

COUNCIL STAFF REPORT

To: Mayor and City Council
Reviewed: Kelly Brooks, Assistant City Manager, and
Justin Gericke, City Attorney
From: Ann Ober, City Manager, and
Luke Strait, Police Chief
Subject: **Equity, Inclusion, and Justice – Initial Goal Update and Discussion**

Date Written: Sept. 4, 2020

ACTION REQUESTED

Council is asked to receive an update on the new equity, inclusion, and justice goal, as well as provide feedback on desired outcomes and next steps.

HISTORY OF PRIOR ACTIONS AND DISCUSSIONS

[July 14, 2020](#): Council discussed a proposed resolution in support of diversity, equity, and inclusion (DEI) and the Black, Indigenous, and People of Color (BIPOC) community crafted by Mayor Gamba and Councilor Hyzy.

[August 4, 2020](#): Council requested a resolution be added to the August 18 agenda to change the existing community engagement goal to equity, inclusion, and justice.

[August 18, 2020](#): Council approved a resolution changing its goals to include one focused on equity, inclusion, and justice.

ANALYSIS

On August 18, Council amended its goals to include equity, inclusion, and justice. The resolution revising the goals asserted several immediate actions for city staff and Council, some of which had been set in motion prior to resolution adoption:

- Conduct listening sessions and create subsequent changes to city practices, policies and codes;
- Work on relationship building with Milwaukie's BIPOC residents and defining the next steps forward for this work;
- Draft a budget adjustment to move additional resources to this work;
- Fund equity, inclusion, and justice training for all staff, including the police department, and for related training to achieve this goal; and
- Further our own education about systemic racism.

The city has made significant headway in each of the noted items. This staff report and the subsequent presentation are to provide an update on those items and set-up an opportunity for staff to receive further Council feedback.

Listening Sessions

On Thursday August 20, Saturday August 22, and Wednesday September 10, Council members joined the city manager and police chief to hear from BIPOC Milwaukians. The sessions were created so leadership could hear the experiences of BIPOC residents and receive feedback about needed improvements and changes in city government. Rather than try to represent those experiences here, notes from the first two sessions are attached and those reading the staff report are encouraged to review those documents in their entirety. Staff will provide the notes from the September 10 meeting once participants have a chance to review and confirm the included content.

Policy Review

Council also requested a review of city policies as a part of this process. Over two legislative sessions, the Oregon State Legislature amended laws regarding police practices and policies. The amendments have implications for existing city policies. Attorney Steve Schuback, the city's labor attorney, is currently reviewing 15 Milwaukie Police Department (MPD) policies for compliance with the law, as well as readability. This work is being conducted to a) comply with state law, b) apply best practices, and c) prepare the policies for review by community members for possible additional changes. Mr. Schuback will be presenting the legislative changes and an overview of his work at this Council meeting.

Statistical Transparency of Policing (STOP) Data

Making changes to city policies and programs will require staff to initiate a review of current practices. One place the city has initiated that process is through the review of the MPD's STOP data. Oregon House Bill 2355 required all Oregon police agencies to begin tracking all optional or discretionary police stops, where a person was not free to leave. This data is reported to the Oregon Criminal Justice Commission (CJC) for analysis. July 2020 marked the end of the first year of reporting to the CJC. Staff has reviewed Milwaukie's initial data and are working with staff from the CJC to better understand and evaluate it. The CJC ultimately breaks down the data by race/ethnicity and other demographic factors, to search for disparities. Although the CJC has indicated they do not have concerns with our initial data we are continuing to work directly with them for further analysis.

Relationship Building

The city manager, police chief, and members of Council have continued to communicate with members of Milwaukie's BIPOC community through ongoing emails and one-on-one conversations. One item that stood out in both the creation of, and then participation in, the listening sessions was the focus on direct, personal communication with BIPOC individuals and families. The city manager has created an email list of BIPOC community members interested in being involved in the city's equity, inclusion, and justice work. BIPOC community members interested in receiving emails regarding the city's work in this area are invited to email obera@milwaukieoregon.gov.

Budget Adjustments

On June 16, Council made a few last-minute changes to the city budget to begin the work of the equity, inclusion, and justice goal. Those adjustments have allowed for initial staff equity and bias training, as well as the listening sessions. At the city's Budget Committee meeting on August 31, staff presented the anticipated expenditures associated with hiring an equity program manager, which the city manager hopes to do by October. The associated budget adjustment for this new position is expected later in the biennium. The Budget Committee

expressed no concern with the expected budget adjustment or the hiring of the equity program position.

Training

As of September 4, all managers and most staff have received equity or implicit bias training. An additional equity training has been arranged for late October after the hiring of our new equity program manager, so that person may participate with other newly hired employees and individuals who missed the first round of training. The equity trainings have been provided by [Empress Rules](#), a local equity training firm. The implicit bias training has been provided by [Fair and Impartial Policing](#), a firm based out Chicago, Illinois. Fair and Impartial Policing will return after the coronavirus (COVID-19) pandemic gathering restrictions have been eased to lead a community training and discussion.

Council Equity Education

Council members have been participating in the city equity trainings. A couple councilors will also participate in the community implicit bias training and discussion. Councilors have also noted individually their own personal training and reading during council conversations.

NEXT STEPS

As part of Council's previous community engagement goal, staff had requested that Council provide the purpose and desired outcomes at the start of all projects and programs. For the equity, inclusion, and justice goal, Council is asked to provide similar clarification of the goal's purpose and desired outcomes.

- The goal change resolution adopted on August 18 includes several statements on the purpose of the equity, inclusion, and justice goal. Are there any additional purpose statements missing?
- What outcomes (not tactics) is Council trying to reach through this goal? Would Council prefer to wait until the equity program manager is in place before outlining the desired outcomes?

BUDGET IMPACT

Additional budget impacts will be determined with additional council feedback.

CLIMATE IMPACT

None.

WORKLOAD IMPACT

Creating a new equity, inclusion, and justice program has been, and will continue to be, a significant undertaking. A staff person will be hired to address these increased workload demands.

STAFF RECOMMENDATION

None.

ATTACHMENTS

- 1) STOP Methodology Background Document
- 2) Listening Session Notes for August 20 and 22