in interviews for the Chief. Some Board members have been involved in the process already, but the Board would like to be able to participate in the interviews as a whole.</p> <p><u>Committee Reports:</u></p> <p>Training Committee - Setel stated that in-person Board training with SMK Consultants had begun last week and also had an anti-bias training. Also noted that in place of training next week, the Board will be having a 'bye week' for a retreat and will then resume training with SMK 2 weeks after that.</p> <p>Wilson asked if Setel could provide more context around why there is a bye week. Setel replied that she met with SMK Consultant Mina Malik today and discussed that there had been some confusion around the specific dates and also spoke about the application of the concepts being learned to PAB's work. Also discussed ways that the Board could have additional resources and time to prepare.</p>	<p>N/A</p>	<p>6:48PM</p>
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	<p>Wilson commented that the Board will be meeting next week and scheduling their activities for the bye week.</p> <p>Rules Committee – Harrison explained that the Committee met Tuesday and discussed the wording about meeting facilitation in the Charter. Committee members discussed the language of the Charter and felt that it is flexible enough to allow the Board Chair to empower other members by assigning them facilitation duties during Board meetings. Asked if Setel had the exact wording.</p> <p>Setel replied that the language was for the Chair to ‘facilitate, or designate a member to facilitate’ Board meetings.</p> <p>Harrison stated that the Rules Committee is submitting this as a suggested amendment to the Board Rules.</p> <p>Wilson asked if there was a proposed rotation or schedule or if the Committee had wanted her to create that. Harrison responded that the proposal is simply the rotation of duties.</p> <p>Wilson asked what the rotating duties would be. Harrison replied it is only serving as Chair for meetings.</p> <p>Brown added that the Committee thought it was very important for each Board member to have an opportunity to lead. Further added that the intention is to create a safe learning environment for new Board Members. Brown also mentioned that the Committee had discussed giving all new Board Members a copy of Robert’s Rules of Order.</p> <p>Setel stated that another point of discussion was to have training for new Board Members on the Rules and Charter. Setel added that the clause is voluntary and should a Board Member be chosen to Chair and does not want to they will not be forced to do it.</p> <p>Harrison noted that having knowledge of Robert’s Rules is not just for the facilitator, but for all Board Members. All Members should know how to make motions, second motions, and debate matters.</p> <p>Wilson asked for an addendum to the proposal; that Committee Chairs rotate as well. Noted that it is up for debate as the Committee roles may change.</p>		
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	<p>Harrison stated that he felt that the Liaison was misplaced in that if they are meant to serve as Liaison between Council and the Board, their contact should be with the Board. Further explained that it felt wrong to him that Staff gave a presentation to Council that was more elaborate than what they are given. It should be the other way around. Suggested making provisions for the Liaison to attend PAB's meetings to hear the Staff Report and be aware about what is going on.</p> <p>Wilson asked if he wished for the Liaison to attend every meeting, as that was a question that she had as well. Harrison defined 'attend', as he felt that she could come and listen to the meetings but should not participate in discussions or votes.</p> <p>Brown agreed and stated that she would like to see the Liaison attend every meeting. Would like to create an opportunity for Smith to ask questions and get clarification on information prior to going back to Council. Wilson agreed that a vehicle is needed and added that Smith can receive the agenda ahead of time and ask clarifying questions as needed.</p> <p>With regard to the proposal on hours of work, Wilson noted that she specifically asked for this item to be placed on the agenda and that she would like to identify the next steps on this matter. Noted she is still waiting to receive documentation from SMK Consultants that will outline what the Board should be considering for time commitments. Wilson explained that there is not a lot of time to work on this matter so she would like to discuss some kind of framework that the Staff can begin working with.</p> <p>Brown stated that it is very difficult to pull numbers out of the air, but if there needs to be a starting point, suggested using 10 hours per week as a baseline as that was the minimum time requirement identified only to attend meetings.</p> <p>Setel replied that she would like to think of this matter "the other way around". Board Members have operated under unsustainable expectations up to this point. For a volunteer Board that is meant to be representative of many different community groups, it is unrealistic to expect 20 hours per week. Noted that starting from there, 10 hours per week seems reasonable for volunteers. Setel further stated that she is unsure what 15 would look like but stressed that there are Members with more flexible schedules and Members with less and it is unfair to set the baseline favoring those with more flexible schedules. Added that if the Board</p>		
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	<p>decides that 10 hours is the baseline, then they must structure the work to fit that timeframe, not the other way around. Stressed that it must be sustainable for a wide range of people.</p> <p>Brown asked Setel and Nickoloff specifically if, given their schedules, 15 hours was a reasonable starting point, and if not, how can that starting point be lowered.</p> <p>Wilson agreed that 10-15 hours should be the basis and that the Board will need to determine how to build a structure around that baseline that serves a variety of people.</p> <p>Nickoloff noted that he is thankful that his congregation was able to come to an arrangement that has allowed him to devote as much time to PAB as he has. Added that 10-15 hours seems like a good baseline and stressed that PAB's work must be realistic and achievable for future Board Members. Nickoloff stated that he is also open to the discussion around pay for future Board Members.</p> <p>Wilson replied that the Board has some thinking to do around how thin they can stretch themselves and around who they wish to see represented on this Board in the future.</p> <p>Nickoloff mentioned that even though there is passion and drive to do to the work, that such passion should not be exploited, and that the Board must be considerate of marginalized groups whose labor has traditionally been valued less.</p> <p>Harrison explained that from his point of view, PAB 'has big bucks' in that there is a budget and Staff that can be afforded to complete the work. Further explained that in addition to worrying about how much time it will take the Board to do the work, he believes that they also need to focus on how they can take advantage of the Staff that they have.</p> <p>Dwyer Reynolds responded to Harrison's point, that leadership was interviewing candidates for a full-time Clerk just to the Board. Also noted that he wanted to be clear that he and the Consultants have sent some examples of cases and case reports. Noted that some of the differences in these reports reflect the level of staff support that other PAB's have and stated that there are ways of structuring the Staff to lessen the burden on the Board.</p> <p>With regard to the proposal to coordinate with PAB's City Council Liaison to address the list of Staff needs, Wilson stated that she</p>		
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	<p>will compile the suggestions as discussed into a framework that the Board can discuss.</p> <p>With regard to the proposal acknowledge and act upon the fact that the Executive Director only reports to the Board, Wilson stated that it is a consistent issue that has to do with the current structure of communication. Wilson explained that the Board has written letters, and had their lawyers write letters, but it has now gotten to the point where it is affecting how the organization is run. Further explained that the Board must put its foot down and offer a solution to the issue. Opened the floor for discussion.</p> <p>Harrison stated that City Council had communicated a system to them on how Council wants PAB to communicate with City entities. Explained that he believes that the converse should be acceptable and that PAB should be asked and/or expected to produce a protocol on how communication is handled. Noted that he believes it should be fairly simple because the easiest way to do it is to designate someone or a part of the Board to receive correspondence and distribute it from there.</p> <p>Brown asked for a point of clarification on how communications are handled now and what the Board wishes to do differently specifically.</p> <p>Dwyer Reynolds stated that this matter is referenced in the letter that Staff has send to the Board and explained that the City has an approval processes, and in those processes he is not treated as a Department Head that reports to the Board. The City's infrastructure has him reporting to City Council's Chief of Staff. Which means that when decisions must be made, neither the Board or Dwyer Reynolds have the proper authority to make it. Further explained that the disconnect is not only limited to processes, but communications as well. Provided the example of when PAB was developing its hotline using the City's 311 system and leadership was told that they could not meet with 311 directly and would need to go through City Council to do so. Dwyer Reynolds noted that there have been situations where Council has directed Staff he has not known about it, which is a concern.</p> <p>Wilson replied that the Board must review the communication chain. In the structure of the Mayor and Council, PAB is an outlier that typically does not receive information unless it is gifted. Explained that she would like to see PAB inserted into the communication chain. Stated that she felt the Board would get a lot</p>		
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	<p>farther if they came up with a communication strategy themselves and presented it to City Council and the Liaison.</p> <p>Harrison responded that he didn't fully understand the question at the beginning of the discussion so he wished to clarify that in his point of view, this is a problem that PAB has had since its inception and it's no closer to being solved today than it was then. Noted that the inclination for some is to continue negotiating in hopes that Council will correct its procedures, but that is another issue. Harrison stated that he feels more aggressive around this particular issue.</p> <p>Setel suggested that another possible piece of this may be to say that it is the responsibility of the Liaison to educate Council on PAB matters. Further noted that PAB's pro bono lawyers had written a Memo on the matter of PAB's autonomy and she doubts that all Members of Council have read it.</p> <p>Wilson agreed with the points discussed and noted that PAB wants to work in good faith with City Council, but the issues have gone on for 2 years now and is affecting how the organization runs.</p> <p>Dwyer Reynolds stated that he spoke with Staff about the timing of the letter and whether or not it would be released to the public and felt that those questions should be resolved by the Board tonight.</p> <p>Setel replied that she appreciates Staff outlining the issues, but felt that the Board had to write the letter. Suggested that a few Board Members work on and circulate a draft to the rest of the Board.</p> <p>Dwyer Reynolds responded that that made sense, he just wants to be able to give the Staff a sense of the timeline and asked that he be looped in on future communications.</p> <p>Harrison asked if the communications and authority problem had been addressed before moving onto this. Wilson responded that the conclusion of that discussion was for the Board to fight back against Council. Harrison added that he felt the Board needed to be more specific in how they fought.</p> <p>Wilson replied that the conversation was left open-ended because the Board must further discuss and strategize offline as to how they will address the matter. Added that she felt that the Board was running out of options and reiterated that there are continued issues that have come about and gone unaddressed because of it.</p>		
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	<p>Setel stated that basically, the Board would want to clarify with Council that the Executive Director reports directly to this Board and that he should be treated the same as any other department head. Stated that she felt that if there is agreement on that, then they are good to go, if there is not an agreement on that, then the Board can worry about what the next steps should be. Setel expressed that she hoped the changeover in Mayors and in Council meant there may be a new understanding on this matter, and she wished to give them the opportunity to get informed and act accordingly.</p> <p>Wilson noted that as she reviewed the Staff list, she found places where clear deliverables and deadlines are needed.</p> <p>Nickoloff clarified for viewers that the discussion is one of PAB's independence, which is needed in order to do the work that has been asked for by the community. It is spelled out in the legislation that the Executive Director reports to the Board. Noted that this topic riles feathers and that there are many interpretations of the legislation, but it is in the best interest of everyone to allow PAB to be independent. Independence is not simply related to PAB having its own budget and staff, but is more so about PAB being able to fulfill the requirements of its legislation and investigate matters in a way that is free from political machinations. Nickoloff stressed that it is in the best interest of Council to ensure that PAB is independent.</p> <p>Wilson thanked Board members for their comments, reminded all that Members are responsible for the language that they use in public meetings.</p> <p>Setel asked who would work on the letter. Setel volunteered along with Wilson and Harrison.</p> <p>Wilson noted that she would reach out to get more details from Staff. Also noted that Staff will be moving so their focus will be on that. Suggested that she follow up with Staff next week.</p> <p>Dwyer Reynolds reminded Board Members that they will have desks in the new office space.</p>		
<p>End of meeting</p>	<p>Chair Wilson moved to adjourn meeting. All members in favor. Meeting adjourned.</p>	<p>5-0</p>	<p>7:53PM</p>

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