

WEBVTT

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00:00:02.020 --> 00:00:03.159

Panelist: We are. Live.

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00:00:05.500 --> 00:00:12.490

Eric Deitrick: Good morning, everyone, and welcome to the first meeting of the Oregon Public Defense

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00:00:12.950 --> 00:00:18.890

Eric Deitrick: Commission. My name's Eric Dietrich. General counsel for the agency. And I just want to let everyone know that

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00:00:18.940 --> 00:00:28.340

Eric Deitrick: Director Camphi is is out today. I also wanted to remind everyone that for today's meeting. If you're gonna speak.

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00:00:28.880 --> 00:00:36.250

Eric Deitrick: please use the icon to raise your hand, icon, unmute yourself and identify yourself for the record.

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00:00:36.590 --> 00:00:47.819

Eric Deitrick: this agency and this Commission was created by Senate Bill 3, 3, 7, and it was the really the product of years of work. Recommendations from the Tribanch Work Group.

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00:00:47.940 --> 00:01:03.580

Eric Deitrick: the Sixth Amendment Center, and the bill itself is shepherded through the Legislature by 2 of the members of our Commission. Senator Prazanski and representative evidence. Today's meeting is virtual. It's our first time using zoom. So we hope it goes well.

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00:01:03.720 --> 00:01:13.340

Eric Deitrick: And today's meeting is really intended to be mostly administrative in nature as there are some fundamental things we need to do to set up our work for the rest of the year.

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00:01:14.080 --> 00:01:26.370

Eric Deitrick: As you know, we've been trying new things in how we distribute materials to you, and we know there's been some kinks, and we'll continue to iron those out. So you have access to all the meeting materials in a way that works for you.

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00:01:27.170 --> 00:01:35.079

Eric Deitrick: and because we don't yet have a chair, I'll run the meeting until the point in the meeting when the Commission selects one, and then pass it off to them.

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00:01:35.630 --> 00:01:41.030

Eric Deitrick: We all met at our onboarding session in December, but

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00:01:41.130 --> 00:01:47.579

Eric Deitrick: for those in the public Defense community watching. I think it would be helpful to begin with introductions of the new Commissioner, so

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00:01:47.760 --> 00:02:00.900

Eric Deitrick: I think what I'll do is call out names and ask each Commissioner to to turn on their mic and say a little bit about themselves and their background. so that folks listening to learn a little bit about you. So

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00:02:01.920 --> 00:02:03.310

Eric Deitrick: Commissioner Buckley.

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00:02:05.920 --> 00:02:33.119

Peter Buckley: good morning. My name's Peter Buckley. I'm joining here from Ashland, Oregon. I'm a former State representative. I serve for a close 8 years as the house co-chair of the joint community ways and means. I joined the Commission in the summer of a 2022 the previous Commission. And I'm glad to be continuing to work with the Commission to try to address the need to develop a a strong public event system for the State of Oregon. Thank you.

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00:02:35.670 --> 00:02:38.400

Eric Deitrick: And Commissioner Rob Harris.

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00:02:42.490 --> 00:02:47.240

Rob Harris: Good morning, everybody. My name is Rob Harris. I am

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00:02:47.600 --> 00:03:01.679

Rob Harris: lawyer. I've been practicing law about 37 years out of Hillsborough, mainly Washington County, but also in various counties during my career. I recently retired from the practice of law, which means you still do legal stuff, but you don't get paid for it.

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00:03:01.890 --> 00:03:06.940

Rob Harris: And so that's a one of the purposes of me being here. I've

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00:03:07.290 --> 00:03:21.310

Rob Harris: been a trial lawyer. I've done trial public defense for many, many thousands of clients, probably, and last 10 or 15 years in in management for both for my law firm and for the Washington County Consortium.

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00:03:21.320 --> 00:03:23.939

Rob Harris: which I started in 2,006

22

00:03:24.100 --> 00:03:28.949

Rob Harris: and so here I am, and happy to be here. Good to see everybody again.

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00:03:30.870 --> 00:03:34.649

Eric Deitrick: Thank you. And Commissioner Tom Leonager.

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00:03:36.560 --> 00:03:38.309

Tom Lininger: Good morning, and Happy New Year.

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00:03:38.380 --> 00:03:54.780

Tom Lininger: My name is Tom. I live in Eugene, I teach at the University of Oregon. I did not expect to seek a place on this commission, but I was contacted by a staff at the Oregon Legislature, because there has been apparently end up enabling

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00:03:54.890 --> 00:03:58.460

Tom Lininger: legislation, a position carved out for law. Professor.

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00:03:58.480 --> 00:04:07.459

Tom Lininger: My background is that I was a civil attorney doing civil rights work, environmental work and other categories work, and also

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00:04:07.540 --> 00:04:30.829

Tom Lininger: practitioner in the criminal justice system. And I do write from time to time about the right to counsel and the need for effective assistance to counsel. I have 2 goals in serving on this commission. One is to protect the constitutional right of all

defendants eligible for an appointed attorney, and second, to make sure we create conditions so that practitioners

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00:04:30.830 --> 00:04:42.550

Tom Lininger: can provide effective representation, and operate under conditions that are conducive to their wellbeing and also to optimal representation of clients.

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00:04:42.950 --> 00:04:44.090

Tom Lininger: Thank you.

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00:04:45.500 --> 00:04:49.300

Eric Deitrick: Thank you. And how about Commissioner Susan Vandenberg.

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00:04:49.850 --> 00:04:54.600

Susan Mandiberg: Hello, everyone! I'm Susan. I am a retired

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00:04:54.760 --> 00:05:02.530

Susan Mandiberg: criminal law and procedure professor at Lewis and Clark, where I taught those classes for over 40 years

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00:05:02.820 --> 00:05:06.860

Susan Mandiberg: before that I was a public defender. and

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00:05:07.080 --> 00:05:14.660

Susan Mandiberg: in the time that I was a law professor I served on the Board of Metropolitan Public Defender for about 20 years.

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00:05:15.700 --> 00:05:27.449

Susan Mandiberg: I'm happy to be on this commission, because I want to do what I can to make sure that everyone who is provided a lawyer by the State of Oregon.

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00:05:27.500 --> 00:05:33.779

Susan Mandiberg: has the kind of representation that I would want for my friends and my family.

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00:05:33.930 --> 00:05:42.899

Susan Mandiberg: I think we need to solve this situation, and make sure that Oregon is providing that kind of representation for everyone. Thank you.

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00:05:44.410 --> 00:05:47.910

Eric Deitrick: Thank you. And then Commissioner Jennifer Nash.

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00:05:49.210 --> 00:06:13.979

Jennifer Nash: good morning. I'm Jennifer Nash. I have served on the former commission, starting in the summer of 2,022, and became the chair in August of 2,023. I was a Public Defense Provider from 1999 to 2,017 in Corallas, where I continue to practice, I was the administrator of the Defense Consortium in Benton county

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00:06:14.160 --> 00:06:23.599

Jennifer Nash: from 2,000 to 2,017, and I continue to practice family law, juvenile law, and criminal defense.

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00:06:23.780 --> 00:06:35.960

Jennifer Nash: and my commitment to this, and why I continue to do this work is because I have a strong commitment to public defense. I want to continue to work in the area of developing

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00:06:35.960 --> 00:06:58.510

Jennifer Nash: public policies and providing support for persons who are accused of committing crimes, or people who are severely, mentally ill, or people who are having their children taken away from them, or who have been abused or neglected by their parents. And I think it's important that as commissioners, we provide the kinds of

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00:06:58.510 --> 00:07:11.000

Jennifer Nash: policies and support, so that those people, those Oregonians, can have the best possible representation when they don't have the ability to hire their own lawyers. Thank you.

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00:07:12.210 --> 00:07:16.470

Eric Deitrick: Thank you. Commissioner Jennifer Parrish Taylor.

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00:07:19.140 --> 00:07:32.740

Jennifer Parrish Taylor: Thank you. Jennifer Parrish Taylor, my pronouns, or she her hers. I'm the director of advocacy, and public policy at the Urban League of Portland. I'm a carryover from the 22 or 2,000 yeah, and 22 Commission

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00:07:32.740 --> 00:07:51.190

Jennifer Parrish Taylor: and I would say, I'm one of the few folks that works in community especially the community that's most impacted

by the legal judicial system, which is black and brown people in the State of Oregon. There's an over representation of us and people who look like myself. And my commitment is

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00:07:51.210 --> 00:08:09.250

Jennifer Parrish Taylor: to seeing that be reduced and to ensure that folks that look like me have the representation that is afforded to them by the Constitution. And that as a reminder any one of us is one life event from needing a lawyer to represent us, and I would hope that we would want

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00:08:09.250 --> 00:08:32.030

Jennifer Parrish Taylor: to have the best representation, and that should be extended to everyone, regardless of circumstance. And so I look forward to seeing how we can solve this workforce issue in my mind and really build a system that is truly reflective of our constitution. And is healthy and vibrant and ensures that folks have the representation that they need. Thanks.

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00:08:33.380 --> 00:08:36.910

Eric Deitrick: Thank you. Commissioner Robert Sielander.

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00:08:37.860 --> 00:08:42.689

Bob Selander: thank you. My name is Bob Sealander. I'm a 50 year member of the Oregon State bar

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00:08:43.780 --> 00:08:58.090

Bob Selander: they'd be. Ma began my career in Southern Oregon, a dis in the district attorney's office for 6 years. 8 years went to Clackamas County health form, Clack Misindigent Defence Corporation, which is a consortium, I think that is still in existence.

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00:08:58.610 --> 00:09:02.360

Bob Selander: I left that to go on the Clackamas County Bench.

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00:09:02.630 --> 00:09:10.739

Bob Selander: who was a judge for 22 and a half years before I retired. and I am the retired judge. Appointee on this commission.

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00:09:13.920 --> 00:09:17.430

Eric Deitrick: Thank you. Commissioner Addie Smith.

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00:09:20.700 --> 00:09:46.319

Addie Smith (She/Her): Good morning. My name is Addie Smith. I use she her pronouns. I'm very excited to be here. My experience includes running the task force on dependency representation for Governor Kate Brown. In 2,018 I served as counsel to the judiciary for a series of sessions, and then I was an appellate attorney as well as the individual that carried all the juvenile PS. Rb. Cases for the State of Oregon at youth rights and justice.

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00:09:46.420 --> 00:09:50.780

Addie Smith (She/Her): I think, based on my resume. It's not surprising that I

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00:09:50.790 --> 00:10:15.489

Addie Smith (She/Her): we'll have a lot of focus on making sure that parents and children in our juvenile system are not forgotten in our conversations and the unique nature of practice in those areas is always being considered as we're making decisions. Currently, I work with states and tribes across the country on improving their juvenile justice, child welfare, and judicial systems. And I'm really excited to be a new member of the mission.

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00:10:17.120 --> 00:10:22.840

Eric Deitrick: Thank you. And then we have 4 non voting members of the Commission. The first is Brooke Reinhardt.

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00:10:24.980 --> 00:10:35.060

Brook Reinhard: Good morning. My name is Brooke. I'm a lawyer practicing out of Eugene. I run the public defender's office in Lane County, and I've been a public defender for 14 years.

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00:10:35.270 --> 00:10:44.660

Brook Reinhard: I was a bit surprised to be on this Commission because it seemed most the time I'm joining is the audience member criticizing one thing or the other. But I figured if I was

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00:10:44.670 --> 00:10:47.610

Brook Reinhard: going to be a critic I needed to

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00:10:47.700 --> 00:10:58.819

Brook Reinhard: put my 2 cents in and actually try to serve on this body to make public defense better to the extent that we can. I think I have amazing clients who teach me every day? You know how

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00:10:59.000 --> 00:11:07.489

Brook Reinhard: our lives could have been very different. Like one life event. It's it's it's so easy to get in a spot where your queues are the state of a crime, and

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00:11:07.990 --> 00:11:27.860

Brook Reinhard: I think that our clients deserve the best representation possible, and that's why I'm really excited to help continue to reform this system. I think there's been a lot of headway over the last few years, and I'm really excited at the potential this commission has, and this version of Opdc. With director camphy at the helm. So thanks.

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00:11:29.410 --> 00:11:32.140

Eric Deitrick: Thank you, Commissioner Jasmine Wright.

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00:11:35.740 --> 00:11:55.320

Jasmine Wright: Thank you. I'm entering my nineteenth year practice I've practiced roughly 15 years in the State of Ohio before I came to the State of Oregon, since I joined the State of Oregon I've been a deputy district attorney, a member of the deputy district Attorney's office in Klamath County, A member of the Department of Justice.

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00:11:55.320 --> 00:12:11.840

Jasmine Wright: And now I'm primarily a juvenile practitioner. I represent both dependency clients as well as delinquency clients, and I have been involved in in public defense. My entire career from the very get go, and I have been in

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00:12:11.840 --> 00:12:35.489

Jasmine Wright: more rooms than I can think of when when resources were too thin, and when I had to have conversations with clients. Where we where we didn't have the resources that we needed to and we just didn't have what we what we needed to in order to give them the defense that they deserved. I've had that conversation more times than I. Then I can count.

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00:12:35.490 --> 00:12:49.690

Jasmine Wright: and I've seen more tiers than I've than I've wanted to and so I am thrilled to be on this commission. And I am thrilled to give a voice to rural rural Oregonians and rural Oregon practitioners.

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00:12:49.700 --> 00:12:53.920

Jasmine Wright: To this commission, so that we can start to address

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00:12:53.970 --> 00:13:15.679

Jasmine Wright: what have what has been decades of of problems? And hopefully, we can begin to address the problems. That we, that kind of have have led us to this direction. So I'm I'm thrilled to be part of the solution and thrilled to give a voice to those role Oregonians and and get us to where we need to go. So thanks so much.

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00:13:17.220 --> 00:13:20.270

Eric Deitrick: Thank you. Representative Evans.

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00:13:24.270 --> 00:13:30.559

Rep Evans, Non-Voting: I'm Representative Paul Evans. I represent House Sister 20, and the 77,000 people that live in there

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00:13:30.600 --> 00:13:36.189

Rep Evans, Non-Voting: Monmouth Independence, West Salem, South Salem. I'm not a lawyer, didn't stay at a holiday in last night.

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00:13:36.390 --> 00:13:38.149

Rep Evans, Non-Voting: not trying to be a lawyer.

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00:13:38.350 --> 00:13:45.970

Rep Evans, Non-Voting: My background is in public policy, air, battle management and communications, looking at systems and structures, on figuring out how we can

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00:13:46.110 --> 00:13:56.530

Rep Evans, Non-Voting: integrate what 49 other States do better than we do with still keeping the Oregon nature of trying to ensure that we provide the best service to every Oregonian.

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00:13:57.030 --> 00:14:11.719

Rep Evans, Non-Voting: I'm here because the Legislature wanted to make sure that there were representatives watching the process. I'm also happen to be the Co. Chair of the Public Safety Subcommittee, the basically the the money function, and I'll be reporting back and forth.

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00:14:12.920 --> 00:14:14.000

Rep Evans, Non-Voting: Thank you.

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00:14:14.860 --> 00:14:16.879

Eric Deitrick: And Senator Drzonski.

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00:14:17.540 --> 00:14:30.329

Floyd Prozanski: Thank you. Good morning, everyone. My name is Floyd Prasanski. I am a senator out of the Senate district, for which includes large portions of Eugene Oregon as well as Springfield

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00:14:30.350 --> 00:14:59.639

Floyd Prozanski: and some rural areas. I've been the chair of the Senate Judiciary Committee since 2,009, and I continue to serve in that position. Senate Bill 3, 3, 7 came out of committee. That we are working under, and my participation is, as Representative Evans says, as one of the non voting members is of the judiciary. Excuse me of the legislative branch

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00:14:59.780 --> 00:15:19.980

Floyd Prozanski: my background and my current job outside of the legislature. My employment is as a prosecutor. I've been a prosecutor in this State for over 30 years. The bulk of the time has been within municipal court system, but also have extent experience within the district attorney's office in Lane County

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00:15:19.980 --> 00:15:46.889

Floyd Prozanski: over a 4 and a half year period my goals here is as a practitioner in the criminal justice. Arena. It isn't emphatic that we make certain that every individual that has been charged with a crime has access to legal services, as many people who may be on this call and watching us today, and those who do not. We do, in fact, have individuals that are sitting in custody without representation.

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00:15:46.910 --> 00:16:13.549

Floyd Prozanski: as a judiciary, as the judiciary chair, as well as a prosecutor in this State that is appalling, and we have to make changes that will, in fact, get us to the point of where we are meeting our constitutional obligations of of State, and so I'm happy to be one of the non voting members to help give advice and counsel to the this process as a Commissioner. Thank you.

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00:16:16.420 --> 00:16:35.740

Eric Deitrick: Alright. Thank you, everyone, and welcome to the first meeting of this new commission and agency. the next item on the agenda is scheduled for public comment. I believe we had one person sign up for public comment, and that was James Comstock. Do we know if he's available?

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00:16:37.970 --> 00:16:39.770

Panelist: Yeah, I'm here. Can you hear me?

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00:16:40.170 --> 00:16:41.060

Eric Deitrick: We can.

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00:16:41.520 --> 00:16:43.250

Panelist: All right. Thank you.

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00:16:43.790 --> 00:16:52.680

Panelist: My name is James Comstock. I'm a licensed investigator, working, in fact, and mitigation investigation on public defense cases for indigent litigants in the Oregon Circuit Courts.

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00:16:52.810 --> 00:17:04.520

Panelist: I'm a member of the Defense Investigators of Oregon, proudly affiliated with the Industrial Workers of the World. I am providing brief public comment here to supplement the lengthly written public comment which I submitted, which I hope you have received.

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00:17:05.520 --> 00:17:16.010

Panelist: I frankly regret the need to address. This new commission in this context, given my hope that my comments at the final Pdsc. Meeting in December would negate the need for any more commentary on this subject.

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00:17:16.609 --> 00:17:20.920

Panelist: There's a quote that says, excuses are the nails that build our house of failure.

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00:17:21.640 --> 00:17:42.979

Panelist: We've been hearing excuses for things that did not seem to add up or make sense in opds for 5 years. We don't want to hear any more excuses. It's come to my attention that the preamble to the schedule of guideline amounts that was voted on by the Pdc. In December, and the December meeting materially misrepresents the process used to determine rates for pre authorized expenses.

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00:17:43.320 --> 00:17:58.559

Panelist: I'm coming to you today to ask for 6 things acknowledgment by OP. Ds. Of this problem and end to excuses and implausible explanations. An apology from opds to Commissioners and providers for misrepresentation, and the damage that that has caused

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00:17:58.810 --> 00:18:07.700

Panelist: an independent investigation into the misrepresentation to providers, commissioners, and the legislature public accountability for misrepresentation

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00:18:08.170 --> 00:18:13.429

Panelist: and an agency plan to stop this pernicious problem and to stop it from happening again.

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00:18:14.520 --> 00:18:28.870

Panelist: I am asking this Commission to formally direct the agency to address the problem of misrepresentation and to make real tangible efforts to repair the damage that has been done, and that continues to be done to the relationship between OP. Ds providers and the Legislature.

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00:18:29.610 --> 00:18:39.799

Panelist: When I address the Pdsc. At their final meeting in December, I hope that by shining a light on the lack of trust between the agency and the providers. Opds might begin the process of repairing that trust

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00:18:40.330 --> 00:18:55.000

Panelist: instead. opds made what I feel was a misrepresentation. Yet again, when it came to light because of a question by Commissioner Buckley. Further investigation showed that this apparent misrepresentation was not limited to an answer to a question in the meeting.

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00:18:55.240 --> 00:19:12.270

Panelist: Rather the erroneous material was included in materials sent to the Commissioners over 3 consecutive meetings. This, along with the Opds. Response to my inquiry, which I found frankly not credible, have led me and my colleagues to doubt many, many other Representations made by Opds.

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00:19:13.120 --> 00:19:26.909

Panelist: We are asked to trust opds. When they say that they have done critical financial analysis that determines how much we are paid for our work. We're asked to trust opds when they tell us that they have used appropriate methods to change policy.

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00:19:27.480 --> 00:19:37.899

Panelist: We're asked to trust opds when they ask us to be patient with slow payment because they will eminently have a new financial

case management system, which we learned in December ended in a failed procurement.

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00:19:38.460 --> 00:19:56.250

Panelist: In short, we have no trust left to give. For that reason I'm here in front of you, asking this Commission to take the unusual step of taking direct action, to investigate misrepresentation by Opds, and to hold the agency and individual staff who are found to have been complicit in misrepresentation. Accountable.

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00:19:56.940 --> 00:20:12.330

Panelist: I ask for this, so that we might begin the long and difficult process of restoring trust in opds and changing the agency's culture, so that together we can effectively address the public defense crisis and provide appropriate representation to indigent defendants in the Oregon courts.

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00:20:12.530 --> 00:20:13.689

Panelist: Thank you for the time.

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00:20:17.810 --> 00:20:27.519

Eric Deitrick: Alright, thank you, Mr. Comstock, and for your comments, and I know we received your letter. We distributed to the Commissioners, and

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00:20:28.250 --> 00:20:37.879

Eric Deitrick: we have some basic things to do today, such as electing a chair and some other administrative provisions. But I know when Director Campy gets back and we select a chair.

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00:20:38.660 --> 00:20:43.759

Eric Deitrick: there will be communication and follow up with you in response to your your letter and your concerns.

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00:20:46.980 --> 00:20:48.659

Eric Deitrick: Representative. Evans.

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00:20:50.220 --> 00:21:00.510

Rep Evans, Non-Voting: Thank you. What I would appreciate also is if there's an opportunity. As this is a new commission. I purposely was not watching the last

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00:21:00.590 --> 00:21:17.459

Rep Evans, Non-Voting: month, because I want everybody to have a chance to kind of finish one before you start the other. Sir, if possible. Maybe I'd like to schedule a meeting to understand you. You you have several different things there listed, and I wanna make sure I understand the definition of terms

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00:21:17.620 --> 00:21:25.050

Rep Evans, Non-Voting: or misrepresentation, etc. So my office will probably be reaching out to try to find a time to

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00:21:25.080 --> 00:21:28.940

Rep Evans, Non-Voting: just basically better understand what he is. You're trying to say, Okay.

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00:21:29.040 --> 00:21:32.540

Panelist: I appreciate that. And I'd be happy to talk to you about that. Thank you.

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00:21:36.340 --> 00:21:46.069

Eric Deitrick: The next item on the agenda is, first, because, as we talked about at the onboarding retreat, Governance's foundation. And this is the

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00:21:46.170 --> 00:21:56.580

Eric Deitrick: provisional adoption of bylaws listed as an action item as background and their background information materials. We sent to you, or as chapter 1, 51,

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00:21:56.830 --> 00:22:09.999

Eric Deitrick: particularly as amended by Sb. 337, defines the responsibilities of commission members. The Statutory directives provide high level guidance to the Commission's role within the overall structure of the agency.

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00:22:10.140 --> 00:22:21.669

Eric Deitrick: They do not, however, provide guidance on other issues, such as how the Agency works with the Commission to set commission meetings, determine agenda items, distribute meeting materials, conduct meetings, record votes.

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00:22:21.870 --> 00:22:39.350

Eric Deitrick: or create subcommittees. Bylaws are a best practice for government boards and commissions that are essential to establishing norms of governance. We also fill in the gaps the statutes cannot

provide in establishing roles and responsibilities, and can establish the Agency's expectations. Surrounding Communication

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00:22:40.380 --> 00:22:49.830

Eric Deitrick: Agency staff is recommending that the Commission provisionally adopt the former Commission's bylaws, while it endeavors to craft its own bylaws

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00:22:50.060 --> 00:22:59.320

Eric Deitrick: with the goal of adopting its own bylaws. I wrote the materials, the April meeting, but I actually think we can get them done by the March meeting when we have to retreat.

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00:22:59.630 --> 00:23:02.810

Eric Deitrick: The bylaws before the Commission today.

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00:23:03.020 --> 00:23:14.149

Eric Deitrick: Have only been changed from the previous commissions bylaws to replace Pdsc. And Opds with Opdc. The name of the new agency.

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00:23:14.380 --> 00:23:21.629

Eric Deitrick: with the exception that the requirement that the Commission approve contracts has been deleted, and you can see that

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00:23:21.730 --> 00:23:29.270

Eric Deitrick: lined out in the bylaws is that requirement was changed specifically by

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00:23:29.660 --> 00:23:42.159

Eric Deitrick: otherwise they are the same in a separate action before the Commission today is a proposed motion to create a subcommittee on governance that can assist in the creation of these new Commission Bylaws.

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00:23:42.620 --> 00:23:53.079

Eric Deitrick: I did receive a comment before this meeting in the bylaws. It says that they can only be changed by a two-thirds vote

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00:23:53.300 --> 00:23:56.840

Eric Deitrick: of the Commission, and that's in Section 6

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00:23:57.210 --> 00:24:12.629

Eric Deitrick: and one of the recommendations. I think. This Commission should consider in its motion to provisionally adopt these bylaws until we craft our own. Specifically, this Commission is to also

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00:24:12.950 --> 00:24:15.900

Eric Deitrick: modify that to say that a simple majority

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00:24:16.070 --> 00:24:20.010

Eric Deitrick: vote is needed by voting members to approve

134

00:24:20.400 --> 00:24:27.269

Eric Deitrick: new bylaws, and with that I will open it up for discussion by the Commission.

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00:24:33.320 --> 00:24:34.550

Eric Deitrick: Actually.

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00:24:34.660 --> 00:24:41.330

Eric Deitrick: before I do so, I should provide a little bit of context as to what's in the bylaws for everyone in the room.

137

00:24:41.900 --> 00:24:52.269

Eric Deitrick: article one of the bylaw simply states the agency's name. Article 2 defines membership, which is largely a creature. A statue

138

00:24:52.880 --> 00:24:59.740

Eric Deitrick: article 3 defines roles and responsibilities, and it breaks those into different groups, including the Commission itself.

139

00:25:00.090 --> 00:25:03.849

Eric Deitrick: the chair of the Commission, the vice chair of the Commission

140

00:25:03.950 --> 00:25:15.519

Eric Deitrick: Agency Staff. and the Executive director Article 4 talks about meetings. It establishes procedures for agendas and planning meetings

141

00:25:15.950 --> 00:25:27.489



Eric Deitrick: in terms of conducting meetings. It establishes that a quorum of voting members is required to conduct a meeting, and, you know, establishes that the chair shall lead the meeting or the vice chair and the chairs. Absence

142

00:25:28.190 --> 00:25:40.229

Eric Deitrick: clarify the deliberation of issues will only be conducted by commission members, but that they can authorize staff or members of the public to provide information on issues when they elect to do so.

143

00:25:41.350 --> 00:25:46.270

Eric Deitrick: All action items are to be labeled as such on the agenda.

144

00:25:46.470 --> 00:25:54.849

Eric Deitrick: in terms of motions. The process we had previously used is that any voting member of the Commission may make a motion regarding a

145

00:25:55.350 --> 00:26:05.440

Eric Deitrick: posted action item, and that motion needs to be endorsed by a second voting member before a vote can occur. We tried to make it simple because

146

00:26:05.780 --> 00:26:14.380

Eric Deitrick: processes can get wonky when people start amending motions or tabling motions. So the practice we had in our bylaws was that

147

00:26:14.440 --> 00:26:18.230

Eric Deitrick: once a motion was made, and second, and it would be opened up for discussion

148

00:26:19.110 --> 00:26:21.530

if it seemed during the discussion that

149

00:26:21.600 --> 00:26:34.500

Eric Deitrick: commission members thought it should be amended rather than amend the motion. The process was for the proponent, the motion to withdraw their motion and allow a new motion to be made, so that they're always clean motions before the Commission.

150

00:26:35.110 --> 00:26:40.209

Eric Deitrick: If the proponent of the motion refused to

151

00:26:40.770 --> 00:26:43.640

Eric Deitrick: withdraw their motion, then it would proceed to a vote.

152

00:26:44.010 --> 00:27:00.009

Eric Deitrick: it also clarifies what we talked about at the onboarding retreat regarding conflicts of interest. When there is an action item. Commissioners need to declare an actual or potential conflict of interest. If there's an actual conflict of interest, the Commissioner is

153

00:27:00.180 --> 00:27:12.090

Eric Deitrick: directed not to discuss the matter and do not vote. If it's a potential conflict of interest, they can continue in deliberation of the matter and proceed to vote. Article 5 authorizes

154

00:27:12.400 --> 00:27:26.609

Eric Deitrick: the Commission and agency staff to create subcommittees in Article 6 is the provision on amendments which does save the bylaws may be amended by two-thirds vote. and that was the issue raised prior to today's meeting, that that should probably

155

00:27:27.340 --> 00:27:29.760

Eric Deitrick: be amended to say, a majority vote.

156

00:27:36.190 --> 00:27:41.229

Eric Deitrick: Do any commissioners have questions or comments? Yes, Commissioner Celander.

157

00:27:42.380 --> 00:27:46.269

Bob Selander: I was the one who made the comment to you before, and just to be clear.

158

00:27:46.610 --> 00:27:49.870

Bob Selander: these are presented to us as a provisional

159

00:27:49.980 --> 00:27:51.140

bylaws

160

00:27:51.330 --> 00:28:02.299

Bob Selander: by a majority vote. and I understand the intention is that we're going to have a subcommittee that is going to present our own bylaws. As you said. Perhaps as early as the March meeting.

161

00:28:02.720 --> 00:28:05.680

Bob Selander: and it seemed inconsistent to me that we would

162

00:28:07.250 --> 00:28:20.869

Bob Selander: passed provisional bylaws by a majority vote. But then to pass our own bylaws, or what our subcommittee may recommend. We need a two-thirds vote. So my suggestion was going to a majority vote

163

00:28:22.420 --> 00:28:25.289

Bob Selander: until we submit our new bylaws.

164

00:28:25.550 --> 00:28:29.400

Bob Selander: and in that we can have a requirement of two-thirds on amendments.

165

00:28:30.760 --> 00:28:36.430

Eric Deitrick: And Commissioner Sealander, I think that's an excellent observation. And I appreciate that

166

00:28:38.080 --> 00:28:40.580

Eric Deitrick: Commissioner Prasanski.

167

00:28:41.420 --> 00:28:54.349

Floyd Prozanski: I'd like to follow up with that as well. Was going to ask for clarification. It appears that we do will have a motion to adopt the current by walls. It seems to me that this would be appropriate time to end that motion.

168

00:28:54.370 --> 00:29:11.950

Floyd Prozanski: to include that we would be changing that article 6 from a two-thirds majority to a simple majority. If that would be appropriate, I would think that that would that the proposed motion should be modified to include that. Thank you.

169

00:29:14.000 --> 00:29:17.510

Eric Deitrick: Thank you, Commissioner Nash.

170

00:29:18.330 --> 00:29:35.720

Jennifer Nash: thank you. I also wanted to. Discuss briefly the appointment of commissioners to committees or subcommittees. The way the articles read Article 5 reads now is that a subcommittee must have at least 3 members

171

00:29:35.810 --> 00:29:59.190

Jennifer Nash: in order to be a subcommittee. But we have traditionally appointed commission members to other committees. Like the Audit committee, it committee. And I think that we need to. Those aren't technically commission subcommittees. But I think that we do need to clarify that and address that to indicate that we

172

00:29:59.450 --> 00:30:06.119

Jennifer Nash: that that can continue to happen, because I think that needs to happen sooner rather than later. I don't want to wait until

173

00:30:06.350 --> 00:30:08.839

Jennifer Nash: sometime in April before that happens.

174

00:30:10.060 --> 00:30:19.789

Eric Deitrick: Yeah, Commissioner Nash, and following up on that one of the things I am hoping that we can provide clarity on in the bylaw? Is there? What are actual commission subcommittees

175

00:30:20.090 --> 00:30:27.169

Eric Deitrick: versus what are like agency work groups that have commission members as as a part of them, such as the audit

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00:30:27.230 --> 00:30:31.550

Eric Deitrick: or the it subcommittees that you were talking about.

177

00:30:32.070 --> 00:30:38.340

Eric Deitrick: Because those do often have fewer than 3 Commission numbers

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00:30:38.900 --> 00:30:47.619

Eric Deitrick: in terms of what is before the Commission today. The only

179

00:30:47.990 --> 00:30:53.839

Eric Deitrick: subcommittee we're talking about today would be the Governance Subcommittee, which

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00:30:54.980 --> 00:31:03.370

Eric Deitrick: would meet several times before March to iron out those issues. if that's

181

00:31:03.810 --> 00:31:12.419

Eric Deitrick: acceptable at this time. But we can also consider, you know, when a motion is made, there is a sample motion in the materials.

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00:31:12.510 --> 00:31:17.739

Eric Deitrick: and whoever makes the initial motion, if they'd like to consider that now, at this time we can do that as well.

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00:31:19.900 --> 00:31:22.110

Eric Deitrick: Commissioner Reinhardt.

184

00:31:22.750 --> 00:31:30.860

Brook Reinhard: thanks. I agree with the comments that have already been said, particularly about majority changing these rules since they're interim rules, anyway.

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00:31:30.960 --> 00:31:53.260

Brook Reinhard: It seems like there might be value in allowing non voting members. II think I talked too much as it is, so I'm not trying to say myself, I think the other 3 in particular, the ability to make motions or make amendments, because, although we don't vote, it seems like part of the the deliberation should include the ability of putting motions on the table.

186

00:31:53.260 --> 00:32:04.589

Brook Reinhard: I don't feel strongly about this, so if the majority disagrees, I got no problem just being able to contribute to discussions and not making motions. But I just thought I'd throw that out there since we're talking about interim rules, anyway.

187

00:32:05.370 --> 00:32:12.940

Eric Deitrick: Yeah, thanks, Commissioner Reiner, that is something I would want to check in more on terms of the

188

00:32:13.020 --> 00:32:31.519

Eric Deitrick: legality of that before doing it. I think it's something that the Governance Subcommittee can iron out as we consider

the roles of all the commissioners going forward. With that, would anyone care to make a motion on, and I again emphasize provisional

189

00:32:31.570 --> 00:32:37.560

Eric Deitrick: bylaws before the Commission determines its own bylaws.

190

00:32:45.220 --> 00:32:59.309

Jennifer Nash: I'll make a motion. I move that we approve the interim Bylaws with the amendment that in in Section I'm sorry, Article 6, that the requirement

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00:32:59.730 --> 00:33:06.799

Jennifer Nash: to have a two-thirds vote of the Commission be amended to a majority of the voting members of the Commission.

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00:33:08.850 --> 00:33:11.970

Eric Deitrick: Commissioner Steelander, I second the motion

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00:33:12.850 --> 00:33:18.849

Bob Selander: with the motion being seconded. Is there any further discussion?

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00:33:23.130 --> 00:33:32.179

Eric Deitrick: Seeing no further discussion, the way the bylaws have been drafted at this time. I'll ask if anyone objects to the motion.

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00:33:32.550 --> 00:33:41.019

Eric Deitrick: and if no one objects to the motion it will be adopted. If someone objects to the motion, then we would go to a roll call, though.

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00:33:41.670 --> 00:33:49.989

Eric Deitrick: I would note that Commissioner Harvey is not present, but for those present. Does anyone object to the motion that's been seconded

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00:33:54.410 --> 00:33:58.530

Eric Deitrick: with that the motion passes

198

00:33:59.200 --> 00:34:04.269

Eric Deitrick: and the provisional bylaws have been adopted, and

199

00:34:05.610 --> 00:34:07.900

Eric Deitrick: I do expect that.

200

00:34:08.179 --> 00:34:15.849

Eric Deitrick: We will have time between now and March, that we come back to the retreat. We can get this Commission's own stamp on how it wants to operate. Thank you.

201

00:34:18.960 --> 00:34:45.610

Eric Deitrick: The the next item on the agenda is the election of chair and vice chair. Of this group as background chapter 1, 51 requires the Commission to elect its chair and vice chair. The term for the positions are 2 years, and the Commissioner elected to either position is eligible for re-election for a future term. Only voting members may serve as chair or vice chair.

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00:34:45.719 --> 00:34:52.679

Eric Deitrick: If the chair or vice chair steps down from their position. an election would be held to finish out the 2 year term.

203

00:34:52.850 --> 00:35:06.429

Eric Deitrick: A simple majority of quorum, or 5 of 9 voting members is required to elect the chair and Vice chair. The roles of chair and Vice chair will require a greater time commitment from that of other commission members.

204

00:35:06.710 --> 00:35:11.839

Eric Deitrick: Ultimately the commission and adoption of its bylaws will further define those roles.

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00:35:12.000 --> 00:35:17.870

Eric Deitrick: but they will require greater commitment. I know this is the first meeting, and

206

00:35:18.050 --> 00:35:24.740

Eric Deitrick: some of you've known each other for a while, and some of you met for the first time in December.

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00:35:25.010 --> 00:35:28.219

Eric Deitrick: We do need a chair.

208

00:35:29.310 --> 00:35:31.469

Eric Deitrick: you know. We could probably

209

00:35:32.870 --> 00:35:40.790

Eric Deitrick: take some time to select a vice chair, if if if that's not figured out today. But I at least wanted to open it up at this point

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00:35:40.940 --> 00:35:49.119

Eric Deitrick: for a discussion amongst you all about how this Commission thinks. I should proceed with selecting as chair and vice chair.

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00:35:53.850 --> 00:35:59.380

Jennifer Parrish Taylor: I just wanna point out that some of us only have a year in terms of our service.

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00:35:59.540 --> 00:36:05.220

Jennifer Parrish Taylor: So are is that a non issue, or do we want to limit it to? Folks? Have 2 years.

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00:36:07.490 --> 00:36:18.129

Eric Deitrick: Commissioner Paris Taylor. From my perspective, it's it's not an issue. I mean, the the term is for 2 years, and if you're on the commission for one year.

214

00:36:18.210 --> 00:36:20.460

Eric Deitrick: and your term is not renewed.

215

00:36:20.680 --> 00:36:27.800

Eric Deitrick: and the person is no longer on the commission. The Commission would just have to elect another person to occupy that spot.

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00:36:33.060 --> 00:36:36.350

Eric Deitrick: Commissioner Jasmine Wright.

217

00:36:38.120 --> 00:36:45.029

Jasmine Wright: I would nominate Commissioner Nash for the zoom chair at this point.

218

00:36:48.480 --> 00:37:03.229



Eric Deitrick: Well, and then I appreciate that, Commissioner right? But this goes to Commissioner Reinhardt's comment that I still think I need to do in terms of nomination. II hear that is a a statement, an expression of support.

219

00:37:04.000 --> 00:37:10.130

Eric Deitrick: I'm just not sure yet whether it's appropriate for not voting. Remember, to make a motion. But

220

00:37:13.240 --> 00:37:14.809

Eric Deitrick: Commissioner Leonager.

221

00:37:17.370 --> 00:37:30.370

Tom Lininger: so I emphatically support Commissioner Jennifer Nash to be chair I've only been involved with the Commission briefly, but in my experience she's wise and candid

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00:37:30.550 --> 00:37:35.389

Tom Lininger: and inclusive, and I believe she has all the qualities to be a great chair.

223

00:37:35.830 --> 00:37:40.179

Tom Lininger: I would also be interested to know who might be willing

224

00:37:40.620 --> 00:37:49.030

Tom Lininger: to serve as vice chair. I expect that that position is sort of a springboard ultimately to the chair position.

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00:37:49.450 --> 00:38:03.029

Tom Lininger: and I hope that we'll make a nomination with the expectation that the vice chair sort of a chair elect. II don't feel well suited to hold that position, but I wonder if fellow commissioners who might be willing to hold that Commission

226

00:38:03.330 --> 00:38:05.310

Tom Lininger: could indicate that they are.

227

00:38:05.510 --> 00:38:06.290

Thank you.

228

00:38:07.800 --> 00:38:10.749

Eric Deitrick: Representative Evans.

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00:38:12.680 --> 00:38:23.280

Rep Evans, Non-Voting: thank you. This is not a motion, because I'm not eligible, and I wouldn't want that opportunity. But I can make a statement, and my statement would be

230

00:38:23.760 --> 00:38:41.659

Rep Evans, Non-Voting: given the problems and the challenges and the items that I was even asked to bring up today that I will probably not bring up today, but will bring up in March everything budgets. It would be interesting, and I think good for the the State. If somebody who had extensive state budget experience

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00:38:41.680 --> 00:38:47.720

Rep Evans, Non-Voting: not to name names, but a certain Commissioner who may have used to direct the State budget was the vice chair.

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00:38:47.950 --> 00:39:00.879

Rep Evans, Non-Voting: Or at least some position where we can ensure that when we're trying to communicate what we're doing to legislators, there's a translator to go from commission ease to legislative ease.

233

00:39:00.930 --> 00:39:10.010

Rep Evans, Non-Voting: And again, I'm not anybody who can suggest certain things. But I would just say, boy, it would be wonderful if maybe a certain Commissioner might be interested in serving in that capacity

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00:39:10.020 --> 00:39:13.799

Rep Evans, Non-Voting: just a statement, not a motion, or an attempted motion of any kind. Thank you.

235

00:39:14.640 --> 00:39:18.549

Eric Deitrick: Thank you. Representative Evans, Commissioner Harris.

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00:39:22.380 --> 00:39:29.259

Rob Harris: Thanks, Eric. couple of comments number one, as you said, Eric. I don't know that it's

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00:39:29.490 --> 00:39:40.550

Rob Harris: critical to nominate for this position immediately. Today. By our March retreat we may have a better idea as a group.

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00:39:41.270 --> 00:39:45.989

Rob Harris: Who would be a good fit for the for the vice chair.

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00:39:46.100 --> 00:39:57.570

Rob Harris: we should. I think Jennifer Nash Commissioner Nash would be the overwhelming selection for chair. And I think that's almost gonna be by consensus. I'm guessing just by reading the room

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00:39:57.680 --> 00:40:06.070

Rob Harris: so her input as to who she would like. who she would see as a good fit with her leadership might be also valuable insight to have

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00:40:06.350 --> 00:40:13.509

Rob Harris: so II guess my just thinking out loud here is that if someone were to make a motion

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00:40:13.680 --> 00:40:23.030

Rob Harris: to approve Commissioner Nash as the chair. Either we could do it temporary vice chair, or just leave it vacant at this point until March.

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00:40:23.470 --> 00:40:27.140

But I think the chair should have a lot.

244

00:40:27.240 --> 00:40:43.309

Rob Harris: certainly have some important input as to who the vice chair would be. But again, if we can wait till March and we have a better understanding of the dynamics of this group, and how everyone fits in, and the and the skill set and the strengths that could be a valuable

245

00:40:44.520 --> 00:40:47.619

Rob Harris: continuance of for us to take. Thanks.

246

00:40:48.960 --> 00:40:51.420

Eric Deitrick: Thank you. Commissioner Nash.

247

00:40:53.100 --> 00:41:13.529

Jennifer Nash: II just wanted to say that I'm willing to service the chair. Since I've been nominated, people might want to know that. And I fixed that to people already. In terms of the vice chair. I agree

that having Commissioner Buckley has served as the vice chair before in the previous Commission, and having a Commissioner

248

00:41:13.900 --> 00:41:16.140

Jennifer Nash: who has budget experience

249

00:41:16.220 --> 00:41:25.099

Jennifer Nash: would be helpful. I have been meeting with Lfo regularly, and I will say just from those meetings.

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00:41:26.150 --> 00:41:33.429

Jennifer Nash: probably more importantly than a person with budget experience, it's a person who's

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00:41:33.520 --> 00:41:40.830

Jennifer Nash: very candid can have really difficult, honest conversations about

252

00:41:40.880 --> 00:41:54.199

Jennifer Nash: what is happening with the agency? Who has who can develop a a relationship with Lfo that is based on integrity and

253

00:41:54.460 --> 00:42:02.969

Jennifer Nash: frankness. And and who's got a

254

00:42:05.100 --> 00:42:22.899

Jennifer Nash: I guess the way I put it is no ego and what I really mean by that is almost all of the the leadership meetings that I have as part of it that I've had as part of as the chair of the Commission. You really have to just

255

00:42:23.120 --> 00:42:30.289

Jennifer Nash: except the appropriate criticism, not take it personally,

256

00:42:30.500 --> 00:42:44.809

Jennifer Nash: not be defensive and just do what needs to be done and be honest all the time. And I'm not. I mean, I think everybody in in on this commission would be that way. But I mean it's it. It requires

257

00:42:46.020 --> 00:42:54.090

Jennifer Nash: It requires you to just be willing to to take whatever comes your way every time you have a meeting, because it's not going to be pleasant.

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00:42:54.180 --> 00:43:01.380

Jennifer Nash: and that's just part of it. That's why we're all here. We all knew that coming in. But I just wanna be really clear that that's

259

00:43:01.870 --> 00:43:05.139

Jennifer Nash: that's part of the gig. So thank you.

260

00:43:06.260 --> 00:43:08.940

Eric Deitrick: Thank you, Commissioner Buckley.

261

00:43:08.980 --> 00:43:20.470

Peter Buckley: Thank you. II would like to also offer support for Commissioner Nash. I'm very glad she's willing to consider the possibility of continuing as chair. I think she's done a great job, and

262

00:43:20.470 --> 00:43:45.120

Peter Buckley: she's been willing to engage in a really positive way. I'm happy to continue as vice chair. That's the desire of the Commission, although I don't think that it would be right for me to say that I would be a chair and waiting because someone with a full time job who lives 4 h away from Salem. It's hard for me to to actually engage at a level that chair needs to do. And I can't see that that dynamic changing in the future.

263

00:43:45.120 --> 00:44:11.619

Peter Buckley: So I again, I would be happy, and I appreciate Representative Evan's support. But I'd be happy to serve if the Commission would like me to. But even if I'm not a vice chair, I would still assume that I would be performing my role of trying to translate Commission ease into legislation, and deal with Lfo. As as a as directed by the by the chair and the executive director. Thank you.

264

00:44:12.880 --> 00:44:15.309

Eric Deitrick: Thank you. Commissioner Sealander.

265

00:44:16.130 --> 00:44:28.419

Bob Selander: I think we have 2 conversations going, and I would like to go back to the first half of Commissioner statements and second denomination of Commissioner Nash.

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00:44:30.760 --> 00:44:34.210

Eric Deitrick: Commissioner Nash, your hand is up. Yes.

267

00:44:34.330 --> 00:44:58.829

Jennifer Nash: yes, thank you. I just. I did want to address II forgot to address the piece about the the chair and waiting. I would really appreciate the chair and waiting. Not just. And I appreciate Commissioner Buckley. Frankness about the ability, or his ability, lack of ability to do that. And it's not just who's going to take over after me. I think that's important.

268

00:44:58.830 --> 00:45:12.480

Jennifer Nash: But sometimes I have other obligations, and I would like the ability to have a vice share that could step in instead of me, particularly with the

269

00:45:12.780 --> 00:45:35.039

Jennifer Nash: legislative obligations. Sometimes I have trials scheduled during legislative days. They try to make that not happen. But it has happened. A couple almost happened, I should say a couple of times did happen last time. And other obligations. It would be nice if there would be somebody else who could step in. Who was. There was very little daylight between the vice chair and chair.

270

00:45:35.990 --> 00:45:41.710

Jennifer Nash: and if we have to wait to a few months to decide who that would be, I'm I'm alright with that.

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00:45:43.070 --> 00:45:44.949

Eric Deitrick: Thank you, Commissioner Smith.

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00:45:45.840 --> 00:45:50.420

Addie Smith (She/Her): I would just add, in terms of the anticipated Governance Committee

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00:45:50.510 --> 00:46:20.239

Addie Smith (She/Her): action, that we might be taking that a lot of this might be best thought through there, and maybe that having a vice chair who can be a chair and waiting is something that we want. But we also want to consider a role that is, a legislative liaison, or a

budget liaison, or something like that, that could either be baked into the bylaws or the bylaws could be left permissive enough so that everyone's strengths can really be used in the best settings. So we don't have to do that. But just to think, outside the box a little bit about alternative solutions that

274

00:46:20.650 --> 00:46:23.909

Addie Smith (She/Her): meet all the needs that have been stated.

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00:46:24.530 --> 00:46:26.469

Addie Smith (She/Her): That could be really.

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00:46:27.080 --> 00:46:33.250

Addie Smith (She/Her): but I do think, require waiting a couple of months. So something to consider.

277

00:46:34.740 --> 00:46:35.700

Eric Deitrick: Thank you.

278

00:46:37.400 --> 00:46:39.279

Eric Deitrick: Any further discussion.

279

00:46:42.060 --> 00:46:45.130

Eric Deitrick: Okay, with with none. I'd open it up

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00:46:45.340 --> 00:46:55.610

Eric Deitrick: for a motion, and I think the options for the Commission are to move, to select a chair or move to select a chair and vice chair. When anyone care to make a motion.

281

00:46:58.020 --> 00:47:00.749

Peter Buckley: I believe a motion's been made, I believe.

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00:47:04.970 --> 00:47:07.180

Eric Deitrick: Thank you, Commissioner Buckley.

283

00:47:07.460 --> 00:47:14.359

Eric Deitrick: cause I missed it. Who made the motion? So I have it as a record. And who? Who who initially made the motion?

284

00:47:14.960 --> 00:47:16.450

Peter Buckley: Kissinger Linder.

285

00:47:17.200 --> 00:47:21.060

Eric Deitrick: Thank you, Commissioner Leonard made the motion, and who seconded the motion.

286

00:47:22.510 --> 00:47:40.540

Tom Lininger: May I please be more explicit because I think the word I used was I support Commissioner Jennifer Nash for chair. So instead, I think I should say, I move that Commissioner Jennifer Nash be elected chair, and that's the only motion I'll make at this point.

287

00:47:43.350 --> 00:47:45.170

Eric Deitrick: Is there a second for the motion?

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00:47:47.720 --> 00:47:49.110

Peter Buckley: I'd be happy to second.

289

00:47:50.630 --> 00:47:56.030

Eric Deitrick: and the motions been made and seconded. Commissioner Prozac, I see your hands up.

290

00:47:56.110 --> 00:48:13.419

Floyd Prozanski: Yeah, I just wanna be technical here on the last vote we took we did it by acquisition that no, since no one signal that they objected. I'm going to encourage that the commission until we set up some type of different protocol.

291

00:48:13.450 --> 00:48:15.400

Floyd Prozanski: Use a voice vote

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00:48:15.960 --> 00:48:31.279

Floyd Prozanski: because there's since we're virtual and we're not certain. Everyone is actually hearing and going forward, I think, to perfect the record. It may be best to rely on voice vote votes and virtual meetings at this point.

293

00:48:33.050 --> 00:48:36.629

Eric Deitrick: Thank you. Senator Brazanski.

294

00:48:36.710 --> 00:48:47.349



Eric Deitrick: I appreciate that. And with that there's been a motion to select Commissioner Nass as chair. That's been seconded. So I'll I'll go through the role. Commissioner Buckley.

295

00:48:48.110 --> 00:48:48.920

Peter Buckley: Aye.

296

00:48:49.640 --> 00:48:51.020

Eric Deitrick: Commissioner Harris!

297

00:48:51.260 --> 00:48:52.090

Rob Harris: Yes.

298

00:48:53.110 --> 00:48:54.980

Eric Deitrick: Commissioner Leininger.

299

00:48:55.850 --> 00:48:56.700

Tom Lininger: Yes.

300

00:48:57.670 --> 00:49:00.209

Susan Mandiberg: Commissioner Amanda Burke. Yes.

301

00:49:00.830 --> 00:49:02.340

Eric Deitrick: Commissioner Nash.

302

00:49:03.330 --> 00:49:10.509

Jennifer Nash: Yes. Or should I abstain Commissioner Paris? Taylor.

303

00:49:12.360 --> 00:49:13.060

Jennifer Parrish Taylor: Yeah.

304

00:49:14.000 --> 00:49:18.770

Eric Deitrick: Commissioner Celandier. Yes. Commissioner Smith.

305

00:49:21.200 --> 00:49:22.050

Addie Smith (She/Her): yes.

306

00:49:23.080 --> 00:49:35.999

Eric Deitrick: and Commissioner Harvey's absent with that vote. congratulations Commissioner Nash, you are now the chair, and I will pass this meeting off to you to run the rest of the way.

307

00:49:37.140 --> 00:49:42.900

Jennifer Nash: Thank you. I appreciate it, and thank you to all my fellow commissioners.

308

00:49:44.170 --> 00:49:58.760

Jennifer Nash: I would like to circle back to the public comment that was made. Because I think we do need to address that. So we can't. Because we, because it wasn't noticed. We can't

309

00:49:59.050 --> 00:50:01.630

Jennifer Nash: take a formal vote or

310

00:50:01.830 --> 00:50:24.129

Jennifer Nash: have an action item, but I do believe that it's worth having a discussion and perhaps providing some direction that's less formal than an action item to the agency regarding the public comment that was provided. So I want to open that item back up for discussion at this point. Is any Commissioner

311

00:50:24.180 --> 00:50:29.200

Jennifer Nash: wish to ask any questions or have any discussion? Commissioner Smith?

312

00:50:29.770 --> 00:50:39.289

Addie Smith (She/Her): I just be interested before we take action, and having a response from the agency, not today, but perhaps by our next meeting to the concern

313

00:50:42.330 --> 00:50:53.049

Jennifer Nash: and Commissioner Smith, your video or your audio. Had some trouble, and I didn't hear the last part of what you said. All I heard was concern. So what could you repeat yourself?

314

00:50:53.410 --> 00:51:01.490

Addie Smith (She/Her): Yeah, I just said I'd be interested in having a sort of formal ish response from the agency regarding the concern.

315

00:51:06.160 --> 00:51:12.529

Jennifer Nash: Does anyone else, thank you. Does anyone else have any other comment or questions that they would like to make.

316

00:51:15.710 --> 00:51:22.449

Rob Harris: I would just say I would expect to hear a response to this from the agency before Nic. By the time of our next meeting.

317

00:51:22.750 --> 00:51:29.289

Rob Harris: I would like to hear that from them. That's not a formal motion or anything. That's just some comment that I'm saying that I would like to know more about this, because.

318

00:51:29.630 --> 00:51:32.880

Rob Harris: historically.

319

00:51:33.770 --> 00:51:36.990

Rob Harris: 4 years, there's been a level of

320

00:51:37.560 --> 00:51:48.349

Rob Harris: of lack of confidence and communications. some of it, whether it's lack of competence and competency or diligence, or.

321

00:51:48.500 --> 00:52:01.550

Rob Harris: you know, misfees and smell fees. It really doesn't matter. There's a lack of confidence and trust in the information that the agency has transmitted to providers. I believe it's getting better. I really do

322

00:52:01.830 --> 00:52:17.960

Rob Harris: but things like this do happen, and they need to be addressed quickly and honestly and straightforwardly and not dancing around the items. One thing I would note here, I guess, since we're talking about this is, I was reading the 54 page document that we had.

323

00:52:18.160 --> 00:52:21.960

Rob Harris: One of the paragraphs that I read sort of

324

00:52:22.240 --> 00:52:41.349

Rob Harris: made my gut wrench a little bit. And and I realized it wasn't substantive. It was sort of maybe formalized, but they were talking about the same thing, a lack of trust, or in the agency by the providers and the the the way the agency phrased it was sort of sounded like, I'm sorry if I offended anyone's sort of apology.

325

00:52:41.850 --> 00:52:52.970

Rob Harris: and it was the tone and the framing of this, where well, you know, the providers perceived this. Not this, providers stated, or believe it, but they simply perceive it.

326

00:52:53.010 --> 00:52:57.820

Rob Harris: and it's that sort of level of communication.

327

00:52:58.020 --> 00:53:04.289

Rob Harris: probably totally meaningless. Wasn't even thought about by the first new draft of this document. Probably.

328

00:53:04.400 --> 00:53:21.530

Rob Harris: but it just goes to find show that the level of trust needs to be. We need to rebuild this and strengthen the ties, strengthen the level of confidence so we can move forward confidently and and do and make sure the providers can do their jobs with complete trust in each other.

329

00:53:21.900 --> 00:53:22.730

Rob Harris: Thanks.

330

00:53:22.900 --> 00:53:25.660

Jennifer Nash: thank you, Commissioner Ryan Hart.

331

00:53:25.840 --> 00:53:28.180

Brook Reinhard: Thank you, Chernash.

332

00:53:28.330 --> 00:53:33.169

Brook Reinhard: I was very alarmed to read the written comments this morning. I

333

00:53:33.210 --> 00:53:42.769

Brook Reinhard: have a lot of respect for actually everybody involved there, for Mr. Comstock, for Miss Jackson. She's been at the agency forever, and so I'm

334

00:53:42.890 --> 00:53:53.989

Brook Reinhard: II don't take this as a personal affront to what Miss Jackson said, but I'm very worried about if there are staff that are

no longer here about what they did or didn't do, so I would really like to know the agency's response.

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00:53:54.050 --> 00:53:58.529

Brook Reinhard: II think this dovetails really pretty closely with the

336

00:53:58.650 --> 00:54:22.279

Brook Reinhard: complete failure to launch the Fcms system and project managers quitting over the summer and nobody saying that that was happening. I I'm on the Fcms Steering Committee. The last meeting was in June, I think, and there was no explanation for why we didn't have 6 more meetings the rest of the year, so like the ball, was completely dropped, and I think it would be very helpful in rebuilding trust to know why

337

00:54:22.280 --> 00:54:33.950

Brook Reinhard: II have guesses, and I can make sort of inform thought about well, these people aren't here anymore. Maybe it's their fault, but it would be really helpful to know, and I think it'd be helpful for the Legislature to know

338

00:54:33.970 --> 00:54:45.619

Brook Reinhard: wh how it is that we're spending those funds, and how we can get a scms system up on board, because I know that ties to so many things, including our provider confidence with investigators and attorneys.

339

00:54:45.780 --> 00:54:48.160

Brook Reinhard: So I'd be very interested in the agency's response.

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00:54:49.020 --> 00:54:59.949

Jennifer Nash: Thank you. And we will talk about the Fcms. Issue a little bit later in the meeting. But II would just add that

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00:55:00.610 --> 00:55:33.079

Jennifer Nash: the remediation plan that we have provided to us in the materials today. Addressed the need to develop a formal complaint policy to deal with issues like this, and I would think that this that might be something that the Governance Committee might also take up is the development. And if that committee doesn't actually do that work, recommendations for how that work gets done.

342

00:55:33.080 --> 00:56:00.280

Jennifer Nash: But this is just a really good opportunity for us to formalize how it is that complaints are to be handled because oftentimes we public comments are complaints, and there and there, and and we receive complaints through written public comment and also through oral public comment. And we need to have a mechanism for providing feedback.

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00:56:00.500 --> 00:56:03.980

Jennifer Nash: So II based on my experience.

344

00:56:04.020 --> 00:56:16.370

Jennifer Nash: Being on the Commission, I believe the agency will provide a response to this, and given the nature of the public

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00:56:16.860 --> 00:56:40.739

Jennifer Nash: complaint, I would say the public comment even if the director provides us with a response before the next meeting, I would suggest that in her executive directors report at our next meeting, which she will provide. An executive directors report that just updates the commission at every meeting about things that have been happening.

346

00:56:40.740 --> 00:56:51.590

Jennifer Nash: that she include information about this in her executive director's report, so that the public knows what that feedback and what what the response has been.

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00:56:52.050 --> 00:57:19.669

Peter Buckley: Commissioner Buckley? Thank you, man, cheers II I've mentioned this in the past. Just wanna make sure we emphasize, not just complaints, but I'm hoping that the agency will have a communication process is very clear that if a provider or anyone else communicates with agency, what is the process for getting back to that person? It's not just this agency that I expect all the agencies to to have the ability and the the responsibility to respond to communications.

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00:57:21.800 --> 00:57:29.920

Jennifer Nash: Thank you. Very point very well taken. Is there any further discussion before about this before we move on to the next item.

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00:57:33.310 --> 00:57:51.620

Jennifer Nash: Mr. Detrick, did you want to say anything? You didn't raise your hand, but you're also not muted. So I didn't know if you

wanted to comment. Okay, thank you. Alright. So the next item on our agenda is authorization of Governance Subcommittee, and Mr. Dietrich can address that.

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00:57:52.430 --> 00:58:13.260

Eric Deitrick: Thank you. Chair Nash. Members of the Commission. My name's Eric Dietrich. The Commission provides oversight to the agency's work, and the workload for this agency is significant. The use of subcommittees is one way to streamline information flow and discussion between Staff and Commission Members Commission subcommittees could gather information and make recommendations to the Full Commission

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00:58:13.330 --> 00:58:19.670

Eric Deitrick: in order to establish good governance subcommittee should have specific charges that relate to the Agency's most pressing work

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00:58:20.020 --> 00:58:34.720

Eric Deitrick: agency staff is recommending that the Commission approve the creation of a Governance subcommittee to be charged with gathering information, and making recommendations to the full Commission on Commission Bylaws, the authorization of additional subcommittees.

353

00:58:34.770 --> 00:58:47.609

Eric Deitrick: and any additional actions that will ensure good governance of the agency. The Subcommittee should have no more than 4 voting commission members, and should only consist of commission members.

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00:58:48.740 --> 00:58:56.330

Eric Deitrick: I do think it would be appropriate for both voting and nonvoting members to be on the subcommittee.

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00:58:57.190 --> 00:58:59.569

Eric Deitrick: With that I'll turn it back to you. Chair Nash.

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00:59:02.280 --> 00:59:05.299

Jennifer Nash: Thank you. And just for

357

00:59:05.570 --> 00:59:12.089

Jennifer Nash: kind of point of order, procedural things going forward. II would like to

358

00:59:12.330 --> 00:59:42.149

Jennifer Nash: call for a motion for these action items and then a second and then open it up for discussion. We traditionally kind of discuss things ahead of time, and then had a motion, and I think it just makes more sense to do it the other way around just from a governance perspective. So with that, I will ask, is there a and typically I as the chair? II don't want to be the person making the motion, so is there a motion for the authorization of a Governance subcommittee?

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00:59:45.020 --> 00:59:46.979

Rob Harris: I will,

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00:59:47.040 --> 01:00:04.489

Rob Harris: I move the Commission authorize the Governance subcommittee that is charged with gathering information and making recommendations to the full Committee on one commissioning bylaws into the authorization of additional Commission subcommittees, and 3 any additional actions that will ensure good governance of the OP. DC. I. Further

361

01:00:04.620 --> 01:00:17.440

Rob Harris: move that it should have no more than 4 voting Commission members should only consist of commission members, both voting and nonvoting, are eligible for that, and the chair is authorized to select those commit subcommittee members.

362

01:00:17.860 --> 01:00:22.399

Jennifer Nash: Commissioner Harris makes a motion. Is there a second for the motion.

363

01:00:22.620 --> 01:00:31.880

Jennifer Nash: madam? Chair! That was a heck of a motion. I'd be glad to second it. It was indeed Commissioner Buckley. Seconds the motion. Do we have some discussion about that?

364

01:00:37.730 --> 01:00:44.319

Jennifer Nash: Well, nobody's raising their hand, so I'll put out the I'll put out the call. Who wants to be on the Subcommittee.

365

01:00:48.490 --> 01:00:52.490

Jennifer Nash: Commissioner Wright is indicating that she would like to be on the subcommittee



366

01:00:53.700 --> 01:00:57.589

Jennifer Nash: Commissioner Amanda Berg, Commissioner Harris, Commissioner Smith.

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01:00:59.330 --> 01:01:22.959

Jennifer Parrish Taylor: Commissioner Ryan Hart, well, Commissioner, Parish Taylor, you have to be on the subcommittee. Other leadership. Sure, I just depends on the times. I do have a grad school in the evenings Tuesday, Wednesday. So it has to be outside of that.

368

01:01:23.920 --> 01:01:38.090

Jennifer Nash: I don't. Wanna I mean, II think you should be on the committee, but I also, I mean, II respect your time commitments and the difficulties that you have. So please don't feel like I'm making you over commit.

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01:01:39.090 --> 01:01:51.449

Jennifer Nash: I think that's 4 voting members. If I counted correctly. Commissioner, Mander, Commissioner Harris, Commissioner, Paris Taylor, and Commissioner Smith and 1 9 voting member Commissioner Wright?

370

01:01:51.510 --> 01:01:52.620

Jennifer Nash: What is

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01:01:52.770 --> 01:01:57.360

Jennifer Nash: does any other nonvoting member wish to be on the Governance Committee?

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01:02:02.240 --> 01:02:06.959

Jennifer Nash: Were you raising your hand, Commissioner? Were you adjusting your camera?

373

01:02:12.860 --> 01:02:25.590

Floyd Prozanski: Now? I'm unmuting myself? No, I was not. I have another committee that. I am going to volunteer to serve on, and it sounds like we have a very good group already that have already volunteered. Thank you.

374

01:02:25.590 --> 01:02:43.090

Jennifer Nash: Alright, thank you. Alright. I think that's the that's the subcommittee according to the motion II get to appoint the members

of the subcommittee, and I'm going, that's what going to a point. Just so, we all know and then I will

375

01:02:43.390 --> 01:02:45.030

Jennifer Nash: coordinate

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01:02:45.040 --> 01:02:59.789

Jennifer Nash: for the first meeting. I'll help coordinate when people are available and get that set up. And then, after that, what I would ask is that you will elect a chair of your subcommittee, and that you coordinate among yourselves when you meet

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01:02:59.860 --> 01:03:11.730

Jennifer Nash: ideally. I would like for you to meet at least once before the February meeting, and at least twice before the March retreat, and hopefully more than that.

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01:03:11.760 --> 01:03:14.610

Jennifer Nash: and to bring recommendations

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01:03:14.630 --> 01:03:27.570

Jennifer Nash: you. You can't vote on things or take action, but you make recommendations to the Commission to make a recommendation to the Commission for the March retreat of Bylaws.

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01:03:28.060 --> 01:03:33.830

Jennifer Nash: That, and, you know, circulate those as appropriate, and you can work with Mr. Dietrich to figure out how to do that

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01:03:34.310 --> 01:03:37.740

Jennifer Nash: appropriately with the public meeting requirements.

382

01:03:38.830 --> 01:03:43.549

Jennifer Nash: Mr. Dietrich, is there anything else that I have not addressed in that regard.

383

01:03:44.430 --> 01:03:57.569

Eric Deitrick: No chair, Nash, we'll work with you to get a final document with the names of the subcommittee members on it and work with those commission members to get meetings on their calendars.

384

01:03:57.940 --> 01:03:59.810

Jennifer Nash: Wonderful! Thank you.

385

01:04:00.370 --> 01:04:06.800

Jennifer Nash: Alright. Moving on to the next action item, which is approval of the meeting schedule

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01:04:08.190 --> 01:04:20.419

Jennifer Nash: right after I said I was going to make a motion. Have a motion, and a second first. Well, let's do that, and then we can discuss whether or not we have any questions or concerns about the dates and ties proposed.

387

01:04:20.460 --> 01:04:25.150

Jennifer Nash: so we have in our materials

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01:04:25.250 --> 01:04:30.039

Jennifer Nash: a proposed schedule, for I believe

389

01:04:30.540 --> 01:04:33.930

Jennifer Nash: 10 meetings. If I counted right.

390

01:04:35.300 --> 01:04:38.890

Jennifer Nash: 9 9 meetings and

391

01:04:44.000 --> 01:04:57.559

Jennifer Nash: 3 of those are in person, and the remainder are virtual, and before we talk about the substance of the dates and times. Is there a motion to approve that meeting? Schedule.

392

01:05:06.850 --> 01:05:11.150

Peter Buckley: Commissioner Buckley or I would I would make the motion for you, Madam Chair.

393

01:05:11.270 --> 01:05:15.670

Rob Harris: Commissioner Buckley makes the motion. Is there a second motion?

394

01:05:15.680 --> 01:05:30.269

Jennifer Nash: Thank you. And that's Commissioner Harris, who? Yes, thank you. So let's discuss. Is there any discussion about the dates. Times. We did have a brief discussion

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01:05:31.090 --> 01:05:41.619

Jennifer Nash: as allowed before the meeting commenced, that we wanted the meeting times to be from for the virtual meetings to be from 9 Am. To one Pm.

396

01:05:41.720 --> 01:05:46.960

Jennifer Nash: Generally speaking, on the days that we're scheduled for the virtual meeting.

397

01:05:47.080 --> 01:06:08.529

Jennifer Nash: I also just raised the question as to whether March 2122, which is identified in the materials as a Wednesday, Thursday, but in reality is a Thursday, Friday. If we really, if the suggestion is to meet on Wednesday or Thursday or Thursday or Friday, to to obtain some clarification in that regard.

398

01:06:11.510 --> 01:06:14.999

Jennifer Nash: Commissioner Commissioner Weiniger weinager. Sorry.

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01:06:15.660 --> 01:06:23.310

Tom Lininger: thank you. Chair Nash and I generally approve of this schedule. I expect I won't have a conflict except in March.

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01:06:23.580 --> 01:06:36.980

Tom Lininger: I believe it would be preferable to have the retreat on the Wednesday and Thursday. II expect that's the intent. There was just a typo the Wednesday, that twentieth of March, the Thursday, the twenty-first of March.

401

01:06:37.180 --> 01:06:43.669

Tom Lininger: on Thursday, twenty-first. I'm not available because of a conflict at the University Board again on Friday.

402

01:06:43.740 --> 01:06:54.149

Tom Lininger: the twenty-second. I have a conference at the University of Georgia, but also that's the Friday preceding spring break, which is often problematic for people with school age kids.

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01:06:54.520 --> 01:07:02.880

Tom Lininger: So II just wanted to let fellow commissioners know I wouldn't be available on the Thursday, but other than that, I don't see a conflict

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01:07:03.030 --> 01:07:06.349

Tom Lininger: with my schedule, and thanks for considering my concerns.

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01:07:08.080 --> 01:07:17.310

Jennifer Nash: Thank you. I think I think you're right. When we met we talked about it being Wednesday, Thursday. Mr. Dietrich, do you have information about that.

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01:07:17.760 --> 01:07:19.080

Eric Deitrick: My

407

01:07:19.620 --> 01:07:29.980

Eric Deitrick: chair, Nash. My expectation is that it's Wednesday, Thursday. Given the Spring Break scenario, and I know we were really trying to avoid as many Friday meetings in general, particularly that one.

408

01:07:30.520 --> 01:07:43.279

Eric Deitrick: aside from the time of the meetings that we need to figure out one thing that would be helpful for us as staff to is. These meetings are labeled in person. When we we know we intend that they be in person.

409

01:07:43.580 --> 01:07:50.640

Eric Deitrick: and the rest are labeled virtual. We can do hybrid meetings, and at the Retreat we had a discussion

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01:07:50.940 --> 01:07:58.230

Eric Deitrick: about whether you know we should attempt to do hybrid meetings for those who can make it in person.

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01:07:58.440 --> 01:08:03.660

Eric Deitrick: and how that plays out with those who aren't able to make it in person versus just

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01:08:04.090 --> 01:08:05.719

Eric Deitrick: a complete virtual

413

01:08:05.880 --> 01:08:12.700

Eric Deitrick: meeting when there is no in person option, and I think it'd be helpful for us to hear Commissioner's thoughts on on that issue.

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01:08:13.350 --> 01:08:21.939

Jennifer Nash: Thank you. I think that makes sense. I think it makes sense to have hybrid meetings, especially for the meetings that are identified as being in person.

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01:08:21.970 --> 01:08:33.770

Jennifer Nash: so that if someone can't make it in person. They can be there virtually, which I think is particularly important for people who don't live in the metropolitan area.

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01:08:34.290 --> 01:08:36.250

Jennifer Nash: Senator Prozansky.

417

01:08:39.720 --> 01:09:05.830

Floyd Prozanski: Yes, I just wanted to say. I also look, have looked at the calendars. It looks like I should be able to make most, if not all, of the meetings. I did. Wanna alert that the one that's proposed in September eighteenth without seeing the legislative calendar that may be in the middle of the legislative days, because we normally have one. II set up legislative days in September, and usually it is mid month.

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01:09:07.649 --> 01:09:27.369

Jennifer Nash: That's a good point. And I would. I would anticipate that if that happened we'd move the meeting, because, of course, Agency staff would not be available. Chair would not be available. You would not be available. Representatives would not be available. Many other people who have, I'm sure. Commissioner, perish. Taylor would not be available because of other obligations, so that we would move that

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01:09:27.510 --> 01:09:30.489

Jennifer Nash: Commissioner Wright.

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01:09:32.340 --> 01:09:42.000

Jasmine Wright: the meeting proposed that we're talking about in March twentieth and the twenty-first the location of that was that in Molten was that in Portland or

421

01:09:42.790 --> 01:09:47.620

Jennifer Nash: in Portland, and I believe the discussion is to have it in East Portland, East County.

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01:09:48.090 --> 01:09:53.630

Jennifer Nash: But we haven't. We? Haven't solidified the location yet?

423

01:09:54.160 --> 01:09:55.309

Jasmine Wright: Okay, thank you.

424

01:09:56.190 --> 01:10:04.109

Jennifer Nash: And II would also say, II looked at the schedule, and I had some concerns about

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01:10:04.120 --> 01:10:18.800

Jennifer Nash: just the cadence of the schedule which I discussed with Mr. Dietrich, and I know he was going to talk to Director Kamfe about that. And and the first one is we have a meeting. We have the retreat scheduled, March

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01:10:19.130 --> 01:10:21.529

Jennifer Nash: in, you know, 2020 first.

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01:10:21.570 --> 01:10:41.760

Jennifer Nash: then the next meeting isn't until May, and I thought that probably was not a great idea, because we'd like to take the momentum coming out of the retreat to move forward and waiting 8 weeks to have a meeting. Didn't seem like it might be a really useful way to do that.

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01:10:41.760 --> 01:10:54.480

Jennifer Nash: And then right after that there is a June sixth meeting. So 3 weeks later, 2 less than 3 weeks later in Ben. And that's because that's when

429

01:10:54.520 --> 01:11:03.769

Jennifer Nash: the summer conferences in bed. So it would make sense to me to move that May fifteenth meeting earlier. So I would just

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01:11:03.900 --> 01:11:14.680

Jennifer Nash: flag that I've asked Mr. Dietrich to talk with Director Kathy about moving that May meeting to the first week of May as opposed to mid May.

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01:11:14.790 --> 01:11:16.030

Jennifer Nash: Mr. Dietrich.

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01:11:16.110 --> 01:11:27.110

Eric Deitrick: Yeah, share Nash, that is there trick I did check in yesterday with the team of folks who worked on this. And historically, we've always done our meetings the third week of the month. And

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01:11:27.340 --> 01:11:40.599

Eric Deitrick: you know, there's obviously some deviations that are centered around things like Ocd conferences in this one in particular, because we had to get off to a quick start of the year. But that's the reason it's scheduled for the fifteenth. We could move it to the eighth of the first

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01:11:40.750 --> 01:11:42.100

Eric Deitrick: that would be no problem.

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01:11:42.230 --> 01:11:48.679

Jennifer Nash: Yeah. So we'll I'll I'll talk with Director Kathy about that, and I will. I'll we'll kind of

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01:11:49.450 --> 01:12:00.150

Jennifer Nash: give that feedback alright. So with that discussion generally. I'm sorry, Commissioner Wright. Did you have another comment? Question.

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01:12:00.200 --> 01:12:08.349

Jasmine Wright: Sorry? The only struggle we might have with moving back to beginning of may is that I'm

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01:12:08.410 --> 01:12:18.519

Jasmine Wright: that may interfere with the Juvenile Law Conference, which is typically at the beginning of May. In Newport. And I'm a require. That's a required attendance for me.

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01:12:18.550 --> 01:12:28.340

Jasmine Wright: Thank you for bringing that up. That's a good point, and we'll make sure that we make sure that it doesn't conflict with that or well.

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01:12:28.590 --> 01:12:30.860

Jennifer Nash: yes, we'll make sure it doesn't conflict with that.

441

01:12:31.240 --> 01:12:32.640

Jasmine Wright: Alright.

442

01:12:32.680 --> 01:12:48.120

Jennifer Nash: Now that there's been a motion in a second, I think that I'm I'm going to call for a vote. And we this is not some. Well, actually, yes, I'm gonna have to. Mr. Dietrich, call for an individual roll call vote

443

01:12:50.050 --> 01:12:56.380

Peter Buckley: just 1Â s here, Commissioner Buckley, just get a clarification.

444

01:12:56.410 --> 01:13:02.170

Peter Buckley: are are we voting now for all the dates that are listed, even though we know that it's going to change

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01:13:02.320 --> 01:13:17.989

Peter Buckley: if if that's if we, if we need to have the motion in order to get into the process of having a schedule that can then be changed to a adopt to adjust to the concerns being raised. Then II will say yes.

446

01:13:18.080 --> 01:13:40.279

Jennifer Nash: yes, I think that makes most sense. Let's adopt this. So people can get these dates on their calendars. And then, if we adjust particularly that main meeting, and and I intend to do that very, very soon within the next couple of weeks. Then we can adjust the schedule, but I think it helps especially well for all of us frankly to be able to have a most, if not all, of the dates set on the calendar.

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01:13:41.780 --> 01:13:43.220

Eric Deitrick: Commissioner Harris.

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01:13:43.590 --> 01:13:44.410

Rob Harris: Yes.

449

01:13:45.260 --> 01:13:46.730

Eric Deitrick: Commissioner Leininger.

450

01:13:48.150 --> 01:14:00.180

Tom Lininger: Yes, on the assumption that a hybrid option will be available for in person meetings I intended to go to them. But I'm glad that we'll have the hybrid option.

451

01:14:00.840 --> 01:14:09.709

Eric Deitrick: and II will clarify that the public meeting statute now require that public meetings have an hybrid option, so we will always have a hybrid option.

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01:14:11.730 --> 01:14:15.490

Eric Deitrick: make sure that happens. Commissioner Van der Breggen.

453

01:14:15.590 --> 01:14:16.450

Susan Mandiberg: Yes.

454

01:14:16.670 --> 01:14:20.200

Eric Deitrick: Have Commissioner Dash. Yes. Commissioner Parrish Taylor.

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01:14:21.170 --> 01:14:21.930

Jennifer Parrish Taylor: Yes.

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01:14:22.540 --> 01:14:23.990

Eric Deitrick: Commissioner Sielander

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01:14:25.110 --> 01:14:26.150

Bob Selander: no.

458

01:14:27.650 --> 01:14:30.680

Eric Deitrick: And Commissioner Smith.

459

01:14:31.450 --> 01:14:32.190

Addie Smith (She/Her): Yes.

460

01:14:35.150 --> 01:14:42.560

Jennifer Nash: Can you tell me what concerns you have, if any?

461

01:14:42.610 --> 01:14:46.269

Bob Selander: Yes, I don't know. II don't know how we can have a vote

462

01:14:46.530 --> 01:14:48.599

Bob Selander: on a tentative schedule

463

01:14:49.020 --> 01:14:52.280

Bob Selander: that's going to be changed just doesn't make sense to me.

464

01:14:53.270 --> 01:15:00.130

Jennifer Nash: I think the intention is to change only one of those, and it's May the main meeting, but I understand.

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01:15:00.480 --> 01:15:01.639

Jennifer Nash: I understand.

466

01:15:04.410 --> 01:15:06.250

Jennifer Nash: Alright, thank you.

467

01:15:09.090 --> 01:15:22.710

Eric Deitrick: And with that I'll just note that the vote passes 7, one with one absence, and that the Commission is authorized the dates as a tentative schedule, with the understanding that the chair and the director can move dates as needed.

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01:15:26.200 --> 01:15:35.869

Jennifer Nash: Thank you alright. Going to move on to the approval of Ja of draft legislative report. And I

469

01:15:36.140 --> 01:15:38.169

Jennifer Nash: I think,

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01:15:40.450 --> 01:15:43.130

Jennifer Nash: what makes sense to to

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01:15:43.270 --> 01:15:59.610

Jennifer Nash: move this item forward is to have Ms. Taylor, who is the Governmental Relations manager and Mister on the door, who's wearing about 14 hats right now present the background information about the purpose of these reports?

472

01:15:59.760 --> 01:16:11.400

Jennifer Nash: Why, they are before the Commission. What the deadlines are for submission to the legislature. and then.

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01:16:11.710 --> 01:16:23.129

Jennifer Nash: so that background information and then individually present their reports one by one. And I want to take them up one by one. Okay, so with that, Ms. Taylor.

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01:16:23.540 --> 01:16:27.069

Lisa Taylor, Gov. Relations Manager: yeah. Thank you. Chair. Nash.

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01:16:27.140 --> 01:16:45.399

Lisa Taylor, Gov. Relations Manager: I think that makes a lot of sense. My name is Lisa Taylor. I'm the Government Relations manager for Opdc. And the reports we have before you today. First of all, I'd like to recognize that there are about a hundred pages of report material, and you all have been commissioners for 5 days.

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01:16:45.460 --> 01:17:05.799

Lisa Taylor, Gov. Relations Manager: That is not our intention for most meetings when we're turning in reports for you guys to review our intention is to give you time to actually look at the material and give us constructive feedback on these reports, but because of timing, and when things are due. And this being the first meeting, this is just kind of the situation we're in right now.

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01:17:05.910 --> 01:17:35.810

Lisa Taylor, Gov. Relations Manager: These reports are due. These are the reports that we're turning in for the February short session, and they're due to Lfo by the sixteenth of this month, and that's the general cadence that you're gonna see with legislative reports, we usually turn them in about a month prior to when they're gonna be heard at the Legislature. So about a month before the legislative days or the session, and that's to give legislative fiscal office time to review them and write their own recommendation and report about

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01:17:35.820 --> 01:17:37.360

Lisa Taylor, Gov. Relations Manager: our report.

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01:17:37.450 --> 01:17:41.649

Lisa Taylor, Gov. Relations Manager: So the reports that we have today

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01:17:41.680 --> 01:17:44.439

Lisa Taylor, Gov. Relations Manager: are the Fcms report.

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01:17:44.500 --> 01:17:54.670

Lisa Taylor, Gov. Relations Manager: the quality management plan, the remediation report which this is our second iteration, because these are due Quarterly, and then the audits plan.

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01:17:54.840 --> 01:18:01.500

Lisa Taylor, Gov. Relations Manager: I'll just note that the Audits committee has approved the audits. Plan. So

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01:18:01.920 --> 01:18:09.329

Lisa Taylor, Gov. Relations Manager: it has been approved by a former iteration of this body. And

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01:18:09.500 --> 01:18:14.209

Lisa Taylor, Gov. Relations Manager: the remediation plan has been seen by the Prior Commission.

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01:18:14.290 --> 01:18:18.750

Lisa Taylor, Gov. Relations Manager: But we have edited it a fair amount to add smart goals.

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01:18:19.690 --> 01:18:49.250

Jennifer Nash: I just like to interrupt for 2 2 things, one. This commission is not familiar with many of the acronyms that you're using. So please, just instead of saying, actually spell that out, and also smart goals. Same thing. So all for all your acronyms, until everyone's kind of used to what things are, you could spell them out. That'd be great. Yeah, absolutely. Thank you for that chair. So our Fcms is our financial and case management system.

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01:18:49.280 --> 01:18:57.459

Lisa Taylor, Gov. Relations Manager: And sir, on Dora. We'll talk more about that during that report, and smart goals are is an acronym.

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01:18:57.770 --> 01:19:16.600

Lisa Taylor, Gov. Relations Manager: oh, I don't have it in front of me. But it basically means you're putting down co goals that are achievable, manageable time bound. So you're not just saying we're gonna get better at communication. You're saying, we're going to hire a communication specialist by this date, and that's a more actionable and achievable goal.

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01:19:16.710 --> 01:19:40.169

Lisa Taylor, Gov. Relations Manager: and for our legislative reports in general, what we're going to try and do. And this is actually part of our remediation plan. Is to make sure we're in the correct cadence with this commission. We have a history of the agency, not bringing reports before the Commission or bringing reports to the Commission after they've been submitted for retroactive approval.

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01:19:40.170 --> 01:19:56.420

Lisa Taylor, Gov. Relations Manager: And we really worked especially with our calendar, with the legislative days that we know of getting in a cadence, so that we're showing reports to the Legislature, to the Commission with time for them to review it, provide us feedback, and us to incorporate that feedback.

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01:19:56.450 --> 01:20:16.630

Lisa Taylor, Gov. Relations Manager: Ha! Not having all of the future legislative days scheduled yet. I can't guarantee that's always going to happen. But we're really trying to get into a cadence where we're able to show you those reports, and if something occurs where you know the reports due on the sixteenth. But we don't have a meeting until the seventeenth.

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01:20:16.630 --> 01:20:33.339

Lisa Taylor, Gov. Relations Manager: we're gonna work really hard to show you at least a draft at the Prior Commission meeting, even though it would be a month prior, and then make sure the chair or the chair of the relevant subcommittee is seeing that report as close to the date of being of turning that in as we can.

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01:20:33.580 --> 01:20:57.810

Lisa Taylor, Gov. Relations Manager: You'll you'll learn that things happen really quickly with this agency. And so sometimes it does. Require us to say, Here's the draft report. It's not due for 3 more weeks. And so we might be editing things as things happen. Because again, we turn this in a month before the legislature is, gonna hear it. So the information in it can already be a month behind. We don't wanna make it even

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01:20:57.830 --> 01:20:59.470

Lisa Taylor, Gov. Relations Manager: further behind that

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01:21:00.850 --> 01:21:07.239

Lisa Taylor, Gov. Relations Manager: and with that I think if the chair's okay with it. We can go into the Fcms report.

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01:21:07.470 --> 01:21:17.970

Jennifer Nash: Actually, just for this. Cause we're new does do any commissioners have any questions about what Miss Taylor's already talked about

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01:21:20.410 --> 01:21:21.939

Jennifer Nash: Commissioner Madper.

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01:21:23.040 --> 01:21:26.230

Susan Mandiberg: I'm concerned that these reports

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01:21:26.670 --> 01:21:31.380

Susan Mandiberg: be submitted as coming from the Commission.

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01:21:31.720 --> 01:21:37.540

Susan Mandiberg: Since this Commission barely had time to read them.

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01:21:37.910 --> 01:21:46.780

Susan Mandiberg: I have to say that with the 2 long reports. the Fcms report and the

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01:21:47.340 --> 01:21:49.090

Susan Mandiberg: remediation plan.

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01:21:50.270 --> 01:21:59.610

Susan Mandiberg: I sort of had time to skim them. but I definitely did not have time to understand them. and so I feel very uncomfortable

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01:22:00.240 --> 01:22:08.790

Susan Mandiberg: having it given to the Legislature as something I approve when I don't approve it, because I don't understand it yet.

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01:22:09.110 --> 01:22:13.580

Susan Mandiberg: and so I would be much more comfortable

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01:22:13.620 --> 01:22:16.130

Susan Mandiberg: if it was clear.

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01:22:16.220 --> 01:22:21.289

Susan Mandiberg: in the language of these reports, in the introduction to them

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01:22:21.510 --> 01:22:39.479

Susan Mandiberg: in so many words, that these are reports that come from the agency as approved or partially approved by the former Commission, and that the Current Commission has had nothing to do with approving the content of these reports.

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01:22:40.670 --> 01:22:49.410

Jennifer Nash: Well, I will say The former Commission didn't approve the reports either, and it was so. We're in kind of this

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01:22:50.630 --> 01:22:57.249

Jennifer Nash: bad timing place. I understand exactly what you're saying. And we're in this.

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01:23:00.430 --> 01:23:06.209

Jennifer Nash: That's that's actually one of the reasons why I asked when the reports were due, because, I think that

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01:23:06.280 --> 01:23:18.239

Jennifer Nash: people may need more time to consider them. But we'll kind of table that for a second, and I'll give other people the opportunity to talk about that First Commissioner Harris, Commissioner Harris.

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01:23:19.740 --> 01:23:31.240

Rob Harris: Thank you. I agree with Commissioner Amanda berg on this and other sentiments as well, although I'm probably more familiar with this than a lot of people are, because I have read previous drafts of this.

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01:23:31.270 --> 01:23:38.970

Rob Harris: but to say that the and it sort of comes up with a governance issue. Right? I mean, what is this Commission's role in this process

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01:23:38.990 --> 01:23:45.250

Rob Harris: is our role to review everything fine tune and make these recommend. That's a full time job. We are not.

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01:23:45.760 --> 01:23:49.979



Rob Harris: We don't have an office next to director Camphi.

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01:23:50.060 --> 01:23:54.360

Rob Harris: We're not talking to Staff continually on this.

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01:23:54.580 --> 01:23:57.020

Rob Harris: I think what we can do is say, we

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01:23:57.110 --> 01:23:58.470

we

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01:23:58.680 --> 01:24:20.220

Rob Harris: approve submitting these or forward means. I don't know if we could put a stamp of approval, saying, we've looked at this and we fine-tuned, and we agree with everything that's in here, cause that's hard, and that may not be our role anyway, because we are part time oversight commissioners. We're looking for outcomes. We're looking for this commission. Have a good outcome here, and the good outcome is, everyone gets really good representation, and everyone has a lawyer.

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01:24:20.620 --> 01:24:31.939

Rob Harris: so I don't know where that leaves us. Honestly, as far as what the motion should be. If these like, you say, Sharon ash. If these have to be approved, we have deadlines, and this is the work product, then we need to approve.

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01:24:32.060 --> 01:24:44.169

Rob Harris: approve the submittal to meet these deadlines, hoping in the future we have more time to go through this. But again, the bigger question is, even if I had 2 weeks to go through, this could do. I have to have meetings with everybody before I can approve these.

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01:24:44.440 --> 01:24:48.519

Rob Harris: I'm just throwing that out there as an issue, that I'm sort of

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01:24:48.890 --> 01:24:55.829

rolling around in my mind as I'm thinking about what the appropriate motion is here to keep this moving. Keep this process moving.

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01:24:56.810 --> 01:25:01.199

Rob Harris: but also take the appropriate amount of responsibility for what we're doing here as well.

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01:25:02.150 --> 01:25:05.270

Jennifer Nash: Thank you. Commissioner Prozk.

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01:25:10.960 --> 01:25:24.749

Floyd Prozanski: thank you. So I was just gonna I guess, give a perspective that I also would be uncomfortable if I was a voting member of this Commission to be stamping approval for something that's just been

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01:25:24.950 --> 01:25:39.159

Floyd Prozanski: sent to us and not had the opportunity to do the due diligence that I, voting member needs. I do believe it can be clarified through the statement of the reports being submitted to the Ju to the let's say branch

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01:25:39.170 --> 01:26:00.719

Floyd Prozanski: by just dating the the obvious that we've already heard as to the to meet deadlines and timelines. There could also be a statement in there because of the transition of the Commission, and with new commissioners coming on board. That type of approach. You know, the word smithing can be done by the agency staff.

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01:26:00.720 --> 01:26:10.380

Floyd Prozanski: And I think we can give enough declaration that commission is following what is needed by the Legislature with the caveat.

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01:26:10.410 --> 01:26:11.750

Floyd Prozanski: That's what I have.

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01:26:14.240 --> 01:26:16.570

Jennifer Nash: Thank you, Commissioner Buckley.

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01:26:19.640 --> 01:26:35.810

Peter Buckley: You're muted Commissioner Brockley. I was gonna say the same thing, the Sanders said. I think we just need to to put a note on it. The Commission has not had time to fully review this, but we are submitting it to meet the deadline. So the legislature has the information as best put together by the agency.

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01:26:36.290 --> 01:26:38.130

Jennifer Nash: Thank you, Commissioner Manager.

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01:26:38.300 --> 01:26:43.200

Susan Mandiberg: Ii completely agree with Senators approach.

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01:26:43.560 --> 01:26:47.580

Susan Mandiberg: But I'd like to also comment on Commissioner Harris's comment.

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01:26:47.920 --> 01:27:02.930

Susan Mandiberg: I think that I am looking for more than just outcomes. My understanding is that this commission is supposed to set policy and guidelines for the agency to live. By

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01:27:03.090 --> 01:27:16.780

Susan Mandiberg: and by. Skimming of these reports. indicates to me that there's a lot of policy and guidelines setting being articulated in these reports.

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01:27:16.880 --> 01:27:23.649

Susan Mandiberg: and so if, in fact, we are the ones who are supposed to be setting policy and guidelines.

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01:27:23.870 --> 01:27:35.590

Susan Mandiberg: then I think it's even more important for us to have these kinds of reports with enough time to do the due diligence, and make sure that we agree with the policies and the guidelines that are set forth.

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01:27:42.520 --> 01:27:48.470

Rob Harris: I actually don't really quickly, since I was called on that I don't disagree with you. Professor, I was saying.

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01:27:48.730 --> 01:27:50.649

Rob Harris: do we just look at outcomes?

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01:27:50.770 --> 01:27:56.329

Rob Harris: Or are we more involved in the day-to-day process? I think it's a continuum in some ways.

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01:27:56.430 --> 01:28:01.309

Rob Harris: and I don't disagree with the fact that we do have policy oversight, and there is a level of

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01:28:02.060 --> 01:28:12.129

Rob Harris: policy making and approval that needs to go into even is included in these reports, so I don't disagree with you what you said, but maybe I wanted to clarify what my position was.

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01:28:13.210 --> 01:28:17.290

Jennifer Nash: Thank you. Representative Evans.

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01:28:19.050 --> 01:28:23.050

Rep Evans, Non-Voting: thank you. Chair. Thank you. Chair. I appreciate that very much. I

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01:28:23.290 --> 01:28:33.809

Rep Evans, Non-Voting: I cannot speak for the 89 other colleagues in the Legislature. I think I speak alongside Senator Prosanski, on this is a Co. Author of the bill.

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01:28:34.150 --> 01:28:40.890

Rep Evans, Non-Voting: It was anticipated that the Commission would, in fact, be involved in the policy making not just review

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01:28:41.070 --> 01:28:48.919

Rep Evans, Non-Voting: quite frankly. just to put it clearly. the more that this Commission can set a policy

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01:28:48.930 --> 01:28:55.750

Rep Evans, Non-Voting: and make sure that priorities are being accomplished, the less you will hear from us in the Legislature.

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01:28:56.250 --> 01:28:59.079

Rep Evans, Non-Voting: There are very real concerns.

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01:28:59.380 --> 01:29:07.519

Rep Evans, Non-Voting: Even this morning there are a couple of issues that I will talk to the chair offline because it's the first meeting, and I want to give people a chance. Get people on their feet.

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01:29:07.910 --> 01:29:15.980

Rep Evans, Non-Voting: But the legislature has faith that this composition of people will be able to approach things if

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01:29:16.240 --> 01:29:18.780

Rep Evans, Non-Voting: and this is the big. If if Staff

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01:29:18.960 --> 01:29:40.050

Rep Evans, Non-Voting: Recognizes that the function is not to capture the board, as is the case in many other efforts. But to actually see this board or commission as a functional partner in sifting out what needs to be done, how it needs to be done, and in cases where there are challenges, how do we how to communicate what needs to happen to fix it.

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01:29:40.480 --> 01:29:45.250

Rep Evans, Non-Voting: Again, understanding that new system, new structure, new agency.

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01:29:45.350 --> 01:29:46.929

Rep Evans, Non-Voting: But I would guard against

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01:29:47.090 --> 01:29:56.600

Rep Evans, Non-Voting: the the the traditional view of telling the board what it only needs to hear at the last minute and moving forward, which again, that's not.

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01:29:56.760 --> 01:30:02.070

Rep Evans, Non-Voting: does not hit on anybody in many cases, in many agencies. That's actually what the Board chooses to do.

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01:30:02.330 --> 01:30:13.490

Rep Evans, Non-Voting: But in this particular case we are to be, or, more specifically, you voting members are to be, the partner with the agency to navigate us out of this little situation we're in.

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01:30:13.560 --> 01:30:15.710

Rep Evans, Non-Voting: Thank you again. I'll shut up and go back to monitoring.

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01:30:15.730 --> 01:30:23.510

Jennifer Nash: Thank you. We appreciate your input very, very much. Thank you. Commissioner Smith, I skipped over you. I'm sorry.

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01:30:25.470 --> 01:30:47.040

Addie Smith (She/Her): at the risk of being a broken record to the extent that we're taking notes about what the government committee might wanna take up. This is one of those areas where we're trying to find the boundaries of what we do and don't do, and I think it's fair to say we know that the Legislature has requested quite a few reports from the board and the agency over the last couple of years, so it may be worth coming up with formal or informal

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01:30:47.170 --> 01:30:51.979

Addie Smith (She/Her): rules, if you will, about the role of the

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01:30:52.120 --> 01:31:16.140

Addie Smith (She/Her): Board in reviewing and approving those notes, it may be helpful, per Commissioner Manderberg's concerns to put some timelines, and I appreciated hearing from Lisa about the agency's efforts to create some timelines, also to give us the time to read, ask questions, delve a little deeper, but in order to meet the expectations that we're hearing from our legislative non voting

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01:31:16.140 --> 01:31:35.369

Addie Smith (She/Her): members. I think it's worth us putting some more formal thought into how we wanna approach this report approval, so we can all feel comfortable, knowing exactly what we're doing and having a process that leads us to sign off with confidence. Add that I support fully the idea of sort of a note on this report that says.

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01:31:35.680 --> 01:31:43.399

Addie Smith (She/Her): unable to fully review these, we've approved them, based on the need to meet legislative timelines, etc., and I think that'll be considered seriously.

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01:31:44.650 --> 01:31:48.990

Jennifer Nash: Thank you. Just there are 3 reports. Just so, I know. But yes.

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01:31:49.310 --> 01:31:50.780

Jennifer Nash: Commissioner Reinhardt.

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01:31:51.530 --> 01:31:52.850

Brook Reinhard: Thank you.

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01:31:52.880 --> 01:32:09.690

Brook Reinhard: I'm concerned that we receive so many substantive reports on a Tuesday before Friday meeting, and I'm not blaming any

particular commission staff for that I know, particularly in onboarding a new commission that was kind of inevitable for the first meeting, but it's really my hope. But by setting meetings now.

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01:32:09.700 --> 01:32:38.990

Brook Reinhard: the oop Opdc. Will have time to actually prepare the reports in advance. The Fcms report, in particular, is a train wreck of a report. II don't. I can't make head or tails with it, and I've been on some version of this committee for 10 years. I have no idea what it's saying. I have no idea of the timelines of what's being said. There's not an executive summary that says, Here's the auditors, part of this. Here's the Fcms part. Here's where we failed. Here's where we succeeded. It's a mish mash, and the timing is all off. So

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01:32:38.990 --> 01:32:53.949

Brook Reinhard: I what I'm on both. That's fine. But II don't understand this report, and I don't see how it can go out. Now. How how can anybody else have another people understand it who haven't been insular in the process. So that's like

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01:32:54.370 --> 01:33:05.580

Jennifer Nash: the problem that we had is we weren't a commission until Monday. so we couldn't get materials. I mean, we could get them on the public side.

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01:33:05.920 --> 01:33:07.309

Jennifer Nash: but yes.

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01:33:07.350 --> 01:33:22.620

Jennifer Nash: I will. Also. I mean frankly, we've had this problem ongoing with getting meeting materials and ahead of time. And we have, in our bylaws that we're supposed to have them 10 days ahead of time, and hopefully we will.

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01:33:23.160 --> 01:33:36.829

Jennifer Nash: That will happen. But it has been a challenge because of staffing issues. And I think I've brought this. I think I brought this up at the the Retreat, but there's only one Administrative Assistant for the entire agency.

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01:33:37.070 --> 01:33:39.020

Jennifer Nash: which is a huge problem.

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01:33:39.060 --> 01:33:50.800

Jennifer Nash: And we're just trying to fix that but that is that that poses a significant challenge with simple things. You would think like

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01:33:51.500 --> 01:33:54.210

Jennifer Nash: getting meeting materials out, because

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01:33:54.560 --> 01:34:03.909

Jennifer Nash: there's she's got 40,000 things to do. So with that I'll call on Commissioner Leininger.

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01:34:05.560 --> 01:34:22.700

Tom Lininger: Thank you. First, I wanted to thank the staff and the conversation we we're having now is really familiar to me. It's not unique to this agency. I was chair of the Oregon Criminal Justice Commission. And this is just an issue that always surprises. It's I think it's important to keep in mind like what

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01:34:22.810 --> 01:34:36.490

Tom Lininger: Commissioner Reinhardt said. This is not an indictment of staff. They have a really difficult job. II thought the report was for the most part really impressive. But the challenge I'm facing, you know. It's if it's 111 pages.

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01:34:36.660 --> 01:34:39.809

Tom Lininger: I really need to know how deep

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01:34:39.930 --> 01:34:48.099

Tom Lininger: my dive should be right. I mean. So, for example, just offer one example. I have heard from providers

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01:34:48.230 --> 01:35:02.010

Tom Lininger: that the Fcms system is welcome in theory, and of course we share this mission of persuading the legislature to fund public defense adequately but potentially, it could be in certain iterations.

588

01:35:02.070 --> 01:35:09.749

Tom Lininger: burdensome for providers in a way that might even present a trade off with the quality of representation, you know. Perhaps

589

01:35:09.800 --> 01:35:29.070

Tom Lininger: so. I had some ideas for including that in the report which could include just sort of sharing with staff. Hey? Maybe you



might think of a way to articulate that concern. But here I am on page 74, the overall pagination 21 of the Remediation report.

590

01:35:29.150 --> 01:35:37.379

Tom Lininger: And and so you you know where it says evidence of concern. It says agency as desperate data sources, which is kind of a funny

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01:35:37.640 --> 01:36:03.109

Tom Lininger: typo. I think you mean disparate data sources. But in fact, you do have desperate data sources. And then it goes on to say, you know, in the feedback section we need to ensure that the fcms evolves to meet the dynamic needs of Pdsc. Here's why it insert and stakeholders and providers. But I don't know if this level of sort of granular editing is appropriate is is welcome. I mean, we have to

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01:36:03.410 --> 01:36:09.739

Tom Lininger: more meetings. So what I'd really appreciate. And I know, Commissioner Smith suggested the Governance Committee

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01:36:09.820 --> 01:36:35.879

Tom Lininger: address this issue. What is our role? How deep are we diving? Cause you. You don't wanna tell Professor that he, she day has an opportunity to edit. Be careful what you wish for could just be an endless sinkhole there. So thank you for considering that concern. And again, thanks to Staff, it's just hard to step in agency like this, especially with one of the biggest problems that State government faces.

594

01:36:37.410 --> 01:36:40.230

Jennifer Nash: Thank you for your comments.

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01:36:40.240 --> 01:36:42.799

Jennifer Nash: and there I will say.

596

01:36:43.820 --> 01:37:00.430

Jennifer Nash: familiar becoming a Commissioner. 2 years ago, I mean, I was in full editing mode of Internet. It sounds like, I don't think this is my job. But yes, so II completely understand. Where you're coming from Commissioner Wright.

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01:37:02.920 --> 01:37:16.860

Jasmine Wright: I? Yeah, I'm kind of echoing what everyone else is saying. I I am hopeful that identifying some of these issues indicates that we will

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01:37:16.950 --> 01:37:19.710

Jasmine Wright: that subsequent reports

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01:37:19.930 --> 01:37:36.619

Jasmine Wright: will be more effective than what they are. And I am hopeful. I think this this just sort of amplifies the need for the Government subcommittee. II think this is something that we will be delving into. You know, at, you know at length, pretty quickly, but I am hopeful that the agency is hearing us.

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01:37:36.750 --> 01:37:40.169

Jasmine Wright: That that not only

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01:37:40.310 --> 01:37:47.709

Jasmine Wright: can the reports not be thrown on our desk at the last minute but the subs, but in terms of the reports themselves the quality of the reports have to get better.

602

01:37:47.840 --> 01:37:59.409

Jasmine Wright: That are given to us in order for us to to be able to do what we need to do. Both, we need more lead time. And the quality of those reports need to need to get better, so I hope the agency is hearing us.

603

01:38:00.040 --> 01:38:00.890

Jasmine Wright: Thank you.

604

01:38:02.770 --> 01:38:19.469

Jennifer Nash: So I see that Mr. Dietrich wants to make a comment, and I'll just before I have. You say that I just, I think, procedurally going forward. that perhaps what we should do, what it sounds like is there's consensus that we're going to

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01:38:19.470 --> 01:38:36.909

Jennifer Nash: approve these reports because they have to be approved with us. Paragraph in front of each one of them that says we're a new commission. We haven't had the opportunity to fully approve them. We're approved, you know. We're we're submitting them because

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01:38:36.910 --> 01:38:51.380

Jennifer Nash: they need to be submitted according to these timelines. I can approve that language if the remaining of the remain of the Commissioners agree. So we make sure that it adequately conveys what the Commission wants to put forward.

607

01:38:51.820 --> 01:39:13.619

Jennifer Nash: and then we can make a motion to that effect. And then, as part of the discussion, I think we do need to have some substantive information presented by Staff as to what the content of the reports are not just for the Commission, but for members of the public who are watching this meeting as well.

608

01:39:13.670 --> 01:39:15.710

Jennifer Nash: Mr. Dietrich thoughts

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01:39:17.100 --> 01:39:24.469

Eric Deitrick: the one cup. Thank you. Chair Nash, Eric. The one comment I wanted to make is, aside from getting you the materials in advance which we need to do.

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01:39:24.600 --> 01:39:39.680

Eric Deitrick: and Representative Buckley. And then the Senator Prasanski are familiar with this because they're often asked to vote on bills that are very lengthy and pages. II think we need to frame action items for you with a one pager that explains the background.

611

01:39:39.730 --> 01:39:52.579

Eric Deitrick: Why, it's before you. And what's being asked of you so that aside from having report, you're actually better familiarized with why, it's there and what's being asked. And I wanna make that commitment at this meeting.

612

01:39:55.360 --> 01:40:07.740

Addie Smith (She/Her): Eric, I appreciate that. And it may be that you can bake that into the report by doing executive summaries on these reports, and I think that would help the legislators beyond the ones in this committee as well digest the reports in addition to us.

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01:40:10.490 --> 01:40:13.710

Susan Mandiberg: I would just like to to add something to that.

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01:40:13.820 --> 01:40:19.909

Susan Mandiberg: We agreeing with Commissioner Reinhardt that

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01:40:20.080 --> 01:40:27.269

Susan Mandiberg: there was much in a couple of these reports that I found very, very, very difficult to understand.

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01:40:27.530 --> 01:40:35.220

Susan Mandiberg: too much technical language for someone who doesn't have that technical expertise.

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01:40:35.260 --> 01:40:38.240

Susan Mandiberg: And I have some some sympathy with that. I mean. I've

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01:40:39.110 --> 01:40:49.709

Susan Mandiberg: as a lawyer I've been accused by sometimes people of using legal terms that other people don't understand, so I know it's hard to get beyond that. But

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01:40:49.910 --> 01:40:55.070

Susan Mandiberg: it's a problem when you're trying to communicate with people who don't share the expertise.

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01:40:55.170 --> 01:41:01.729

Susan Mandiberg: And and so I would encourage that reports be made in plain English as much as possible.

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01:41:01.830 --> 01:41:07.640

Susan Mandiberg: and that if there's going to be a one page summary.

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01:41:08.010 --> 01:41:10.819

Susan Mandiberg: first of all, that that be in plain English.

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01:41:10.990 --> 01:41:19.989

Susan Mandiberg: and second of all, reflecting the complaint that was filed by. a member of the public earlier today.

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01:41:20.290 --> 01:41:22.620

Susan Mandiberg: That the one pager

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01:41:23.250 --> 01:41:28.690

Susan Mandiberg: accurately summarize. What is in that report.

626

01:41:28.890 --> 01:41:31.120

Susan Mandiberg: including

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01:41:32.250 --> 01:41:36.940

Susan Mandiberg: issues that might get raised or disagreements that might be reflected.

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01:41:37.040 --> 01:41:45.619

Susan Mandiberg: So that we can avoid the accusation that the summary is

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01:41:46.300 --> 01:41:48.749

Susan Mandiberg: is not comprehensive and not accurate.

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01:41:54.840 --> 01:41:57.919

Jennifer Nash: Thank you. I think that's very helpful.

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01:41:58.750 --> 01:42:01.339

Jennifer Nash: Okay? And with that.

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01:42:04.200 --> 01:42:15.289

Jennifer Nash: let's do these reports one by one. So I wanna do the motion to approve with the the caveat a second, and then we can, and then

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01:42:15.420 --> 01:42:16.969

Jennifer Nash: well, actually.

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01:42:18.380 --> 01:42:31.970

Jennifer Nash: perhaps what we should do is have Miss Taylor and Mr. Aldor present the reports. First. Sorry about that. We have them in written for that, but let's get. Let's get an oral report, and then we can do the motion and the second, and open it up for any further discussion.

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01:42:32.630 --> 01:42:42.979

Jennifer Nash: So with that, let's start with the first report, which is the financial and case management system report.

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01:42:43.190 --> 01:42:45.839

Jennifer Nash: and I believe that's Mr. Abador's report.

637

01:42:52.580 --> 01:42:55.840

Ralph Amador: Good morning.

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01:42:55.920 --> 01:43:02.000

Ralph Amador: My name is Robyn Williams, chief financial officer for the Oregon Public Defense Commission.

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01:43:02.280 --> 01:43:12.369

Ralph Amador: We have before you a report. That is an update report. It's intended to be an update. It was

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01:43:12.900 --> 01:43:31.450

Ralph Amador: directed by setup Bill 5506 in the 2023 session. It said that we would provide an update of where we're at Update project scope, schedule budget and total cost ownership identify current project risks, likely impacts, mitigation strategies

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01:43:31.600 --> 01:43:34.100

Ralph Amador: report on the Independent quality assurance

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01:43:34.280 --> 01:43:43.510

Ralph Amador: reports, stakeholder provider input and planning and development of the project and other information to help inform legislation on the status of the project, or issues that have origin of the project

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01:43:43.720 --> 01:43:59.180

Ralph Amador: that was in terms of report. That was what we tried to convey, or I tried to convey in the first pages before report started, and call the nature of the report. It will try to do that. We put in these principles that Pbs see. And when we say

644

01:43:59.250 --> 01:44:12.769

Ralph Amador: the commission, we used to say, Pdsc, and then we had Ops. Because we are Ops was eliminated. They also support different services no longer exist. We have only one

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01:44:12.990 --> 01:44:16.050

Ralph Amador: for them to rely on so

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01:44:16.350 --> 01:44:19.360

Ralph Amador: real confusing. There. I think we'll try and get better at that.

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01:44:19.450 --> 01:44:29.059

Ralph Amador: That we refer to ongoing forward, forward looking things as the Oregon Public Events Commission, and anything previous to

648

01:44:29.220 --> 01:44:34.100

Ralph Amador: the second of January we would talk about as you go to

649

01:44:35.050 --> 01:44:46.790

Ralph Amador: being said. Currently the entire project is on a brief hiatus, and the chief financial officer is, assume myself is assuming the role of the project's executive sponsor for the project

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01:44:47.100 --> 01:44:53.170

Ralph Amador: with stated before the Chief Information Officer Tender's resignation, and this is subsequently gone

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01:44:53.260 --> 01:45:05.069

Ralph Amador: and ends on December 30. First. Once the chief myself returns resignation. Both project managers resign from the agency or business analyst

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01:45:05.240 --> 01:45:10.969

Ralph Amador: took a different position. She's now working at the C financial office for gas.

653

01:45:11.940 --> 01:45:25.750

Ralph Amador: and one of the and the other business analyst has returned from absence. So we essentially have 2 staff members that work on this project along with myself as guidance

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01:45:25.890 --> 01:45:36.650

Ralph Amador: currently, the agencies working with the obviously the State chief financial officer pretty pretty pretty hand in hand as we're going forward because we're trying to

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01:45:36.800 --> 01:45:39.499

Ralph Amador: work with to get a project

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01:45:39.610 --> 01:45:49.360

Ralph Amador: manager on board. That's it specific. So we're gonna use contract contract individuals. We've received 30 we use

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01:45:49.660 --> 01:45:56.370

Ralph Amador: the price list from Das recruit app to

658

01:45:56.440 --> 01:45:59.890

Ralph Amador: vendor that handles that.

659

01:46:00.250 --> 01:46:09.330

Ralph Amador: It's one. It's one of the cities regularly is Covid. And we got about 30 applications as of yesterday. So we're going through that to try and find a

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01:46:10.160 --> 01:46:36.300

Ralph Amador: going forward.

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01:46:37.050 --> 01:46:49.720

Ralph Amador: in in in the table of contents. You'll note that we have various issues that we talk when we talk about the project scope assumptions current state framework schedule.

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01:46:50.600 --> 01:46:57.729

Ralph Amador: again. I can go into each of these things that the Commission would like to in length.

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01:46:57.900 --> 01:47:14.370

Ralph Amador: But when we talk about the scope and schedule the the scope hasn't changed much from what was originally thought of and try to line it out. Its financial management system that has kids management component. And we rely on some reporting that has to come out of there. The

664

01:47:14.660 --> 01:47:28.340

Ralph Amador: first and foremost thing is a financial management which talks about attorney provider reimbursement claims, payment schedules allows to do our functions and payment tracking give it a people system which is one thing we don't have

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01:47:28.460 --> 01:47:37.329

Ralph Amador: one of the things that the the agency does have. And we make case this, we have a whole bunch of access databases and a whole bunch of Excel spreadsheets



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01:47:37.660 --> 01:47:41.410

Ralph Amador: agency been using we

667

01:47:41.840 --> 01:48:00.229

Ralph Amador: over the last year we took all those databases and put them on a sequel server which allows us to maintain the data and ease of use, and most secure than having desktop modules and things in there. So we we're catching a day a little bit better and more comprehensive manner. Is that?

668

01:48:00.280 --> 01:48:06.780

Ralph Amador: But it's still we need up to those, because a lot of this stuff is gonna go away as far as Microsoft, supporting and everything else.

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01:48:06.800 --> 01:48:17.770

Ralph Amador: as far as the project scope the scope again. Scope hasn't changed. I have a listing of things that are in scope.

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01:48:18.590 --> 01:48:26.119

Ralph Amador: that are listed out there. Things are out of scope just to make sure that we have a good idea of what the project is going to do.

671

01:48:27.180 --> 01:48:29.240

Ralph Amador: The schedule

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01:48:30.370 --> 01:48:32.060

Ralph Amador: is

673

01:48:32.320 --> 01:48:45.689

Ralph Amador: based on an overarching look of what we're gonna do over the next 2 years and possibly over the next 4 years. That's going to be pushed back because we have to find parts, advantages, and such and kind of regroup at this time.

674

01:48:46.060 --> 01:48:51.050

Ralph Amador: one of the good things that we haven't spent a lot of money on this project.

675

01:48:51.060 --> 01:49:04.479

Ralph Amador: There's been some staff cost for a year now we meet with that person regularly.

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01:49:04.670 --> 01:49:10.110

Ralph Amador: and he he won't be talking with some of the commission members. You don't

677

01:49:10.390 --> 01:49:12.379

Ralph Amador: it was

678

01:49:13.880 --> 01:49:18.119

Ralph Amador: as far as stakeholder involvement. There hasn't been much stakeholder involvement.

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01:49:18.180 --> 01:49:26.789

Ralph Amador: And I wanna take that in here. There's been 1 one stakeholder meeting. I believe there was one

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01:49:26.830 --> 01:49:32.200

Ralph Amador: Commission Steering group type meeting. They've been regular government teams ahead

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01:49:32.320 --> 01:49:35.500

Ralph Amador: and going forward. But again.

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01:49:38.040 --> 01:49:44.329

Ralph Amador: aside aside from a a laptop leadership and a laptop function and

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01:49:44.420 --> 01:49:51.379

Ralph Amador: again the constraints of the agency have not made this a priority. So that's what we're trying to do now. I

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01:49:52.700 --> 01:49:56.580

Ralph Amador: I'm not sure what else to what else to tell you about this other than

685

01:49:56.670 --> 01:50:24.629

Jennifer Nash: Thank you. I just jump in before we have a little further discussion. I wanna do a time check because I wanna just be cognizant of that. We're approaching the 2 h, Mark, and we have 3 action items to to approve the reports, and I don't wanna lose a

quorum. So I'm happy. We if if the voting numbers are, gonna I have time and are willing to continue on for full discussions.

686

01:50:24.740 --> 01:50:33.440

Jennifer Nash: I'm happy to do that. But if people are gonna stop propping off, then we're gonna need to take a vote ahead of time and then do things a little out of order and then discuss.

687

01:50:33.680 --> 01:50:41.990

Jennifer Nash: So is there are there voting members, who are going to need to leave in the next 30 to 40 min.

688

01:50:43.620 --> 01:50:50.750

Jennifer Nash: If there, if you okay. So I have 2 voting members that are gonna leave. So that leaves us with 1, 2, 3, 4, 5

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01:50:50.980 --> 01:50:58.730

Jennifer Nash: 9, which is really close. So I think what I'd like to do is to with

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01:51:00.230 --> 01:51:19.890

Jennifer Nash: Anybody else thinks is the bad idea chime in. But I'd like to to do the motions to approve these 3 reports with the caveat, and then I want to continue to discuss them because they are worth discussion. There's a lot of information here and we need to be able to

691

01:51:19.950 --> 01:51:24.880

Jennifer Nash: give feedback and ask questions. Commissioner Celander.

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01:51:25.600 --> 01:51:36.520

Bob Selander: I could support all these reports with this language that the Commission approves the submissive submission of these reports to meet legislative guidelines.

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01:51:36.760 --> 01:51:42.450

Bob Selander: but that the Commission has had inadequate time to review and

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01:51:46.000 --> 01:51:50.230

Bob Selander: something. The contents of the report approve the contents of the report.

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01:51:50.910 --> 01:51:54.240

Bob Selander: reprove and consider the contents.

696

01:51:55.260 --> 01:51:56.789

Jennifer Nash: Is that a motion

697

01:51:56.830 --> 01:51:58.219

Bob Selander: that is a motion?

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01:51:58.450 --> 01:52:02.350

Susan Mandiberg: Alright? Is there a second for that motion. Second, that

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01:52:02.470 --> 01:52:10.099

Jennifer Nash: alright. We have a motion from Commissioner Seal under a second from Commissioner Mandevirg. We could take a vote, Mister G. Trick.

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01:52:10.640 --> 01:52:25.499

Eric Deitrick: and to clarify the motion before the Commission is that the Commission approves the submission of the reports to meet legislative deadlines with the understanding that it hasn't had adequate time to review and approve the contents of all of the reports.

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01:52:25.880 --> 01:52:29.729

Jennifer Nash: to, to consider, to, to

702

01:52:30.240 --> 01:52:34.719

Jennifer Nash: to review and consider the contents of the report.

703

01:52:35.370 --> 01:52:39.130

Susan Mandiberg: II I want clarification.

704

01:52:39.280 --> 01:52:47.010

Susan Mandiberg: Will. Are we voting to include that language in each report? Yes.

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01:52:49.850 --> 01:52:58.890

Lisa Taylor, Gov. Relations Manager: chair. Sure, Nash, if I may. Could we add a something to the end about why like that the fact that it's a new commission?

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01:52:59.370 --> 01:53:07.209

Jennifer Nash: Yes, that well, I think you could say inadequate time, because there's yes, I think you can put that in there.

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01:53:07.700 --> 01:53:11.890

Jennifer Nash: Commissioner Celander, are you? Would that? But would that

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01:53:12.620 --> 01:53:17.410

Bob Selander: I'm I'm not sure that's totally accurate, but I'm satisfied with that.

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01:53:19.920 --> 01:53:25.230

Eric Deitrick: Could we have? What I'm hearing is people that were on the Commission before

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01:53:25.470 --> 01:53:29.470

Bob Selander: still had difficulty reviewing everything.

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01:53:31.220 --> 01:53:32.440

Jennifer Nash: That's fair.

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01:53:34.640 --> 01:53:44.120

Eric Deitrick: and Commissioner Celander, just I really wanna get in the habit of making sure there's clarity on what's being voted on. So can you restate

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01:53:44.350 --> 01:53:50.249

Eric Deitrick: the motion with the that you're intending that the Commission vote on at this time.

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01:53:51.740 --> 01:54:05.060

Bob Selander: I I'm gonna need some help on this, but it's that the Commission approves the submission of the report to meet legislative guidelines. but that the Commission has not had adequate time to review

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01:54:05.270 --> 01:54:09.810

Bob Selander: and approve, or to review and consider and approve the contents of the report.

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01:54:14.120 --> 01:54:24.300

Addie Smith (She/Her): Commissioner, since bunch of attorneys here, would you be able to cut and paste that into the chat that might help Eric get exactly what you said, and help all of us see the words to

717

01:54:24.740 --> 01:54:26.269

Addie Smith (She/Her): give the thumbs up.

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01:54:30.950 --> 01:54:33.659

Bob Selander: I understand the attorney part of it. It's that

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01:54:34.750 --> 01:54:39.279

Lisa Taylor, Gov. Relations Manager: I'm working on typing up language, and we'll try and put it in chat.

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01:54:39.320 --> 01:54:42.720

Jennifer Nash: Alright, Miss Taylor's gonna do that

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01:55:15.290 --> 01:55:31.119

Jennifer Nash: alright. In the Chat Commission. The Opdc. Approves the submission of these reports to meet legislative timelines. But the Commission has had inadequate time to approve and consider the contents of this reports

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01:55:32.770 --> 01:55:34.660

Jennifer Nash: since its constitution

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01:55:36.360 --> 01:55:39.629

Jennifer Nash: on 1 1 24. That's going to need some help, I think.

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01:55:40.080 --> 01:55:41.199

Lisa Taylor, Gov. Relations Manager: But I thought.

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01:55:41.600 --> 01:55:42.620

Jennifer Nash: that's all right.

726

01:55:45.050 --> 01:55:56.800

Lisa Taylor, Gov. Relations Manager: It would it also be possible to approve? I would hate to ask lawyers to approve something we don't actually have the language to, but something we can draft with the chair's help.

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01:55:57.190 --> 01:56:05.579

Lisa Taylor, Gov. Relations Manager: Possibly after talking to Lfo about what would be an acceptable language for a report we're submitting to them.

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01:56:06.810 --> 01:56:16.419

Jennifer Nash: No, I think that we need to have the language that the Commission feels is appropriate with the caveat that we've talked about, and not, I think

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01:56:16.550 --> 01:56:25.120

Jennifer Nash: I think we have some pretty good suggestions from the 2 legislative members about that that we can move forward without getting

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01:56:27.840 --> 01:56:29.189

Jennifer Nash: telephone involved.

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01:56:29.590 --> 01:56:39.410

Jennifer Nash: and I'm a big fan of using the word. And instead of but

732

01:56:57.850 --> 01:57:08.669

Eric Deitrick: chair, Nash and Commissioner Celander I know earlier chair and ash. You said you weren't a fan of of making the motion, but I think for clarity here we could either have

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01:57:08.700 --> 01:57:17.589

Eric Deitrick: our Commissioner Sealander vacate the previous motion, and have someone else read the new language into the record. then we can proceed.

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01:57:20.520 --> 01:57:22.580

Bob Selander: II will withdraw my motion.

735

01:57:23.090 --> 01:57:24.790

Jennifer Nash: Alright. Thank you.

736

01:58:01.890 --> 01:58:07.369

Addie Smith (She/Her): I dropped some language into the chat. That's just a modification to the extent that it's helpful.

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01:58:07.470 --> 01:58:08.600

Addie Smith (She/Her): No.

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01:58:09.260 --> 01:58:11.030

Jennifer Nash: I just did the same thing.

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01:58:16.430 --> 01:58:25.160

Jennifer Nash: Yeah, it's basically what I said to what I was typing. So I think that's perfect. So what we have is that the Commission approves the submission of

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01:58:25.190 --> 01:58:38.799

Jennifer Nash: this report to meet legislative timelines. However, the Commission has had inadequate time to consider the contents of these reports due to his constitution on 1 1 24, and that is almost exactly what I said, except I spelled out January.

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01:58:38.800 --> 01:58:56.780

Jennifer Nash: So 2 great minds. So with that, if I I'll I'll even though I'm don't like making motions. Usually I'll make a motion to adopt the approval of the 3 reports with that language at the beginning of each one of the reports.

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01:58:57.140 --> 01:58:58.610

Jennifer Nash: Is there a second

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01:59:00.600 --> 01:59:02.140

Addie Smith (She/Her): Commissioner Matt? I'll second.

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01:59:02.220 --> 01:59:07.209

Jennifer Nash: Okay. Well, and then can Mr. Dietrich, if you'll take a roll call? Vote

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01:59:07.540 --> 01:59:08.280

Eric Deitrick: alright.

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01:59:09.110 --> 01:59:11.180



Peter Buckley: Commissioner Buckley. Yes.

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01:59:11.280 --> 01:59:15.290

Eric Deitrick: Commissioner Harris. Yes. Commissioner Leininger.

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01:59:15.560 --> 01:59:16.430

Tom Lininger: Yes.

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01:59:16.740 --> 01:59:18.930

Susan Mandiberg: Commissioner Vandenberg.

750

01:59:19.500 --> 01:59:23.910

Eric Deitrick: Chair. Nash. Yes. Commissioner Parrish Taylor.

751

01:59:24.720 --> 01:59:26.119

Jennifer Nash: She's not here.

752

01:59:26.150 --> 01:59:30.059

Eric Deitrick: Not present. Commissioner Celander.

753

01:59:30.710 --> 01:59:32.110

Eric Deitrick: Commissioner Smith.

754

01:59:33.230 --> 01:59:34.030

Addie Smith (She/Her): Yes.

755

01:59:34.740 --> 01:59:39.009

Eric Deitrick: Commissioner Harvey's not present so the motion passes with 7 votes.

756

01:59:39.230 --> 02:00:00.679

Jennifer Nash: Thank you. Thank you for that. Alright. Now, let's circle back up to the financial case management system, and I think it might be easier to move this along if commissioners who are present. If you do not know the background of the financial case management system.

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02:00:00.990 --> 02:00:02.440

Jennifer Nash: raise your hand

758

02:00:03.920 --> 02:00:15.659

Jennifer Nash: cause. There's a lot of like, okay, so there are a couple of people. So I'm just going to summarize this because I think you lack context to be able to understand the difficulty with this situation. I think

759

02:00:16.500 --> 02:00:23.790

Jennifer Nash: there has been a move, for I'd say I mean while I was a provider back in 2,000

760

02:00:23.900 --> 02:00:36.349

Jennifer Nash: 1514. This may be even started 10 years ago for the agency to provide a financial case management system to providers that would have a dual purpose

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02:00:37.260 --> 02:00:55.689

Jennifer Nash: from the provider side. It would give the ability to have a case management system for client information, including court dates. You know, keeping documents it keeping time,

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02:00:56.000 --> 02:00:58.770

Jennifer Nash: contact with clients, all those sorts of things.

763

02:00:59.400 --> 02:01:11.980

Jennifer Nash: the advantage to the agency of providing that to providers would it would. It would also have the ability to provide reports from the provider to the agency

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02:01:12.020 --> 02:01:17.920

Jennifer Nash: that would allow the agency to track very important data points that would then

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02:01:18.030 --> 02:01:35.410

Jennifer Nash: form in the basis for our budget and be able to provide real time data about caseloads about time that's being spent on cases about how many providers that are you? Very simple information that we should be able to track very easily.

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02:01:38.210 --> 02:01:53.050

Jennifer Nash: That hasn't happened, and there it would take forever to explain all the reasons why, and I would say almost all the people who were at the beginning of the agency, who were who started that prod project are gone.

767

02:01:56.130 --> 02:02:07.540

Jennifer Nash: This became a critical and represented evidence can jump in at any time. This became a critical piece a couple of years ago and 19. So a few years ago.

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02:02:07.560 --> 02:02:10.249

Jennifer Nash: when the agency ran out of money

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02:02:10.610 --> 02:02:27.780

Jennifer Nash: because there wasn't data to provide to to be able to figure out that they were running out of money. There wasn't good financial oversight, and the agency had to come back to the Legislature and say, Oops, sorry we ran out of money. We need you to help us bail us out.

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02:02:27.870 --> 02:02:38.899

Jennifer Nash: Legislature said, well, that's great. You have looked into our heads. I guess we're going to do that. But now you're going to have to do all these things because we don't want this to ever happen again. And one of them was

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02:02:39.280 --> 02:02:44.649

Jennifer Nash: this case management system, and there was a real. And there's money that was provided, too.

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02:02:44.890 --> 02:02:52.379

Jennifer Nash: Provide a case management system. There was a lot of there was stakeholder outreach.

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02:02:52.800 --> 02:02:55.590

Jennifer Nash: Commissioner Rinehart was involved in that

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02:02:55.820 --> 02:03:13.930

Jennifer Nash: where, you know, there was there was a commissioner, former commissioner, who was on the committee who was doing the work for this to be involved and get this up and running, and to fast forward to the report we got at the very last commission meeting the entire thing fell apart

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02:03:14.210 --> 02:03:23.140

Jennifer Nash: for reasons that I cannot fully explain. But there are lots of them, and there are lots of different moving parts.

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02:03:23.340 --> 02:03:33.930

Jennifer Nash: and we could speculate a lot as to why, but the bottom line is from a results standpoint. The whole thing fell apart, and there's no financial case management system.

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02:03:34.070 --> 02:03:43.559

Jennifer Nash: We lost our it. Our chief information officer who retired we've lost the 2 project managers who are involved. Basically, there's.

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02:03:43.580 --> 02:03:54.470

Jennifer Nash: you know, the whole thing is come to a halt. There was a failed Rfp, there was. The executive director. Can't be brought in a black Belt

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02:03:54.620 --> 02:03:56.820

Jennifer Nash: person who like

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02:03:57.420 --> 02:04:06.930

Jennifer Nash: Excuse my, you know, but, like puts together procurement, and tries to figure out how to move forward the Rfp.

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02:04:07.380 --> 02:04:11.910

Jennifer Nash: Failed. which is actually believe it or not, a blessing in disguise.

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02:04:12.160 --> 02:04:25.219

Jennifer Nash: because now it allows the agency to do a specialized procurement and to reach out directly to vendors that they know can provide this system and and ask them.

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02:04:25.730 --> 02:04:26.549

Jennifer Nash: I mean.

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02:04:26.730 --> 02:04:52.440

Jennifer Nash: these are again. Mister Ondor could correct me on. This is me, the lawyer, the chair talking not not having any insider knowledge necessarily, but it lets. I had a conversation with Director Kfc. And I said, Well, can you just call somebody from another state where you know they have a system that works, and ask them to do a system for Oregon. How hard is this is what I said. And she said, well, that's kind of the next

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02:04:52.440 --> 02:05:10.019

Jennifer Nash: step is now that we've had this failed. Rfp, we can do that. There's a way to go about doing that. So that's where we're at. So I think from my perspective, is the chair. One of the problems with this financial case management report is it doesn't own any of that

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02:05:10.160 --> 02:05:18.499

Jennifer Nash: it doesn't talk about that. It's just this. Here we are in the system, and it kind of passes over the fact that the whole thing just

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02:05:18.740 --> 02:05:33.729

Jennifer Nash: crashed and burned, and that we're starting over, and that we recognize this is a huge issue, and it's an agency. It's one of the highest priorities of the agency because it has to be. And so that's my big critique. I mean, I've got lots of small ones about.

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02:05:33.730 --> 02:05:49.669

Jennifer Nash: They changing the name of the agency change, you know, correcting typos, correcting the way some things are phrased. But for me, the the big problem is, I'm Representative Evans, that I'm reading this, and I know that the financial case management system crash and burn.

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02:05:49.810 --> 02:05:59.590

Jennifer Nash: This report doesn't say that. And so I'm going to look at this with some skepticism and say, What is this? Because this doesn't really tell me what's really going on.

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02:05:59.730 --> 02:06:04.810

Jennifer Nash: So I think that's my biggest problem with this report

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02:06:05.080 --> 02:06:16.369

Jennifer Nash: and I think that we need to. You know that may be too late to do anything about that for the January submission, but my expectation would be that the reports would look different. Going forward.

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02:06:18.450 --> 02:06:23.839

Jennifer Nash: mister. I'm gonna First call Commissioner Harris, because he has hand up first. So, Commissioner Harris.

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02:06:25.690 --> 02:06:31.710

Rob Harris: thank you. I actually second all of that having been around during those years as well, and

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02:06:32.230 --> 02:06:38.419

Rob Harris: I almost said something when the motion would to approve these was, but if you look at about the last page of this document.

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02:06:38.680 --> 02:06:41.770

Rob Harris: I think it highlights.

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02:06:42.510 --> 02:06:48.700

Rob Harris: The lack of not only lack of ownership almost goes a little further than lack of ownership. When it says, the Commission acknowledges

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02:06:48.870 --> 02:07:02.019

Rob Harris: there are many factors that have led to the current state of the project. The main cobrapping leadership on various levels, lack of focused attention. Since the project team, the CEO and the project to get his sponsor have separated, and a new commission has been named.

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02:07:02.230 --> 02:07:06.769

Rob Harris: It serves little purpose investigating and trying to decipher why this happened

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02:07:07.680 --> 02:07:21.140

Rob Harris: when the same energy can be better utilized working the problem and solving it. II do agree. We need to look forward. I think that those who forget the past, or could be fated to repeat it.

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02:07:21.950 --> 02:07:25.620

Rob Harris: II think that's an unnecessary statement in this document.

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02:07:26.000 --> 02:07:29.609

Rob Harris: And that would be my only comment on that.

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02:07:36.390 --> 02:07:37.690

Jennifer Nash: Mr. Avador.

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02:07:39.600 --> 02:07:49.610

Ralph Amador: Thank you. Sharon. Ash commission. Hopefully. You can hear me a little bit better. I switched to the the the mic, and so it doesn't sound like I'm meeting crackers while I talk at the same time.

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02:07:49.770 --> 02:07:51.879

So I apologize for that.

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02:07:51.910 --> 02:08:07.310

Ralph Amador: Commissioner Harris, you are right. The the last few pages about what we're talking about, what we're gonna do going forward. Wasn't. We're not in any way. I wrote the report. III spent week II was given the given the task of taking this over.

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02:08:07.310 --> 02:08:25.460

Ralph Amador: and I and I went through all the documents that we do have. Has there been work been done on this project? There? I there has been work done on this project. They've identified a bunch of requirements and such. They haven't done any mapping. There's specific things going forward. When the Commissioner chair, Nash said that the Rfp. Had failed.

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02:08:25.640 --> 02:08:44.879

Ralph Amador: We never put an Rfp out. We got an Rp. We have somebody come in and do an Rfp. It never went out on the streets. We had, the chief information officer for desk come in and oversee the presentation of it. We had oversight and not a really oversight but overwatch from desk procurement to come in and say, what do you think? How can you help us?

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02:08:44.880 --> 02:08:59.070

Ralph Amador: And at that time, they said, You know, this is really lacking. And then each one of us was in that presentation, said, We're not asking for what we need. We're not defining our need. We're not asking for what we need. And we decided to go back and just say we need to stop and regroup with this time.

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02:08:59.140 --> 02:09:01.410

Ralph Amador: Again. I'm not trying to put

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02:09:01.440 --> 02:09:06.779

Ralph Amador: the the. The report is not trying to put the commission on point for this.

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02:09:07.530 --> 02:09:26.399

Ralph Amador: that's our only name we have going forward is the Commission. We don't have an office of public defense services anymore. So we have to refer to the Commission as the commission. That's that's all we have going forward. So again, not trying to point fingers, we are accepting responsibility for this was a lapse of leadership. But when I say it.

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02:09:27.100 --> 02:09:38.029

Ralph Amador: sir, we we're not going to forget the past. We're using what we have and trying to go forward with it. That's not the intention. When with the statement that it serves

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02:09:38.540 --> 02:09:47.489

doesn't serve the purpose of doing launching an investigation and going forward and seeing stuff. We can do that if that's what the Commission would like us to do.

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02:09:47.510 --> 02:09:59.089

Ralph Amador: But that halts the progress, and we don't have any staff to do that you'll be taking the staff away from going forward and saying, Let's did delve into this and and go forward

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02:09:59.610 --> 02:10:01.389

Ralph Amador: But again

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02:10:02.280 --> 02:10:10.550

Ralph Amador: The report was intended to just try and update where we are based on somebody jumping in with a month's worth of experience.

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02:10:10.630 --> 02:10:15.040

Ralph Amador: pulling all the information apart and saying, here's where we think we're at. At this point.

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02:10:15.300 --> 02:10:30.400

Ralph Amador: We're we have to stop. We have to get get an It project manager on board. Get support from other parts of the State that really do this work and guidance, and then go forward with that. That was the intent of this report. So

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02:10:30.420 --> 02:10:34.170

Jennifer Nash: thank you. We appreciate that. Commissioner Evans.

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02:10:35.460 --> 02:10:38.680



Rep Evans, Non-Voting: So thank you. Chair. And again,

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02:10:41.220 --> 02:10:49.669

Rep Evans, Non-Voting: I have to be on record. So I make sure that I'm I'm doing my job. On the other hand, I'll try to use language that is nicer than I would usually use on my committee.

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02:10:50.110 --> 02:10:55.479

Rep Evans, Non-Voting: I don't know if it's called a report, an investigation, or a seance.

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02:10:55.690 --> 02:11:04.159

Rep Evans, Non-Voting: But we need to know how much money was spent on this Rfp. That failed. And what are the clawbacks to get it back.

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02:11:04.910 --> 02:11:12.769

Rep Evans, Non-Voting: One of the things that is driving people that work in the building I work in absolutely nuts right now

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02:11:12.840 --> 02:11:18.569

Rep Evans, Non-Voting: is expenditures of monies, and a report saying, Well, it didn't go. It was supposed to go.

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02:11:18.770 --> 02:11:21.680

Rep Evans, Non-Voting: and we think we know where it went up.

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02:11:22.260 --> 02:11:33.239

Rep Evans, Non-Voting: but without the follow up of how do we get some of it back to show that we're actually trying to be good stewards to the public? There are 3 things that I'm very concerned about having to do with this case management system

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02:11:33.460 --> 02:11:38.989

Rep Evans, Non-Voting: one. Is, is it possible? And can we find an example, from another State.

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02:11:39.010 --> 02:11:45.250

Rep Evans, Non-Voting: We have this theory sometimes in Oregon that we'll just do it all ourselves, which has not worked on at least 3 or

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02:11:45.620 --> 02:11:48.940

Rep Evans, Non-Voting: occasions. And again.

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02:11:49.040 --> 02:11:59.190

Rep Evans, Non-Voting: I think that that's going to be a question asked of, is there other case management systems available? And why are we looking toward those?

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02:11:59.350 --> 02:12:00.690

Rep Evans, Non-Voting: The second is.

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02:12:00.850 --> 02:12:02.970

Rep Evans, Non-Voting: I think, that

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02:12:03.080 --> 02:12:19.639

Rep Evans, Non-Voting: there's grave concerns that whatever is going on right now. Oj. D. Is not getting some of the information they used to get from the agency. So whether that's a staffing issue, because people were working on another project, I don't know what what's going on there, but I will let you know that that is something that I would be prepared to

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02:12:19.670 --> 02:12:25.530

Rep Evans, Non-Voting: be able to respond to. In a legislative days, or a legislature coming near you.

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02:12:25.650 --> 02:12:30.100

Rep Evans, Non-Voting: and the third on it is just a simple question. Is.

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02:12:31.820 --> 02:12:39.379

Rep Evans, Non-Voting: is there a value for the agency having its own? It framework? Or is the agency small.

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02:12:39.620 --> 02:12:45.000

Rep Evans, Non-Voting: or or I should say, small enough that it should be carried by Das and contracts, so that we're not.

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02:12:45.360 --> 02:12:55.580

Rep Evans, Non-Voting: When things like this come up. We're not the Commission holding out there that this software program didn't work. It's actually something that's true to a larger challenge of

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02:12:55.710 --> 02:13:04.410

Rep Evans, Non-Voting: perhaps untrained or unable contractors, which wouldn't necessarily be our pick. We just happen to be the one trying to get this done.

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02:13:04.690 --> 02:13:16.470

Rep Evans, Non-Voting: So I think everything that's being said is right. I think the report II tried to read it, and admittedly, I'm a reasonably intelligent guy. I didn't get out of it the mess that we actually have

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02:13:16.760 --> 02:13:23.220

Rep Evans, Non-Voting: but I appreciate the fact that in today's world everything has to be covered. So okay.

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02:13:23.270 --> 02:13:25.430

Rep Evans, Non-Voting: but just in in terms of trust.

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02:13:25.670 --> 02:13:35.589

Rep Evans, Non-Voting: Chanling, Senator Solomon. Right now, if you want to have trust, the greater the clarity, the greater the explanation in terms of not just what happened.

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02:13:35.680 --> 02:13:41.099

Rep Evans, Non-Voting: but how it can be fixed when it can be fixed, and how we can get some of the money back, or at least

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02:13:41.310 --> 02:13:48.059

Rep Evans, Non-Voting: ensure that that contractor never works again or gets a public dollar. Those kinds of things are all kind of tied together.

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02:13:48.270 --> 02:14:00.770

Rep Evans, Non-Voting: So I just those comments again. Share, Nash. I'm I'm grateful that you're at the head of this. If I could have voted I would have for you, I'm glad you're doing it. I unfortunately do need to leave, so I can go get yelled at by another public safety community.

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02:14:00.790 --> 02:14:10.869

Rep Evans, Non-Voting: But have a wonderful day. Thank you very much. And I look forward to reading the review of what happened after I left. Take care, thank you.

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02:14:13.680 --> 02:14:19.419

Jennifer Nash: Alright. Are there any other comments on the financial case management system, report or

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02:14:20.290 --> 02:14:21.610

Jennifer Nash: project

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02:14:22.700 --> 02:14:24.450

Jennifer Nash: or lack of project.

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02:14:25.300 --> 02:14:28.410

Jennifer Nash: So it's yes, Mr. Amador.

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02:14:33.060 --> 02:14:33.890

Ralph Amador: just

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02:14:35.480 --> 02:15:04.960

Ralph Amador: just to just to mention, we are talking with. We have, one of the provider who does this across the State and has one. We talked with people who did one of these systems in the State of Ohio for their for their public defense system. We talked with them earlier this week. They're gonna come back in the next couple of weeks and pre do a presentation for us. We have legal server is coming on Tuesday of this next week to do a presentation of what they think we need to have.

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02:15:05.290 --> 02:15:13.070

Ralph Amador: I have a I've made calls to the State of Oklahoma. is. It's indigenous, indigent to fence

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02:15:13.150 --> 02:15:32.879

Ralph Amador: committee or Council Council and what I found. Because all the research that the representative was asking for I've been doing in my spare time is going through and and trying to find things that we can go to Oklahoma is surprisingly structured the way we're headed

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02:15:32.900 --> 02:15:38.349

Ralph Amador: with flat fee contracts and with State offices out everything.

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02:15:38.350 --> 02:16:04.579

I've got a an email chain going with to have a conversation with their It manager and their chief financial officer in in the coming days to see what they're doing. And they're using something called E defender, which is a a, a, a, another another type of thing. So we are doing the due diligence, and as fast as we can, as quick as we can, to try and stay on schedule and on point with that. And again, when we talked about the budget. We have not spent

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02:16:04.780 --> 02:16:34.440

Ralph Amador: hardly a a just on what staff members we had at the time is really the only budget we spent on this. And and I would say, that's on page 12 of this report we're saying, this is the operating budget, as of November of this year. That's what we spent on here. So the the there is. There hasn't been millions of dollars spent. We haven't thrown a bunch of money away. We have Qc. Cost, which are which are relevant to this. And we had that one cost for that. That one vendor that was brought in as a recommendation with the Black Belt that came in and and didn't

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02:16:34.440 --> 02:16:40.310

Ralph Amador: give us what we needed, so we didn't spend any more money on him. We had to pay him for the services he provided. So

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02:16:40.379 --> 02:16:54.529

Jennifer Nash: appreciate it. Thank you. Thank you for the update. Very specific update about what you've been doing in the last 30 days. We do realize that. Well, 30 days, I mean, did you just take this over? January first.

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02:16:54.740 --> 02:17:09.579

Jennifer Nash: So yeah, so thank you for giving us the update about what's happening. And I mean, frankly, just you one of the things that was most striking to me when I joined the Commission. I had a real realization about how difficult it is to get anything done in government.

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02:17:09.590 --> 02:17:16.179

Jennifer Nash: And I mean this kind of thing like, pick up the phone and call someone who was already doing this and ask them.

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02:17:16.379 --> 02:17:34.109

Jennifer Nash: Turns out that's almost impossible to do with the government. So I appreciate that that's kind of where we're headed. It's just let's let's try to reverse engineer this. We don't need to reinvent the wheel. Somebody's already done this. So thank you for that update. And I and I would also ask that

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02:17:34.240 --> 02:17:43.470

Jennifer Nash: at every commission meeting that we have an update as part of the executive director's report about the financial case management system progress in the last 30 days.

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02:17:43.860 --> 02:17:49.009

Jennifer Nash: Alright, thank you. Let's move on to to the Quality management Report.

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02:17:49.360 --> 02:17:53.709

Jennifer Nash: which dovetails up very nicely into this, Miss Taylor.

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02:17:55.549 --> 02:18:21.240

Lisa Taylor, Gov. Relations Manager: Hi, again, Lisa Taylor, government relations manager. Our quality ma management report is attached to materials, and this report focuses on 2 areas. It focuses on how we're going to develop our cap program, which has been something that the legislature has wanted us to. I'm well, formally. They've been asking for us to set this up since 2021, but I think informally beyond that.

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02:18:21.420 --> 02:18:25.729

Lisa Taylor, Gov. Relations Manager: And it also talks about our Kpm's.

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02:18:25.750 --> 02:18:36.710

Jennifer Nash: Okay, yes, I know, and I'm looking for the official non acronym of that app is compliance. Audit performance. Apms are

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02:18:36.920 --> 02:18:45.989

Lisa Taylor, Gov. Relations Manager: key performance measures. Yes, yep, absolutely. And key performance. Measures are something that all agencies have. It's part of State government of how they measure the

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02:18:46.139 --> 02:18:48.650

performance of different agencies.

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02:18:48.709 --> 02:19:01.259

Lisa Taylor, Gov. Relations Manager: And so this report goes through first our cap section, and it lays out, and it actually part of it follows one of the remediation plan points around Cap.

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02:19:01.520 --> 02:19:08.340

Lisa Taylor, Gov. Relations Manager: But it follows how we're going to set up the compliance audit and performance structure.

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02:19:09.350 --> 02:19:13.289

Lisa Taylor, Gov. Relations Manager: sorry. I'm just following it.

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02:19:13.620 --> 02:19:19.680

Lisa Taylor, Gov. Relations Manager: pulling up my document here. So it starts with some definitions. And the

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02:19:20.100 --> 02:19:27.799

Lisa Taylor, Gov. Relations Manager: cap division is kind of broken into 2 parts. There's the policy and procedure side. And then there's our data and research side.

878

02:19:28.400 --> 02:19:37.499

Lisa Taylor, Gov. Relations Manager: and it talks a little bit about the program review and how they're gonna do issue identification which comes again from that remediation plan.

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02:19:38.020 --> 02:19:48.879

Lisa Taylor, Gov. Relations Manager: And then it just talks about future development, and as you'll be able to see, it breaks it into phases we're finishing up phase one now and about to enter. Phase 2

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02:19:49.060 --> 02:19:55.400

Lisa Taylor, Gov. Relations Manager: and the goal is to have this up and complete by July of 2024

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02:19:55.820 --> 02:19:57.580

Lisa Taylor, Gov. Relations Manager: and

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02:19:58.050 --> 02:20:03.749

Lisa Taylor, Gov. Relations Manager: It then starts talking about our key performance. Metrics these are our current Kpm's

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02:20:04.010 --> 02:20:06.050

Lisa Taylor, Gov. Relations Manager: and

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02:20:06.650 --> 02:20:34.059

Lisa Taylor, Gov. Relations Manager: they we go over what our current Kpms are which will need to be reported on to the Legislature during the short session, and that last paragraph there is about the limitations of our current Kpm Kpms, and how we're going to improve those with Senate Bill 337 and a new commission. There's definitely a need for new Kpms for the agency that are a better metric of what this agency

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02:20:34.100 --> 02:20:47.289

Lisa Taylor, Gov. Relations Manager: what the goals of this agency are and what we're really trying to measure, to show performance, and that Kpm work is probably going to be part of our strategic planning and more work that we're doing in the future with this commission.

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02:20:48.890 --> 02:20:53.659

Jennifer Nash: Thank you. Are there any comments or questions about the Body management report.

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02:20:58.820 --> 02:21:02.400

Jennifer Nash: I have some comments.

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02:21:06.550 --> 02:21:09.290

Jennifer Nash: so the cat program.

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02:21:09.350 --> 02:21:16.699

Jennifer Nash: And II mean, we talked about the cap program a little bit at the onboarding. And II just I feel like

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02:21:17.510 --> 02:21:40.240

Jennifer Nash: this is something we could definitely talk about during the strategic planning. But I feel like this report doesn't completely capture what the cap, what the purpose of the cap program is, and and how it's supposed to really internally hold the agency accountable for the work that needs to be done. I don't think that comes out as being very clear in the

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02:21:40.740 --> 02:21:55.059

Jennifer Nash: in the report. And you know, again, we can talk about that, develop it more fully in the strategic planning process. And then the key performance measures just for

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02:21:55.460 --> 02:22:14.710

Jennifer Nash: people's framework. Those are really old. So those key performance measures were developed when I was off practicing provider



and was the consortium administrator, I'd say. Probably like when Nancy Cosine was the executive director back in like.

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02:22:15.080 --> 02:22:26.770

Jennifer Nash: I don't know. 1314. They're at least 10 years old, more than 10 years old, and I'm absolutely gobsmacked about 2 things. One.

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02:22:27.010 --> 02:22:41.560

Jennifer Nash: we're not meeting even the old metrics at all. And 2, we haven't done the data collection needed to figure out what we're doing. And I can tell you. As a member of the old Commission, I didn't know that.

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02:22:41.950 --> 02:22:47.419

Jennifer Nash: and I think Representative Buckley can feel we. I had no idea that we were not gathering that data. Now.

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02:22:47.550 --> 02:23:12.429

Jennifer Nash: I will also say we've had an executive director in place for a little over a year now, and she probably didn't know, either, that we weren't collecting that data until well into her tenure. So I anticipate that. That in the process of it Miss Taylor can chime in in the process of developing this report. That was one of the things that kind of rose to the top, saying, Hey, wait a minute.

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02:23:12.430 --> 02:23:18.150

Jennifer Nash: We haven't been doing this, we need to do this going forward so, and that, certainly, I would think, would be the

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02:23:18.150 --> 02:23:28.420

Jennifer Nash: is the Commission's expectation that we're going to be gathering data to be able to demonstrate that we're meeting or not meeting our key performance measures.

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02:23:29.490 --> 02:23:31.119

Jennifer Nash: Just Commissioner Harris.

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02:23:34.700 --> 02:23:38.329

Rob Harris: Thank you. Yeah. This report.

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02:23:39.490 --> 02:23:50.960

Rob Harris: I had 2 takeaways from this report. The first is on the Cap Division Compliance audit performance. When that started any it

was 2019, or 2020 when it first started getting funded. Then they started filling out the personnel and it.

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02:23:50.990 --> 02:24:08.959

Rob Harris: you know, it seemed like a real opportunity. Covid hit a lot of things happened. I get it from the before people were moved back and forth. I had a couple of phone calls like, Who am I supposed to be talking to my cat person, my contract person. There's little confusion even. And then I talked to one person who said, We're not even sure what we're supposed to be doing. But

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02:24:09.240 --> 02:24:14.950

Rob Harris: the resource and funding is there. And I think this really does present a really good opportunity to get that right.

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02:24:15.180 --> 02:24:22.289

Rob Harris: The one thing I would say about this is, well, we have to honor the commitment and the work

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02:24:22.490 --> 02:24:32.780

Rob Harris: our current employees have done. I don't want to create jobs that fit people's skills. I would like to create jobs that are necessary and fill them with skilled people.

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02:24:32.830 --> 02:24:53.940

Rob Harris: Hopefully, that's 99% of the people that are on board, but I think our mission should be to have a really well functioning agency and honor and increase the morale of employees. Employees are an important part of this. I get that. But I would like to focus on getting the cap program right the Cape, the Kpm's. I agree with Miss Taylor and

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02:24:54.100 --> 02:25:12.349

Rob Harris: Chair Nash. This is an opportunity where we can also incorporate some policy because our performance measures are going to be dictated by the policy the Commission adopts. And looking forward, I look forward to our retreat in March when we can actually bring a lot of this together. But I think developing key policy

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02:25:12.500 --> 02:25:17.259

Rob Harris: measurements is really tied in to our policy

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02:25:17.370 --> 02:25:19.209

Rob Harris: goals in the end.

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02:25:19.800 --> 02:25:20.600

Rob Harris: Thanks.

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02:25:21.880 --> 02:25:25.059

Jennifer Nash: Thank you. Does anybody else have any comments?

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02:25:28.410 --> 02:25:35.849

Jennifer Nash: Oh, yeah. Nash, I see. Deputy Director Perfecto, as her hand raised. Oh, she's not.

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02:25:36.270 --> 02:25:48.419

Jennifer Nash: Yeah. I can't seem to get my video to work. I'm sorry.

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02:25:48.890 --> 02:26:14.029

Emese Perfecto (she,her) Deputy Director: Good morning, chair, Nash commission members. I just wanted to jump in here. And I've been here since mid June. So I know there's a lot of history, and both the Fcms. Project cap and and I don't wanna delve into that but I can tell you that. We we are doing an assessment. That is a a big portion of the work that we're doing.

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02:26:14.030 --> 02:26:21.110

Emese Perfecto (she,her) Deputy Director: And II believe, Commissioner Harris mentioned. You know, there's a lot of stuff that we're here brought in to do

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02:26:21.110 --> 02:26:41.340

Emese Perfecto (she,her) Deputy Director: the cap work and really didn't have priority on the rules for responsibilities. Previous to director coming on. And so we're working. We've got a a new, very strong Hr team that's coming in. We're looking at positions. What people's roles and responsible. They were hired to do?

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02:26:41.410 --> 02:27:07.720

Emese Perfecto (she,her) Deputy Director: What their skill sets are. We're looking at these teams and going. What are the what are the jobs and what are the what's the work that you need to be doing on a daily basis to meet our commitments. And so we're working on those things as well and getting ready on that. We are working towards a strategic plan. And those those Kpm will be the center and the goals. For that we had to use what was what we dug up and what we found that was here.

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02:27:07.720 --> 02:27:13.280

Emese Perfecto (she,her) Deputy Director: I don't know where they came from. I don't have that history, but we do understand that.

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02:27:13.300 --> 02:27:14.530

Emese Perfecto (she,her) Deputy Director: that there are some

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02:27:14.560 --> 02:27:40.300

Emese Perfecto (she,her) Deputy Director: pulls there, and we're working on that. But there is just to be very honest across the board. There's just so much, and we don't mean you mentioned earlier. We have one assistant for the entire agency. That also helps. The Commissioner is wearing 4 hats. And as we're going through and

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02:27:40.390 --> 02:27:56.440

Emese Perfecto (she,her) Deputy Director: setting out these roles and responsibilities for folks and looking at, what can we use like? What have we done? And let's let's build on that. And what needs to be scrapped or revisited. That's gonna take some time. And so we're moving as quickly as we can with the team that we have.

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02:27:56.440 --> 02:28:17.329

Emese Perfecto (she,her) Deputy Director: Ii can. I've been at other agencies that this is my fourth agency, and I can tell you that. You know, folks here are mission driven and very, very hardworking, and they're all trying to fill holes and gaps as they see them sometimes. It's really outside the scope of work they should be doing. But somebody's got to do it. So we're trying to clarify that.

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02:28:17.330 --> 02:28:36.919

Emese Perfecto (she,her) Deputy Director: And so we will get to the Kpm's, and we're working on that. We have brought in some new folks to fill those positions and help us with Cap in particular. So we have Kim Freeman, who is now quote the Cap manager and is starting to work on that program, and which includes policies, processes, and all of those pieces. So.

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02:28:36.940 --> 02:28:42.439

Emese Perfecto (she,her) Deputy Director: I just wanted to get a point of clarity there. Thank you.

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02:28:44.850 --> 02:28:46.589

Jennifer Nash: And I will just

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02:28:46.820 --> 02:28:53.880

Jennifer Nash: put this out there. I mean, from my own experience. When I came on the Commission

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02:28:54.650 --> 02:29:06.260

Jennifer Nash: we didn't have an executive director, so there was even a bigger vacuum of leadership. And there, you know, there was a definite push to do a lot more

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02:29:06.710 --> 02:29:35.050

Jennifer Nash: operational things from the Commission. I mean, like, we felt that because there was so much that needed to be done, and there was a real sense of urgency, especially because of the unrepresented persons crisis, which was kind of at its peak at that point, and I think that there are a lot of commissioners that are going to feel that way coming in like, okay. Oh, my gosh! You know hair on fire. All these things need to be done, and they're not getting done. And so it's it's it's

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02:29:35.380 --> 02:29:42.670

Jennifer Nash: It's going to be really important for us to be able to work with the agency to

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02:29:44.040 --> 02:30:06.360

Jennifer Nash: for you to be able to utilize our skill set, and for us not to get in your way, but also for the agency to understand for staff. I guess I should call Staff now, instead of agency for the staff to understand that, you know we feel a real drive to make things happen too, and get us all rowing in the same direction is kind of, I think, what our, what our goal is overall.

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02:30:07.950 --> 02:30:09.700

Jennifer Nash: Alright. Thank you very much.

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02:30:09.960 --> 02:30:22.849

Jennifer Nash: Moving on on that note moving on to their remediation plan. And and II can just jump in and and talk about this a little bit before Miss Taylor does to kind of summarize, give the background.

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02:30:22.920 --> 02:30:39.930

Jennifer Nash: This remediation plan is really it's something that the Legislature has required of us, and for a long time it was unfortunately conflated with a different report that we had been providing, because they use very similar language.

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02:30:39.930 --> 02:31:01.369

Jennifer Nash: So the Legislature for a bit there thought we were not complying purposefully with providing a remediation plan, and there were some ill feelings about that when really it was just a mistake, because there's a a remediation and modernization plan. And then there's a remediation plan

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02:31:01.960 --> 02:31:17.230

Jennifer Nash: and thought they were the same thing. But they were 2 separate reports. So the remediation plan is really this is all the stuff that we haven't been doing, the way we need to be doing it. And here's how we're going to fix it. Report, and the intention is to be honest

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02:31:17.270 --> 02:31:31.469

Jennifer Nash: to be transparent, to identify the gaps in what we should be doing versus what we are doing, and to have key measurable

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02:31:31.980 --> 02:31:42.040

Jennifer Nash: outcomes and benchmarks along the way to how you've achieved those. And we're required to submit this report to the Legislature about

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02:31:42.150 --> 02:31:50.989

Jennifer Nash: what we're doing to achieve those fixes. Pretty frequently. So with that, Miss Taylor, do you wanna jump in.

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02:31:51.400 --> 02:32:21.319

Lisa Taylor, Gov. Relations Manager: Yeah. This is the remediation again for the record. Lisa Taylor, government relations manager. This is the remediation report. It is the second official version that we've turned in we did technically turn in a version before the first version. That is how we got to the fact that we weren't looking for the right thing. That's how the Legislature, really, I think with that first report, saw that we are putting in the effort.

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02:32:21.540 --> 02:32:32.059

Lisa Taylor, Gov. Relations Manager: but that we were heading in the wrong direction, and with their help we really were able to turn that around and narrow in on what we're supposed to be focusing in on. So this is the

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02:32:32.220 --> 02:32:36.350

Lisa Taylor, Gov. Relations Manager: version 2. And I would say, it's the first full version of the report.

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02:32:36.400 --> 02:32:55.030

Lisa Taylor, Gov. Relations Manager: So this report is the top 25 issues that have been identified by well, Pdsc, now, Opdc. and addressing how this Agency and Commission becomes a fully functioning State agency. That's living up to

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02:32:55.110 --> 02:33:03.570

Lisa Taylor, Gov. Relations Manager: the expectations that it has. In the contents, you'll table contents. You'll see that each of these 25 issues is listed.

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02:33:03.600 --> 02:33:14.670

Lisa Taylor, Gov. Relations Manager: and each issue goes through a 10 step problem identification process, which is outlined in the budget. Note. So these 10 steps come from the legislature.

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02:33:15.530 --> 02:33:31.500

Lisa Taylor, Gov. Relations Manager: since the last iteration that the previous Commission saw of this we went back through, and we try to work on those smart goals that I talked about about making our goals more specific and time bound.

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02:33:31.730 --> 02:33:43.989

Lisa Taylor, Gov. Relations Manager: and I think there's still some work to do. I think this definitely needs some refining. But I think we're going definitely in the right direction is the feedback that I've received from folks who have looked at this.

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02:33:44.110 --> 02:33:52.270

Lisa Taylor, Gov. Relations Manager: It's definitely gone a long way with the Legislature and helping to rebuild the trust with the agency. and I think.

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02:33:52.610 --> 02:34:04.580

Lisa Taylor, Gov. Relations Manager: overall. Ii think this report is going to go a long ways in getting the agency back to where the legislature expects it to be.

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02:34:04.600 --> 02:34:09.459

Lisa Taylor, Gov. Relations Manager: With that I'm happy to answer any questions or take feedback that we can incorporate into this.

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02:34:10.450 --> 02:34:30.219

Jennifer Nash: II just say that I think this is definitely one of those things that the Commission needs to be, you know, and and really kind of has been pretty strongly involved with writing and and editing and giving input on and by commission. I would say.

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02:34:30.260 --> 02:34:42.789

Jennifer Nash: when we figured out that it was the wrong report that we were submitting. It was really the chair that me that was giving feedback. And then the first report went to the Commission, and the Commissioners

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02:34:42.790 --> 02:35:00.899

Jennifer Nash: approved it and voted on it. But I would think that this would be part of the governance part. Maybe part of what the Governance Committee does. It certainly is something that we're going to talk about during this strategic planning session, because this is kind of the backbone. I think of what we need to be doing. And I also think that there's

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02:35:03.550 --> 02:35:08.469

Jennifer Nash: so definitely in the commission staff

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02:35:08.640 --> 02:35:24.190

Jennifer Nash: portion, there needs to be some input about what the Commission thinks the commission role is. I mean, II read that. And I thought, Well, I'm not sure. I agree that. That's what our role is, but I'm sure, but I'm I'm not a commission of one, so there will be other feedback, I'm sure.

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02:35:24.260 --> 02:35:26.140

Jennifer Nash: Commissioner Harris.

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02:35:27.290 --> 02:35:32.339

Rob Harris: thank you. Just a couple of process questions, maybe. Miss Taylor,

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02:35:32.590 --> 02:35:47.589

Rob Harris: is the report received based on a prior report that was filed? And has it been amended. And is that why we're looking at it again? And how often does this have to be submitted legislature? Because one thing that could be helpful is providing us with a red line version instead of a 54 page thing.



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02:35:47.850 --> 02:35:55.740

Rob Harris: if that's the process, if it's a brand new report I got it. But if we're just talking about some edits, and that might be helpful next time, thanks.

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02:35:57.250 --> 02:36:14.529

Lisa Taylor, Gov. Relations Manager: Yeah, Commissioner Harris, thank you for that question. I will figure out with our technology distribution systems, how to get you guys, this previous versions of this report? The last report that we turned in was more of a like

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02:36:14.620 --> 02:36:26.359

Lisa Taylor, Gov. Relations Manager: plan about this report. And I have the 25 issues identified. And they're grouped into categories. So this is the first version that has kind of these 10 points laid out.

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02:36:26.380 --> 02:36:40.729

Lisa Taylor, Gov. Relations Manager: in the future. And this is in the initial report we turned in. We are going to have kind of an executive summary that highlights major changes that have happened within the report. So you can see progress going forward. These are due

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02:36:40.890 --> 02:36:48.039

Lisa Taylor, Gov. Relations Manager: basically quarterly so we're turning them into the legislative days almost every legislative days, until

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02:36:48.410 --> 02:36:53.409

Lisa Taylor, Gov. Relations Manager: I believe, 2026. So it's it's for quite some time.

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02:36:57.780 --> 02:37:01.709

Jennifer Nash: So if loss or quorum. So I

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02:37:01.880 --> 02:37:12.120

Jennifer Nash: do. We have to stop the meeting if we don't have a quorum anymore. But there you go, Mr. Dietrich.

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02:37:12.790 --> 02:37:32.150

Eric Deitrick: Yeah, I technically, II know we we heard at the onboarding retreat, and I'm I'm in constant communication with this month. And Doj, but I mean, we're not in a meeting right now, because

we don't have a quarrel, and that says you can't have a transparent conversation. That's what we're doing. So

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02:37:32.290 --> 02:37:40.559

Jennifer Nash: okay, thank you. That's helpful, although technically, that means we can't ever adjourn either, because we didn't have a vote to adjourn. But

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02:37:40.770 --> 02:37:50.780

Jennifer Nash: okay, alright, does anyone have any other questions or comments or concerns about this, and then I'll just open it up.

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02:37:54.300 --> 02:38:00.380

Jennifer Nash: No, alright. Is there anything oh, we had the audit plan, which I mean.

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02:38:02.190 --> 02:38:12.390

Jennifer Nash: that was repro approved by the audit committee. It's pretty straightforward. Are there any questions or concerns about the audit report

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02:38:13.050 --> 02:38:21.630

Eric Deitrick: and share? Nash? I would just note that I don't believe our internal auditors are actually on the call to answer, well, okay, so we can't even really talk about that

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02:38:21.960 --> 02:38:27.989

Jennifer Nash: alright. Any questions or concerns, generally anything that anybody wants to talk about while we're have a small group here.

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02:38:32.320 --> 02:38:33.500

Jennifer Nash: Commissioner Harris.

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02:38:33.670 --> 02:38:37.630

Rob Harris: Yeah, I'll just throw this out there, and it may have been a comment that was like

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02:38:38.140 --> 02:38:45.579

Rob Harris: that was just made. Mr. Amador said this, that Oklahoma is like where we're headed with flat fee contracts and state trial level.

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02:38:46.500 --> 02:38:53.060

Rob Harris: Yeah, yeah, I don't think he meant that, too. Yeah, yeah. Cause that's

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02:38:53.260 --> 02:39:09.989

Rob Harris: I think that's a policy decision for the Commission, probably to make eventually contracting. I think I had to guess what he was saying is, that's what we're doing now.

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02:39:10.110 --> 02:39:15.640

Jennifer Nash: That cause. Obviously, that's not where we're headed, okay, here's Mr. Ovado. yeah.

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02:39:16.340 --> 02:39:18.919

Ralph Amador: Share message. And

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02:39:19.140 --> 02:39:22.100

Ralph Amador: Commissioner Harris, thank you for correcting that.

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02:39:22.930 --> 02:39:32.290

Ralph Amador: I was just reading off things and trying again, trying to do research and find areas that were like us and other places. They could. They can do what we're trying to do.

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02:39:32.300 --> 02:39:50.379

Ralph Amador: just trying to find ideas. I'm not trying to set policy, change legislation, do anything of that sort other than just gather information so that we can have an informed decision or discussion about a decision to institute a financial case management system. That's what I thought.

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02:39:50.410 --> 02:40:06.120

Rob Harris: That's why I didn't say anything at the time. But the folks that I used to hang out with a lot would probably hear that, and it would get their heads spinning a little bit. So I think just wanted to bring that up for clarification purposes. Thanks. Thank you, sir. I don't need any more bad press.

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02:40:06.560 --> 02:40:31.429

Jennifer Nash: Thank you. Yeah. It. It's always good to remember. I mean for me, I think, about these meetings. When we have them, that there's really 2 purposes for these meetings. One of them is for us to get information, but the other one is for the public to get information. And so when things like that, I mean, we may think so. We know that isn't the case. Whenever you're you're exactly right,

Commissioner Harris. It was good to clarify that, just to make sure that didn't get left out there and have, you know.

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02:40:31.840 --> 02:40:42.180

Jennifer Nash: 5 people or 25 people showing up in public comment except talking about how we're going to do flat the contracting when we're not, when we're prohibited from doing it. So.

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02:40:43.550 --> 02:40:44.820

Jennifer Nash: Mr. Dietrich?

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02:40:45.720 --> 02:40:50.089

Eric Deitrick: Yes, thank you. Chair, Nash. Members of the Commission.

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02:40:50.480 --> 02:41:06.110

Eric Deitrick: you know I know a lot of the folks in this Commission are very familiar with the work and public defense, and some less so, and I know some of the attendees are very familiar with Oregon public defense, and some less so, and the next item on the agenda was supposed to, I was supposed to have a conversation about, and it was going to be a very

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02:41:06.160 --> 02:41:12.470

Eric Deitrick: charming conversation about how much progress has actually been made

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02:41:12.810 --> 02:41:32.500

Eric Deitrick: since I became a public defender over the past few years, and I'm happy to table that conversation to the next meeting given the time. But I really do want folks particularly listening to know that things have gotten significantly better. And you know at least me. Maybe I'm just one person. But I'm really optimistic about where we're headed.

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02:41:33.390 --> 02:41:44.940

Jennifer Nash: Thank you. That's a really good point. And I meant to tell you when you and I talked the other day about the meeting agenda, that I think it would be really helpful

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02:41:44.980 --> 02:41:51.440

Jennifer Nash: if yes, I think you should talk about this in the February meeting, and I think it would be really helpful if you pulled up

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02:41:52.620 --> 02:41:54.900

Jennifer Nash: Mr. Levy's memo to you

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02:41:55.270 --> 02:42:09.879

Jennifer Nash: about when he laughed because in that at the back was like the challenges and the things going forward. And I went through that as part of the just. The review for the new commission piece, and I was

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02:42:09.920 --> 02:42:13.110

Jennifer Nash: very, very just.

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02:42:13.180 --> 02:42:29.219

Jennifer Nash: It was a really good reef to remind me of just how much progress we really have made, even though it feels like we're spinning our wheels. We have this list of here's what I think we might be able to do. And you just tick. We could just tick off all of these

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02:42:29.280 --> 02:42:44.840

Jennifer Nash: really big, substantive legislative changes, these really big policy decisions, these really big you know, just different way that we're doing business out. That's really a positive thing. So yes, I agree

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02:42:45.880 --> 02:43:10.750

Jennifer Nash: alright with that. I think maybe we should just call it a day, and I and I will be very mindful of of the chair of timing going forward. I just thought that there were some really big things this meeting that we really needed to just let people talk about. And so I just let things go if they needed to go. But I'll I'll do better going forward with time.

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02:43:13.110 --> 02:43:15.329

Jennifer Nash: Alright! Thanks, everybody, thank you.