

Adrian (Addie) Smith: Can we get start with sort of a little bit of an update on the Governor convenings that are happening and a little bit of an update on how E Boards went? Because I think it's good to catch Tom and I up on those. I know Peter, you participated, I think, in one of those meetings, and I think probably getting some strategy around those, what I'm hearing around the edges, could be helpful. So, I don't want to unnecessarily meddle, but I want to be here to be supportive. So, do you want to, Lisa and Peter, do you want to fill us in on those two things, and then we can definitely move right into the agenda?

Lisa Taylor: Yeah, no problem, and feel free to jump in. Or if you want to start, Commissioner Buckley, otherwise I'm happy to.

Peter Buckley: You do the diplomatic part, and I'll do the undiplomatic part.

Lisa Taylor: All right, that sounds great.

Adrian (Addie) Smith: Love this plan.

Lisa Taylor: Yeah, so the Governor's office, we asked them to kind of convene a stakeholder meeting to really get folks into one room to talk about the unrepresented crisis, and so that meeting was back on September 20th. It was a pretty big meeting. The Governor's office was there. Senator Sollman and Rep. Evans, Senator Prozanski, Rep. Wallan, I believe all joined.

[Crosstalk 00:01:22]

Lisa Taylor: Sorry, who?

Adrian (Addie) Smith: Kropf there from Central Oregon.

Lisa Taylor: Kropf? Yeah, oh, I'm sorry. Yeah, and then a lot of policy advisors, the DAs came, and then of course OJD. So, it was a pretty big room, and I think the goal of this meeting and the goal of meetings going forward, the plan is to have them about once a month. In fact, I think I just got an email looking to schedule another on or around the 21st.

And the goal was really to like kind of level set on the unrepresented issue. We were really hoping to come to a common understanding of what was driving these numbers and why interventions hadn't really... While individual interventions have been effective, the numbers still have continued to go up, and I think the Legislature there was really interested in just the fact that a lot of money has been put towards this problem and yet the numbers continue to rise and why aren't we seeing a decrease? So, it was a three-hour meeting, a lot of discussion, I think a lot of both airing of grievances and then also kind of coming

to some common understandings. I think a lot of things were clarified. I think a lot of people were on different pages, especially like around MAC and what is MAC and why we're using it.

I think probably the best agreement that everybody seemed to have was that no one likes MAC, which I think we're on board with. So, we talked a lot about our workload model. And then it was a lot of we have our six-year plan, which is about the workload, but then we also have like the unrepresented crisis plan, and that's a shorter-term thing. And I think there was some confusion also around the fact that like we have a six-year plan, and people hear that and think, "You're not going to solve this problem for six years?" And it's like, "No, we have a separate plan to solve the immediate issue, but the immediate issue is a symptom of this longer-term problem which we need to solve." So, I thought it was really good to get everybody in the same room and talking.

And actually, coming out of that meeting, it was really clear to me that especially Rep Kropf really wants us to be looking at this information or looking at the crisis county-by-county level. Because we've been taking a really statewide approach. I mean, obviously we're looking county by county, but like especially in the triaging of the Betschart cases, we really have to be looking at that statewide because those are limited resources. And I think going forward, we're going to or, well, we have put together a plan to kind of address this more at the local level. And I'm hoping that's the plan that we're going to take back to our next meeting to talk about. We've already actually scheduled a Jackson County visit, that we're in the process of scheduling, so we'll get down there and talk to the courts and really see what's going on there and how we can implement things that'll work for Jackson County that might not work for Coos County or Multnomah.

Adrian (Addie) Smith: Lisa, is the plan for those to get the same players but the local versions together to problem solve collectively so DA's...

[Crosstalk 00:04:59]

Lisa Taylor: Mm-hmm.

Adrian (Addie) Smith: ...court, and your public defense providers all together.

Lisa Taylor: Mm-hmm. Yeah, that's our goal is to go have like many of these meetings throughout the state.

Adrian (Addie) Smith: Okay.

Lisa Taylor: And then hopefully we would be able to bring those back to the larger table to report out on.

Adrian (Addie) Smith: Who?

Lisa Taylor: And I think that's going to be a lot of the discussion for, yeah, next meeting.

Adrian (Addie) Smith: Who at OPDC is going to be sort of the facilitator of these meetings?

[Crosstalk 00:05:27]

Adrian (Addie) Smith: I mean, because it sounds like it is both legislative and programmatic, and so I want to make sure, and you guys have the staffing you need there and the support you need to be successful.

Lisa Taylor: Yeah, so we are working on that right now. I, as you all may know, I'm not sure, I am going out on maternity leave on October 25th.

Peter Buckley: Wow.

Lisa Taylor: Yeah, which is exciting, but also obviously causes some challenges. So, we're working with DAS and the Governor's office about how we can find somebody, like a project manager that can maybe be on loan or something to the agency, for that time period who could kind of take this on. I think really we need to look at it in a project management lens of going in, doing the same type of system, and taking the same notes, documentation, all of that. We have a vacant limited duration project manager position which is at a similar class and comp of what we're looking for, and so we'll probably be able to fill it through that position. But again, we're talking with DAS and the Governor's office to help us kind of find that person.

Adrian (Addie) Smith: Great. I think that sounds great. I don't want you to have to take on a whole lot of extra work, especially because a lot of that is real program not legislative...

[Crosstalk 00:06:51]

Lisa Taylor: Mm-hmm.

Adrian (Addie) Smith: ... answering to the Legislature, so I wanted to make sure there was a plan. Peter, you were there. What are your thoughts on the meeting, if you don't mind my asking?

Peter Buckley: Sure. I think where we have challenge is that there's both a, as Lisa was saying, there's the immediate crisis that we face, and then there's the workforce

problem that has to be addressed for the long-term resolution of what we're facing. And the frustration I had was that the focus was entirely on the immediate crisis without actually taking in consideration what we've proposed to do to resolve the immediate crisis. We had proposed opening the Southwest Office, we proposed adding 25 MAC, and those were not discussed really, except for there did seem to be agreement amongst the legislators that opening the Southwest Office as soon as possible made total sense. So, I'm not sure why we couldn't get it this last time. Hopefully, we'll get that in December because it has to happen for us to start to address this and start to smooth things out.

There seemed to be a great reluctance, at least in my view, to look at the long-term problem of it being a workforce problem. There's a lot of tension being the agency is the problem, the agency is the problem, the agency is the problem. And that's frustrating for me to hear because we could have the most incredible agency that's ever walked the face of the planet, and we'd still have a public defense crisis because we don't have enough public defenders. And that seems to be that's what's not getting through, the fact that we have to have more public defenders in order to resolve this, both short-term and long-term. So, again, Lisa said that there was a time spent describing how MAC works. I'm not sure there's quite enough understanding that the Legislature actually instructed OPDC to actually change from the previous system towards the workload model, and MAC is the transitional program that's going to get us the workload model. I think there's finally some understanding of that.

There's a consensus that MAC needs to be replaced as soon as possible. We didn't have a good chance to talk about why it's going to take a period of time to change from MAC to the workload model. They didn't seem to be really interested in hearing about that. But it's going to take time. We can't just flick a switch and say now we're a workload model unless we're willing to pay for the workload model. We've done the compensation study, we've said, "This is what it would look like to do the workload model at 1580 hours at the market rate." We haven't had that discussion yet, with either the Governor's office or the Legislature, of saying, "This is why we're putting this forward, is we did the compensation study. We looked at the workload models. This is what the data shows." So, that that's my frustration with it.

There seemed to be a desire to make this the executive director's fault that we have a crisis, and I was not happy with that, and I do hope that going forward we can build off the consensus around the idea that we have to move, the Legislature has directed us to move to the workload model. We have to move the workload model, we have to have discussions, the rational discussion says this is how we move to the workload model, this is how much it costs to move to the workload model. At the same time, we're having discussions of this is why

Jackson County is in crisis. And I do think Representative Kropf did a good job of saying let's focus on what each county needs and make sure we address it.

In Jackson County, for instance, we have an increase in misdemeanors, somewhat is impacted by the fact that we have Rogue Retreat which is getting people off the street into housing. And to get into housing, they have to clear off all the back charges against people. So, how do we help with that? Is there a way we can help with that? Is there some sort of program we can do for just that population, etc.? So, that's my summary of it is I'm really hoping that we can get the point of, yes, the agency has to perform well, absolutely. Nobody disagrees with that at all. But even if the agency performed at a brilliant level, we'd still have this crisis, so I hope we can talk about both the agency's ability to address issues but also the state's crisis that we're facing in workload.

Adrian (Addie) Smith: So, Peter, I have a question about that. I mean, I know, Lisa, we have to get to reports, but I think all of this is tied together.

Lisa Taylor: There's just one, so.

Adrian (Addie) Smith: Great. I want to have a little bit of a conversation because I think we all or at least I just reviewed the letter that OJD submitted.

Peter Buckley: Yeah.

Adrian (Addie) Smith: I don't know if anyone else had a chance to read it.

Lisa Taylor: Did you see the updated version?

Adrian (Addie) Smith: I did, I did.

Lisa Taylor: Okay, all right, great.

Adrian (Addie) Smith: I did. I appreciate you checking because I think there was obviously some good work done, and yet that letter takes a really clear tone of sort of like we've done everything possible and it's all on OPDC, and on top of that OPDC hasn't been a very good team player. I don't necessarily need to get into the merits of whether or not that's true, although I'm open to that conversation. What I'm really concerned about right now is that OJD doesn't see us as a good partner, the Legislature doesn't see us as a good partner, I don't know how the DAs...where they stand on this. But I do see a lot of people pointing the finger directly at us and sort of offloading the whole problem onto us.

Peter Buckley: Right.

Adrian (Addie) Smith: I understand sort of why and I think we need to do something to resuscitate our image here and to be better. Because we're in a really tough spot where what we think we need is more support and resources, and no one trusts us, so no one wants to give us support and resources, and none of our allies in this are advocating for us. Instead, we keep sort of getting thrown under the bus in this really complicated system, I'm just going to be really candid, and I'm not sure if we have a plan to tackle this but I don't think we're going to get anywhere until we start to tackle this issue of being untrustworthy and bad collaborators. And so I'm wondering, Tom and Peter, if you have thoughts on that or if I'm off the mark or perhaps being too candid, but I'm really concerned about it.

Peter Buckley: And it's understandable. I'm not sure. The OGD letter that I think Chief Justice actually in her kind of second response...

Adrian (Addie) Smith: Yeah.

Peter Buckley: We didn't mean it that way.

Adrian (Addie) Smith: Sure.

Peter Buckley: But that's the reputation that has been out there. I don't think in terms of district attorneys, what they sent in and the ideas they brought, [Distortion 00:14:05] it's our problem.

Adrian (Addie) Smith: Right.

Peter Buckley: Basically that's what they said. They're not willing to discuss how they're charging people, etc. They don't want that discussion at all.

Adrian (Addie) Smith: Right.

Peter Buckley: I think OJD is kind of basically no, actually, we were trying to meet with them.

Adrian (Addie) Smith: Sure.

Peter Buckley: Where Lisa could talk about they're meeting with LFO constantly to try right make sure that the Legislature has the information it needs. I'm not sure what else we can do besides make sure we hit every single report perfectly, give every bit of information that's been required that we can possibly give, and to continue to look for allies because I think you make a great point. We need allies that are going to say, let's look at what the actual problem is, and it's a workforce issue. If you don't trust us to do the workforce issue, then should HECC [Phonetic 00:15:02] do the workforce issue, but someone's got to address the workforce issue.

Tom Lininger: I would just add to that, in my experience with the Oregon Criminal Justice Commission when I was chair, anytime there was a flare-up, any sort of problem in an area that we sort of addressed, we were in the crosshairs. Not that...

Adrian (Addie) Smith: Yeah.

Tom Lininger: I think it's instinctive for different agencies and legislators to want to point to the commission sort of tasked to coordinate in a certain area. But I mean, the fact that we're now a little unpopular shouldn't diminish our zeal to be candid, to be cooperative, to be forthright, right? I mean, but ultimately Peter's nailed it, and I'm sure everyone else has a similar view in our commission. It's just a shortage of public defenders, and some of that is due to bad decision making by OPDC, but a lot of it is due to demographic circumstances, changes in expectations, retirements, charging decisions. And anybody looks seriously at the problem can't solely fault OPDC. I do want to acknowledge that our recent history is kind of sordid. I just mean like back two years. I mean, we have some history that I'm not surprised continues to alarm people. But all we can do is our best. And I agree with Addie's instinct, that whenever we have a chance to sort of improve relationships, I like what Lisa's written, that we need to avoid being siloed. All that is important, but I mean, to some extent, we're going to draw flak just because of the area we're in.

Peter Buckley: And that's true, Tom, and there's an article last week about the state of Washington. They're about two years behind us now. They are starting to cap cases for public defenders because they feel that constitutional challenge that we have as well, they have too few public defenders. And the article that I read said that their DAs are actually suing the state to stop the state from capping cases for public defenders. And they're going to the Supreme Court with this and saying, "If you cap defenders, we will have a crisis because we don't have enough public defenders."

Tom Lininger: I've read where some of our DAs have said something similar here in Oregon and yeah, that doesn't align with my view. But I like I like what Addie is suggesting and hope at every opportunity we'll be building relationships. I think Lisa's report suggests we're heading in that direction, so.

Lisa Taylor: And Addie, I think that our site visits should be pretty impactful in building those relationships and doing it more publicly, I think. We have a communication specialist who started at the beginning of September, so she's going to be going on these road trips. We won't just be putting together reports and disseminating that amongst our providers and stuff. It's going to be more of a "here's a public report," making sure legislators are seeing those and the outcomes and the action items that come out of those meetings. And then, did I

send... We put together a pretty extensive information package, that packet that we sent to the participants of that meeting. Did I send that out to all commissioners?

Adrian (Addie) Smith: I know I got a copy, but I don't know if I got a copy because I was on that meeting invitation or because we sent it to commissioners, so it might be worth double-checking.

Lisa Taylor: Okay.

Adrian (Addie) Smith: And are those conversations happening at your Wednesday, sort of talking about these meetings, are they happening at your Wednesday meeting with the lobby?

Lisa Taylor: Yeah. In fact, a lot of the folks who were... In fact, almost all of the folks who are in those Wednesday meetings were at the Governor's meeting, a lot of providers were there. The site visits, we really just scheduled that, started scheduling that. So, yes, but we will talk to them too, and that will be...

Adrian (Addie) Smith: I was more interested in the sort of Governor's meeting and otherwise. Certainly, those folks should be in the loop on the site visits, as should the local folks, but my question was more are you guys covering all of this with the lobby and feeling like you're getting a unified front amongst defenders? Because historically, one of our biggest weaknesses has been our different factions or factions, sorry, have gone in with different perspectives, and when it's already split that can be a real challenge.

Lisa Taylor: Mm-hmm.

Adrian (Addie) Smith: All right. I appreciate you allowing me to take a chair privilege and have a little bit of that conversation because I think I'm hearing a lot about it, and I want to make sure it's something you're feeling supported in, Lisa, and whoever takes over for you is feeling supported in, and that's on all of our radars. Shall we jump into the report, and I will hand the mic to you, metaphorically and literally?

Lisa Taylor: Yeah, that would be great. So, we have our remediation plan, the 5th, that's due for December Legislative Days. This will be going to the Public Safety Subcommittee like most of our reports. We will also have a Comprehensive Public Defense Report which goes to judiciary. That's going to be approved during your November commission meeting because it's on different timelines than LFO. So, for this report, it looks a little bit different than previous remediation reports, mainly just because of the timeline that came up. I mean, September Legislative Days was last week, so I honestly I sent this out to

managers to be like, "Let me know what's changed," and they've been like "Not a huge amount has changed in the month since we submitted the last report for September Legislative Days," which is understandable. So, what I did is I took this report, and I compared it to the remediation plan two, which was the first version of this report that had the 10 steps in it for each issue area, and I just went through and looked at all of those issues we had... For each issue, we listed options to resolve the issue and gave a bunch of steps that we could take to help resolve whatever the issue was. And I just looked at those initial directions and I said, "Have we done them or not?" So, that's kind of what this report is trying to reflect of have we completed those remediation steps, and if not, how are we going to be finalizing steps?

So, I also attempted to identify the couple of remediation areas that have really been remediated, which I'll note that I am open to other terms than "remediated." Just I wasn't sure on that one, so if we'd rather go with "completed" or something less, I don't know, clinical, I'm happy to do that. And there are a couple of areas like our data-informed decision making. We've come so far in data in, I mean, the last two years but especially just the last year. We have all sorts of dashboards, we're using them regularly, we're basing decision making on those dashboards. It's come a long way. And so I look through those issues to resolve from a year ago, and we've completed all those steps, so I'm saying we've remediated it. And there's a couple other issues where we were in the same boat there. Most of them still are in progress, but almost all of them have made considerable steps in completing those initial recommendations.

Oh, the other thing on the remediation – I tried to make sure that it was clear that just because something has been remediated it doesn't mean we're finished and, "Oh, we've done it." It just means that we are operating at a standard level, right? That was the whole point of this report initially was getting the agency back up to the standard operating level of other agencies. And so if an issue's been remediated, like that data example, that just means that we're operating in the general norms that another agency might operate in. We're using data for our decision making. It doesn't mean that we're not going to keep improving our data usage, right? That's a continuing ongoing effort, but we've reached that kind of status quo, and we'll continue to improve things as we go forward. So, with that, do you have any comments that I can make notes on or edits or anything?

Peter Buckley: Did you send us the link to this? I don't think I've seen it.

Lisa Taylor: Yeah, it was in the commission materials that Mara sent out yesterday.

Adrian (Addie) Smith: We just got it.

Tom Lininger: And Mara just sent another version at 11:30 today, Peter, for our convenient reference.

Adrian (Addie) Smith: It's connected to the agenda, so if you open the agenda and scroll down. I have a couple global things, although I didn't have the time between yesterday and today to spend the amount of time I wanted with this admittedly, and I think Tom raised his hand, so mine are just really quick. I think you could use the term "addressed." You don't have to...

[Crosstalk 00:25:20]

Adrian (Addie) Smith: ...remediated is fine. However, whatever term you use, let's just define it, and I see that you do that in the executive summary to a certain extent, this is what that means. But I appreciate you sort of saying what you just said in the executive summary. That doesn't mean that we've decided we're good on this and we're never going to look at it again. Something that may be helpful is if there's a way that we can indicate the "in progress." Let me say this differently – how much in progress it still is or is not. So, can we say 60% completed or 60% addressed, still in progress, 30%? Or we could come up with terms that we prefer, sort of like "just begun," "midway through," "almost finished." Those are terrible ideas, but I'm thinking out loud. So, something that's a little snazzier that we could put in front of the "in progress" because I think what we're missing in the executive summary and at the beginning of each of these is some of them were really close to being done, but it's technically still in progress, and I'd love for us to flag that, like, sure it's in progress, but we're, like, crossing the finish line on a lot of these or close to or halfway done, whereas only a few of them have we just taken off, to use a sports analogy which is very rare for me. [Laughter]

Lisa Taylor: Yeah. I think that would be a good idea. I'd love to think about that more because I don't think I could assign percentage numbers to it, but there are some issues like the last step was to implement FCMS. And it's like, well, okay, so we've done all the other remediation actions but obviously, FCMS hasn't happened yet, so.

Adrian (Addie) Smith: There's also sort of a... We could use, I don't know if this is a better or worse idea so you're not going to hurt my feelings, but a color coding. So, sort of like in-progress red, yellow, green, which is sort of like "just started," "halfway through," "almost done." I think I find visual things like that really helpful. I think our folks who are processing a lot of information, especially in the executive summary, find that type of thing helpful. I know we're also writing for a lot of the legislative staff who want all the detail, which I also appreciate, but making sure a lot of this is very quickly captured always seems helpful. Tom, jump in

with your thoughts. I'm sure they're much more sophisticated than red, yellow, green.

Tom Lininger: No, I actually had a very similar thought about seeing "in progress" so many times and wondering if we could use some different language. And at one point, you used the phrase "significant progress," and to me that seemed a lot more encouraging [Laughter] whenever that could be...

[Crosstalk 00:28:00]

Adrian (Addie) Smith: Yeah.

Tom Lininger: ...and I wondered if we could use that more. I just felt like degrees of progress might be valuable, considering that there's some recent concern about whether we're really accomplishing anything. So, substantial progress, significant progress, where appropriate. Just areas where I thought we might want to use some stronger language to describe our progress might be, I don't know, under the heading of decisive leadership and decision making. I thought it was kind of funny, decisive decision making. But I do think we've really stepped forward in that category, improving the agency culture, I don't know, there seem to be other areas where putting some qualifier in front of "progress" seems appropriate to me. I just think having so many instances where we say "in progress," "in progress," might not make the audience think we're accomplishing as much.

Adrian (Addie) Smith: Mm-hmm.

Tom Lininger: I just one other quick comment. I can't find it now, but I saw that in response to one part of the remediation plan, you said we have subcommittees, and you mentioned this subcommittee and the Governance Subcommittee. And I'm new here but I thought there were more. Like isn't there a Financial Subcommittee? I lose track. It seemed like maybe we had more than just these two, or it could be Audit Subcommittee? I don't know.

Adrian (Addie) Smith: There's definitely an Audit Subcommittee because I think I know that one for sure. There's been talk of a Budget Subcommittee that has not yet gotten takeoff, but I think we moved and passed to start one, we just haven't populated it yet, perhaps.

Lisa Taylor: Yeah, the last I heard on the Budget Subcommittee is that people were pretty booked, and it was kind of on hold until folks got more bandwidth somewhere, so.

Tom Lininger: I think there is an Audit Subcommittee with Rob on it. I could be...

Lisa Taylor: Yes, there's definitely an audit, I will add that.

Tom Lininger: But also I just want to say I think you're doing a good job. I like how you write these reports and were I monitoring OPDC and looking at your reports, I would think they're trying hard. I think you represent us well, so thank you for what you do.

Adrian (Addie) Smith: Hey, Lisa, on those lines two questions. One, have we gotten pushback from the Legislature or anyone about whether what we're targeting here is what they're hoping for? Has anyone been like, "This is not actually the work we want to see you doing to build trust."

Lisa Taylor: Yeah, we talked a little bit about that at the larger meeting, and I think we've discussed that before like in our meetings with LFO and with the Governor's office because it, right, we have been submitting a lot of reports.

Adrian (Addie) Smith: Yeah.

Lisa Taylor: And it doesn't seem to be getting us as far as we would have hoped. And I get it, obviously people don't just read our reports on their free time, but we've been trying to have that conversation of how can we present the reports differently or is there information that we're not providing in the reports. And what I've heard from LFO is that some of the reports have been asked for a couple of times, so like our Quality Management Plan report, right? That was a one-time report, and then we submitted it, and then they requested it again. And when those reports are being re-requested, so not like this remediation report where it was set up as a quarterly report for ongoing reasons, but when they're re-requesting the report, that's kind of a signal of like, "We didn't like what was in your report, you didn't hit the nail on the head or anything like that." So, there are some reports that just aren't providing the Legislature what they're looking for.

Even this remediation report, looking back at its origins, the first few versions that we turned in were pretty expansive, and it was really because we weren't focusing on what the Legislature wanted to see in this report. We were kind of being more expansive to the larger scope of public defense and what were issues within public defense, and we were trying to hit on all these topics rather than just agency remediation stuff. And so it took a few iterations in working with LFO to really make sure we were getting them what it was they were looking for.

Our last FCMS report that was turned in, an additional report wasn't requested, which had been the case last time. So, at this point, I think we're providing what

they're looking for. I know they weren't they weren't overly thrilled with the last quality management report that we turned in, but they didn't request another one. We're still having conversations with LFO about kind of the CAP program and all of that. So, I think it's a big part of, like, we should assume that very few people are reading our reports, so if we want to get that across we need to be, I don't know, making a one-pager, making an executive summary that is even shorter.

Adrian (Addie) Smith: Yeah, So, can I ask a couple follow-up questions?

Lisa Taylor: Mm-hmm.

Adrian (Addie) Smith: I know I'm really... I appreciate everyone's patience. One is should we start to turn these in with sort of like not just an executive summary, but like a one-pager for legislators? And when we turn this in send it to key legislators, just the one-pager, with the other document? I don't know. I just want to think about it. The other question I have is on some of these like this one, where I appreciate Tom's comments of like, "Okay, it's clear you're working really hard." Should we start to have a habit of doing a press release when we send these out and sending them to the press, who seem to be sort of interested in our progress? I don't know.

Comms stuff is at the tail edge of what I understand to do effectively, but I wonder if there's some room there to – it may or may not get picked up – but for our reporters who are tracking this pretty closely, we're putting together so much information. I wonder if it isn't worth a like, "Here's the update on where we are, and here's sort of a couple quotes to go with the report," to try and get some wider acknowledgement about things like all the changes and positive things. Because I do feel like something that seems to be lost in the conversation is we are still struggling, there is still a crisis, and some major steps have been made to move towards improvement and to move in the direction the Legislature has asked us. I don't know what your thoughts are. That could be a terrible idea, you're not going to hurt my feelings.

Lisa Taylor: No, I think that's a fine idea. I know we definitely have a couple of reporters who have really dove deep on OPDC matters, and that was part of our... We had a recent conversation about kind of communications and how to really make the work that we're doing more public, and I think that might be an option. I like the idea of a one-pager, and even I'm kind of thinking now, we have that project management tool that we're using for the executive move.

Adrian (Addie) Smith: Yes.

Lisa Taylor: You could put all those...

[Crosstalk 00:35:49]

Adrian (Addie) Smith: I was just thinking on this one, it could be a bunch of graphs that are like unified commission and agency, and I know we can't pick percentages, but it can be four or five boxes filled out and commission oversight, two of the...

Lisa Taylor: Yeah, yeah.

Adrian (Addie) Smith: ...to really concise but getting people engaged with us.

Lisa Taylor: Yeah, yeah. And I also have a lot of...

Adrian (Addie) Smith: A lot of free time to do this? I'm just teasing.

Lisa Taylor: Yeah. But I asked managers for like, "Hey, send me your three biggest wins from the last quarter," and I have some of those things that we could put in kind of a press release thing. Yeah.

Adrian (Addie) Smith: I think we should think about that. I mean, we're putting so much time and effort into these reports, and I think you're right, not a lot of people are reading them. But we are working towards better, cleaner, more thoughtful reports that more directly address the concerns of the Legislature, and if there are ways that we can capitalize on that even in a small way, or even if it just gets... Like if legislators feel like now, all of a sudden, we're really keeping them updated in a way that's approachable to them, and engaging the press, if at all, and I just think that idea of communication and transparency is such a growth area for us that I'm really interested in overdoing it for a while, for lack of a better word.

Peter Buckley: I back all of that, and again, just I love the idea of the one-pager just because legislators get so much information, and legislators do depend on LFO. LFO does read the reports.

Lisa Taylor: Oh, yeah. No, absolutely. I'm not trying to disparage.

Peter Buckley: No. In total detail they read the reports, and the legislators depend on LFO to say, "Here's what's good with the report, here's a flaw with the report." LFO draws the attention of legislators to different parts of the report, but if there was a one-page one-pager, I think that would be... What they want to see is the numbers come down. That's what they want to see. And until we can start to get those numbers coming down, we're still going to be in this kind of defensive posture constantly, so.

Adrian (Addie) Smith: Thanks, Lisa. The only other really nitpicky thing that I would say about this report, and I will take some time with it over the weekend, is it's really hard when charts are split between two pages, so it would be nice to sort of space them.

Lisa Taylor: Okay.

Adrian (Addie) Smith: I know this is a really important thing but to get them all onto one page, even if the spacing then for the report's a little weird. I think especially some of these big, long meaty charts, it's hard to track what you're looking at when the header's on a different page.

Lisa Taylor: Yeah, I will fix all that.

Adrian (Addie) Smith: [Inaudible 00:38:37] initial comments. All right. Anything else you need from us on that? Is there sort of... When do you need to send this out to the full board to meet your deadline?

Lisa Taylor: Yeah. So, we want to post materials I believe by Wednesday because that's a week before the commission meeting.

Adrian (Addie) Smith: Okay.

Lisa Taylor: So, I mean, if I get edits in by end-of-day Monday or mid-Tuesday, I can incorporate those pretty easily and then get them onto the commission list. Also like if there's anything major that's found, we can always bring that up during the commission meeting and say we're, though I'm hoping there isn't, but we could always bring that up. Actually, for example, the budget financial forecast numbers that are here are from the last report because our budget team's working on our rebalance which is also due to the commission, so they're kind of prioritizing right now. So, that budget box'll be new when you see it for the commission materials.

Adrian (Addie) Smith: Got it. All right. I've got that in my notes at least sort of midday Tuesday, if anyone comes across anything that they really need to see changed. I just want to give that opportunity but not requirement since we just got it yesterday for folks. All right. Shall we move on to our E Board request conversation, Lisa?

Lisa Taylor: Yeah, yeah, and I think this is going to be a shorter conversation. So, as you know, the September E Board happened, and we had six requests that we sent over, most of which were based on the unrepresented plan that we sent to the Governor. Almost all of those requests were deferred, so the THIP extension into the remainder of the biennium, so through 2025, was deferred. Our 25 additional MAC was deferred. Our additional assignment coordinators were

approved, which is very exciting. Those positions have been posted and hopefully we'll have them on board by the end of the month. Our request for a Southwest Trial Office was actually not even on the agenda. Our organizational structure request was partially approved, and the part that was approved will allow us to fix this procurement and program analyst issue, which is really kind of like the most essential piece of that. So, while we continue to work on an org chart, I'm very excited that we got that in. And then our staffing request for the executive move was partially approved. We got one of the two IT positions.

So, what we're doing for the December E Board is we're doing a rebalance of the agency in order to cover as much of the THIP expenses as we can, and Budget is working on that rebalance right now. And depending on what that rebalance looks like is going to inform what of these requests we're going to bring back. Because through the rebalance, again, our goal is to fully fund any requests that we're making, either through the agency savings through the rebalance or through our remaining SPA. Which we have the 6.2 general use SPA still available, and we also have some of the executive transfer SPA.

So, I can't tell you what requests we will necessarily be bringing back for December because the rebalance hasn't been completed for us to say we have enough funds to make these requests. However, I have heard it's the Southwest Office seems to be... Rep Evans requested that we bring that back, and I think we're interested in bringing that back. And then obviously the THIP extension through the end of the year.

[Crosstalk 00:43:03]

Adrian (Addie) Smith: But what can we do... Oh, I'm sorry. Go right ahead, Peter.

Peter Buckley: I was going to ask, in terms of 25 MAC, was that just a rebalance issue or did they give a specific reason why the 25 MAC was deferred?

Lisa Taylor: Yeah. The LFO recommendation on the 25 MAC was predominantly about the request itself. They didn't think that the request was specific enough about, like, we didn't say where we're putting those MAC, it was just for a general 25 MAC. There were also some conversations about, again, why MAC is a difficult-to-use term. Because we're not requesting 25 1.0 MAC for the rest of the session. We're requesting 25 MAC for the remaining six months of the biennium or whatever, and that wasn't overly clear. So, it was deferred, and I think a lot of this was deferred because it was based on this rebalance, and we didn't have the rebalance numbers there. And so all of these requests kind of pivoted on the idea that the \$5 million of the SPA would be, not released, but they would stop holding it.

Peter Buckley: Right.

Lisa Taylor: And I think the Legislature was very hesitant to stop holding that without the backup rebalance numbers because what if our rebalance didn't balance and then they need that 5 million?

Adrian (Addie) Smith: Lisa, did we not have the rebalance because we can't have it until December because of the way we keep our books? Was it because we were unprepared? I know I should better understand this but help me.

Lisa Taylor: No, I should also better understand probably the budget world of this. I believe it was because we were going to do the rebalance in December, so we would have more of the numbers ready. So, I think it was a timing issue, not a lack of preparation issue. It wasn't like we were asked to come with a rebalance. It was a, "And we'll rebalance in December," and they weren't comfortable with that.

Adrian (Addie) Smith: Okay.

Lisa Taylor: Yeah.

Adrian (Addie) Smith: What can we...

[Crosstalk 00:45:16]

Adrian (Addie) Smith: Oh, I'm sorry. Go ahead.

Lisa Taylor: Oh, I think there were also in some of the recommendations, and I think this is likely why the trial office didn't appear on the agenda, it is obligating the Legislature in the future to not just roll up costs but position authority and things, so.

Peter Buckley: Well, just to counter that, and hopefully, this can get addressed, I'd hope for the December E Board. The Legislature passed a bill that said that we had to get to 30 or is it 35% by 2027, do I have that correctly?

Lisa Taylor: I think it's 30% by 2031.

Peter Buckley: Okay, gotcha, gotcha. Okay, I can see where there'd be discussion of how that would happen. Do you think we'll be able to have the rebalance in December? We'll be able to address the 25 MAC issue in terms of where that MAC would be designated? Is that is that the work that's being done right now?

Lisa Taylor: Mm-hmm, yeah. Yes. The main work is around the rebalance to see if we have the funds for the additional 25 MAC, but I think if we resubmit that letter, it will

include more details about like where that MAC is needed and where it could be deployed. We have, I think in that initial letter, we talked about like, "Hey, we have requests for additional MAC," but it wasn't broken into where those requests are coming from, and we could include that information.

Adrian (Addie) Smith: I'm going to ask another sort of obvious follow-up, so I apologize. Did we get information from LFO before that meeting? That that was sort of the hold up? And did we get an opportunity to provide that information?

Lisa Taylor: For the MAC specifically or...?

Adrian (Addie) Smith: Yeah.

Lisa Taylor: Yeah.

Adrian (Addie) Smith: Like could we have corrected it in the time between when we turned stuff in and when the hearing was? Or was there not an opportunity for us to sort of provide that information?

Lisa Taylor: LFO provides us with kind of their recommendation, and we're able to talk through that recommendation. I couldn't say if it would have been possible for us to change the recommendation in that time frame, like provide enough evidence that they're like, "Oh, yes. This is exactly what we're looking for." But yeah, we do get to give input on. I don't think our input is, "We think you should change your recommendation." I think our input is like, "Oh, we actually do have this information," type of thing.

Adrian (Addie) Smith: That's kind of what I was asking – are we in a place where we're having an open dialogue and there's...

Lisa Taylor: Yeah.

Adrian (Addie) Smith: "Hey, we can't do this without more information. Can you get us more information?" and then we have the opportunity to provide it. That's...

[Crosstalk 00:48:11]

Lisa Taylor: Yeah.

Adrian (Addie) Smith: ...how we can better show up in those moments, so things don't get deferred just because there isn't the right information. Does that make sense?

Lisa Taylor: Mm-hmm.

Adrian (Addie) Smith: And I'm not like blaming or shaming anybody. I'm just trying to get...

[Crosstalk 00:48:22]

Lisa Taylor: Oh, yeah.

Adrian (Addie) Smith: ...on what the scoop is.

Lisa Taylor: Yeah. Like I said, we talk to LFO pretty consistently, and I like to think that we provide them with the information that's being requested. I don't know, I don't want to speak for the Legislature or LFO or anyone. But I do think a lot of this had to do with the idea that we were requesting the SPA that they were specifically holding to make sure we had enough money and then promising a rebalance in the future, and I understand why they would be hesitant to do all of those actions at once. That said, I will say we turned in the Governor's report that had all these actions in it, in our number spreadsheet. I went through that spreadsheet today. I'm going to have some other folks look at it because I never feel overly confident when I'm in charge of numbers, but I think that...

Adrian (Addie) Smith: That's smart.

Lisa Taylor: Yeah, yeah.

Adrian (Addie) Smith: That's not about you. None of us, no one person could feel like they can do all of it.

Lisa Taylor: Yeah, but I think that the fact that we would have to postpone these things, while it will increase the time that it takes to fully eliminate these numbers, I think it will stay within the same quarter that we reported on. So, they're both March of 2025 for the in-custody and '26 for the out-of-custody. I think we would still be done by the end of that quarter. It'll just be closer to the end of the quarter than the beginning of the quarter. But of course, that assumes that all of these things would be funded in December, which at this time is unclear.

Adrian (Addie) Smith: Okay, last question, and I think we'll get out of here, and we'll get out of here early. Did we hear any response from the Governor's office about our letter? Like any like, "This sounds like a good plan, we're here to support you," or "We've received this," did we get any feedback?

Lisa Taylor: We didn't receive any like official memo or anything from them, but again, we meet with the Governor's office weekly. I think they were really appreciative of the letter or of the report and the plan. We've also, like I said, been talking to them really closely about this kind of project manager OPA position to kind of help us with unrepresented management. And I think part of that position

would also be to take this plan and localize it to each jurisdiction and be like, "Okay, well, how would these interventions specifically work in different jurisdictions?" So, yeah. Does that answer the question?

Adrian (Addie) Smith: And is there anything we can do to support you between now and December in terms of educating legislators, meeting with pub sub people, getting some handouts together that explain what rebalancing means and the ask means, so that when people are faced with this, it's easier for them to say yes?

Lisa Taylor: Yeah. I think the biggest thing that would be the most helpful is that while we do these kind of site tours, we'll be reaching out to folks who we know are in the general area and seeing if they want to join us on those. I think that's really important because we're also inviting the local legislators to those meetings. Chair Nash and Commissioner Buckley joining, I think, the Governor's meetings, it's helpful. And then we're setting up other meetings with legislators to just talk to them. We've got a [Inaudible 00:52:10] meeting next week, and Chair Nash has been pretty good about joining most of those meetings, so. But I will let you know if we need kind of commissioner support on any of these things. I think it is always good to have various commissioners kind of coming into these meetings. I think that really shows the... In fact, I believe it's in the remediation report, the kind of connection between the agency and the commission kind of standing together.

Adrian (Addie) Smith: Sounds good. I don't have anything else. Do any of my companions have thoughts? Co-workers? Colleagues?

Peter Buckley: Just appreciation, Lisa, for, yeah, these reports. Again, in my experience, I've never seen the number of reports, at least I can't remember an agency being asked, an agency of this size. I mean, DHS gets asked for tons of reports, but it seems like OPDC [Inaudible 00:53:10] the same quantity as reports as DHS is. So, I just want to say thank you for really remarkable work, over and over and over again, to get this information out. It's greatly appreciated. It really helps, and anything that we can do to help kind of elevate the main points of the reports, as was mentioned earlier, I think would be great. And I know you don't much time left in October, but I hope you do get to go on maternity leave, that it's a great... Have a great baby. When you have a great...

[Crosstalk 00:53:42]

[Laughter]

Lisa Taylor: I plan to. Thank you.

Adrian (Addie) Smith: Yes, and to the extent that you want to, we would welcome pictures, of course.

Peter Buckley: Yes.

Lisa Taylor: All right. I'll get some over.

Tom Lininger: Lisa, I just have to say I'm very concerned. So, when your new baby misbehaves, I think you're going to like fill out a long remediation plan or chart the progress.

Lisa Taylor: I'm going to be like, "You know what?"

[Laughter]

Lisa Taylor: I have a 30-page write-up here about what we can do better. Honestly, I've got a three-year-old here who, she gets mad about something, and we, "Hey, what do we do when we feel frustrated?"

[Laughter]

Lisa Taylor: I like to think that those skills have really translated to this [Inaudible 00:54:23].

Adrian (Addie) Smith: Awesome.

Lisa Taylor: Thank you all.

Adrian (Addie) Smith: All right. Thank you, Lisa. Thanks to everyone for making time for this on a Friday, I know that can be hard. And I'm glad, Peter, this is your last Zoom of the week. Go do something really fun for us.

Peter Buckley: Okay. Thanks, Addie, I will. Take care.

Tom Lininger: Thanks, have a good weekend.

Adrian (Addie) Smith: Thank you all.