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MEMORANDUM

TO: City Council, City of Boulder, Colorado

FROM: Claybourne M Douglas, Special Counsel *CMD*

DATE: April 14, 2023

RE: Code of Conduct Investigation-Police Oversight Board Appointments

On January 26, City Council appointed me Special Counsel to investigate and, if necessary, prosecute several complaints filed by three City residents under §2-7-10(c), B.R.C. 1981. I have reviewed applicable provisions of the City of Boulder Charter and Revised Code, numerous documents, recordings, and other materials. I have interviewed each complainant and the City's Equity Officer, Aimee Kane. Under §2-7-10(d), B.R.C. 1981, this memorandum details my findings of fact and conclusions of law and findings whether the respective complaints have merit. For complaints that have merit, it also details any recommended sanctions or remedies, under §2-7-11(c), B.R.C. 1981.

Executive Summary:

John Neslage complaint 2023-001CCC: I find this complaint has merit. The police oversight selection committee (also called "selection panel" and "nomination committee") did not inquire whether candidates "immediately prior to appointment" "demonstrate" "absence of any real or perceived bias [or] prejudice". Available evidence of Lisa Sweeney-Miran's "real or perceived bias or prejudice" could undermine public trust in and effectiveness of the Police Oversight Panel. I recommend Council consider requesting Sweeney-Miran's resignation from the Police Oversight Panel. If she refuses such a request, I recommend Council consider removing her.

Zayd Atkinson complaints 1 2 and 3 under 2023-002CCC-2023.01.26: I find these complaints do not have merit. Investigation reveals no failure to make a timely required vote or disclosure of confidential deliberations.

Emily Reynolds complaint 2023-003CCC - COC Complaint ER 1.30.2023:

For the Reasons Stated under John Neslage complaint 2023-001CCC, I find complaint A.1. (Qualifications) has merit. I recommend City Council consider requesting Sweeney-Miran's resignation from the Police Oversight Panel. If she refuses such a request, I recommend the Council consider removing her.

I find complaint item A.3. (Lawsuit) has merit. City Council should consider requesting Sweeney-Miran's resignation from the Police Oversight Panel. If she refuses such a request, I recommend Council consider removing her.

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RE: Code of Conduct Complaint Investigation-Police Oversight Board Appointments

I find Complaint Item A.6. (Bias-Motivated Crime Analogy) does not have merit. The Colorado statute prohibiting Bias-Motivated Crime, C.R.S. §18-9-121(2), addresses types of biases that appear irrelevant to the anti-police bias alleged in this matter.

For the reasons stated under John Neslage complaint 2023-001CCC, I find Complaint item A.7. (Council voting to approve recommendations of the selection committee) has merit. I recommend Council consider requesting Sweeney-Miran’s resignation from the Police Oversight Panel. If she refuses such a request, I recommend Council consider removing her.

I find Complaint item B.2. (City Attorney Statements) does not have merit. Review of the January 19 Council meeting video and transcripts fails to confirm the alleged January 19, 2023 comments by the City Attorney to the effect that “not all requirements of ordinance 8430 had been followed”.

I find Complaint Item B.3. (City Council personal relationships) does not have merit. Neither Ms. Reynolds nor my own research have identified applicable prohibition of social relations between Boulder City Council members and individuals applying, considered, or selected to serve on a City Board or Commission.

Emily Reynolds Complaint 2023-004CCC - COC Complaint JJ 1.30.2023 - Reynolds2.

I find this complaint has no merit. Research has disclosed nothing in the Boulder Charter or Revised Code requiring every Council Member to vote in favor of a request to appoint special counsel.

Findings of Fact

From January 11, 2022 through December 7, 2022, Lisa Sweeney-Miran made several posts on social media sites. Those posts included the following:

January 11, 2022 (on Twitter)

instead of housing we get cops. Instead of mental health services we get cops. Instead of social service networks we get cops. I'm so tired of nonprofits and neighbors and GoFundMe doing the work our governments should be doing while my taxes pay for sirens and fear and brutality

June 18, 2022 (on Twitter)

In this context, yes.

In every other context, yes. ... Of course we cannot trust police to monitor themselves nor to report honestly on their behaviors and crimes-we cannot trust them to conduct a traffic stop without committing murder.

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August 12, 2022 (on Twitter)

when police enter a space the temperature immediately arises. Fear increases, everyone's adrenaline ramps up, and de-escalation becomes nearly impossible. If we want situations contained and resolved with empathy and understanding police aren't the solution.

September 1, 2022 (on Twitter)

Got my copy of No More Police: a Case for abolition just in time to set it aside for tonight's Boulder City Council discussion on policing the unhoused. Can't wait to dig in-so far every page is [fire image]. Incredible work from @prisonculture and @dreanyc123! Get yours today.

September 30, 2022 (on Twitter)

"Since the start of this year, police in the United States have already killed 770 people. We can expect that next week they will kill about 19 more, with 19 more that week after that and the week after that."

Amazing piece on the need for alternative response in Boulder.

November 6, 2022 (on Mastodon)

Lisa Sweeney-Miran
@lsweenymiran

New #mastodon arrival #introduction post:

Mom of littles; Vice President of the Boulder Valley school Board of Education; Executive Director of unhoused shelter network for women and trans folks; Boulder County dams; Boulder DSA; JD 2005. She/Her

Interested in:

#education #police #politics #Boulder #Denver #Colorado #law #housing #abolition #unhoused #bikes #cycling #hiking #parenting #lgbtq #infrastructure #nonprofit #homeless #school #transportation #schoolboard #policebrutality #transrights (emphasis added)

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TO: City Council, City of Boulder Colorado
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DATE: April 14, 2023
RE: Code of Conduct Complaint Investigation-Police Oversight Board Appointments

On September 24, 2022,¹ Acting under §2-11-6, B.R.C. 1981, the City of Boulder Police Oversight Panel Selection Committee (also called “selection panel” and “nomination committee”) solicited applications to replace panel members whose terms would soon expire. Panel Selection committee members were:

1. Jude Landsman
2. Ana Karena Casas
3. Sarah Holt
4. Victor King²

Prior to the interview sessions, Selection Committee Members developed a set of questions that were based, in part, on the interview questionnaire from the 2021 panelist selection process.

Selection Committee Members determined that *additional language would need to be added* to the 2022 question set in order to evaluate potential bias, prejudice, or conflict of interest of interviewees.

The revised question set (five questions) was finalized prior to the invitation of interviewees. ³ (emphasis added)

On November 9 and 10, 2022, using the revised Police Oversight Panel Interview Questionnaire 2022, the Selection Committee conducted video interviews, open to the public. Despite the recognized need to add language to evaluate potential “bias” or “prejudice,” neither term appears in the following questions actually asked:

1. What do you think the police oversight panel is and does? Why do you think the oversight panel is necessary in our community?
2. What is your direct experience with law enforcement? And what is your perception of law enforcement today?
3. Please share a time when you challenged a situation. How did you deal with the blowback of being in the hot seat?
4. Share a time when you utilized self-identified strengths and have been hindered by your areas of development in a similar situation the work you may do on this Police Oversight Panel?
5. Are you still willing to dedicate approximately 15 hours of service per month to the work of the Police Oversight Panel? ⁴

¹ Exhibit 1 (Agenda_2023_1_26_Meeting(848)) (at Packet Page 19 of 37)

² Exhibit 7 (Re_ DRAFT of POP Selection Process document reaffirmation from Victor King Attachment E), Exhibit 8 (Re_ DRAFT of POP Selection Process document reaffirmation from Ana Casas Attachment F), Exhibit 9 (Re_ Public Comment Emails to Council. reaffirmation from Jude Landsman Attachment D), Exhibit 10 (Re_ Public Comment Emails to Council. reaffirmation from Sarah Holt)

³ Exhibit 1 (Agenda_2023_1_26_Meeting(848)) (at Packet Page 31 of 37)

⁴ Exhibit 3 (POP Interview Questionnaire 2022)

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RE: Code of Conduct Complaint Investigation-Police Oversight Board Appointments

On November 10 and 20, the selection committee met, *via Zoom* to select panelists and alternates.

Selection Committee Members strived to choose individual panelists from amongst the 17 interviewees who:

- Confirmed, in their interview, the must-have and lived experience criteria present in their application
- Presented no *bias* or conflict of interest that would disqualify them from selection
- Would potentially provide balance in terms of strengths and areas of growth (to each other and to current panelists)
- Would keep the well-being of the community of the city of Boulder at the forefront of their work.⁵ (emphasis added)

On December 15, 2022, the City Council considered item 3.E. on its Consent Agenda:

Consideration of A Motion to Approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details.

A motion was made and seconded to remove this item from the Consent Agenda and defer back to the selection committee for further review of the application criteria and applicants. Item to be rescheduled for a later meeting. A Motion to PASS the consent agenda items A-G except item E with the direction to have a discussion immediately after on item 3.E. passed 9:0.

...

Aimee Kane, Equity Officer, answered questions from Council regarding item 3.E.

Council member Friend then moved to “refer item 3.E. back to the selection committee for further review of all applicants or all recommended panelist *under code criteria that are required to be appointed and eligible for the panel* with guidance from the City Attorney’s office and with explanations or certification explaining the steps that were taken in writing.” Council member Wallach seconded the motion, which carried 9:0.⁶

On Monday, December 19, 2022, at 10:37 AM, City Manager, Vandermyde emailed Panel Selection Consultant, Shawn Rae Passalacqua, and selection committee members, with copies to equity Officer Kane and City Attorney Tate.⁷ The message included the following:

⁵ Exhibit 1 (Agenda_2023_1_26_Meeting(848)), p. 42

⁶ Exhibit 2 (City Council Minutes - 12.15.2022), pages 3-4 (emphasis added)

⁷ Exhibit 4 (FW_ Council referral back to selection committee Attachment A))

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TO: City Council, City of Boulder Colorado
FROM: Claybourne M Douglas, Special Counsel
DATE: April 14, 2023
RE: Code of Conduct Complaint Investigation-Police Oversight Board Appointments

Subject: Council referral back to selection committee

...

In advance of last Thursday’s city council meeting, Council members received numerous emails providing input about the nominations. Staff is working to compile those communications and will be sending those to you by end of day today. ... City Council passed the following motion language: To refer Consent Agenda Item 3E back to the Selection Committee to relook at all applicants or all recommended panelists *under code criteria that are required to be appointed and eligible for this panel* with guidance from the City Attorney’s Office and with explanations or certifications explaining the steps that were taken, in writing. ...

Boulder Revised Code 2-11-6 states in pertinent part:

“(9) Members of the police oversight panel shall be volunteers who, immediately prior to appointment, shall demonstrate:

[quoting §2-11-6 subparagraphs 1 through 11, including the following]

...

2. *An absence of any real or perceived bias, prejudice or conflict of interest;*

...

... In consultation with the City Attorney’s Office, we want to make clear that the individual deliberations on the merits of each candidate are not being asked for, but rather we understand the motion to ask for confirmation on the steps taken to evaluate the applicants against code criteria. (emphasis added)

Again, I want to clarify this is not a request for the details of your confidential deliberations and the City Attorney will be available to provide legal guidance. If you need additional support from the city, please don’t hesitate to let me know. (emphasis added)

...

On December 19, at 11 am, Panel Selection Committee members and Consultant Passalacqua met virtually with Equity Officer Kane, City Manager Vandermyde and City Attorney Tate to understand Council’s Directive from the December 15th meeting. In that meeting, Vandermyde and Tate reiterated that neither the selection committee’s individual deliberations on the merits of each candidate nor details of the committee’s confidential deliberations were requested.⁸

⁸ Per Equity Officer Kane, the meeting was not recorded, and no minutes were taken.

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On December 19, at 7:43 PM Equity Officer Kane sent the selection committee an email message⁹ with an attached package of emails to Council¹⁰ regarding the proposed panelists.

On December 20, at 2:15 PM Consultant Passalacqua emailed Selection Committee members and Equity Officer Kane the following message:

Subject: DRAFT of POP Selection Process document

Hello Selection Committee Members,

Please find attached a draft of the process document.

Please know:

- 1) In the interview section, a link to all the interviews will be included.
- 2) Per the request from City Council, an additional section will be added to end of that document with language that the Selection Committee reconvened on 19 December 2022 with the City Attorney's Office and City Manager to discuss next steps, that they received the public comments that went to council, and then whether or not they reaffirmed the final selections of the panelists and alternates.

At this stage, I ask that you all respond to this email as to whether you affirm the final selections or would like to amend them. [You all should have received responses from Sarah and Jude, as well as an email from Nuria.]

Thank you!

Shawn Rae¹¹

On Tuesday, December 20 and Thursday, December 22, selection committee members reaffirmed their decisions by email.^{12, 13, 14, 15} The January 12, 2023 City Council memo¹⁶ summarized these reaffirmations.

⁹ Exhibit 5 (Public Comment Emails to Council Attachment B)

¹⁰ Exhibit 6 (POP applicant emails from community members)

¹¹ Exhibit 7 (Re_ DRAFT of POP Selection Process document reaffirmation from Victor King Attachment E) and Exhibit 8 (Re_ DRAFT of POP Selection Process document reaffirmation from Ana Casas Attachment F)

¹² Exhibit 9 (Re_ Public Comment Emails to Council. reaffirmation from Jude Landsman Attachment D)

¹³ Exhibit 10 (Re_ Public Comment Emails to Council. reaffirmation from Sarah Holt)

¹⁴ Exhibit 7 (Re_ DRAFT of POP Selection Process document reaffirmation from Victor King Attachment E)

¹⁵ Exhibit 8 (Re_ DRAFT of POP Selection Process document reaffirmation from Ana Casas Attachment F)

¹⁶ Exhibit 11 (1.19.2023 Memo - 1.12 Updated Attachment G)

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On Thursday, January 19, 2023, as part of its Consent Agenda, the Council considered item 3.A.:

Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, "Police Oversight," B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details.

The Council voted to call a Special Meeting for January 26, 2023, and continue item 3.A. to that meeting.¹⁷

On Thursday, January 26, at its Special Meeting,¹⁸ Agenda Item 1.A. was "Consideration of a motion appointing Claybourne M. Douglas as Special Counsel pursuant to § 2-7-10(c), Boulder Revised Code, 1981." That motion was APPROVED 8:1. Council member Joseph voted NAY. Council member Speer abstained.¹⁹

Agenda Item 1.B. was:

Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, "Police Oversight," B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details.

The motion was APPROVED 6:3. Council members Wallach, Winer & Yates voted Nay.²⁰

Attachment A for Agenda Item 1.B. (Attachment A – Nominated Panel Members’ Bios and Video Interview Links) (Packet pages 21 through 28) summarizes the Selection Committee’s selected and alternate panel members by Name, biographical information (Bio) and "Interview Date & Time of Interview". It also includes a link to YouTube interview recordings. That document does not include the word "prejudice." It includes the word "bias" only in the "Bio" (biography) for two selected panel members: Sam Zhang²¹ and Sourisack "Sou" Luangrath.²²

¹⁷ Exhibit 12 (Action Summary - 01.19.2023)

¹⁸ Exhibit 1(Agenda_2023_1_26_Meeting(848))

¹⁹ Exhibit 13 (Action Summary - 01.26.2023 - CORRECTION)

²⁰ Exhibit 13 (Action Summary - 01.26.2023 - CORRECTION)

²¹ "Sam founded the Boulder Data for Democracy meetup, where they consulted with the city’s previous Innovation and Technology Officer around the open data available around police stops and racial bias, which helped inform recommendations the team put to Boulder City Council."

²² "Sou grew up in a refugee community in Wisconsin and has personal experience with bias policing done to a new group of people who have just entered the United States."

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Transcripts²³ of the video interviews include the words "bias" or "biases" 9 times (in certain candidate responses, but in no interview questions). Neither transcript includes the word "prejudice." Lisa Sweeney-Miran's November 10 interview begins at 2:27:21 and ends at 2:46:43. Neither word appears in the November 10 transcript after 2:16:58.

Under §2-11-6 (a) (9), B.R.C., "Members of the police oversight panel shall be volunteers who, immediately prior to appointment, shall demonstrate: ... (C) An ability to build working relationships and communicate effectively with diverse groups ..."The words "relationship" or "relationships" appear four times, under "Bio" for selected panel members.²⁴ Neither word appears in the selection panel's questions asked. Those words appear nine times in the November 10 interview transcripts (twice in Sweeney-Miran's interview). As noted above, neither word appears in the POP Interview Questionnaire 2022²⁵ "Communicate" does not appear in Sweeney-Miran's interview transcript.

Between January 19 and January 30, 2023, The City Clerk received five sworn complaints and supplemental evidence under the Code of Conduct, Chapter 2-7, B.R.C. 1981. The following summarizes each of each of those and my Conclusions of Law and Recommendations.

Complaint Number and Name	Complainant	Date
2023-001CCC - Code of Conduct Complaint w Exhibits and Sworn Statement²⁶	John Neslage	1/19/2023

The following excerpts summarize the complaint. Except as pertinent here, they do not address issues addressed in other complaints.

Pursuant to City of Boulder Municipal Code Title 2, Chapter 7, I am filing a complaint for a Code of Conduct violation by the Selection Panel for the Police Oversight Panel. The Panel signaled their unwillingness to comply with the applicable ordinance governing qualifications of panel members by renominating the same candidate despite demonstrated bias, prejudice and conflict of interest. Additionally, this candidate also fails to satisfy another stated precondition requiring an ability to build working relationships and communicate effectively with diverse groups. (emphasis added)

²³ Exhibit 14 (2022 11 09 POP Interviews 1 transcript) (attached) and Exhibit 15 (2022 11 09 POP Interviews 2 transcript) (attached)

²⁴ The words "relationship" or relationships" appear four times in under "Bio" for selected panel members. It does not appear in the selection panel's questions asked. It appears four times in the November 9 interview transcripts. It appears nine times in the November 10 interview transcripts.

²⁵ Exhibit 3 (POP Interview Questionnaire 2022)

²⁶ Exhibit 16 (2023-001CCC - Confirming Receipt and Sufficiency of Code of Conduct Complaint w Exhibits and Sworn Statement)

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...

The nomination of Lisa Sweeny-Miran by this panel demonstrates their intention to use whatever criteria they feel like, rather than those criteria carefully deliberated and codified into Ordinance 8430.²⁷

...

I will include by separate email certain social media posts by Ms Miran which clearly demonstrate bias, which is generally understood to mean a tendency to prefer one person or thing to another, and to favor that person or thing. While she has a First Amendment right to her opinions, she does not have a First Amendment right to be on this Police Oversight Panel, nor does the Selection Panel have the right to disregard clearly worded ordinances governing the process.

I will also add that the social media posts have been deleted by Ms Miran,²⁸ which should be taken as an her own admission of their poor reflection of her candidacy and obvious bias. She is also an attorney and should be held to a much higher standard, including her duty of candor owed to a deliberative body, which she is also violating by claiming she is unbiased and trying to advance her candidacy.

...

Exhibits: Please review these in light of Ordinance 8430, Section 1, Chapter 2-11-6 (a)(9).

They clearly demonstrate a perceived bias, not to mention an actual one. Especially from the perspective of a police officer. Imagine a self proclaimed racist adjudicating claims against a historically oppressed minority defendant, or a misogynist sitting in judgment of a woman's allegation of harassment. Wouldn't there be at least a perception of bias in both instances? She has also added the hashtag #abolitionist to her new Mastodon account. Res ipsa loquitur - the thing speaks for itself.

[Here the complaint includes several screenshots of the social media posts referenced above]

...

Thank you,
John Neslage
Boulder Resident and Concerned Citizen
(emphasis added)

²⁷ Ordinance 8430 amended Chapter 2-11-6, Police Oversight, in 2020

²⁸ In (Exhibit 17 (Douglas_Sweeny-Miran) Sweeny-Miran states: "I have not deleted any tweets.;. Below are links to each of the tweets Mr. Neslage references as deleted, which obviously are not deleted because they can be found at [listed URL addresses]." Clicking those links produced the referenced tweets.

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Complaint Number and Name	Complainant	Date
2023-001CCC - Supplemental Evidence in Support of Previously Filed Complaint w_attachments²⁹	John Neslage	1/26/2023

The following excerpts summarize the "Supplemental Evidence". Except as pertinent here, they do not address issues addressed in other complaints.

A decision to approve Ms. Sweeney-Miran’s nomination would be in direct contravention of existing city Ordinance 8430, Section 2-11-6, part 9 as well as Boulder’s stated community values of Respect, Integrity and Collaboration. (underlining in original)

...
Thank you,
John Neslage
(emphasis added)

Applicable Boulder Revised Code Provisions:

§1-1-6. - Common and Technical Usage.

The city council intends that words and phrases be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by legislative definition or otherwise, are intended to be construed accordingly.

§1-2-1. Definitions.

- (a) The definitions in this chapter apply throughout this code unless a term is defined differently in a specific title, chapter or section.
- (b) The following words used in this code and other ordinances of the City have the following meanings unless the context clearly indicates otherwise:

...
Law means any regulation, ordinance, provision of this code, or charter provision of the city; any rule, statute, or constitutional provision of the state which is binding on a home rule city; or any regulation, statute, or constitutional provision of the United States which is binding on the state or its cities.

²⁹ Exhibit 18 (2023-001CCC - Supplemental Evidence in Support of Previously Filed Complaint w_attachments)

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Title 2-Government Organization

Chapter 3-Boards and Commissions

§2-3-1. General Provisions.

- (a) The city council:
...
- (2) May remove any member by majority vote *for conflict of interest violation, any other violation of applicable law, regulation, or policy, nonattendance to duty, failure to attend three consecutive regularly scheduled meetings without a leave of absence approved by a majority of the board or commission, or any other cause;* and
...

Chapter 11-Police Oversight

§2-11-6. Police Oversight Panel - Qualifications and Appointments.

- (a) Qualifications.
...
- (9) Members of the police oversight panel shall be volunteers who, *immediately prior to appointment,* shall demonstrate:
 - (B) *An absence of any real or perceived bias, prejudice or conflict of interest;*
 - (C) *An ability to build working relationships and communicate effectively with diverse groups; and*
 ...

Conclusions of Law and Recommendations:

Neslage complaint 2023-001CCC has merit.

Under Boulder Revised Code §2-11-16 (a)(9) “Members of the Police Oversight Panel shall be volunteers who, immediately prior to appointment, shall demonstrate: ... (B) An absence of any real or perceived bias, prejudice or conflict of interest; [and] (C) An ability to build working relationships and communicate effectively with diverse groups; ...”

In planning recruitment and interviews, “Selection Committee Members determined that *additional language would need to be added to the 2022 question set in order to evaluate potential bias, prejudice, or conflict of interest of interviewees.*” (emphasis added) However, the 2022 interview questions failed to address these key ordinance requirements.

Moreover, the Committee recommended a candidate who, within months preceding the interviews, had publicly posted social media comments reflecting views a reasonable person could perceive as demonstrating “real or perceived bias, or prejudice or conflict of interest” regarding police and

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policing.³⁰ Among other things, her September 1, 2022 social media post endorses a book promoting police abolition.

Merriam-Webster defines “bias” as:

- 1a: an inclination of temperament or outlook *especially*: a personal and sometimes unreasoned judgment: PREJUDICE
- b: an instance of such prejudice
- c: BENT, TENDENCY

Merriam-Webster defines “prejudice” as:

- 2 a: (1): preconceived judgment or opinion
(2): an adverse opinion or leaning formed without just grounds or before sufficient knowledge
- b: an instance of such judgment or opinion
- c: an irrational attitude of hostility directed against an individual, a group, a race, or their supposed characteristics ...

Wikipedia describes the police abolition movement as follows:

The police abolition movement is a political movement, mostly active in the United States, that advocates replacing policing with other systems of public safety. ... Police abolitionists believe that policing, as a system, is inherently flawed and cannot be reformed—a view that rejects the ideology of police reformists. ... While reformists seek to address the ways in which policing occurs, abolitionists seek to transform policing altogether through a process of disbanding, disempowering, and disarming the police. ... Abolitionists argue that the institution of policing is deeply rooted in a history of white supremacy and settler colonialism and that it is inseparable from a pre-existing racial capitalist order, and thus believe a reformist approach to policing will always fail. ... Police abolition is founded on the idea that police, as they exist in society, are harmful to the people and must therefore be abolished.

https://en.wikipedia.org/wiki/Police_abolition_movement

In our March 26 telephone interview, Sweeney-Miran said “abolitionist” is not a term she would use to describe herself and she is unsure what the term means because she has not used it to describe herself. At that time, she failed to address the statement, in John Neslage’s January 19 complaint, that “She has also added the hashtag #abolitionist to her new Mastodon account.” In an April 2 follow-up interview, Sweeney-Miran said she is not sure what a Mastodon hashtag is or whether she added #abolitionist to her Mastodon account profile.

³⁰ From the available evidence, no other interviewees demonstrated similar “real or perceived bias or prejudice.”

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On April 3, Neslage emailed me a screenshot of Sweeney-Miran's November 6, 2022 New #mastodon arrival #introduction post³¹ (quoted above), stating "In it at bottom you can see she's clearly listed her interest in abolition. And she's scrubbed it from her current profile, likely as a reaction to my calling her out publicly." My own research confirms Sweeney-Miran's Mastodon account or profile shows no current reference to #abolition or #abolitionist.

My research has yielded no applicable Colorado court decisions regarding bias against police or policing. However, other courts have upheld removal of a trial juror who: "had expressed or exhibited a general bias against law enforcement officers" by stating, for example, that " "he feels that all law enforcement will always back each other up regardless of [whether] it is right or wrong. ... Law enforcement lies.", *People v. Barnwell*, 162 P.3d 596, 63 Cal.Rptr.3d 82, 94, 41 Cal.4th 1038 (Cal. 2007). The Court explained:

The "totality of the evidence" supported the trial court's finding "that, more than simply disbelieving the testimony as given by these particular witnesses, [the challenged juror] judged their testimony by a different standard because the witnesses were police officers. Applying such different standards to the evaluation of different witnesses is, of course, ... violative of the juror's oath of impartiality." "[63 Cal.Rptr.3d 94] ..."

Other courts have recognized that "negative experiences with law enforcement and anti-police bias are legitimate race-neutral bases for exercising peremptory strikes [excluding a person from the jury panel]." *People v. Grahlman*, p. 12 (Cal. App. B228630, 2012) (not certified for publication).³²

In these circumstances, the Committee failed to adequately evaluate whether candidates "immediately prior to appointment" "demonstrate" "absence of any real or perceived bias [or] prejudice" and "ability to build working relationships." The evidence of Sweeney-Miran's "real or perceived bias or prejudice" could compromise undermine public trust in and effectiveness of the Police Oversight Panel.

Applying the code provisions quoted above, Police Oversight Board Member Sweeney-Miran is in "violation of applicable law" [B.R.C. §2-11-6(9)(B)] by failing to "immediately prior to appointment ... demonstrate ... an *absence of any real or perceived bias [or] prejudice*" and "ability to build working relationships". Under B.R.C. §2-3-1(a)(2), this is a "*conflict of interest violation*," a "violation of applicable law" and "other cause" for removal. Under §2-11-8 (e) B.R.C. 1981, "A member of the police oversight panel shall remove themselves from any participation in a matter if their impartiality might reasonably be questioned ..." City Council

³¹ Exhibit 19 (Lisa Sweeney-Miran Mastodon introduction post)

³² See also *People v. Robbins* (Cal. App. 2020) (not certified for publication) summarizing *Barnwell*, *supra*.

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should consider requesting Sweeney-Miran’s resignation from the Police Oversight Panel. If she refuses to resign, the Council should consider removing her.

Complaint Number and Name	Complainant	Date
2023-002CCC - 2023.01.26_CodeOfConductComplaint – Atkinson ³³	Zayd Atkinson	1/26/2023

The following excerpts summarize the complaint. Except as pertinent here, they do not address issues addressed in other complaints.

Complaint 1 and Complaint 3: Failure to Vote

Complaint 1: Failure to Vote

On December 15, 2022, Consent Agenda Item E was:

Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details.

Such a vote is called for in BRC 2-11-6(15):

The selection committee will provide council with a written summary explaining why each applicant was selected. A motion to approve the proposed candidates shall be placed on the council's consent agenda. council members may choose to exercise the call-up option to discuss a proposed candidate's appointment. Council will approve or reject the appointments by majority vote.

Complaint 1, therefore, is that *on December 15, 2022, every City Council Member failed to exercise the call-up option available to them, or to approve or reject the appointments by majority vote. Refusing to fulfill their required duties at the December 15, 2022 meeting by delaying action on a vote to approve, reject, or call up the selection of members to the oversight panel is not an option permitted by BRC 211-6(15). Thus, in doing so, each of the members of Boulder City Council violated Boulder’s code of conduct section BRC 2-7-8(e)(5) (emphasis added)*

...

³³ Exhibit 20 (2023-002CCC - 2023.01.26_CodeOfConductComplaint - Atkinson)

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Complaint 3: Failure to Vote

Complaint 3 is similar to Complaint 1, except that is against a subset of Council members. *On January 19, 2022, Mayor Brockett, Mayor Pro Tem Wallach, and Council Members Winer, Benjamin, and Yates again failed to either exercise the call-up option or to approve or reject the appointments by majority vote* in violation of BRC 2-11-6(15). In doing so, these members of Boulder City Council violated Boulder’s code of conduct section BRC 2-7-8(e)(5) and BRC 2-7-8(f)(1). These public officials’ action in failing to fulfill these duties on December 15, 2022, put at risk the work of the police oversight panel, and undercut its credibility, harming its future efforts. (emphasis added)

Applicable Boulder Revised Code Provisions:

§1-1-14. Intention in Enacting Ordinances.

In enacting an ordinance the city council intends:

- (a) To comply with the city charter and the constitutions of the State of Colorado and the United States;
- (b) That the entire ordinance be effective;
- (c) *A just and reasonable result;*
- (d) A result that may be feasibly executed; and
- (e) That the public interest be favored over any private interest. (emphasis added))

2-7-8. Expectations.

...

- (e) A public official or public employee shall:

...

- (5) Act within the boundaries of his or her authority as defined by the city charter and code.

...

- (f) A public official or public employee shall not:

- (1) Advocate or support any action or activity that violates a law or regulatory requirement.

...

§2 -11-6 Police Oversight Panel - Qualifications and Appointments.

...

- (15) The selection committee will provide council with a written summary explaining why each applicant was selected. A motion to approve the proposed candidates shall be placed on the council's consent agenda. council members may

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choose to exercise the call-up option to discuss a proposed candidate's appointment. Council will approve or reject the appointments by majority vote.

...

§9-4-4. Appeals, Call-Ups and Public Hearings.

When a section of the land use regulations indicates that a decision is subject to appeal or call-up, the following standards shall apply:

...

(c) City Council Call-Up: The city council may call up any board decision within thirty days of the board's action. ... *Within thirty days* of the public hearing or within such other time as the council and the applicant mutually agree, the council will either grant the application in whole or in part, with or without modifications and conditions, or deny it. ... (emphasis added)

Conclusions of Law and Recommendations:

In the Boulder Revised Code, where the Council intends to limit the time for call-up, it does so expressly. See, e.g.: B.R.C. §9-4-4(c), supra limiting the time for call ups on land use matters. No such express time limit appears in B.R.C. §2-11-6 on police oversight panel appointments. Interpreting the Applicable Boulder Revised Code Provisions to require an immediate vote on Police Oversight Panel call-up would not be “a just and reasonable result” or one that “may be feasibly executed,” contrary to B.R.C. §1-1-14. B.R.C. (c) and (d). Atkinson complaints 1 and 3 under 2023-002CCC - 2023.01.26 do not have merit.

Complaint 2: Pushing Selection Committee to Share Confidential Deliberations

...

At the same December 15, 2022 Council meeting, ... Council Member Friend put forward the motion: “We refer consent agenda item 3E back to the selection committee to re-look at all applicants or all recommended panelists under code criteria that are required to be appointed and eligible for this panel with guidance from the city attorney’s office and with explanations or certifications explaining the steps that were taken in writing.” Council Member Speer commented on the motion “it’s just about providing a little bit more documentation for kind of the public to understand what the process was and what went into it.” The motion passed unanimously.

Requesting the selection committee to “explain[] or certif[y] the steps . . . [it took] in writing” is in violation of the police oversight code, BRC 2-11-6(5): “[s]election panel deliberations shall be confidential.”

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Complaint 2 therefore is that every City Council Member, in its vote of December 15, 2022 on the above motion that passed unanimously, intruded on the confidential deliberation of the selection committee by demanding information about the selection committee’s deliberations. In doing so, each of the members of Boulder City Council violated Boulder’s code of conduct section BRC 2-7-8(e)(5)³⁴ and BRC 2-7-8(f)(1).³⁵ ... (emphasis added)

Applicable Boulder Revised Code Provisions:

2-7-8. Expectations.

...

(e) A public official or public employee shall:

...

(5) Act within the boundaries of his or her authority as defined by the city charter and code.

...

(f) A public official or public employee shall not:

(1) Advocate or support any action or activity that violates a law or regulatory requirement.

§2 -11-6 Police Oversight Panel - Qualifications and Appointments.

(a) Qualifications.

...

(5) Interviews conducted by the selection panel shall be open to the public for observation. *Selection panel deliberations shall be confidential.* (emphasis added)

...

Conclusions of Law and Recommendations:

As noted above, City manager Vandermyde’s December 19 email to selection committee members included the following:

... In consultation with the City Attorney’s Office, we want to make clear that the individual deliberations on the merits of each candidate are not being asked for, but rather we understand the motion to ask for confirmation on the steps taken to evaluate the applicants against code criteria. (emphasis added)

Again, I want to clarify this is not a request for the details of your confidential deliberations and the City Attorney will be available to provide legal guidance. If

³⁴ *ibid.*

³⁵ *ibid.*

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you need additional support from the city, please don't hesitate to let me know.
(emphasis added)³⁶

Also as noted above, in the selection committee's December 12 meeting, the City Manager and City Attorney reiterated that neither the selection committee's individual deliberations on the merits of each candidate nor details of the committee's confidential deliberations were requested.³⁷

Investigation reveals no disclosure of the selection panel's confidential deliberations. Atkinson Complaint 2. under 2023-002CCC - 2023.01.26 does not have merit

Complaint Number and Name	Complainant	Date
2023-003CCC - COC Complaint ER 1.30.2023 - Reynolds1 ³⁸	Emily Reynolds	1/30/2023

The following excerpts summarize the complaint. Except as pertinent here, they do not address issues addressed in other complaints.

January 30, 2023.

Pursuant to City of Boulder Municipal Code Title 2, Chapter 7, I am filing a complaint for a Code of Conduct violation against Mayor Brockett and Council Members Benjamin, Folkerts, Friend, Joseph and Speer, the six members of City Council who voted to approve the recommendations of the Police Oversight Panel Selection Committee at the City Council Special Meeting on January 26, 2023.

Factual Allegations:

A: City Council Members violated the Municipal Code when they voted to approve the recommendations of the Police Oversight Panel Selection Committee:

1. Qualifications: Ordinance 8430 section 2-11-6 (a) (9) (B) requires "An absence of any real or perceived bias, prejudice or conflict of interest;". These Qualifications are mandatory legal minimum requirements, not merely guidelines and suggestions. *The specific legal question posed by part (a) (9) (B) is whether a fair minded and informed observer, having considered the facts, would conclude that there was a real possibility of predisposition, prejudice, partiality or conflict of interest by the nominees.*
2. Appointments: Ordinance 8430 section 2-11-6 (a) (15) requires "Council will approve or reject the appointments by majority vote"

³⁶ Exhibit 4 (FW_ Council referral back to selection committee Attachment A

³⁷ Per Equity Officer, Kane, the meeting was not recorded, and no minutes were taken.

³⁸ Exhibit 21 (2023-003CCC - COC Complaint ER 1.30.2023 - Reynolds1)

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TO: City Council, City of Boulder Colorado
FROM: Claybourne M Douglas, Special Counsel
DATE: April 14, 2023
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3. *Lawsuit: one of the nominees is a party to a lawsuit against the City of Boulder and Maris Herold, Chief of Police for the City of Boulder (Case Number 2022CV30341), the allegations included in such lawsuit which could be similar to cases to be reviewed by the Police Oversight Panel*

4. Additional testimony and evidence, including social media screenshots and exhibits, have been previously submitted to the City Council and City Clerk; these records include email as well as a prior Code of Conduct Complaint and, being discoverable and accessible through an official records search inquiry, are not included within this submission.

5. To the best of my knowledge, the social media screenshot evidence submitted to the City represents the official account of one of the nominees in question, the accuracy and validity of which has not been disputed by the nominee, Lisa Sweeney Miran.

6. *The “real or perceived bias, prejudice or conflict of interest” language included in Ordinance 8430 is consistent with existing language contained in “Bias Motivated Crime” statutes in Colorado as well as other states and federal law; “Perceived” sets a legal threshold that is lower than “real or actual” and is based on how something is seen, interpreted or thought of. Council Members chose to ignore the legal precedents established by these existing laws as well as the existing guidance regarding judicial disqualification/recusal and dismissal of prospective jurors for cause, choosing instead to base their decisions to approve the nominees on information that was neither germane to the decision nor consistent with the enabling Ordinance (citation: City Council Meeting video archive for January 19th and January 26th, 2023).*

7. Council Members voting to approve the Recommendations of the Selection Committee failed in their sworn duty to uphold the legal requirements of Ordinance 8430 in direct violation of their official responsibilities to the residents of the City of Boulder (emphasis added)

...

B: City Council Members violated the Municipal Code of Conduct when they voted to approve the recommendations of the Police Oversight Panel Selection Committee

1. Chapter 7 of the Municipal Code outlines Codes of Conduct expectations for Member of Council, the purpose of which is to “protect the integrity of city government” by, among other things, establishing “high standards of conduct for elected officials” and outlining Expectations in section 2-7-8 (e) and (f) including doing more than “just the minimum required to meet legal or procedural requirements” and “taking into consideration all available information, circumstances and resources.”

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2. City Council has an affirmative responsibility and obligation to ensure that boards, committees, task forces, etc., are performing their duties in full compliance with the Municipal Code. After information on the Police Oversight Panel selection criteria and process was presented to Council by the Equity Officer at the January 19th City Council meeting, the City Attorney commented that not all requirements of Ordinance 8430 had been followed (paraphrasing). To this day I am unaware of any information that refutes that assertion by the City Attorney.

3. Several Council Members have personal relationships with one or more nominees and/or have direct or family relationships with one or more of the local organizations serving on the Selection Committee, raising questions regarding whether recusal by those Council Members would have been appropriate and warranted by the legislative intent and expectations of the Code of Conduct.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on January 30, 2023.
Emily Reynolds

Conclusions of Law and Recommendations:

Complaint item A.1. Qualifications

For the reasons stated above under Neslage complaint 2023-001CCC, Complaint A.1 has merit. Council should request Sweeney-Miran’s resignation or consider removing her.

Complaint Item A.3. Lawsuit Against City and Police Chief.

I find complaint item A.3. has merit. On May 26, 2022, Lisa Sweeney-Miran (with four other individuals and a nonprofit corporation) sued the City of Boulder and Boulder Police Chief, Maris Herold.³⁹ Among other things, her suit alleged:

14. Defendant Maris Herold is the Chief of Police for the City of Boulder ... She has general charge and supervision of city police officers and is responsible for and establishes rules and regulations governing the administration of BPD. Chief Herold *has directed all department members to enforce B.R.C. §§ 5-6-10 and 8-321(a) in a manner that criminalizes homelessness, violates the Colorado Constitution, and infringes on the Individual Plaintiffs’ constitutional rights.* (emphasis added)

Among other things, the suit requested:

³⁹ Boulder County District Court, Case Number 2022CV30341

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... that the Court ...:

C. ... declare that Defendants, under color of law, subjected or caused the Individual Plaintiffs to be subjected to the deprivation of individual rights secured by article II of the Colorado Constitution;

...

E. ... award the Individual Plaintiffs nominal damages ...;

...

F. ... award reasonable attorney fees and costs ...

On January 31, 2023, Sweeney-Miran, through her attorneys, dismissed her suit “without prejudice”. Sweeney-Miran remained a plaintiff in the suit against the City and Chief Herold until after the Council appointed her to the Police Oversight Panel on January 26, 2023. Thus, when the Selection Committee nominated her and when the City Council appointed Sweeney-Miran to the Police Oversight Panel, she was:

1. Suing Chief Herold and the City for having "directed all department members to enforce [City ordinances] *in a manner that* criminalizes homelessness, violates the Colorado Constitution, and infringes constitutional rights" and
2. Seeking declaratory judgment, damages, and attorney’s fees from Chief Herold and the City.

Under the Boulder Revised Code, Police Oversight Panel functions include:

“review ... completed professional standards unit investigations prior to the chief’s final determination and [providing] disciplinary and disposition recommendations” [§2-11-7 (b)]. “review trends and statistics of complaints against sworn police officers” [§2-11-7 (d)], “provide a forum to gather community concerns about incident-specific police actions and forward complaint information to the Monitor’s office for processing” [§2-11-7 (g)].

Reviewing the types of actions alleged in the lawsuit (“*enforce[ing] [ordinances] in a manner that criminalizes homelessness, violates the Colorado Constitution, and infringes on the Individual Plaintiffs’ constitutional rights.*”) would likely fall within the Police Oversight Panel functions quoted above.

Under §2-11-6 (a) (9) "members of the police oversight panel shall ... *immediately prior to appointment* demonstrate ... (B) an *absence of any real or perceived bias, prejudice or conflict of interest;*” The Council appointed Sweeney-Miran on January 26, 2023. Sweeney-Miran dismissed her lawsuit on January 31, 2023. The dismissal was 5 days *after*; not “*immediately prior*” to her appointment.

Under §2-11-8 (e) “A member of the police oversight panel a shall remove themselves (sic) from any participation in a matter if their impartiality might reasonably be questioned or if they have any personal knowledge of any facts regarding the incident under review. ...”

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Sweeney-Miran maintained her lawsuit against City and its Police Chief for enforcing City ordinances “in a manner that criminalizes homelessness, violates the Colorado Constitution, and infringes on ... constitutional rights” until January 31, 2023, She could not, as the ordinance requires “demonstrate *immediately prior to [her January 26, 2023] appointment ... an absence of any real or perceived bias, prejudice or conflict of interest*” in performing Police Oversight Panel review functions listed above.

Complaint Item A.6. Bias-Motivated Crime Analogy

I find complaint item A.6. does not have merit. The Colorado statute prohibiting bias motivated crime, C.R.S. §18-9-121(2). That statute prohibits certain actions "with the intent to intimidate or harass another person, in whole or in part, because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation.” Those types of biases appear irrelevant to the type (anti-police bias) alleged in this matter.

Complaint Item A.7. Council voting to approve Recommendations of the Selection Committee

For the reasons stated above under Neslage complaint 2023-001CCC, I find Complaint Item A.7. has merit. City Council should consider requesting Sweeney-Miran’s resignation from the Police Oversight Panel. If she refuses such a request, I recommend Council consider removing her.

Complaint Item B.2. City Attorney Statements

I find complaint item B.2. does not have merit. Review of the January 19 Council meeting video and transcripts fails to confirm the alleged January 19, 2023 comments by the City Attorney to the effect that “not all requirements of ordinance 8430 had been followed”.

Complaint Item B.3. City Council personal relationships

I find complaint item B.3. does not have merit. In response to my request for additional detail or explanation of the alleged personal relationships, Ms. Reynolds replied, in pertinent part:

Mayor Aaron Brockett’s wife Cherry-Rose Anderson was on the executive committee for the NAACP until recently. ... She has been both Treasurer and Outreach Coordinator of the NAACP. ... Because of this association, Brockett should have recused himself on the vote for the Police Oversight Panel. ...

... Benjamin, Friend and possibly also Folkerts are good personal friends with Sweeney-Miran. Lisa Sweeney-Miran has been good friends with Councilor Rachel Friend for years, from even before her run for Council. Councilor Lauren Folkerts is such a good friend of Lisa's that she gave her a hug at a recent event.

In addition to Mayor Brockett, all of these people should have recused themselves on the vote because they are supposed to vote objectively, which is made

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impossible because Sweeney-Miran is a close personal friend of at least three Councilors.

Neither Ms. Reynolds nor my own research have identified any applicable prohibition of such social relations between Boulder City Council members and individuals applying, considered, or selected to serve on a City Board or Commission.

Complaint Number and Name	Complainant	Date
2023-004CCC - COC Complaint JJ 1.30.2023 - Reynolds2⁴⁰	Emily Reynolds	1/30/2023

The following excerpts summarize the complaint. Except as pertinent here, they do not address issues addressed in other complaints.

January 30, 2023

Boulder City Clerk and Staff:

Pursuant to City of Boulder Municipal Code Title 2, Chapter 7, I am filing a complaint for a Code of Conduct violation against Council Member Joseph, who voted against the motion to approve the appointment of a Special Counsel at the City Council Special Meeting on January 26, 2023.

Factual Allegation:

City Council Member Joseph, in willful violation of the specific requirements of the Municipal Code, inappropriately voted against the motion to approve the appointment of a Special Counsel at the City Council Special Meeting on January 26, 2023.

Facts:

1. Junie Joseph is an elected member of the Boulder City Council, the Colorado General Assembly House District 10 and an admitted member of the Colorado State Bar Association.
2. At the January 19th, 2023 City Council meeting, the City Attorney reported that a Code of Conduct complaint had been filed under Title 2 Chapter 7 against the Police Oversight Panel Selection Committee.
3. At the January 26th, 2023 City Council meeting, agenda item 1a presented for Council’s consideration a motion to approve the appointment of a Special Counsel.

⁴⁰ Exhibit 22 (2023-004CCC - COC Complaint JJ 1.30.2023 - Reynolds2)

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4. The City Attorney confirmed that a Code of Conduct complaint received on January 19th, 2023 met all the requirements of the code, thereby triggering *the process of investigation, which is not discretionary under the Code.*
5. *The City Attorney* confirmed that because she had, at Council’s direction, advised the Selection Committee, it would be a conflict of interest for her to conduct the investigation and, as such, she *recommended the appointment of a Special Counsel to conduct the requisite investigation.*
6. Mayor Brockett specifically then asked the City Attorney whether Council had any discretion in the matter. *The City Attorney confirmed that Council had no discretion and that “the city council shall request the city attorney to conduct an investigation regarding a violation of this chapter.”*
7. Boulder City Ordinances are not optional. Council Member Joseph’s disregard for the requirements of the law, even after those requirements were specifically and repeatedly delineated to the Council, represents a willful violation of the legal and ethical responsibilities of her role as a Member of the Boulder City Council and, as such, Council Member Joseph should be subject to investigation and appropriate sanctions that may be deemed necessary. Council Member Joseph’s actions are particularly reprehensible given that she is also a member of the Colorado General Assembly as well as a member of the Colorado State Bar Association.

...
Emily Reynolds
(emphasis added)

Applicable Boulder Revised Code Provisions:

§1-1-21. - Meaning of "May," "Shall" and Present Tense.

When used in this code or any ordinance of the City, the use of the "present tense" and the word "shall" mandate or prohibit an action, and the word "may" confers authority or privilege to act.

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TO: City Council, City of Boulder Colorado
FROM: Claybourne M Douglas, Special Counsel
DATE: April 14, 2023
RE: Code of Conduct Complaint Investigation-Police Oversight Board Appointments

1-2-1. Definitions.

(a) The definitions in this chapter apply throughout this code unless a term is defined differently in a specific title, chapter or section.

(b) The following words used in this code and other ordinances of the City have the following meanings unless the context clearly indicates otherwise:

...

May means is authorized to.

...

Shall means is required to.

Chapter 7 Code of Conduct

2-7-10. Enforcement.

...

(c) Investigation of a Complaint: The city manager (for city employees) or the *city council* (for all others) *shall request the city attorney to conduct an investigation* regarding a violation of this chapter. *The city attorney may request that the city council appoint special counsel to investigate and prosecute any case that may cause the city attorney to have a conflict of interest or may cause an appearance of impropriety under the provisions of this chapter, or may violate any rule regarding professional responsibility. (emphasis added)*

...

Conclusions of Law and Recommendations:

I find complaint 2023-004CCC - COC Complaint JJ 1.30.2023 - Reynolds2 does not have merit.

City Council Member Joseph voted against the motion to approve the appointment of a Special Counsel but did not vote against a request that the City Attorney conduct an investigation.

Where the Boulder Revised Code intends to require something, it uses the term “shall.” The term “shall” in the first sentence of §2-7-10(c) means only that the City Council “is required to” “request the City Attorney conduct to investigation regarding a violation.” The Code of Conduct does not say every Council Member “shall” vote to approve a City Attorney’s request to appoint Special Counsel. The City of Boulder Home Rule Charter expressly recognizes that council members may abstain from voting, which counts as a vote in favor.⁴¹

⁴¹ City of Boulder Home Rule Charter, Article II, Sec. 16. Legislative procedure.

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Appendix

Applicable Boulder Home Rule Charter and Revised Code Provisions

City of Boulder Home Rule Charter

Article II

Sec. 16. Legislative procedure.

The council shall act only by ordinance, resolution, or motion. All legislative enactments must be in the form of ordinances; all other procedure may be in the form of resolutions or motions. The enacting clause of all ordinances passed by the council shall be in these words: "Be it ordained by the city council of the City of Boulder." All ordinances and resolutions shall be confined to one subject clearly expressed in the title, and ordinances making appropriations shall be confined to the subject of appropriations. The final reading shall be in full, unless the measure shall have been printed and a copy thereof furnished to each council member prior to such reading. The ayes and noes shall be taken upon the passage of all ordinances, resolutions, or motions and entered upon the journal of council proceedings, and every ordinance, resolution, or motion shall require on final passage the affirmative vote of a majority of the council members present. Should any council member being present refuse to vote on any measure, said member's vote shall be recorded in the affirmative; and no council member shall be excused from voting except on matters involving the consideration of said member's official conduct or where said member's financial interests are involved.

Boulder Revised Code

TITLE 1 - GENERAL ADMINISTRATION

Chapter 1 - Construction and Interpretation

§1-1-6. - Common and Technical Usage.

The city council intends that words and phrases be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by legislative definition or otherwise, are intended to be construed accordingly.

1-1-14. Intention in Enacting Ordinances.

In enacting an ordinance the city council intends:

- (a) To comply with the city charter and the constitutions of the State of Colorado and the United States;
- (b) That the entire ordinance be effective;
- (c) A just and reasonable result;

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- (d) A result that may be feasibly executed; and
- (e) That the public interest be favored over any private interest.

§1-1-21. - Meaning of "May," "Shall" and Present Tense.

When used in this code or any ordinance of the City, the use of the "present tense" and the word "shall" mandate or prohibit an action, and the word "may" confers authority or privilege to act.

§ 1-2-1 Definitions.

(a)The definitions in this chapter apply throughout this code unless a term is defined differently in a specific title, chapter or section.

(b)The following words used in this code and other ordinances of the City have the following meanings unless the context clearly indicates otherwise:

...
May means is authorized to.

...
Shall means is required to.

B.R.C. § 2-7-10 Enforcement.

...

(c) Investigation of a Complaint: The city manager (for city employees) or the city council (for all others) shall request the city attorney to conduct an investigation regarding a violation of this chapter. The city attorney may request that the city council appoint special counsel to investigate and prosecute any case that may cause the city attorney to have a conflict of interest or may cause an appearance of impropriety under the provisions of this chapter, or may violate any rule regarding professional responsibility.

(d) Response to All Complaints Required: A public official, or body or appointee thereof, conducting an investigation pursuant to Subsection (b) of this section shall prepare written findings of fact and conclusions of law in response to all complaints that shall be made available to the public upon completion of the investigation. The response may include a finding that the complaint has no merit, is frivolous, is groundless or is brought for purposes of harassment.

TITLE 2 - GOVERNMENT ORGANIZATION

Chapter 7 Code of Conduct

2-7-2. Prohibited Acts.

(a) Personal Benefit Prohibited: No public official or public employee shall solicit, receive or accept anything of value in exchange for performing or

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refraining from performing any act associated with the official or employee's position with the city.

- (b) Use of Position for Gain Prohibited: No public official or public employee shall use his or her public office or position for financial gain.
- (c) Use of Confidential Information for Financial Gain Prohibited: No public official or public employee shall use or disclose confidential information obtained as a result of holding his or her public office or position, to obtain financial gain, whether for personal gain; gain for his or her relative; gain of any property or entity in which the official or employee has a substantial interest; or gain for any person or for any entity with whom the official or employee is negotiating for or has any arrangement concerning prospective employment.

2-7-8. Expectations.

- (a) These expectations are intended to establish ethical standards to guide public officials and public employees in the execution of their offices in a manner that will reflect well on the city and promote the public's trust in local government.
- (b) Compliance with this section will not constitute a defense for violation of another subsection or section of this chapter. Violation of this section may be considered as the basis for censure of a public official, or in the most serious cases, removal of a board or commission member. Violation of this section may be the basis of disciplinary action, or in the most serious cases, removal of a board or commission member.
- (c) A public official who determines that his or her actions may be considered to be in violation of this section should consider disclosure and discussion of the potential violation in a public meeting before the council, board, commission, task force or similar body on which the person serves.
- (d) A public official whose participation in a matter would violate this section shall recuse herself or himself as prescribed by Section 2-7-9, "Disclosure and Recusal Procedure," B.R.C. 1981.
- (e) A public official or public employee shall:
 - (1) Strive at all times to serve the best interests of the city regardless of his or her personal interest.
 - (2) Perform duties with honesty, care, diligence, professionalism, impartiality and integrity.
 - (3) Strive for the highest ethical standards to sustain the trust and confidence of the public they serve, not just the minimum required to meet legal or procedural requirements.

MEMORANDUM

TO: City Council, City of Boulder Colorado
FROM: Claybourne M Douglas, Special Counsel
DATE: April 14, 2023
RE: Code of Conduct Complaint Investigation-Police Oversight Board Appointments

- (4) Use sound judgment to make the best possible decisions for the city, taking into consideration all available information, circumstances and resources.
- (5) Act within the boundaries of his or her authority as defined by the city charter and code.
- (6) Treat colleagues and members of the public professionally and with courtesy.
- (7) Disclose personal or professional relationships with any company or individual who has or is seeking to have a business relationship with the city, if the official or employee has any authority to exercise discretion over the business relationship.
- (8) Disclose any benefit he or she will receive from any matter requiring the exercise of discretion by the officer or employee.
- (9) Use city resources, facilities and equipment only for city purposes, except for reasonable incidental personal use that does not interfere with city business.
- (10) Disclose waste, fraud, abuse and corruption to appropriate authorities.
- (f) A public official or public employee shall not:
 - (1) Advocate or support any action or activity that violates a law or regulatory requirement.
 - (2) Use his or her position or decision-making authority for his or her benefit.
 - (3) Expend city funds for his or her personal use or benefit.
 - (4) Misrepresent known facts in any issue involving city business.
 - (5) Exercise authority or discretion in any matter in which he or she will benefit as a result of that exercise of authority or discretion.
 - (6) Use city resources, facilities or equipment for personal profit, for outside business interests or to access any inappropriate material, except if viewing such material is a necessary and proper part of their duties.
 - (7) Participate in any decision to appoint, hire, promote, discipline or discharge a relative for any position with the city.
 - (8) Supervise a relative in the performance of the relative's official powers or duties.
 - (9) Compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.
 - (10) Act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any employee, or an applicant for a position, including appointment to a board or commission, on the basis of the giving or

MEMORANDUM

TO: City Council, City of Boulder Colorado
FROM: Claybourne M Douglas, Special Counsel
DATE: April 14, 2023
RE: Code of Conduct Complaint Investigation-Police Oversight Board Appointments

withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

- (11) Solicit or accept anything of value from anyone doing business with the city.
- (12) Solicit or accept employment from anyone doing business with the city, unless the official or employee completely withdraws from city activity regarding the party offering employment.
- (13) Use his or her public position to obtain a benefit for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship.
- (14) Vote, authorize, recommend, or in any other way use his or her position to secure approval of a contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest.
- (15) Use, or authorize the use of, his or her title, the name "City of Boulder," or the city's logo in a manner that suggests impropriety, favoritism, or bias by the city or the official or employee.
- (16) Use, or authorize the use of, his or her title, the name "City of Boulder," or the city's logo in a manner that suggests or implies that the city supports or opposes a candidate or ballot measure, except that public officials may identify themselves and their position as public officials supporting or opposing candidates or ballot measures.
- (17) Use, or authorize the use of, his or her title, the name "City of Boulder," or the city's logo in for personal profit or advantage.
- (18) Use city resources, facilities or equipment to support or oppose any political candidate or ballot measure.

Chapter 11 Police Oversight

§2 -11-6 Police Oversight Panel - Qualifications and Appointments.

- (a) Qualifications.
 - (1) Members of the police oversight panel shall be nominated by a selection committee [also reference in the ordinance as “selection panel” and “nomination committee”].
 - ...
 - (5) Interviews conducted by the selection panel shall be open to the public for observation. Selection panel deliberations shall be confidential.
 - ...

MEMORANDUM

TO: City Council, City of Boulder Colorado
FROM: Claybourne M Douglas, Special Counsel
DATE: April 14, 2023
RE: Code of Conduct Complaint Investigation-Police Oversight Board Appointments

(9) Members of the police oversight panel shall be volunteers who, *immediately prior to appointment, shall demonstrate:*

...

- (B) *An absence of any real or perceived bias, prejudice or conflict of interest;*
- (C) An ability to build working relationships and communicate effectively with diverse groups; and
- (D) A commitment to the purposes of this chapter.

...

(10) The nomination committee will strive to include people identifying as a person of color, notably African American, Latinx, Asian and/or Indigenous, as at least half of the members of the police oversight panel. Preference will be given to individuals who are multilingual. In addition, the selection committee will strive to include a person with a disability, a person experiencing homelessness or having such lived experience, a person identifying as LGBTQ+, and a person who has experienced incarceration. (emphasis added)

EXHIBIT 1

Mayor
Aaron Brockett

Council Members
Matt Benjamin
Lauren Folkerts
Rachel Friend
Junie Joseph
Nicole Speer
Mark Wallach
Tara Winer
Bob Yates



Council Chambers
1777 Broadway
Boulder, CO 80302
January 26, 2023
6:00 PM

City Manager
Nuria Rivera-Vandermyde

City Attorney
Teresa Taylor Tate

City Clerk
Elesha Johnson

AGENDA FOR THE SPECIAL MEETING OF THE BOULDER CITY COUNCIL

1. Call to Order and Roll Call

A. Consideration of a motion appointing Claybourne M. Douglas as Special Counsel pursuant to § 2-7-10(c), Boulder Revised Code, 1981 **5 min**

B. Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, "Police Oversight," B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details **30 min**

2. Adjournment

0:35 hrs

City Council documents, including meeting agendas, study session agendas, meeting action summaries and information packets can be accessed at www.bouldercolorado.gov/city-council.

This meeting can be viewed at www.bouldercolorado.gov/city-council. Meetings are aired live on Municipal Channel 8 and the city's website and are re-cablecast at 6 p.m. Wednesdays and 11 a.m. Fridays in the two weeks following a regular council meeting.

Boulder 8 TV (Comcast channels 8 and 880) is now providing closed captioning for all live meetings that are aired on the channels. The closed captioning service operates in the same manner as similar services offered by broadcast channels, allowing viewers to turn the closed captioning on or off with the television remote control. Closed captioning also is available on the live HD stream on BoulderChannel8.com. To activate the captioning

EXHIBIT 1

service for the live stream, the "CC" button (which is located at the bottom of the video player) will be illuminated and available whenever the channel is providing captioning services.

The council chambers is equipped with a T-Coil assisted listening loop and portable assisted listening devices. Individuals with hearing or speech loss may contact us using Relay Colorado at 711 or 1-800-659-3656.

Anyone requiring special packet preparation such as Braille, large print, or tape recorded versions may contact the City Clerk's Office at 303-441-4222, 8 a.m. - 5 p.m. Monday through Friday. Please request special packet preparation no later than 48 hours prior to the meeting.

If you need Spanish interpretation or other language-related assistance for this meeting, please call (303) 441-1905 at least three business days prior to the meeting. Si usted necesita interpretacion o cualquier otra ayuda con relacion al idioma para esta junta, por favor comuniquese al (303) 441-1905 por lo menos 3 negocios dias antes de la junta.

Send electronic presentations to email address: CityClerkStaff@bouldercolorado.gov no later than 2 p.m. the day of the meeting.



COVER SHEET

MEETING DATE

January 26, 2023

AGENDA ITEM

Consideration of a motion appointing Claybourne M. Douglas as Special Counsel pursuant to § 2-7-10(c), Boulder Revised Code, 1981

PRIMARY STAFF CONTACT

Teresa Taylor Tate, City Attorney, 303.441.3020

REQUESTED ACTION OR MOTION LANGUAGE

Motion to request special counsel to investigate and, if necessary, prosecute a complaint filed pursuant to § 2-7-10(c), Boulder Revised Code, 1981, and to appoint Claybourne M. Douglas as special counsel.

ATTACHMENTS:

Description

- ▣ **Item 1A - Appoint special counsel to investigate John Neslage complaint**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: January 26, 2023

AGENDA TITLE

Consideration of a motion appointing Claybourne M. Douglas as Special Counsel to investigate and, if necessary, prosecute a complaint filed pursuant to § 2-7-10(c), Boulder Revised Code, 1981.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Teresa Taylor Tate, City Attorney

EXECUTIVE SUMMARY

This matter arises out a complaint filed pursuant to § 2-7-8, Boulder Revised Code, 1981.

STAFF RECOMMENDATIONS

Suggested Motion Language

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to request special counsel to investigate and, if necessary, prosecute a complaint filed pursuant to § 2-7-10(c), Boulder Revised Code, 1981, and to appoint Claybourne M. Douglas as Special Counsel.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic:** None.
- **Environmental:** None.
- **Social:** Careful and independent investigation of ethics complaints supports community trust in government.

OTHER IMPACTS

- **Fiscal-Budgetary:** Mr. Douglas’s hourly rate is \$250.
- **Staff Time:** The City Attorney’s Office will provide any necessary support.

BOARD AND COMMISSION FEEDBACK

None.

PUBLIC FEEDBACK

None.

BACKGROUND

On January 19, 2023, John Neslage filed a complaint with the city clerk alleging violations of section 2-7-8, B.R.C., 1981. A copy of the complaint is **Attachment A**. Section 2-7-10(b)(2), B.R.C., 1981 provides as follows:

A resident of the City or any city employee may initiate an investigation of any city council member, employee or appointee to a city board, commission, task force or similar body by filing a sworn statement with the city clerk setting forth facts which, if true, would constitute a violation of a provision of this chapter.

Mr. Neslage’s original complaint was not sworn. Accordingly, the city clerk informed Mr. Neslage that no further action would be taken until he submitted a sworn statement. Later, on January 19, 2023, Mr. Neslage supplied an appropriate verification of the complaint. The filing of a sworn complaint triggers an obligation of either the city manager or the city council; depending on the subject of the complaint, to refer the complaint to the city attorney for investigation and prosecution. This referral is mandatory. The code does not provide for any discretion. Here, the complaint is filed by a community member, therefore the Council “shall request the city attorney to conduct an investigation regarding a violation of this chapter.” § 2-7-10(c), B.R.C. 1981. This request does not reflect any decision regarding the merits of Mr. Neslage’s complaint, because the referral is required by the city code.

EXHIBIT 1

The code further provides:

The city attorney may request that the city council appoint special counsel to investigate and prosecute any case that may cause the city attorney to have a conflict of interest or may cause an appearance of impropriety under the provisions of this chapter or may violate any rule regarding professional responsibility § 2-7-10(c), B.R.C. 1981.

The city attorney provided legal advice to the Selection Committee during this selection process at the direction of city council. The city attorney believes it would be a conflict of interest to now investigate the Selection Committee regarding a complaint related to the selection process. Therefore, the city attorney requests that council appoint special counsel to investigate and, if necessary, prosecute Mr. Neslage's complaint.

The city attorney contacted Claybourne M. Douglas who has agreed to act as special counsel if council approves the appointment. Mr. Douglas has extensive municipal law experience, including serving as Special Counsel to the Ethics Review Board on conflict-of-interest ethics and conducting a previous investigation of a code of conduct complaint for the City of Boulder. A copy of his resume is **Attachment B**.

OPTIONS

Council has the option of appointing special counsel or requiring the city attorney to conduct the investigation.

ATTACHMENTS

Attachment A – Complaint with Exhibits

Attachment B – Claybourne Murray Douglas Résumé

EXHIBIT 1 Attachment A – Complaint with Exhibits

From: [City Clerk's Office](#)
To: [John Neslage](#); [City Clerk's Office](#); [City Clerk's Office](#)
Cc: [Tate, Teresa](#); [Rivera-Vandermyde, Nuria](#); [Llanes, Sandra](#); [Poe, Erin](#)
Subject: RE: Confirming Receipt and Sufficiency of Code of Conduct Complaint w Exhibits and Sworn Statement
Date: Thursday, January 19, 2023 6:30:29 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Mr. Neslage,

Your complaint has been received and will be reviewed and processed in accordance with the Boulder Revised Code.

I will keep you abreast of the progress.

Elesha

From: John Neslage <john.neslage@sbcglobal.net>
Sent: Thursday, January 19, 2023 4:16 PM
To: City Clerk's Office <cityclerksoffice@bouldercolorado.gov>; City Clerk's Office <cityclerkstaff@bouldercolorado.gov>
Subject: Confirming Receipt and Sufficiency of Code of Conduct Complaint w Exhibits and Sworn Statement

External Sender

City Clerk and Staff,

Would you please confirm receipt and sufficiency of the filing earlier today referenced below?

Thank you,
John

Begin forwarded message:

From: John Neslage <john.neslage@sbcglobal.net>
Date: January 19, 2023 at 1:03:19 PM MST
To: City Clerk's Office <cityclerksoffice@bouldercolorado.gov>, cityclerkstaff@bouldercolorado.gov
Cc: Teresa Tate <tate@bouldercolorado.gov>, Sandra Llanes <llanes@bouldercolorado.gov>, poe@bouldercolorado.gov
Subject: Code of Conduct Complaint w Exhibits and Sworn Statement

Boulder City Clerk and Staff:

Pursuant to City of Boulder Municipal Code Title 2, Chapter 7, I am filing a complaint for a Code of Conduct violation by the Selection Panel for the Police Oversight Panel. The Panel signaled their unwillingness to comply with the applicable ordinance governing qualifications of panel members by renominating the same candidate despite demonstrated bias, prejudice and conflict of interest. Additionally, this candidate also fails to satisfy another stated precondition requiring an ability to build working relationships and communicate effectively with diverse groups.

Determination of bias is not in the opinion of the nominee, but rather from the perspective of the persons to be governed/overseen by this Oversight Panel. The nomination of Lisa Sweeny-Miran by this panel demonstrates their intention to use whatever criteria they feel like, rather than those criteria carefully deliberated and codified into Ordinance 8430.

I will include by separate email certain social media posts by Ms Miran which clearly demonstrate bias, which is generally understood to mean a tendency to prefer one person or thing to another, and to favor that person or thing. While she has a First Amendment right to her opinions, she does not have a First Amendment right to be on this Police Oversight Panel, nor does the Selection Panel have the right to disregard clearly worded ordinances governing the process.

I will also add that the social media posts have been deleted by Ms Miran, which should be taken as an her own admission of their poor reflection of her candidacy and obvious bias. She is also an attorney and should be held to a much higher standard, including her duty of candor owed to a deliberative body, which she is also violating by claiming she is unbiased and trying to advance her candidacy.

Further, I would add in the words of the great American poet Maya Angelou, "When someone shows you who they are, believe them."

Please keep me apprised of progress in this matter. Applicable exhibits showing both perceived and actual bias of candidate follow below.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 19, 2023.

EXHIBIT 1 Attachment A – Complaint with Exhibits

Thank you,
John Neslage
Boulder Resident and Concerned Citizen

Exhibits: Please review these in light of Ordinance 8430, Section 1, Chapter 2-11-6 (a)(9).

They clearly demonstrate a perceived bias, not to mention an actual one. Especially from the perspective of a police officer. Imagine a self proclaimed racist adjudicating claims against a historically oppressed minority defendant, or a misogynist sitting in judgment of a woman's allegation of harassment. Wouldn't there be at least a perception of bias in both instances? She has also added the hashtag #abolitionist to her new Mastodon account. Res ipsa loquitur - the thing speaks for itself.





Lisa Sweeney-Miran @LSweeneyMiran · Sep 6

Another day, another excuse to drive a tank down city streets.

I guess if you spend all our tax money on expensive toys you need to pretend to have reasons to take them out and show them off. #Boulder

Boulder Police Dept. @boulderpolice · Sep 6

If you're seeing a large police presence in the 3100 block of Pearl Parkway right now we just executed a search warrant. More information to come out later today. There is no threat to public safety #boulder

[Show this thread](#)



5

9

69



[SHOW THIS THREAD](#)



Lisa Sweeney-Miran @LSweeneyMiran · Sep 6

...

The armored vehicle and weapons ***are a threat to public safety***

This isn't a war zone, [@boulderpolicy](#), it's a busy downtown street next to several large housing complexes, restaurants, and a hotel. Do better.

Boulder Police Dept. @boulderpolicy · Sep 6

Replying to @TheCultClassics

We use our armored rescue vehicle to protect officers and the community during dangerous operations. There was no threat to public safety after the search warrant was executed

16

8

78

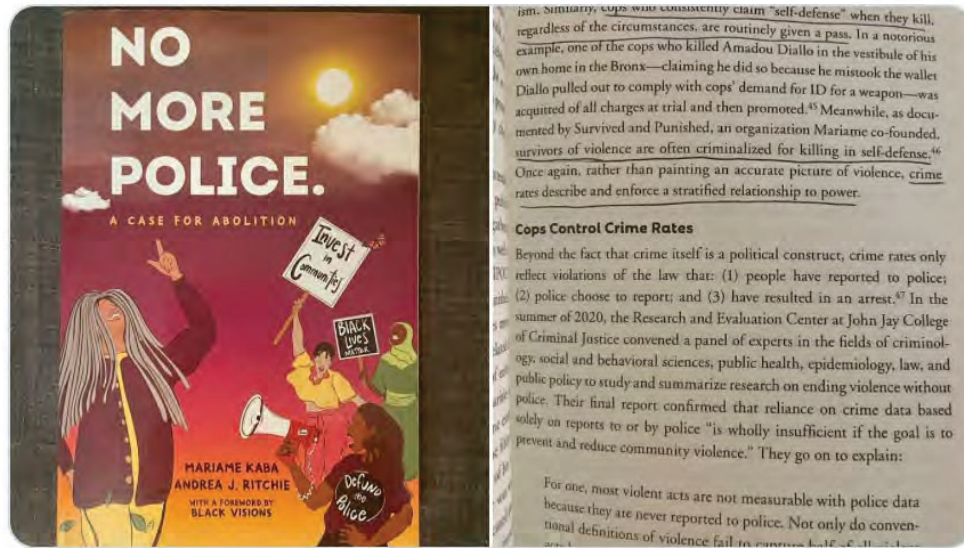




Lisa Sweeney-Miran ✓
@LSweeneyMiran



Got my copy of **No More Police: A Case For Abolition** just in time to set it aside for tonight's Boulder City Council discussion on policing the unhoused. Can't wait to dig in more - so far every page is 🔥. Incredible work from [@prisonculture](#) and [@dreanyc123](#)! Get yours today.



7:42 PM · Sep 1, 2022 · Twitter for iPhone

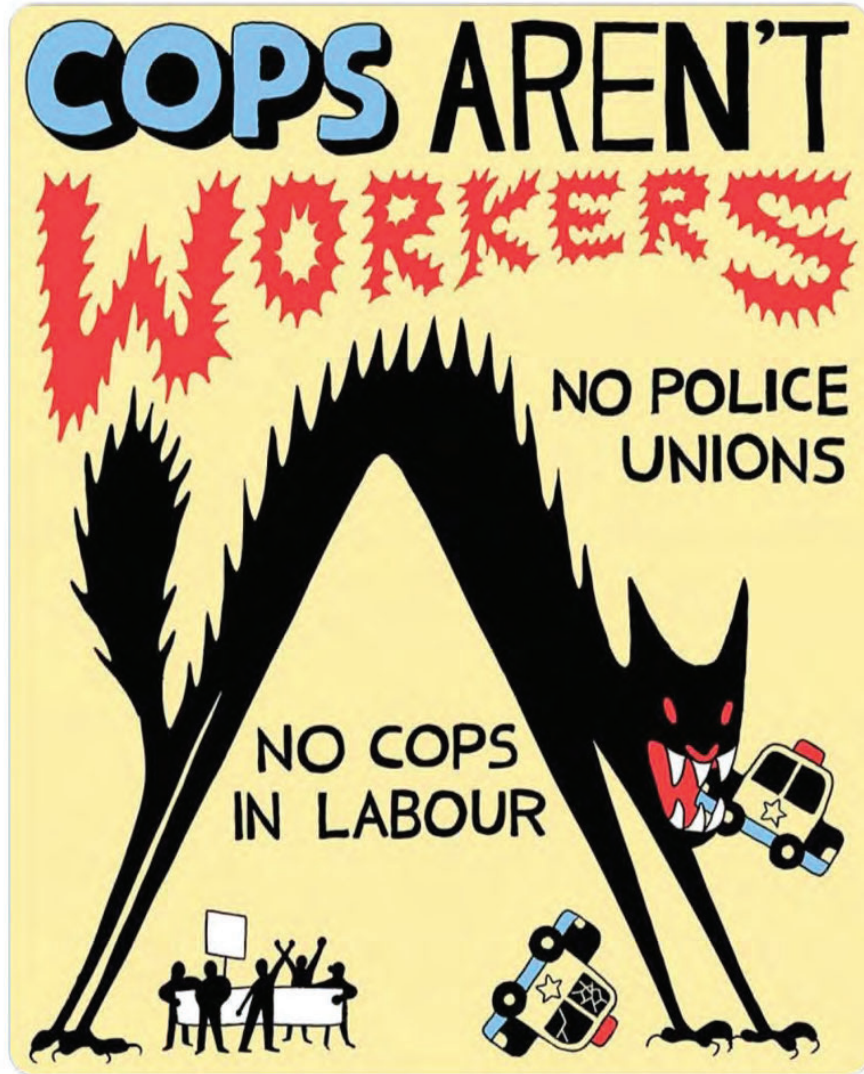
15 Retweets 2 Quote Tweets 70 Likes



↳ Lisa Sweeney-Miran Retweeted



Bloc from the Block @161_BKLYN · Sep 3



4

↳ 4,835

♥ 24.4K



[Show this thread](#)

CLAYBOURNE MURRAY "CLAY" DOUGLAS**Résumé****PROFESSIONAL EXPERIENCE:****Municipal Law**Claybourne M. Douglas, Municipal Law Consulting

Principal (July 2018-present)

Legal consulting for municipalities and municipal attorneys. Examples:

- Hearing Officer engaged for various matters, including code enforcement, land use, taxes, and elections;
- Special Counsel to Ethics Review Board on conflict-of-interest ethics complaints against City Council members;
- Special Counsel to town on reactivating its dormant municipal court; revising court ordinance, penalties, penalty assessment notices and municipal court local rules; recruiting new judge.

City of Loveland, Colorado

City Attorney and Interim City Attorney (November 2016-March 2018)

Chief legal counsel to Colorado home rule city of over 76,000 people; manage 7.5 FTE Municipal Law office, including: advice and representation on City Council matters; elections; open meetings; open records; Downtown Development Authority; Urban Renewal Authority; business improvement, metropolitan and other special districts; economic development; municipal property leases and donations; finance; home rule; immigration; municipal court; parks and recreation; intergovernmental agreements; water, power and telecommunications enterprises (including municipal broadband).

Michow Cox & McAskin LLP, Greenwood Village, Colorado

Contract Attorney (August-November 2016)

Advice, research and drafting on sign codes.

Hoffmann, Parker, Wilson & Carberry, P.C, Denver, Colorado.

Contract Attorney (January-November 2016)

Advice, research and drafting on sign codes, telecom tower height limits; sales and use tax matters.

City of Boulder, Colorado

Senior Assistant City Attorney (November 2009-March 2015)

Advised and represented departments of Planning, Development and Building Inspection; Human Resources; Open Space and Mountain Parks; Housing and Human Services; City Clerk; Municipal Court; Police; all departments on open records and open meetings; successfully represented Police Department in CORA and CCJRA actions seeking JonBenét Ramsey murder investigation records; successfully advised and represented Open Space and Mountain Parks Department in legal actions and negotiations to preserve public open space access.

Town of Lyons, Colorado

Hearing Officer, and Special Counsel (March-August 2009)

Heard, decided, and advised on code enforcement and land use matters.

CLAYBOURNE MURRAY "CLAY" DOUGLAS**Résumé**City of Longmont, Colorado

City Attorney (January 1988-December 2008)

Chief legal counsel to Colorado Home Rule City of over 85,000; managed 8.5 FTE municipal law office. Accomplishments include: Working closely with staff to write, implement and enforce: inclusionary zoning and other affordable housing measures; sexually oriented business zoning and licensing ordinances; police pay freeze (defeating federal court due process and contract claims); private utility undergrounding ordinance; nuisance (including meth lab) abatement ordinance; winning 20-year legal dispute over hunting and pedestrian access on City's water reservoir and preserve.

City of Boulder, Colorado

Special Counsel (2007)

Advised City Council whether reckless driving conviction disqualified Council Member, under city charter.

Boulder County Recycling and Composting Authority, Boulder, Colorado

Designated Attorney (1997-2002)

Advised and represented Authority on recycling and composting issues and intergovernmental contracts.

City of Littleton, Colorado

Special Prosecutor (1980-1988)

City and County of Denver, Colorado

Special Prosecutor (1986)

Prosecuted Judge for shoplifting.

City of Aurora, Colorado

Deputy City Attorney (June 1986-January 1988)

Managed seventeen-person municipal law office; handled special civil work, liquor license suspensions and revocations, drafted and implemented ordinances.

Managing Municipal Prosecutor (October 1980-June 1986)

Supervised 17-person office; handled special civil litigation. Examples: Briefing to Colorado Supreme Court in successful action to close Denver's hazardous waste dump; legislative drafting and lobbying; Federal Court litigation for NEPA violations; successfully handled numerous appeals to U.S. Supreme Court, Colorado Supreme Court, and Court of Appeals; selected, trained, and managed attorneys and support staff; prepared and managed budgets; drafted and implemented ordinances; special counsel work for other cities.

Assistant City Attorney (September 1977-October 1980)

Prosecuted ordinance violations and supervised six-person law office. Examples: Tried numerous court and jury trials; handled numerous Colorado Supreme Court appeals; established and maintained basic office systems; selected, trained, and supervised attorneys and support staff.

CLAYBOURNE MURRAY "CLAY" DOUGLAS**Résumé**Municipality of Anchorage, Alaska

Assistant Municipal Attorney (January 1976-April 1977)

Advised and represented Public Works, Planning and Zoning, Health, Collections departments and School District; prosecuted ordinance violations. Examples: litigated public works contract claims; drafted contracts, leases, and other documents; litigated equitable actions and appeals challenging zoning decisions; handled criminal trials, appeals, argument, and briefing; litigated civil collection cases.

Greater Anchorage Area Borough, Alaska

Assistant Borough Attorney (May 1973-November 1974)

Advised and represented Departments of Public Works, Planning and Zoning, Health, Collections, and School District; prosecuted ordinance violations. Examples: litigated public works contract claims; drafted contracts, leases, and other documents; litigated equitable actions and appeals challenging zoning decisions; handled criminal trials, appeals, argument, and briefing; litigated civil collection cases.

JudicialAlaska Superior Court, Third Judicial District, Anchorage, Alaska

Standing Master (May 1972-May 1973)

Heard and decided probate matters.

Court Attorney (May 1972-May 1973)

Performed research, writing and consulting for Superior Court judges.

OtherSolo part-time private practice (1977-1981)Mosley, Wells & Spence, Attorneys at Law, Denver, Colorado

Associate (May 1977-September 1977)

Greene and Bankston, Attorneys at Law, Anchorage, Alaska

Associate (September-December 1975)

EDUCATION:

University of Texas School of Law, Austin, Texas (JD; Top 20%)

Texas Tech University, Lubbock, Texas (B.A.; Economics/Government; Dean's List)

BAR ADMISSIONS:

U. S. Supreme Court

Colorado state courts

10th Circuit Court of Appeals

U. S. District Court for Colorado

Alaska state courts (no longer active)

9th Circuit Court of Appeals (no longer active)

U. S. District Court for Alaska (no longer active)

Texas state courts (no longer active)

EXHIBIT 1

CLAYBOURNE MURRAY "CLAY" DOUGLAS
Résumé

PROFESSIONAL AND COMMUNITY ACTIVITIES:

International Municipal Lawyers Association

Member (1988 to present)

10th Circuit North Regional Vice President (2006 -2008)

Colorado State Chair (2005-2006)

Colorado Municipal League

Board member and Attorneys Section President (2004-2005)

Attorneys Section Vice President (2003-2004)

Guest lecturer and panelist at conferences

Metro City Attorneys Association

Outstanding City Attorney Award (2008)

President (2004-2005)

Outstanding Deputy City Attorney Award (1987)

Special Accomplishment Award (1986)

Colorado Municipal Judges Association

Guest lecturer and panelist at seminars (1980-1988)

Longmont Rotary Club

Member (1988 to present)

Paul Harris Fellow

CONTACT INFORMATION:

Claybourne M. Douglas

1124 Princeton Drive

Longmont, CO 80503

Mobile: 720-244-3312

Fax: 303-772-2281

E-mail clay.douglas@comcast.

DATE COMPILED: 4/7/2022



COVER SHEET

MEETING DATE

January 26, 2023

AGENDA ITEM

Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, "Police Oversight," B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details

PRIMARY STAFF CONTACT

Aimee Kane, Equity Officer

ATTACHMENTS:

Description

- **Item 1B - Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel**



**CITY OF BOULDER
CITY COUNCIL SPECIAL MEETING
AGENDA ITEM**

MEETING DATE: January 26, 2023

AGENDA TITLE

Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981, pertaining to the composition, duties and powers of the city organization related to civilian oversight of the police and setting forth related details.

PRESENTER(S)

Nuria Rivera-Vandermyde, City Manager
Teresa Taylor Tate, City Attorney
Aimee Kane, Equity Officer
City of Boulder Police Oversight Selection Committee

EXECUTIVE SUMMARY

The purpose of this item is to request City Council approval of the Police Oversight Panel members and alternates selected by the City of Boulder’s Police Oversight Selection Committee. On November 10, 2020, Council passed a motion to adopt Ordinance 8430 amending Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981, pertaining to the composition, duties and powers of the city organization related to civilian oversight of the police, and setting forth related details. Additionally, on July 21, 2022 Council passed a motion to adopt Ordinance 8543 amended section 2-11-6 “Police Oversight Panel – Qualifications and Appointments,” B.R.C. 1981, Increasing the number of Panel members to eleven and alternates to four; and setting forth related details.

The ordinances call for the formation of a Selection Committee to interview and select six new panel members and four alternates. Consistent with the ordinances, the Selection

EXHIBIT 1

Committee consisted of two current members of the Police Oversight Panel along with a representative from two non-profit organizations that serve the Boulder community. El Centro Amistad and the NAACP of Boulder County were the two non-profits selected by the Police Oversight Panel to serve on the Selection Committee.

Process

Applications to serve on the Police Oversight Panel were accepted from September 24th, 2022 to October 14th, 2022. A total of 57 individuals applied. The Selection Committee members reviewed all application materials and selected 19 applicants to interview and interviewed 18 applicants. Interviews occurred from November 9-20, 2022. The Selection Committee then met on November 20, 2022 to discuss the interviewed applicants and select the six panel members and four alternates.

At the December 15th, council meeting, council members passed the following motion language: *To refer Consent Agenda Item 3E back to the Selection Committee to relook at all applicants or all recommended panelists under code criteria that are required to be appointed and eligible for this panel with guidance from the City Attorney's Office and with explanations or certifications explaining the steps that were taken, in writing.*

On December 19th the selection reconvened with City Manager Nuria Rivera-Vandermyde and City Attorney Teresa Taylor Tate to discuss council's ask and next steps. Also, on December 19th, the selection committee received a package of public comment materials that were sent to council referencing the candidate slate for the police oversight panel.

A written detail of the selection process, including demographics can be found as Attachment B.

The selection committee is reaffirming their selections of panelists and alternates as listed below.

Recommendations

The six applicants chosen by the Selection Committee are:

1. Maria Soledad-Diaz
2. Madelyn Strong Woodley
3. Sam Zhang
4. Lisa Sweeney-Miran
5. Mylene Vialard
6. Jason Savela

The four alternates chosen by the Selection Committee are:

1. Kristen Drybread
2. Lizzie Friend

EXHIBIT 1

3. Arlette “AB” Barlow
4. Sourisack Luangrath

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to approve , as outlined in Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981, pertaining to the composition, duties and powers of the city organization related to civilian oversight of the police and setting forth related details.

ATTACHMENT

- A – Nominated Panel Members’ Bios and Video Interview Links
- B – Police Oversight Panel Selection Panel + Demographics

EXHIBIT 1

Attachment A

Selected Panel Member	Bio	Interview Date & Time of Interview
<p>Maria Soledad-Diaz</p>	<p>Maria identifies as a Hispanic Woman who is bi-lingual in Spanish and English.</p> <p>A member of the Gunbarrel Community, Maria works as the Shelter Program Director for SPAN and serves as the Chair for the Community Advisory Board for the Downtown Boulder Partnership.</p> <p>She has three daughters who attend CU Boulder and work for CU, Brewing Market Café Downtown and SPAN as a Youth Advisor. Her youngest son is a student at Fairview High School.</p> <p>Highlights of her education and training include a Certificate in Business Administration and Management from Universidad del Pacifico, Santiago de Chile and a BS School of Law from Universidad Catolica de Chile.</p> <p>She is personally committed to Racial Equity, Justice, Diversity and Inclusion and is eager to offer her expertise and support to the community through her participation on the Police Oversight Panel.</p>	<p>November 9th November 9, 2022 – evening interview</p> <p>Link: https://youtube.com/watch?v=1rMijhPTb4&si=EnSikalECMiOmarE</p> <p>Start – 1:13-19 End – 1:33:02</p>
<p>Madelyn Strong Woodley</p>	<p>Madelyn identifies as an African American/Black woman, and she served as one of the original members of the Boulder Police Oversight Task Force as well as the Implementation Team. Her participation allowed for contribution to the ordinance which governs the monitor and panel’s work.</p> <p>She is a longtime resident of Longmont and an active member of Second Baptist Church, Boulder as well as a Lifetime Member of the NAACP Boulder County. Her</p>	<p>November 10th November 10, 2022 – morning interview</p> <p>Link: https://youtu.be/SAzi2suyBdY</p> <p>Start – 45:01 End – 1:07:32</p>

EXHIBIT 1

Attachment A

	<p>advocacy work extends throughout the Boulder Community.</p>	
<p>Sam Zhang</p>	<p>Sam identifies as an Asian-American Man who is bi-lingual speaking English and Mandarin.</p> <p>Sam is a PhD student in Applied Mathematics at the University of Colorado, Boulder where he studies social inequality in different social systems such as academia and faculty hiring.</p> <p>He is an elected leader of the University of Colorado's employee union, United Campus Workers as well as an elected officer (Treasurer of the Local, Communications Workers of America 7799), which includes other unions such as the public defender's union and Denver Public Library workers.</p> <p>Sam founded the Boulder Data for Democracy meetup, where they consulted with the city's previous Innovation and Technology Officer around the open data available around police stops and racial bias, which helped inform recommendations the team put to Boulder City Council. Currently, Sam is a Human Rights and Data Science Fellow with the Human Rights Data Analysis Group, which does statistical research on human rights violations including from police in the U.S.</p> <p>Sam is eager to continue the work he has been doing in the activist and non-profit communities around criminal justice and more specifically looking forward to bringing his scientific and quantitative lens to the discussion on policing in Boulder.</p>	<p>November 10th November 10, 2022 – morning interview</p> <p>Link: https://youtu.be/SAzi2suyBdY</p> <p>Start – 1:46:24 End – 2:06:12</p>
<p>Lisa Sweeney-Miran</p>	<p>Lisa identifies as a white woman and grew up in Boulder where she attended school from Kindergarten through</p>	<p>November 10th November 10, 2022 – morning interview</p>

EXHIBIT 1

Attachment A

	<p>law school and then left to live overseas (Cambodia, Egypt, Iraq) before returning to Boulder in 2013 to raise her family.</p> <p>She has two children in Boulder schools who are white Jewish/Christian on her side and Iraqi Muslim on their father's side.</p> <p>Lisa runs a network of unhoused shelters in Boulder – Mother House and The Lodge – that serve unhoused women, trans folks, and their children. As part of Lisa's work, she is engaged in regular advocacy at the city, county and state level around the needs of the unhoused community.</p> <p>Lisa is the Vice President of the Boulder Valley School Board, where she worked to organize and initiate a movement in 2020 around rethinking school policing that ultimately succeeded in removing SROs from all BVSD schools and replacing them with restorative justice programs and in-house safety programs to minimize the number of students who have contact with police officers, helping to mitigate & pathways to the school-to-prison pipeline.</p> <p>Lisa is a plaintiff in the ACLU suit against the city that seeks to motivate police reform around encampment enforcement and BPD interactions with the unhoused community.</p> <p>Lisa believes police oversight is a meaningful and important part of creating a Boulder that works for everyone and wants the community to be as strong and vibrant and connected as it possibly can be for herself</p>	<p>Link: https://youtu.be/SAzi2suyBdY</p> <p>Start – 2:27:21 End – 2:46:43</p>
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EXHIBIT 1

Attachment A

	<p>and children, but also for the clients and families at Mother House and The Lodge as well as for the students and families of BVSD and other folks in the community.</p>	
<p>Mylene Vialard</p>	<p>Mylene identifies as a White Woman who is bi-lingual in French and English.</p> <p>Mylene has been a Boulder resident for the last 15 years where she has also raised her daughter in the BVSD school system.</p> <p>Over the past two years, Mylene has been an active member of the Boulder chapter of Showing Up for Racial Justice (BSURJ) where she has been delving into the intricacies of life, culture and policies in Boulder through the lens of engaged antiracism, conversations about racial justice and building relationships with accountability partners such as NAACP, Right Relationship Boulder, and other organizations in Boulder County and Denver.</p> <p>As a single mother, a freelance translator, and a concerned member of the community, Mylene feels it is her duty to be more involved in ensuring that all voices in Boulder are heard and included. She has worked for years as a cultural and language ambassador for francophone countries, but also for other countries around the world. Most recently, she has shifted her attention to a deeper level of civic and local engagement and is looking forward to bringing her experience to the panel.</p>	<p>November 10th November 10, 2022 – morning video</p> <p>Link: https://youtu.be/SAzi2suyBdY</p> <p>Start – 20:53 End – 45:00</p>
<p>Jason Savela</p>	<p>Jason Savela identifies as a white man and been a criminal defense lawyer in Boulder for 20 years. He stays up to date on newer police tactic trainings and does not</p>	<p>November 10, 2022 – morning video</p> <p>Link: https://youtu.be/SAzi2suyBdY</p>

Attachment A

	<p>feel he sees it deployed regularly enough. He believes that change will take time and effort and wants to be an active part of that change.</p> <p>Jason feels he has a positive relationship with Boulder prosecutors, judges, public defenders, and some officers. He wants to work with the panel and other players to find outcomes that are just and will foster better relationships between officers and community members. Jason's continued education over the last 10 or so years has primarily been about communication, connection, and empathy. He feels he is better able to work on this type of panel with these skills.</p> <p>Jason has lived and practiced law in the Boulder area for 20 years. Prior to law school in 1993, he lived on the Hill in Boulder for 8 months while working at a restaurant. He has also lived in many parts of the country, including growing up in South Louisiana, early years in Northern Michigan, and law school in Washington, DC. Jason has practiced law all over Colorado, with over 3 years as a Public Defender in Colorado Springs and 2 years in Adams County, including handling and trying cases in Hugo, Durango, Georgetown, Ft. Collins, Holyoke, Meeker, Greeley, Denver</p>	<p>Start – 1:29:00 End – 1:46:18</p>
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Selected Alternate Member	Bio	Interview Date & Time of Interview
1. Kristen Drybread	<p>Kristin identifies as a multi-racial and ethnic, but white presenting woman. She is bi-lingual speaking both English and Portuguese.</p> <p>She studies prisons and policing for a living and teaches a class on the history and practice of policing through</p>	<p>November 10th November 10, 2022 – morning video Link: https://youtu.be/SAzi2suyBdY Start – :04</p>

EXHIBIT 1

Attachment A

	<p>the anthropology department at CU Boulder. Kristen holds a PhD in socio-cultural anthropology from Columbia University. Her research looks specifically at the ways local understandings of race, crime, and punishment intersect to direct policing efforts towards some communities rather than others.</p> <p>Kristen has lived and worked in Boulder for seven years and is a mother of two mixed-race children who identify as Black. During part of her time living in Boulder she resided in Boulder Housing Partners' affordable housing program which has given her a first-hand perspective of living in multi-racial and ethnic community that is visited by the Boulder Police Department on a regular basis.</p> <p>She believes Boulder is an amazing place to live, but also believes that economic inequality and the relative lack of racial and ethnic diversity in the city can impose impediments to equity and inclusion.</p> <p>She is eager to help the city do its best to make all residents feel safe and welcome.</p>	<p>End – 20:44</p>
<p>2. Lizzie Friend</p>	<p>Lizzie identifies as a White/Not Hispanic or Latine Woman.</p> <p>Recently, Lizzie finished serving as the Director of Performance Management & Strategy for the Denver Sheriff Department. A role she held from 2019-July 2022 where she managed all analytics, research, strategic planning, and data reporting for the agency, including monitoring uses of force and crisis incidents within Denver jails and using data to evaluate policies affecting safety and wellbeing of individuals in custody.</p>	<p>November 10th November 10, 2022 – morning video Link: https://youtu.be/SAzi2suyBdY Start – 2:06:27 End – 2:27:05</p>

EXHIBIT 1

Attachment A

	<p>She worked extensively on implementing, tracking and evaluating reform recommendations, including those recommended by the 2020-2021 Denver Task Force to Reimagine Public Safety and Policing. Recently she has been promoted to a similar role at the Denver Department of Public Health & Environment where she now supports behavioral health programs, Denver Animal Protection, the Office of the Medical Examiner, air and water quality programs, public health investigations and citations, and the epidemiology team.</p> <p>Lizzie lives in Boulder and looks forward to bringing her experience and service to her home community.</p>	
<p>3. Arlette “AB” Barlow</p>	<p>Arlette “AB” is a transformation coach that moved to the area in 2005. Arlette has served on the Board of Directors and the Executive Committee of the Dairy Arts Center since 2019. She has also served on the Board of Trustees for the Watershed School since 2022.</p> <p>Arlette lives in the North Foothills of Boulder with her twin 13-year-old daughters and 2 dogs. She believes that a good way to be a part of her community is to support the underserved.</p>	<p>November 9th November 9, 2022-evening video</p> <p>Link: https://youtube.com/watch?v=1rMijhPTb4&si=EnSikalECMIoMarE</p> <p>Start-00:00 End-18:00</p>
<p>4. Sourisack “Sou” Luangrath</p>	<p>Sou is a Laotian and has worked in the medical field for over 15 years. Sou also has experience working with community organizations, minorities, persons with different cultural backgrounds, and sexual orientations.</p> <p>Sou grew up in a refugee community in Wisconsin and has personal experience with bias policing done to a new group of people who have just entered the United States. Sou would like to use their personal experiences to help bridge the gap between minorities and police when it comes to understanding different perspectives</p>	<p>November 9th November 9, 2022 – evening video</p> <p>Link: https://youtube.com/watch?v=1rMijhPTb4&si=EnSikalECMIoMarE</p> <p>Start – 18:12 End – 39:16</p>

EXHIBIT 1

Attachment A

	<p>and cultural differences. Sou can provide valuable insights into how the police department is run and what needs to be improved, and also has the knowledge and experience to help resolve conflicts working as a Mediator for the Turelli Foundation. Sou has experience remaining calm during highly emotionally charged situations. Sou believes that Police Oversight Panels can be a valuable tool for communities and I would like to be a part of Boulder's Police Oversight Panel.</p>	
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PROCESS FOR 2022 CITY OF BOULDER POLICE OVERSIGHT PANEL SELECTION

Application Period

Applications were available to community members via the City of Boulder website beginning Saturday, 24 September 2022. Application period closed on Friday, 14 October 2022. Paper applications were also made available at the Independent Police Monitor's office.

Number of Applications: 57 (fifty-seven, including one return applicant from 2021)

Application Review by Selection Committee

Applications and supporting materials were provided to the Selection Committee on Tuesday, 18 October 2022 via email as a single PDF of 100 pages.

Candidate review sheets were made available as a Google Form, sent to each member's email.

To facilitate review, applications were grouped in tens on each Google Form, with the exception of the last group of seven, for a total of six (6) groups.

Committee Members scored each candidate on three categories: Must-Have Criteria, Contribution of Lived Experience, Overall Candidacy. Their overall score did not have to be a mathematical average of the other two scores. Committee Members could also enter comments for each application or leave the comment section blank.

The application review criteria outlined below were based, in part, on the "must-have criteria" from the 2021 panelist selection process as well as Ordinance 8430, *Section 1, 2-11-6, (a) Qualifications*. Selection Committee Members contributed additional language and differentiation for the 2022 process.

Must-Have Criteria

Possible Scores:

5 - Possesses All Criteria

4 - Possesses Most Criteria

3 - Possesses Some Criteria

2 - Possesses Few Criteria

1 - Possesses No Criteria

■ Candidate possesses the following knowledge:

- History of policing and how it affects policing in the 2020's
- History of local and national structures of sentencing, law enforcement, and criminal justice
- Awareness of how the Police Oversight Panel came to be formed in Boulder (*i.e., knowledge of Zayd Atkinson catalyzing event*)
- Awareness of the covert and overt racism in the context of policing or overpolicing (*Boulder and nationwide*)
- Understanding of current events that may inform the conversation around policing and police

oversight

- Awareness that the mission of community-led police oversight is police accountability (*e.g., if police were reliably accountable and transparent, there would be no need for community-led police oversight groups across the country*)
- Candidate has a tangible connection to Boulder
- Candidate demonstrates being respectful of difference
- Candidate understands the need for
 - Fully attentive communication within a group setting
 - Active participation in the decision-making process that may include challenging conversations and differing opinions
 - Being able to take a stance with integrity
 - Building trusting relationships with other panel members, including the need to have conversations offline
 - Accountability to one another
- Candidate, should they not possess lived experience (*as described in the section above*), shows affinity for or engagement in
 - grassroots organizing
 - social justice work
 - anti-racism practices
- Candidate would be willing to engage in regular training and meet on a regular basis.

Contribution of Lived Experience

Possible Scores:

- 5 - *Would contribute strongly*
- 4 - *Would contribute well*
- 3 - *Would contribute moderately*
- 2 - *Would contribute somewhat*
- 1 - *Would not contribute strongly*

- Candidate holds membership in or represents one of the following communities or demographics:
 - Black, Indigenous, Latinx, Asian, Pacific Islander, Person of Color
 - Current or former experience of homelessness
 - 2SLGBTQQIA+
 - Differing abilities (*e.g., neurodiverse, physical challenges*)
 - Low socioeconomic status (*relative to majority population*)
 - Former experience of incarceration

- Candidate represents multiple communities via intersectionality

Overall Candidacy

Possible Scores:

- 5 - Fully Support
- 4 - Mostly Support
- 3 - Moderately Support
- 2 - Support with Reservation
- 1 - No Support

Selection of Interviewees

The candidacies of all 57 applications were discussed during a Zoom meeting on Sunday, 30 October 2022.

Selection Committee Members thoroughly reviewed the selection guidelines (must-haves, lived experience) before discussion commenced.

Selection Committee agreed to dismiss the bottom half of the applicant pool. For the 57 applicants, 2.75 out of 5.0 was set as the Overall cutoff score. Candidates with Overall scores of 2.74 and below would not be considered for an interview; they were, however, held in reserve if necessary.

The "top half" of the applicant pool was retained for discussion: 27 of 57 applicants (47.3%).

Every candidate was discussed in committee; no assumptions were made about automatically inviting a candidate to interview (even with 4.00+ Overall score).

Votes were tabulated as follows: YES to interview, MAYBE to interview, NO to interview. Majority votes carried decision, and notes were made for any split or dissenting votes (in case of further discussion or consideration).

Selection Committee Members decided upon a target number of interview invites based upon need and attrition. They settled upon 18-20 potential interviewees.

Interview Development and Coordination

Prior to the interview sessions, Selection Committee Members developed a set of questions that were based, in part, on the interview questionnaire from the 2021 panelist selection process.

Selection Committee Members determined that additional language would need to be added to the 2022 question set in order to evaluate potential bias, prejudice, or conflict of interest of interviewees. This mindfulness affirmed qualification criteria outlined in Ordinance 8430, *Section 1, 2-11-6, (a) Qualifications, (9), (B)*.

The revised question set (five questions) was finalized prior to the invitation of interviewees.

The list of 19 (nineteen) interviewees were sent to City of Boulder employees. Invitations were sent to the interviewees, who selected their ideal date and time.

Candidate Interviews

Interviews took place via Zoom meeting on Wednesday, 09 November and Thursday, 10 November. Due to a family emergency, one interview was rescheduled for Sunday, 20 November.

Each interview lasted 20 minutes and was recorded for City of Boulder archival purposes. [Recordings available [here](#).] Candidates were asked five questions, as determined by Selection Committee Members. Each set of interview questions were identical to assure consistency.

Selection of Panelists and Alternates

Final selection of panelists and alternates was conducted via Zoom meetings on Thursday, 10 November and Sunday, 20 November 2022.

Selection Committee Members strived to choose individual panelists from amongst the 17 interviewees who:

- Confirmed, in their interview, the must-have and lived experience criteria present in their application
- Presented no bias or conflict of interest that would disqualify them from selection
- Would potentially provide balance in terms of strengths and areas of growth (to each other and to current panelists)
- Would keep the well-being of the community of the city of Boulder at the forefront of their work

In round-robin fashion, each Committee Member offered their “top choice” panelist to the group. The remaining Members affirmed or declined the choice with the same YES/Maybe/NO voting as during interviewee selection. First round voting yielded four panelists with unanimous YES votes.

Once all Committee Members offered their top choice, a second round of offerings and voting occurred, and two additional panelists were confirmed with unanimous YES votes. Second round voting concluded with the discussion of possible alternates.

The final round of voting consisted of the discussion of interviewees who had little support among the Committee Members.

From the 17 interviews conducted on 9 and 10 November, the Selection Committee identified 6 (six) Panelists and 4 (four) Alternates.

After the final candidate interview took place on 20 November (*rescheduled from 10 November*), the Selection Committee reconvened via Zoom meeting to discuss the entire roster of 18 interviewees and to confirm the identification of Panelists and Alternates.

When one Alternate withdrew their candidacy, another Alternate with favorable support was selected.

Final Considerations

Per the request from City Council on 15 December 2022, Selection Committee Members revisited the suggested slate of candidates to ensure that each candidate was evaluated against all criteria outlined within Ordinance 8430.

Selection Committee reconvened on 19 December via Zoom meeting to discuss the request. The City Manager and a representative from the City Attorney’s Office were present.

The week of 19 December, each Selection Committee Member reviewed the public comments that were submitted to Council prior to their 15 December session.

After thorough review, the Selection Committee reaffirmed the original, final selection of six Panelists and four Alternates for the City of Boulder Police Oversight Panel.

Demographics of APPLICANTS

Applicants 57

Overall 2.75+	27	47.3%	<i>approx top half</i>
Overall 2.50-	30	52.7%	<i>approx bottom half</i>
Must-Have 2.75+	26	45.6%	<i>approx top half</i>
Must-Have 2.50-	31	54.4%	<i>approx bottom half</i>
Lived Exp 2.75+	27	47.3%	<i>approx top half</i>
Lived Exp 2.50-	30	52.7%	<i>approx bottom half</i>
Asian/Pacific Islander	6	10.5%	
Black/African American	6	10.5%	
Latine	3	5.2%	
Multiracial/Biracial	3	5.2%	
Unknown	8	14.0%	<i>("name of city of residence"/"other"/"US Citizen")</i>
White	33	57.9%	<i>("Caucasian")</i>

59 (count) (will not equal 100%)

Women	25	43.9%	<i>("Female"/"F"/"She/Her")</i>
Men	32	56.1%	<i>("Male")</i>
Nonbinary/GNC	0	0.0%	

Multilingual Yes	15	26.3%	
w/ African Language	1		
w/ Asian Language	2		
w/ Other European	1		
w/ Other Romance	4		
w/ Spanish	8		
w/ Unknown	1		

17 (count)

Multilingual No 42 73.7%

Demographics of INTERVIEWEES

Interviewees	19		
Interviews Completed	18	94.7%	
Interview No-Show	1	5.3%	
		of interviewees	of applicant group (27)
Must-Have 2.75+	17	89.5%	65.4%
Must-Have 2.50-	2	10.5%	6.5%
		of interviewees	of applicant group (27)
Lived Exp 2.75+	14	73.7%	51.2%
Lived Exp 2.50-	5	26.3%	16.7%
		of interviewees	of applicant group
Asian/Pacific Islander	4	21.1%	66.7%
Black	5	26.3%	83.3%
Latine	2	10.5%	66.7%
Multiracial/Biracial	2	10.5%	66.7%
Unknown	1	5.3%	12.5%
White	6	31.6%	18.2%
	<i>20 (count)</i>		<i>(will not equal 100%)</i>
		of interviewees	of applicant group
Women	14	73.7%	56.0%
Men	5	26.3%	15.6%
Nonbinary/GNC	0	0.0%	0.0%
		of interviewees	of applicant group
Multilingual Yes	6	31.6%	40.0%
w/ African Language	0		
w/ Asian Language	2		
w/ Other European	0		
w/ Other Romance	2		
w/ Spanish	2		
w/ Unknown	1		
	<i>7 (count)</i>		

EXHIBIT 1

Attachment B-Process for 2022 BPOP Selection

Multilingual No

13

68.4%

31.0%

Demographics of PANELISTS

Panelists	6	
Overall 2.75+	6	
Overall 2.50-	0	
Must-Have 2.75+	6	
Must-Have 2.50-	0	
Lived Exp 2.75+	6	
Lived Exp 2.50-	0	
Persons of Color	5	83.3%
Asian/Pacific Islander	1	
Black	2	
Latine	2	
Multiracial	0	
Unknown	0	
White	1	
Women	5	83.3%
Men	1	
Nonbinary/GNC	0	
2SLGBTQQA+	Unknown	
Multilingual Yes	2	33.3%
Multilingual No	4	

Demographics of ALTERNATES

Alternates		Alternates	
First Selection	4	Second Selection	4
Overall 2.75+	4	Overall 2.75+	4
Overall 2.50-	0	Overall 2.50-	0
Must-Have 2.75+	4	Must-Have 2.75+	4
Must-Have 2.50-	0	Must-Have 2.50-	0
Lived Exp 2.75+	3	Lived Exp 2.75+	3
Lived Exp 2.50-	1	Lived Exp 2.50-	1
Asian/Pacific Islander	1	Asian/Pacific Islander	0
Black	0	Black	0
Latine	0	Latine	0
Multiracial	2	Multiracial	1 (-1)
Unknown	0	Unknown	1 (+1)
White	2	White	2
Women	4	Women	3 (-1)
Men	0	Men	1 (+1)
Nonbinary/GNC	0	Nonbinary/GNC	0
2SLGBTQQA+	Unknown	2SLGBTQQA+	Unknown
Multilingual Yes	2	Multilingual Yes	2
Multilingual No	2	Multilingual No	2



CITY COUNCIL MEETING

Council Chambers

Tuesday, December 15, 2022

MINUTES

1. Call to Order and Roll Call:

Mayor Brockett called the meeting to order at 6:03 p.m.

Council Members present: Benjamin, Brockett, Folkerts, Friend, Joseph, Speer, Wallach, Winer, and Yates

Present Virtually: Folkerts

- A. **National Homeless Persons' Memorial Day** Declaration to be presented by Council Member Rachel Friend
- B. Consideration of a motion to **approve the election returns from the 2022 Coordinated Special Municipal Election** held on November 8, 2022

Elesha Johnson, City Clerk, provided a presentation on the steps for this process.

Council Member Benjamin made a motion for the entire City Council to convene as the General Canvassing and Election Board. Council Member Friend seconded the motion. The motion was carried 9:0.

EXHIBIT 2

Elesha Johnson, City Clerk, took the official roll call of the General Canvassing and Election Board. All 9 members were present.

The oath was read aloud by the City Clerk to the board. All board members raised their right hand and provided a verbal “I do”.

Council Member Yates, nominated Mayor Brockett, to serve as the chair. Council Member Wallach seconded the motion. Motion carried 9:0.

The 2022 election returns were provided on the screen and read aloud to Council by the City Clerk.

Council member Winer made a motion to approve the election returns for the City of Boulder 2022 Coordinated Special Municipal Election held on November 8, 2022 and to adjourn the General Canvassing and Election Board and to reconvene as the Boulder City Council. Friend seconded the motion. The motion carried 9:0.

2. **Open Comment:**

(Public comments are a summary of actual testimony. Full testimony is available on the council web page at: <https://bouldercolorado.gov/city-council> > Watch Live or Archived Meetings.)

Open Comment **opened** at 6:15 p.m.

➤ **In-Person (Council Chambers):**

1. Ann Tsay spoke on land use and affordable housing
2. David Hsu spoke on land use and BVCP
3. Travis Culley spoke on Marshall Fire Learning
4. Evan Ravitz spoke on various
5. Susan Lythgoe spoke on BVSP Annexation
6. Alex Cassidy spoke on the 6500 Arapahoe Annexation
7. ~~Bill Platts~~ - *moved to virtual*
8. Joe Prizio spoke on Modular Home Factory

➤ **Virtual**

1. —~~Kathy Pahler~~ - withdrew
2. Sammie Lawrence IV spoke on Zayds sacrifice
3. Chuck Hardesty spoke on the 6500 Arapahoe Annexation
4. Lynn Segal spoke on Catalytic converters
5. Jennifer Rhodes spoke on the police oversight panel
6. Eric Budd spoke on the police oversight panel
7. Carol McCasland spoke on the Sombrero Marsh Annexation
8. Bill Platts spoke on the Modular Factory at Sombrero Marsh

Open Comment **closed** at 6:49 p.m.

3. **Consent Agenda**

- A. Consideration of a motion to **accept the September 1, 2022 Regular Council Meeting Minutes**
- B. Consideration of a motion to **accept the September 15, 2022 Regular Council Meeting Minutes**
- C. Consideration of a motion to **accept the October 6, 2022 Regular Council Meeting Minutes**
- D. Consideration of a motion to **accept the summary of the November 10, 2022 Study Session Summary** regarding P&DS Council Priority Project Scheduling and Work Planning
- E. Consideration of a motion to **approve Selection Committee recommendations for members of the Police Oversight Panel**, as outlined in Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details

A motion was made and seconded to remove this item from the Consent Agenda and defer back to the selection committee for further review of

the application criteria and applicants. Item to be rescheduled for a later meeting.

- F. Introduction, **first reading**, and consideration of a motion to order published by title only **Ordinance 8565** amending Section 10-10-2, **“Adoption of the International Plumbing Code with Modifications,”** and Chapter 11-3, **“Industrial and Prohibited Discharges,”** B.R.C. 1981, to comport with state and federal laws; and setting forth related details
- G. Introduction, **first reading** and consideration of a motion to order published by title only and **adopt by emergency measure Ordinance 8566 adopting Supplement 153** which codifies previously adopted ordinances and Appendix Council Procedures as amendments to the Boulder Revised Code, 1981; and setting forth related details

Motion	Made By/Seconded	Vote
Motion to PASS consent agenda items A-G except item E with the direction to have a discussion immediately after on item E.	Yates / Winer	Carried 9:0

Aimee Kane, Equity Officer, answered questions from Council regarding item 3E.

Council member Friend made a motion to refer **item 3E** back to the selection committee for further review of the all applicants or all recommended panelist under code criteria that are required to be appointed and eligible for the panel with guidance from the City Attorney’s office and with explanations or certification explaining the steps that were taken in writing. Council member Wallach seconded the motion. The motion carried 9:0.

4. **Call-Up Check-In**

- A. **Landmark Alteration Certificate application** to add new storefront window openings, exterior patios, awnings, and paint at **1346 Pearl St**

NO ACTION

- B. **Three-year Extension of Development Approval for Site & Use Review application** nos. LUR2016-00051 and LUR2016-00052 for redevelopment of the site located at **4750 Independence Rd. (formerly addressed as 3365 Diagonal Hwy.)** with a 138 room, three-story, 35-foot tall, Holiday Inn Express hotel

NO ACTION

5. **Public Hearings**

- A. **Continued consideration** of the following items related to a **petition to annex a property** generally located at **6500 Arapahoe Road** with an initial zoning of Public (P) (LUR2021-00032):

(A) Annexation of Westerly Portion:

(1) Consideration of a motion to **adopt Resolution 1317 setting forth Findings of Fact and Conclusions** regarding the annexation of the westerly 19.097-acre portion of the property generally located at 6500 Arapahoe Road;

AND

(2) **Second reading** and consideration of a motion to adopt **Ordinance 8550 annexing to the City of Boulder the westerly 19.097-acre portion** of the property with an initial zoning classification of Public (P) as described in Chapter 9-5, “Modular Zone System,” B.R.C. 1981; amending the Zoning District Map forming a part of said Chapter to include the property in the above-mentioned zoning district; and setting forth related details.

AND, IF ORDINANCE 8550 IS ADOPTED:

(B) Annexation of Easterly Portion:

(1) Consideration of a motion to **adopt Resolution 1322** setting forth Findings of Fact and Conclusions regarding the annexation of the easterly 28.882-acre portion of the property generally located at 6500 Arapahoe Road;

AND

(2) **Second reading** and consideration of a motion to adopt **Ordinance 8553 annexing to the City of Boulder the easterly 28.882-acre portion** of the property with an initial zoning classification of Public (P) as described in Chapter 9-5, “Modular Zone System,” B.R.C. 1981; amending the Zoning District Map forming a part of said Chapter to include the property in the above-mentioned zoning district; and setting forth related details.

AND, IF ORDINANCES 8550 AND 8553 ARE ADOPTED:

(C) Consideration of a motion to **approve an Intergovernmental Agreement (IGA)** between the **City of Boulder and Boulder Valley School District No. RE-2**, in substantially the same form as provided in the attachment to the staff memo for the **purpose of constructing an affordable housing modular factory** and authorize the city manager to execute such IGA and any and all additional documents and/or agreements necessary to affect this transaction.

The public hearing for this agenda item was closed.

Shabnam Bista, Senior Planner, provided a presentation and answered questions from Council.

Jay Sugnet, Housing Senior Manager, and Dan Burke, Director of Open Space and Mountain Parks answered questions from Council.

Motion	Made By/Seconded	Vote
<p>Motion to declare that it is council’s desire that the City will mitigate potential impacts on neighboring properties and during the operation of the Affordable Housing Modular Factory and will:</p> <ul style="list-style-type: none"> • strive to eliminate all traffic along 63rd street but ensure that factory 	<p>Brockett / Benjamin</p>	<p>Carried 9:0</p>

<p>deliveries on 63rd Street will in no case exceed 10 per month.</p> <ul style="list-style-type: none"> • to the extent reasonably feasible, implement noise reduction recommendations by the acoustical engineer in the design and operation of the Factory. • work with the Open Space and Mountain Parks department to have ongoing enhanced monitoring of potential impacts on wildlife and water quality at Sombrero Marsh and, • have a check in on operations of the facility 1 year after commencement of operations that includes neighborhood outreach. <p>This is contingent on approval of the annexation</p>		
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--

Motion	Made By/Seconded	Vote
<p>Motion to adopt Resolution 1317 setting forth Findings of Fact and Conclusions regarding the annexation of the westerly 19.097-acre portion of the property generally located at 6500 Arapahoe Road</p>	<p>Benjamin / Friend</p>	<p>Carried 9:0</p>
<p>Motion to adopt Ordinance 8550 annexing to the City of Boulder the westerly 19.097-acre portion of the property generally located at 6500 Arapahoe Road with an initial zoning classification of Public (P) as described in Chapter 9 5, “Modular Zone System,” B.R.C. 1981; amending the Zoning District Map forming a part</p>	<p>Benjamin / Winer</p>	<p>Carried 9:0</p>

<p>of said Chapter to include the property in the above-mentioned zoning district; and setting forth related details</p>		
<p>Motion to adopt Resolution 1322 setting forth Findings of Fact and Conclusions regarding the annexation of the easterly 28.882-acre portion of the property generally located at 6500 Arapahoe Road</p>	<p>Benjamin / Wallach</p>	<p>Carried 9:0</p>
<p>Motion to adopt Ordinance 8553 annexing to the City of Boulder the easterly 28.882-acre portion of the property generally located at 6500 Arapahoe Road with an initial zoning classification of Public (P) as described in Chapter-9-5, “Modular Zone System,” B.R.C. 1981; amending the Zoning District Map forming a part of said Chapter to include the property in the above-mentioned zoning district; and setting forth related details</p>	<p>Benjamin / Friend</p>	<p>Carried 9:0</p>
<p>Motion to approve an Intergovernmental Agreement (IGA) between the City of Boulder and Boulder Valley School District No. RE-2, in substantially the same form as provided in the attachment to the staff memo for the purpose of constructing an affordable housing modular factory and authorize the city manager to execute such IGA and any and all additional documents and/or agreements necessary to effect this transaction</p>	<p>Benjamin / Friend</p>	<p>Carried 9:0</p>

- B. **Second reading** and consideration of a motion to adopt **Ordinance 8556, amending Title 9, “Land Use Code,”** B.R.C. 1981, to **update the use table and use standards** related to industrial uses and districts and setting forth related details

Brad Mueller, Planning and Development Director, introduced the item.

Lisa Houde, City Senior Planner and Karl Guiler, Senior Policy Advisor, provided a presentation and answered questions from Council.

The public hearing **opened** at 9:23 p.m. and the following spoke:

➤ **In-Person:**

1. David Ensign
2. Stephen Eckert
3. Jonathan Singer
4. Jennifer Rhodes

➤ **Virtual:**

1. Lynn Segal
2. Kelsey Hunter
3. ~~Jennifer Rhodes~~ – *moved to in-person*
4. Rosie Fivian
5. Marc Painter
6. Jordan Bunch

The public hearing **closed** at 9:50 p.m.

Hella Pannewig, Senior Attorney, and answered questions from Council.

Brad Mueller, Planning and Development Director answered questions from Council.

Motion	Made By/Seconded	Vote
Motion to CONTINUE Ordinance 8556, amending Title 9, “Land Use Code,” B.R.C. 1981, to update the use table and use standards related to industrial uses and districts to the January 19th meeting.	Brockett / Friend	Carried 9:0

6. **Matters from the City Manager**

7. **Matters from the City Attorney**

8. **Matters from the Mayor and Members of Council**

A. Check-in on **Council Committee Assignments**

Mayor Brockett proposed that Council Members indicate changes they wish to be made to the current assignments.

Teresa Taylor Tate clarified that there is no term limit on Council Committees.

B. Discussion on **Potential Selection Criteria for the Library District Board of Trustee Selection Committee**

Council Member Benjamin outlined the reason for bringing this item forward and offered proposed criteria.

9. **Discussion Items**

Council Member Friend wanted to bring forth the issue of speakers not speaking at the appropriate time on the agenda and possibly adding the Police Oversight Panel amendments to the Council workplan.

She also noted that speakers are mentioning issues with HOTLINE.

Nuria Rivera-Vandermyde, City Manager addressed Council on the status of Council Member Friend’s concerns.

10. Debrief

11. Adjournment

There being no further business to come before Council at this time, by motion regularly adopted, the meeting was **adjourned by Mayor Brockett at 10:49 p.m.**

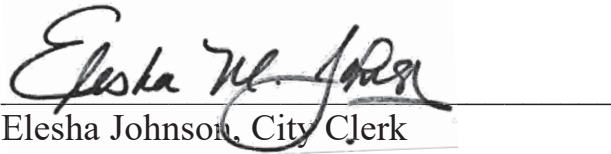
Approved this 16th day of February 2023.

APPROVED BY:



Aaron Brockett, Mayor

ATTEST:



Elesha Johnson, City Clerk

Police Oversight Panel Interview Questionnaire 2022

1. What do you think the police oversight panel is and does? Why do you think the oversight panel is necessary in our community? – Ana
2. What is your direct experience with law enforcement? And what is your perception of law enforcement today? – Jude
3. Please share a time when you challenged a situation. How did you deal with the blowback of being in the hot seat?– Martha
4. Share a time when you utilized self-identified strengths and have been hindered by your areas of development in a similar situation the work you may do on this Police Oversight Panel?
5. Are you still willing to dedicate approximately 15 hours of service per month to the work of the Police Oversight Panel? - Ana

EXHIBIT 4

From: [Kane, Aimee](mailto:Kane.Aimee)
To: clay.douglas@comcast.net
Subject: FW: Council referral back to selection committee
Date: Friday, February 24, 2023 4:02:00 PM
Attachments: [image.png](#)

From: Rivera-Vandermyde, Nuria <Rivera-VandermydeN@bouldercolorado.gov>
Sent: Monday, December 19, 2022 10:37 AM
To: SHAWN RAE PASSALACQUA <shawnrae@empathyadmissions.com>; Holt, Sarah <HoltS@bouldercolorado.gov>; sacoholt <sacoholt@gmail.com>; King, Victor <KingV@bouldercolorado.gov>; victormacking@gmail.com; Jude Landsman <econopps.naacpbouldercounty@gmail.com>; Ana Casas <ana@elcentroamistad.org>
Cc: Kane, Aimee <KaneA@bouldercolorado.gov>; Tate, Teresa <TateT@bouldercolorado.gov>
Subject: Council referral back to selection committee

Dear Selection Committee members-

First, let me thank you for your service. I know you have spent a lot of time already reviewing candidate submissions prior to moving forward your recommendations for approval by City Council and your time and effort are greatly appreciated.

In advance of last Thursday's city council meeting, Council members received numerous emails providing input about the nominations. Staff is working to compile those communications and will be sending those to you by end of day today. Council members acknowledged these inquiries at the last council meeting and had questions about the process by which the Selection Committee evaluated each candidate. Consequently, City Council passed the following motion language: *To refer Consent Agenda Item 3E back to the Selection Committee to relook at all applicants or all recommended panelists under code criteria that are required to be appointed and eligible for this panel with guidance from the City Attorney's Office and with explanations or certifications explaining the steps that were taken, in writing.* That meeting can be seen [here](#).

Boulder Revised Code 2-11-6 states in pertinent part:

"(9) Members of the police oversight panel shall be volunteers who, immediately prior to appointment, shall demonstrate:

1. Strong ties to the city of Boulder. This may include, but is not limited to, residency, employment in the City, or having children enrolled in schools located in the City;
2. An absence of any real or perceived bias, prejudice or conflict of interest;
3. An ability to build working relationships and communicate effectively with diverse groups; and
4. A commitment to the purposes of this chapter.

(10) The nomination committee will strive to include people identifying as a person of color, notably African American, Latinx, Asian and/or Indigenous, as at least half of the members of the police oversight panel. Preference will be given to individuals who are multilingual. In addition, the

EXHIBIT 4

selection committee will strive to include a person with a disability, a person experiencing homelessness or having such lived experience, a person identifying as LGBTQ+, and a person who has experienced incarceration.

(11) Members of the police oversight panel shall neither be a current City employee nor an immediate family member of a current City employee.”

Importantly, the above motion leaves to your discretion whether to confirm that all applicants, regardless of whether they were nominated to serve as panelists, were evaluated by all of the above-mentioned code criteria or whether the Selection Committee wants to focus on the 6 recommended panelists. The direction provided by City Council also asks that the Selection Committee provide an explanation of the steps by which they evaluated each applicant or recommended panelists in writing. In consultation with the City Attorney’s Office, we want to make clear that the individual deliberations on the merits of each candidate are not being asked for, but rather we understand the motion to ask for confirmation on the steps taken to evaluate the applicants against code criteria.

Again, I want to clarify this is not a request for the details of your confidential deliberations and the City Attorney will be available to provide legal guidance. If you need additional support from the city, please don’t hesitate to let me know.

We defer to you on how you’d like to reconvene to discuss this request though note we are hoping to bring this item forward again to council at the January 19, 2023 meeting. Again, thank you for your service in this regard and we look forward to moving this item forward as quickly as we can.

Nuria Rivera-Vandermyde

City Manager

(pronouns: she/her/ella) [What's This?](#)



O: 303-441-3090

riveravandermyden@bouldercolorado.gov

City Manager's Office

1777 Broadway | Boulder, CO 80302

EXHIBIT 4

BoulderColorado.gov

The City of Boulder acknowledges the city is on the ancestral homelands and unceded territory of Indigenous Peoples who have traversed, lived in and stewarded lands in the Boulder Valley since time immemorial. Those Indigenous Nations include the: Di De'i (Apache), Hinono'eiteen (Arapaho), Tsistsistas (Cheyenne), Nąmąnąą (Comanche), Kiowa, Čariks i Čariks (Pawnee), Sosonih (Shoshone), Oc'eti S'akowin (Sioux) and Núuchiu (Ute). We recognize that those now living and working on these ancestral lands have a responsibility to acknowledge and address the past and must work to build a more just future. [Read our full staff land acknowledgement.](#)

EXHIBIT 5

From: [Kane, Aimee](#)
To: [olt, ara King, ictor Ana Casas, ude andsman, AW, A PA, A AC, A](#)
c: [i era, andermyde, uria, ate, eresa](#)
Subject: Public Comment - mails to Council
Date: Monday, December 13, 2022 12:43:00 PM
Attachments: [P_P applicant emails from community members.pdf](#)

Good evening selection committee,

Thank you for your patience while city staff pulled the above information together.

I am attaching the public comment emails that were sent to council regarding the panel candidate selections. We only included unique emails as some individuals chose to send each council member individual, but duplicative, emails. Should you want them all, we would be happy to forward.

Also, please note to the panel that in some of the emails you just see an outline where an image would be. The only way the communications team could get the image to appear within the email in a PDF was to print in a way that my name appeared on the top of every email which seemed weird, so each email was saved as a PDF and then they went back and pulled all of the images. Many were duplicates so she only pulled once. They are all within the document just not right with each email.

I will work to update the memo to council tomorrow after receiving final direction for the selection committee and the process summary from Shawn Rae. The memo will be sent to council in advance of the January 19th meeting.

I appreciate everyone's time and energy throughout this process.

In Gratitude and Service,

Aimee Kane

Equity Officer

(pronouns: she/her/hers) [What's This?](#)

C: 720-315-4933

kanea@bouldercolorado.gov

City Manager's Office

1777 Broadway | Boulder, CO 80302

BoulderColorado.gov

The City of Boulder acknowledges the city is on the ancestral homelands and unceded territory of Indigenous Peoples who have traversed, lived in and stewarded lands in the Boulder Valley *since time immemorial*. Those Indigenous Nations include the: Di De'i (Apache), Hinono'eiteen (Arapaho), Tsistsistas (Cheyenne), Nəmənən (Comanche), Kiowa, Čariks i Čariks (Pawnee), Sosonih (Shoshone), Oc'eti S'akowin (Sioux) and Núuchiu (Ute). The City of Boulder recognizes that those now living and working on these ancestral lands have a responsibility to acknowledge and address the past and must work to build a more just

EXHIBIT 5

future. [Read our full staff land acknowledgement.](#)

EXHIBIT 6

From: [Kate Lacroix](#)
To: [James Oates](#), [Robert Oates](#), [Eresa Oseph](#), [Lynnie Wallace](#), [Mark Benjamin](#), [Matt E. Friend](#), [Michael Rockett](#), [Aaron Lira](#), [Anders Myde](#), [Lauria Winer](#), [Ara Folkerts](#), [Auren Peer](#), [Icicle](#)
Cc: [Lerold Maris](#)
Subject: Potential PAM M
Date: Wednesday, December 4, 2022 10:00 AM
Attachments: [Lisa misunderstands tanks.png](#)
[Cops aren't workers.png](#)
[Abolition.png](#)
[Lisa on police 2.png](#)
[Lisa on drugs.png](#)
[Justification for attacking people.png](#)

Internal Sender

Dear City Council,

This letter will be short and sweet. Lisa Sweeney-Miran has no place on the BPD Police Oversight Panel.

Attached are some (now deleted) Twitter screenshots that she posted earlier this year. One of the qualifications to be on this committee is that you must be free of bias. In this regard, she does not even make it out of the gate.

Conspicuously absent from her very active Twitter feed is ever telling the BPD that they did a good job this year with all the BVSD-related police matters including but not limited to the NVHS evacuation; the Fairview threat; and the Casey Middle School expulsion.

She's an abolitionist, an ideologue, and she does not play well with others.

Having her on this oversight panel would be like having an arsonist in the fire department.

Best,
Kate Lacroix

EXHIBIT 6



EXHIBIT 6

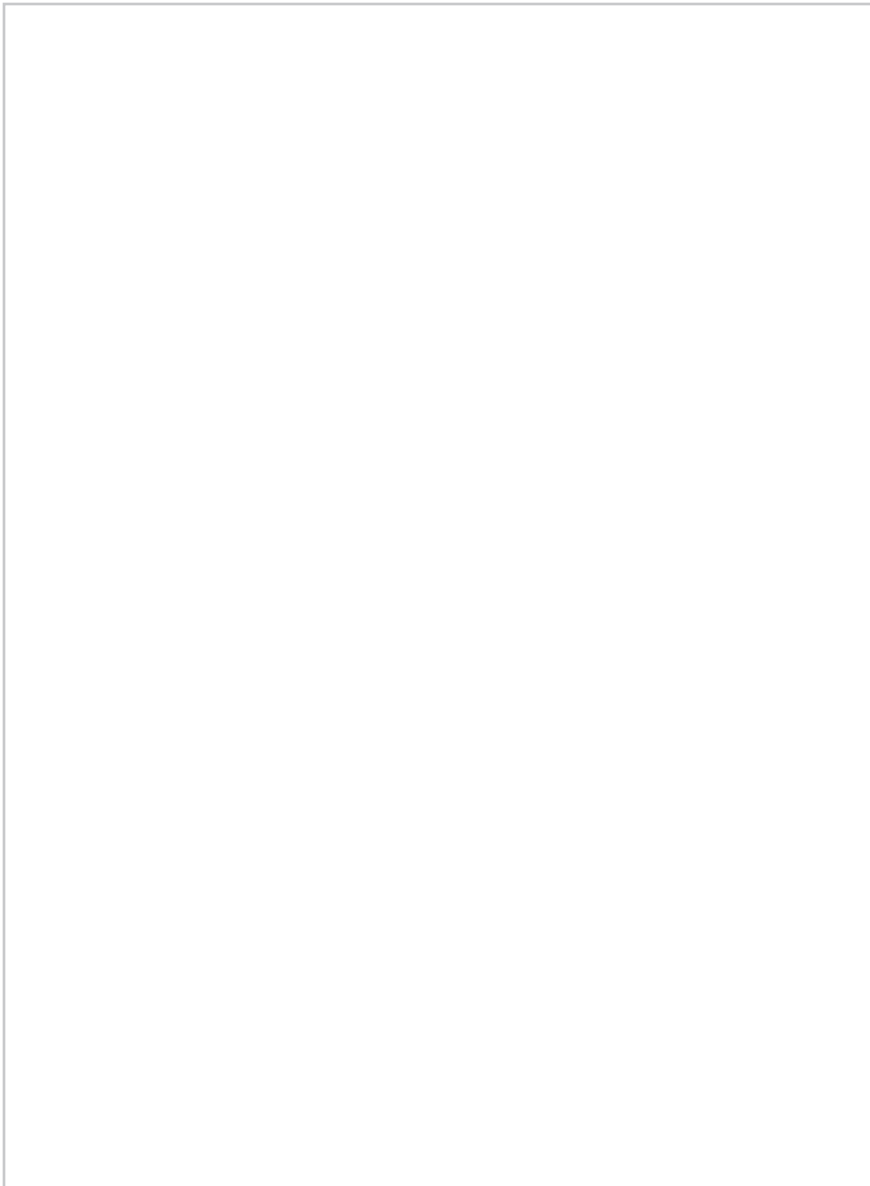


EXHIBIT 6

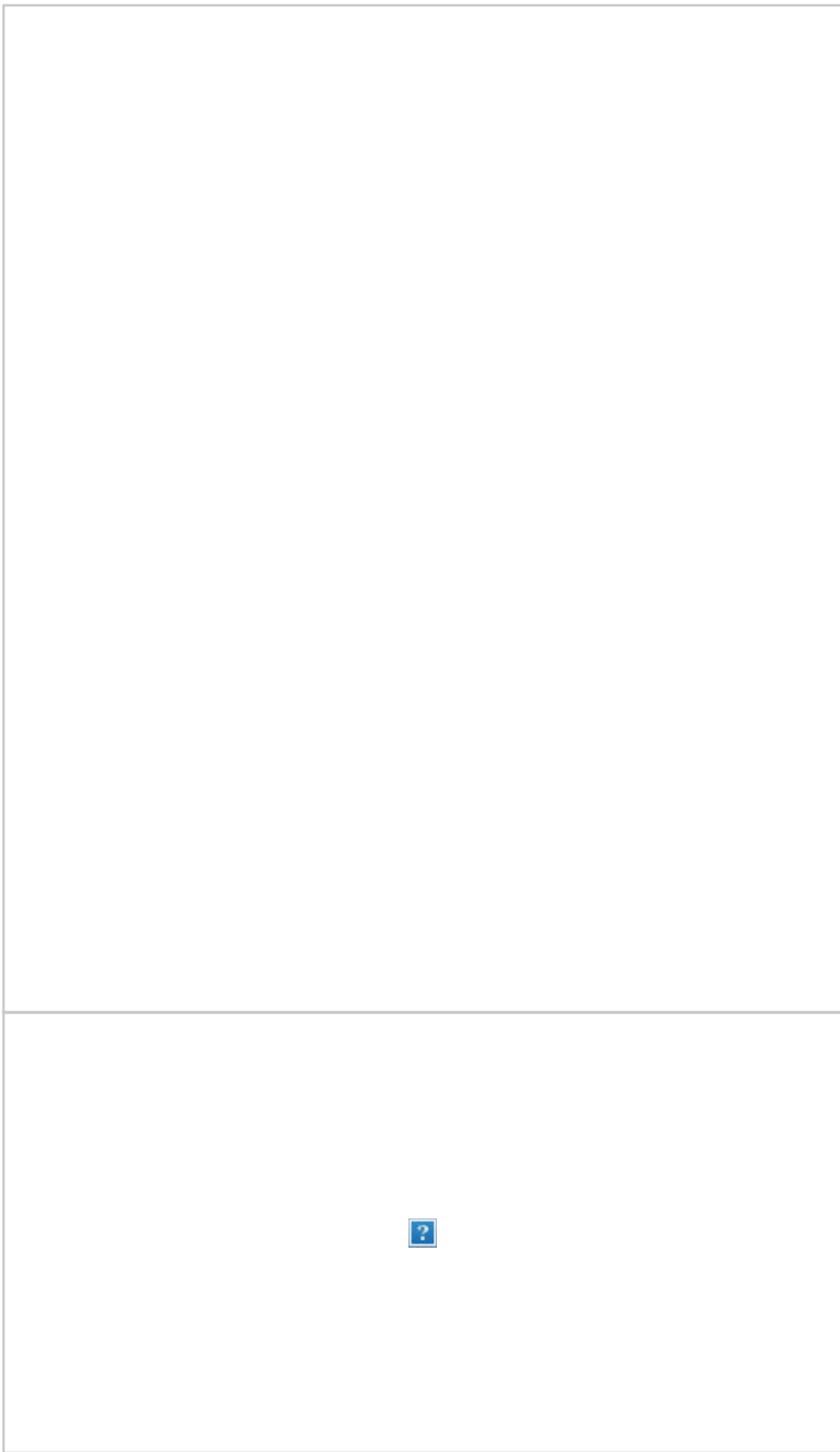
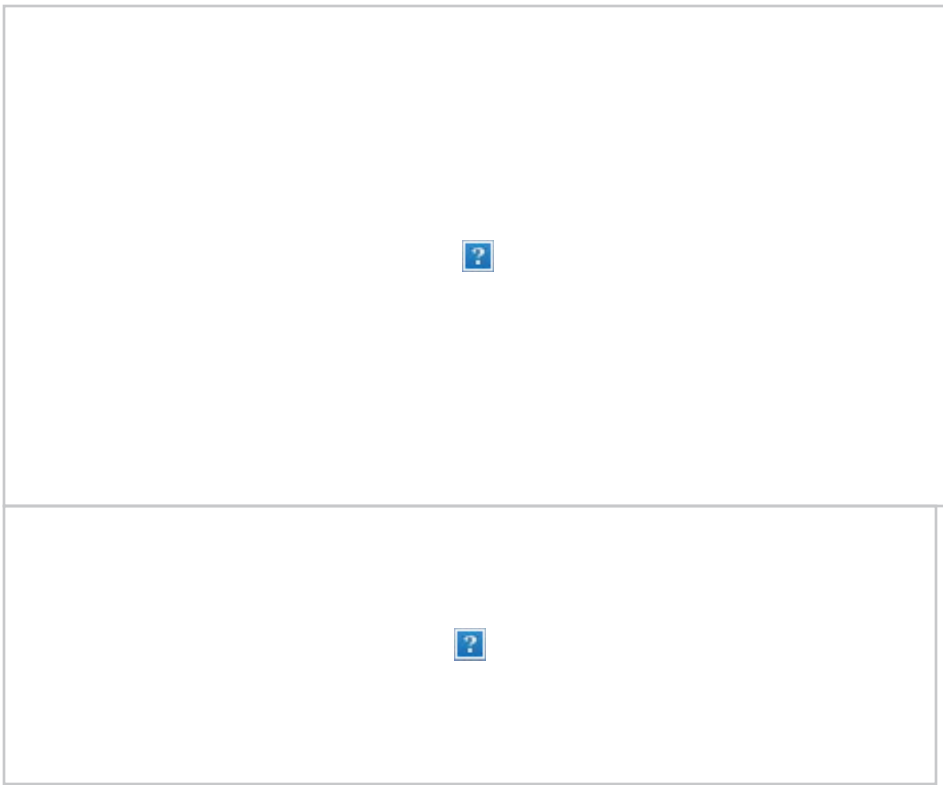


EXHIBIT 6



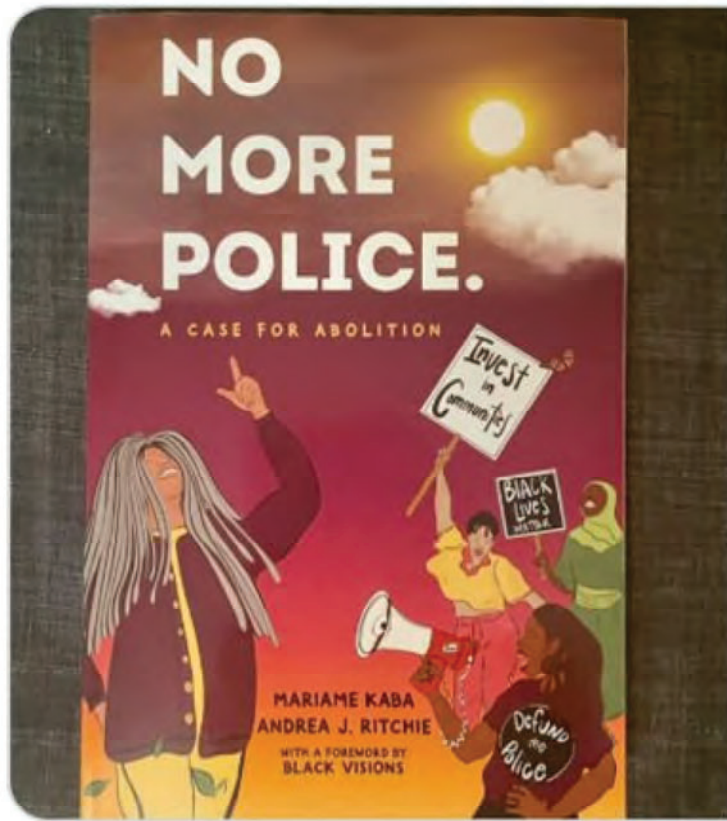


Lisa Sweeney-Miran

@LSweeneyMiran



Got my copy of **No More Police: A Case For Abolition** just in time to set it aside for tonight's Boulder City Council discussion on policing the unhoused. Can't wait to dig in more - so far every page is 🔥. Incredible work from [@prisonculture](#) and [@dreanyc123](#)! Get yours today.



ism. Similarly, cops who consistently claim "self-defense" when they kill, regardless of the circumstances, are routinely given a pass. In a notorious example, one of the cops who killed Amadou Diallo in the vestibule of his own home in the Bronx—claiming he did so because he mistook the wallet Diallo pulled out to comply with cops' demand for ID for a weapon—was acquitted of all charges at trial and then promoted.⁴⁵ Meanwhile, as documented by Survived and Punished, an organization Mariame co-founded, survivors of violence are often criminalized for killing in self-defense.⁴⁶ Once again, rather than painting an accurate picture of violence, crime rates describe and enforce a stratified relationship to power.

Cops Control Crime Rates

Beyond the fact that crime itself is a political construct, crime rates only reflect violations of the law that: (1) people have reported to police; (2) police choose to report; and (3) have resulted in an arrest.⁴⁷ In the summer of 2020, the Research and Evaluation Center at John Jay College of Criminal Justice convened a panel of experts in the fields of criminology, social and behavioral sciences, public health, epidemiology, law, and public policy to study and summarize research on ending violence without police. Their final report confirmed that reliance on crime data based solely on reports to or by police "is wholly insufficient if the goal is to prevent and reduce community violence." They go on to explain:

For one, most violent acts are not measurable with police data because they are never reported to police. Not only do conventional definitions of violence fail to capture half of all violence

7:42 PM · Sep 1, 2022 · Twitter for iPhone

15 Retweets 2 Quote Tweets 70 Likes



EXHIBIT 6

From: [iles_roug_ton](#)
 To: [en_amin, Matt_e_rockett, Aaron_Folkerts, auren_Friend, ac_el_osep, unie_peer, icole_Wallac](#),
[Mark_Winer, ara_ates, ob](#)
 c: [i_era_andermeye, uria](#)
 Subject: Boulder Ordinance 430 Police Oversight Panel Appointments
 Date: Wednesday, December 4, 2022 12:00 PM
 Attachments: [2022_2_4_32_33_pg](#)
[creens_of_2022_2_4_2_00_C_rome_pg](#)
[creens_of_2022_2_4_30_3_C_rome_pg](#)
[creens_of_2022_2_4_30_4_C_rome_pg](#)
[creens_of_2022_2_4_33_43_C_rome_pg](#)
[creens_of_2022_2_4_344_C_rome_pg](#)
[creens_of_2022_2_4_3_43_C_rome_pg](#)
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terna_ender

Council Members:

Re: Police Oversight Panel Nomination/Appointment – Lisa Sweeney-Miran

For your reference and reminder, excerpted below is part 9 of Section 2-11-6 of City of Boulder Ordinance 8430.

2-11-6. Police Oversight Panel - Qualifications and Appointments. (a) Qualifications.

9) Members of the police oversight panel shall be volunteers who, immediately prior to appointment, shall demonstrate: (A) Strong ties to the city of Boulder. This may include, but is not limited to, residency, employment in the City, or having children enrolled in schools located in the City; (B) An absence of any real or perceived bias, prejudice or conflict of interest; (C) An ability to build working relationships and communicate effectively with diverse groups; and (D) A commitment to the purposes of this chapter

Additionally, excerpted below is information quoted directly from Consent Agenda Item 3E: Selection Committee (Nominee Bio section)

1. Lisa is a plaintiff in the ACLU suit against the city that seeks to motivate police reform around encampment enforcement and BPD interactions with the unhoused community.
2. Lisa runs a network of unhoused shelters in Boulder – Mother House and The Lodge – that serve unhoused women, trans folks, and their children. As part of Lisa’s work, she is engaged in regular advocacy at the city, county and state level around the needs of the unhoused community

Comment related to #1: Participation in an ongoing lawsuit against BPD might reasonably be perceived as a conflict of interest which could lead to the inability to address matters coming before the BPD Oversight Panel in an unbiased manner.

EXHIBIT 6

Comment related to #2: A real or perceived conflict of interest may exist with a nominee who runs a network of unhoused shelters in Boulder (source of employment and income).

Also attached for your reference are screenshots from Ms. Sweeney-Miran's existing Twitter account. These screenshots could reasonably raise questions regarding Ms. Sweeney-Miran's ability to approach issues that may come before the BPD Oversight Panel in a manner that would be free of bias and prejudice as outlined in the "Qualifications" section above. References to BPD as "sirens and fear and brutality", "billy clubs and bulldozers" and "brutalizing and terrorizing" do not convey the requisite objectivity and impartiality to review matters related to BPD. Additional Tweets also raise questions about the nominee's ability to build effective working relationships with diverse groups, particularly those that might have a point of view that disagrees with her own (refer to screenshots containing language such as "hate and hyperbole", "anti-homeless infrastructure", "in a sing-sing tone", "intended for bullying the unhoused"). Community members have also submitted written concerns to BVSD Legal Counsel, the BVSD Board and BVSD Superintendent that Ms. Sweeney-Miran has violated BVSD ethical guidelines in several ways, including highlighting her position/title as Vice President of the BVSD Board in her personal Tweets. Community members also expressed concerns during the October 25, 2022 BVSD School Board Meeting Public Comment period that they had been mocked or otherwise targeted and denigrated by Ms. Sweeney-Miran when they expressed concerns for student safety or otherwise opposed her personal and professional advocacy positions (reference video record of BVSD Board of Education meeting of Oct 25, 2022 beginning at the 25 minute mark [Active Meetings - 6500 East Arapahoe Road | Boulder CO 80303 | 303-447-1010 BoardDocs® Pro](#)). Mocking or denigrating community members who disagree with your point of view should arguably be a disqualifying characteristic for anyone interested in a position of public service.

While history is replete with examples of individuals with demonstrable bias, conflicts of interest or the inability to work with others being *elected* to *public office*, this City Council should not *appoint* such individuals to positions of *public service*. A decision to approve Ms. Sweeney-Miran's nomination would be in direct contravention of existing city Ordinance 8430, Section 2-11-6, part 9 as well as Boulder's stated community values of Respect, Integrity and Collaboration. Approving the nomination of Ms. Sweeney-Miran would also undermine community trust and confidence in the work of the Police Oversight Panel as well as the decisions of this City Council. Given the above real/perceived conflicts of interest, personal Twitter account statements, ethics concerns and questionable treatment of other community members, the recommendation of the Selection Committee to add Ms. Sweeney-Miran to the Police Oversight Panel should be rejected and one of the four alternate candidates should be elevated as a nominee in her place.

Respectfully submitted,

Giles Troughton

Sent from [Mail](#) for Windows

EXHIBIT 6

From: [Terri Brncic](#)
To: [Benjamin, Matt](#), [Eli Rockett, Aaron Friend, Michael Winer, Sara Yates@bouldercolorado.gov](#), [Wallace, Mark](#), [Joseph, Annie](#), [Peer, Nicole Folkerts, Lauren Tate, Eresa Lira, Andermyde, Uriah](#)
Cc: [Erol, Maris](#)
Subject: BPD Police Oversight Panel
Date: Wednesday, December 4, 2022 10:00 AM
Attachments: [image.png](#), [image.png](#), [image.png](#), [image.png](#)

Terri Brncic

Dear City Council,

Lisa Sweeney-Miran has no place on the BPD Police Oversight Panel. One of the qualifications for this position is that the candidate is free of bias and conflicts of interest. Lisa does not come anywhere near meeting this criteria. She has demonstrated repeatedly through her words and actions that she has no regard for our police department. Attached are some (now deleted) Twitter screenshots that she posted earlier this year. And the fact that she is currently engaged in a lawsuit against the Boulder Police Chief is further evidence of her conflicted position. Please ensure that the BPD Police Oversight Panel is free of political agendas by opposing her appointment.

Thank you,
Terri Brncic

EXHIBIT 6

image.png



EXHIBIT 6

image.png

image.png



EXHIBIT 6

image.png



EXHIBIT 6

From: [cott_c_aefer](#)
To: [ates, ob_ate, eresa_osep, unie Wallac, Mark_en amin, Matt e_Friend, ac el_rockett, Aaron_i_era_andermyde, uria_Winer, ara_Folkerts, auren_peer, icole](#)
Cc: [erold, Maris](#)
Subject: Clear ias
Date: Wednesday, December 4, 2022 10:00:43 AM
Attachments: [ilsa misunderstands tanks.png](#)
[cops aren't workers.png](#)
[abolition.png](#)
[lisa on police 2.png](#)
[lisa on drugs.png](#)
[justification for attacking people.png](#)

terna nder

Dear Council,

As I understand it, candidates for the BPD Police Oversight Panel must be rejected if they have shown bias or conflict of interest. I don't think anyone reading the tweets put out by Lisa Sweeney-Miran below could conclude anything but that she has tremendous bias against police and desires a radical overhaul of policing in Boulder and elsewhere. Whether you agree or disagree with her positions, according to the rules she should be rejected from serving on the oversight panel.

All the best,

Scott Schaefer
City of Boulder resident

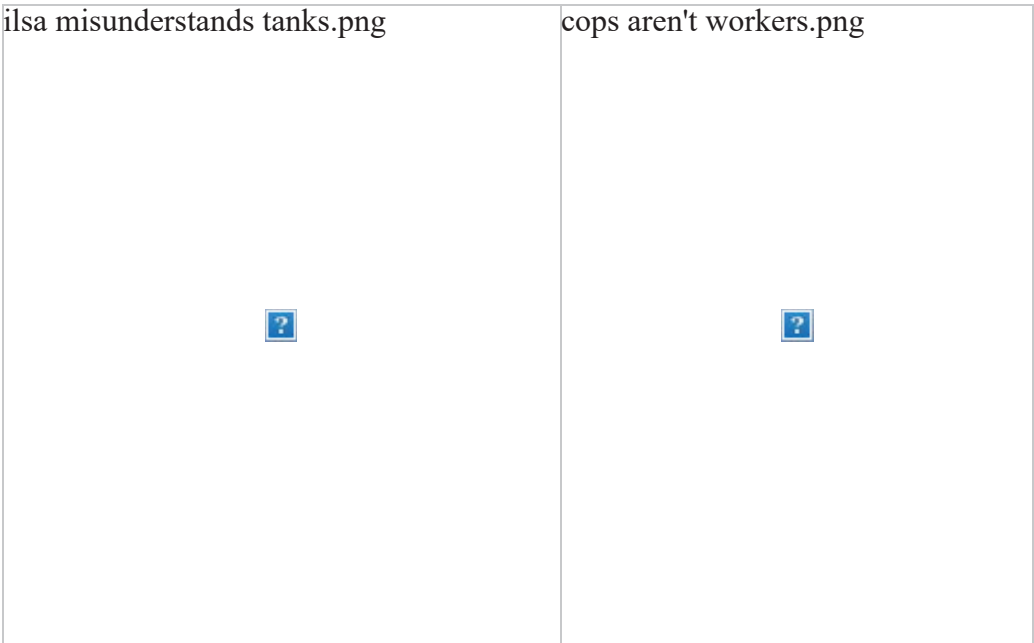


EXHIBIT 6

abolition.png



lisa on police 2.png



lisa on drugs.png



EXHIBIT 6

justification for attacking people.png



EXHIBIT 6

From: [Dave Russell](#)
To: [Benjamin, Matt](#), [Eli Rockett](#), [Aaron Friend](#), [Acel Winer](#), [Ara Ates](#), [Bob Wallace](#), [Mark Joseph](#), [Unie Peer](#), [Nicole Folkerts](#), [Auren Tate](#), [Eresa](#), [Lizera](#), [Andersmyde](#), [Lauria](#)
Cc: [Shelley Russell](#), [Bob Ordon](#)
Subject: Potential PAM Concerned about Lisa Eeneey Miran ser ing on the Police Oversight Panel
Date: Thursday, December 8, 2022 : 4:3 PM
Attachments: [image.png](#)

terna ender

Hello, I am writing to express my concern about this. My wife (Shelley Russell), and I are very concerned about the illegal camping issue in Boulder as we experience whenever we walk the creek, or go to the bandshell area in the park, such as for the Boulder Country Market.

In our opinion, more needs to be done about this illegal activity, not less, and having someone with a stated conflict of interest more deeply involved seems improper at best.

image.png



Best Regards,
Dave Russell

EXHIBIT 6

From: _____
To: [ate, eresa i era andermeye, uria en amin, Matt e Friend, ac el rockett, Aaron peer, icole Folkerts, auren ates, ob Winer, ara Wallac, Mark osepe, unie](#)
Subject: Potential PAM o appoint isa eeney Miran to t e Police ersig t Panel
Date:uesday, eember 3, 2022 :2 :3 PM

terna ender

ear City Council, City ttorney, and City Manager,

am writing to encourage you to **N a int ard mem er i a eeney-Miran t t e i e ver ig t ane**. is anel s ould be com rised of neutral community members. Ms. weeney-Miran is not neutral as s es a laintiff in t e C lawsuit against t e city and C ief erold. n addition, s e is already a member of t e sc ool board and being a member t ere and on t e olice Oversig t anel seems e cessive. y a oint er to t is anel w en we ave muc better coices available to best serve our city

f Ms. weeney-Miran were to be on t e olice Oversig t anel it would constitute a conflict of interest and not be in t e best interest of t e city.

an you for your consideration in t is matter,

. ac
Boulder esident

EXHIBIT 6

From: [mily_eynolds](#)
To: [ate_eresaliera_andermyde_uria_enamin.Matt_e_Friend_ac_el_rockett.Aaron_peer_icoleFolkerts_auren_ates_ob_Winer_ara_Wallac_Mark_osep_unie](#)
Subject: o appoint isa eeeney Miran to t e Police ersig t Panel
Date: Wednesday, eember 4, 2022 : :24 AM

terna ender

Dear City Manager, City Attorney and City Council,

Please **DO NOT appoint School Board member Lisa Sweeney-Miran to the Police Oversight Panel**. This panel should be composed of neutral community members. Ms. Sweeney-Miran is not neutral as she's a plaintiff in the ACLU lawsuit against the city and Chief Herold. In addition, she is already a member of the school board and being a member there and on the Police Oversight Panel seems excessive. Why appoint her to this panel when we have much better choices available to best serve our city?

Sweeney-Miran is anything but neutral. Last time there was testimony at a City Council meeting which she disagreed with, she Twitted a message of mocking and shaming the police, Chif Maris, and each citizen who spoke. Excerpts from Sweeney-Miran's Twitter posts, Oct 6 when the topic was public safety:

Oct 6

Jennifer Rhodes feels unsafe and believes that her right to feel safe is important, and, apparently trumps the right of others to simple exist.

Lisa Sweeney-Miran
[@LSweeneyMiran](#)

Oct 6

Lisa Spaulding is speaking for the Uni Hill Neighborhood Association, she is afraid of increased gun usage on the hill. She believes that paying more money to people who like to cosplay "Bad Boys" will help to decrease the number of guns.

Lisa Sweeney-Miran
[@LSweeneyMiran](#)

Oct 6

Lila Hickey
[@LilaHickey](#)

speaking in favor of the alternative responder program - explaining that when police come into contact with people in distress the outcomes are almost always negative.

She also asks to reallocate funding from police to something useful for everyone.

Lisa Sweeney-Miran
[@LSweeneyMiran](#)

EXHIBIT 6

.
Oct 6

Charlene Hoffman from Boulder Visitor's Bureau wants to "exhaust the homeless problem" and says something about how people living in poverty is harmful to Boulder's beauty.

Lisa Sweeney-Miran

@LSweeneyMiran
.

Oct 6

I missed this speaker's name but she says police don't stop crime but only investigate crime after it occurs and mentions that safety for all people includes safety for our unhoused folks. Advocates for safe injection sites and more shelter options.

Lisa Sweeney-Miran

@LSweeneyMiran
.

Oct 6

Maris is talking in her usual defeated tone about how police are working too hard & the only thing that can cheer them up is more money & guns. Speaks about the toll George Floyd took on policing. TBF the police really are the real victims in media coverage of racist cop murders.

Lisa Sweeney-Miran

@LSweeneyMiran
.

Oct 6

Bob and Maris agreeing with each other about something something police are very important.

Lisa Sweeney-Miran

@LSweeneyMiran
.

Oct 6

Maris suggests the best way to keep affordable housing safe is by having faster eviction procedures. Is this a good time to remind everyone that the BPD lied about finding assault weapons to try and look cool on Twitter when their swat affordable housing raid was met w/derision?

Lisa Sweeney-Miran

@LSweeneyMiran
.

Oct 6

EXHIBIT 6

Maris wants to tout her new “stratified policing” plan which is a fancy way of saying “rationalizing our jobs”.

Nancy Travis

@Tr19540877Nancy

.

Oct 7

Replying to

@LSweeneyMiran

You forgot to mock the fear the 14 yr BHS student has about her daily ride to school on the creek path. My own daughter was terrified to walk the 6 blocks to BHS from our home. These are the very people you were elected to serve & have their best interests at heart. Shame on you!

KitaPizza

@kita_pizza

.

Oct 9

Replying to

@LSweeneyMiran

Is this standard protocol? Calling out people by name - and shaming them for not saying scripted leftwing progressive talking points that make you happy?

Anon

@precisionmd123

.

Oct 6

Replying to

@LSweeneyMiran

Given all the recent shootings, that seems fair....

In conclusion, if Ms. Sweeney-Miran were to be on the Police Oversight Panel it would constitute a conflict of interest and not be in the best interest of the city. This woman is clearly poison and undermines the integrity of any organization, including the School Board. There should be no room in any rational group for this person.

Thank you for your consideration, Emily

Emily Reynolds

2030 Mesa Drive, Boulder, CO 80304

EXHIBIT 6

From: [Terri Brncic](#)
To: [Benjamin Yates](#)
Subject: Potential PAM Field: P Police Oversight Panel
Date: Wednesday, December 14, 2022 8:17:53 AM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

Terri Brncic

From: Terri Brncic <terribrncic@gmail.com>
Date: December 14, 2022 at 8:17:53 AM MST
To: benjaminm@bouldercolorado.gov, brocketta@bouldercolorado.gov, friendr@bouldercolorado.gov, winert@bouldercolorado.gov, yates@bouldercolorado.gov, wallachm@bouldercolorado.gov, josephj@bouldercolorado.gov, speern@bouldercolorado.gov, folkertsl@bouldercolorado.gov, tatet@bouldercolorado.gov, riveravandermyden@bouldercolorado.gov
Cc: heroldm@bouldercolorado.gov
Subject: BPD Police Oversight Panel

Dear City Council,

Lisa Sweeney-Miran has no place on the BPD Police Oversight Panel. One of the qualifications for this position is that the candidate is free of bias and conflicts of interest. Lisa does not come anywhere near meeting this criteria. She has demonstrated repeatedly through her words and actions that she has no regard for our police department. Attached are some (now deleted) Twitter screenshots that she posted earlier this year. And the fact that she is currently engaged in a lawsuit against the Boulder Police Chief is further evidence of her conflicted position. Please ensure that the BPD Police Oversight Panel is free of political agendas by opposing her appointment.

Thank you,
Terri Brncic

EXHIBIT 6

image.png



EXHIBIT 6

image.png

image.png



EXHIBIT 6

image.png



EXHIBIT 6

From: [o_eply](#)
To: [Council ContactCo](#)
Subject: Lisa Sweeney Miran : Police Oversight
Date: Wednesday, December 4, 2022 10:00 PM

Preferred Form Language: English / Inglés

Name: Lisa Sweeney-Miran

Organization (optional):

Email: lisasweeney@usa.net

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Police Oversight

Direct my submission to: Council

Comment, question or feedback: Dear Mayor Brockett, Mayor Pro Tem Wallach, and members of Boulder City Council,

An issue has been raised concerning my status as a plaintiff in the Boulder County District Court case number 2022CV30341 (Feet Forward, et al.) as it relates to my selection to the Police Oversight Panel.

After much consideration I have decided that immediately upon my appointment by Boulder City Council to the Police Oversight Panel I will instruct my lawyer to withdraw me as a plaintiff in the above referenced suit.

Thank you,

Lisa Sweeney-Miran
She/Her

[[FSF080521]] Submission ID is #: 1046828449

[Compose a Response to this Email](#)

EXHIBIT 6

From: [M. Anderson](#)
To: [Benjamin, Matt](#), [E. Rockett](#), [Aaron Friend](#), [Aczel Winer](#), [Ara Ates](#), [Bob Wallace](#), [Mark Joseph](#), [Unie Peer](#), [Icole Folkerts](#), [Auren Ate](#), [Eresa](#), [Iera](#), [Andermide](#), [Uria](#)
Subject: Potential PAM Lisa Keeney Miran wants to be on the Police Oversight Panel is it is a joke
Date: Wednesday, December 4, 2022 1:41:20 PM

External Sender

Lisa S-M is part of a lawsuit against the city - shouldn't this conflict of interest alone be enough to exclude her from consideration on any City panel until the suit is resolved?

Not only does Lisa regularly post anti-police venom on various social outlets, she also jeers at any person speaking for public safety or in support of BPD. Based on Open Comment at recent City Council meetings, Lisa violated public trust by posting the names (on Twitter) of anyone with whom she disagreed, along with disparaging comments. She serves only herself, having zero interest in public sentiment or concerns. I doubt her ability to be fair or impartial in her judgements. Without a strict and enforceable confidentiality agreement, complaints re: BPD are subject to becoming political fodder for Lisa's efforts to defund and demean the police.

I am hopeful there are qualified candidates available to join the Oversight Panel who do not harbor grudges against BPD (and specifically Chief Harold) or other community members not sharing their political views.

GMH

EXHIBIT 6

From: [Menderson](#)
To: [Benamin, Matt](#), [Erockett, Aaron](#), [Friend, ac el](#), [Winer, ara](#), [ates, ob](#), [Wallac, Mark](#), [osep, unie](#),
[peer, icole](#), [Folkerts, auren](#), [ate, eresa](#), [i era](#), [andermyde, uria](#)
Subject: Lisa Eeneey Miran ants to be on t e Police ersig t Panel is t is a oke
Date: Wednesday, December 4, 2022 :4 :20 PM

External Sender

Lisa S-M is part of a lawsuit against the city - shouldn't this conflict of interest alone be enough to exclude her from consideration on any City panel until the suit is resolved?

Not only does Lisa regularly post anti-police venom on various social outlets, she also jeers at any person speaking for public safety or in support of BPD. Based on Open Comment at recent City Council meetings, Lisa violated public trust by posting the names (on Twitter) of anyone with whom she disagreed, along with disparaging comments. She serves only herself, having zero interest in public sentiment or concerns. I doubt her ability to be fair or impartial in her judgements. Without a strict and enforceable confidentiality agreement, complaints re: BPD are subject to becoming political fodder for Lisa's efforts to defund and demean the police.

I am hopeful there are qualified candidates available to join the Oversight Panel who do not harbor grudges against BPD (and specifically Chief Harold) or other community members not sharing their political views.

GMH

EXHIBIT 6

From: [Kristi Russell](#)
To: [Benjamin, Matt](#), [E. Rockett, Aaron](#), [Friend, ac el](#), [Winer, ara](#), [ates, ob](#), [Wallac, Mark](#), [osep, unie](#),
[peer, icole](#), [Folkerts, auren](#), [ate, eresa](#), [i era](#), [andermyde, uria](#)
Subject: Lisa Sweeney Miran
Date: Wednesday, December 4, 2022 3:34:34 PM

External Sender

Hello City Council et al,

I wanted to express my concerns upon hearing that Lisa Sweeney-Miran has applied to be a member of the Police Oversight Panel. While I appreciate her earnestness in participating in the community, her past behavior has revealed an obvious anti-police bias and a disregard for integrity. She has also exhibited disrespect and at times hostility toward neighbors and community members. As a citizen, it would concern me to have her represent our city on this panel.

Thank you so much.

Kristi Russell

EXHIBIT 6

From: [laine F. annemiller](#)
To: [laine annemiller](#)
Subject: o e treme bias on t e Police ersig t Panel, please.
Date: Wednesday, e cember 4, 2022 :0 :0 AM

terna ender

ear Boulder leaders,

i a eeney-Miran i a ing t e me art t e i e ver ig t ane

ere s ould be no lace on a olice Oversig t anel for anyone w o as consistently demonstrated e treme re udice against t e olice, and called for t eir abolition entirely. e is art of t e C lawsuit suing C ief erold and t e city to abolis t e cam ing ban. e as s read lies t at t e olice enforce t e cam ing ban using billy clubs arassment. e as ublicly attac ed and arassed arents and business owners for e ressing concerns about crime and ersonal safety.

e a ute y ia ed and un it rt e r e

ere are rules against anelists aving a clear bias. Council, lease give your consent to t e ot er ualified candidates, but not to one w o as e ressed dee contem t for t e eo le s e'd be in a osition to udge.

an you,

laine annemiller
Boulder, CO

EXHIBIT 6

From: [aird_ab ol](#)
To: [i era_andermyde_uria_ate_eresa_Folkerts_auren_peer_icole_osep_unie_Wallac_Mark_ates_ob_Winer_ara_Friend_ac_el_rockett_Aaron_enamin_Matt_e](#)
Subject: o for isa_weeney Miran
Date: ursday, eceember , 2022 : 3: 4 AM

terna_ender

It has come to my attention that Lisa Sweeney-Miran is looking to become part of the Police Oversight Panel. It may seem obvious but I think it's important to have unbiased oversight. I have studied Ms. Sweeney-Miran's public remarks and it seems clear that she is unfit for the panel because she is not open minded and is strongly biased. Please consider other citizens who will bring objectivity to the Panel.

Thank you.

D Baird Nabholz
3830 Newport Ln
Boulder, CO 80304

[Sent from Yahoo Mail for iPhone](#)

EXHIBIT 6

From: [Jennifer McCaleb](#)
To: [Bob Bates](#)
Subject: Memo for Lisa Weeney-Miran on Police Oversight Panel
Date: Wednesday, December 4, 2022 10:00 AM

Personal Message

Hi Bob!

Happy Holidays!

I am writing today to ask that City Council NOT allow Lisa Weeney-Miran to be on the Police Oversight Panel.

She is one of the people suing the city with the Council against the coming ban. See her posts on twitter---she posts videos basically calling everyone who is upset by the increased crime these last few years and the amount of homelessness. She has her clear opinions on costs, and that in some ways would be going in with her own strong views, which would not help the committee. She would not be a good fit.

Thank you for listening. Have a great day
Jennifer McCaleb

EXHIBIT 6

From: [C. Uylar Bailey](#)
To: [Benjamin, Matt](#), [E. Rockett, Aaron](#), [Friend, Rachel](#), [Winer, Sara](#), [Ates, Rob](#), [Wallace, Mark](#), [Joseph, Annie](#), [Peer, Nicole](#), [Folkerts, Lauren](#), [Ate, Eresa](#), [Lizera, Andermyde, Luria](#)
Subject: Potential PAM to Lisa Weeney-Miran
Date: Wednesday, December 4, 2022 2:23: PM

Dear Council,

It is my understanding that Lisa Weeney-Miran is aspiring to become part of the Police Oversight Panel at tomorrow's City Council meeting. While I believe it is important that this panel have individuals with diverse views, I also believe that the members need to be unbiased and focused on solving the important issues facing the Boulder Police Department, along with the community as a whole. Our Police Department also needs community support, not sabotage from within. Ms. Weeney-Miran's involvement in the Civil lawsuit against Chief Ferold and the city, along with her dishonest public remarks, make it clear that she is biased and unfit to serve on this panel. I encourage you to consider other community members who will take a more objective approach.

Thanks for your consideration,
C. Uylar Bailey

EXHIBIT 6

From: [Angie immerer](#)
To: [ate, eresa i era andermeye, uria en amin, Matt e Friend, ac el rockett, Aaron peer, icole Folkerts, auren ates, ob Winer, ara Wallac , Mark osepe , unie](#)
Subject: o to isa eeney Miran
Date: Wednesday, December 4, 2022 2:2 : 2 PM

External Sender

Dear Boulder City Council, City Attorney, and City Manager,

I often wonder whether contacting my Boulder officials is worth my time, as frequently it seems as though you've already come to a decision before hearing from your community. Certainly, I hope that is not the case this time. I've lived in Boulder since the 80's, raised a family here, taught in BVSD, and care very much about the direction that our fair city is headed. Honestly, it's not so great in many respects. Therefore - another letter!

I understand that you are considering appointing Lisa Sweeney-Miran to the Police Oversight Panel. It doesn't take too much perusing of her social media to determine that she doesn't support SRO's in our schools, she sees the "unhoused" population as a protected class, and that she is willing to post misleading videos that suggest that our creek paths are safe. Many parents and their children strongly disagree with her assessment, especially when they find stolen bikes in the creek path encampments and are harassed by mentally unwell individuals on the way to school. In watching school board meetings, it appears that Lisa is far more concerned about the homeless issue, and not so much about the education and safety of our children.

Please consider appointing a citizen who can bring balance to the Police Oversight Panel. As a Boulder citizen, I would appreciate having the safety of ALL who live in Boulder be a primary goal of the panel.

Sincerely,

Angela Zimmerer

EXHIBIT 6

From: [luke_uster](#)
Subject: note on Thursday night council meeting
Date: Wednesday, December 4, 2022 12:02 PM

terna nder

First of all, thank you for the work you do to help the City of Boulder. Secondly, I have concerns about Lisa Weeney-Miran becoming part of the Police Oversight Committee. We need an objective panel working to help solve complex issues. We need to avoid overt bias. Please consider the other qualified candidates.

Best regards

luke_uster
local business owner and concerned parent

Luke Düster
Chief Investment Officer
CRG LP
1050 Walnut St, Suite 401
Boulder, CO 80302
Direct: (713) 209-7361
Cell: (713) 447-5756

EXHIBIT 6

From: [Don Eslage](#)
To: [James Obate,eresa Osepe,unie Wallace,Mark Amin,Matt E. Friend,ac el rockett,Aaron Jera,andermyde,uria Winer,ara Folkerts,auren peer,icole erold,Maris](#)
c:
Subject: objection to isa weeney Miran on Police Oversight Panel
Date: Wednesday, December 4, 2022 10:33 AM

Dear Members,

Hi,

I cannot think of a person more unfit to serve on the Police Oversight Panel than Lisa Weeney-Miran.

Recent events around the Boulder High School area, and specifically an incident affecting my daughter at the downtown library, urged me to pay close attention to BPS, its Board, local law enforcement and general public safety. Since I began paying attention to BPS Board meetings and Lisa's personal social media about 4 months ago, I have been astounded at her abuse of discretion and obvious conflicts of interest with her seat on the BPS school board.

Even though she is an attorney herself, she acts with wilful blindness to very clear guidance within our profession about ethics, fairness and conflicts of interest. She is intellectually dishonest, and so clearly biased against law enforcement and the general public's interests that her mere consideration is a farce.

I have written a very specific letter to the Board detailing specific instances, and would be happy to share that with any and all of you.

Please observe generally accepted ethical principles and remove Lisa from consideration. Better still would be a public admonishment followed with sanctions, and I will continue to advocate for that worthy goal.

Thank you,

Don Eslage

EXHIBIT 6

From: [Jennifer McCaleb](#)
To: [Friend, Facebook](#)
Subject: Please vote no on Lisa Weeney-Miran joining Police Oversight Panel
Date: Wednesday, December 4, 2022 10:22 AM

Personal Message

Happy Holidays!

I am writing today to ask that City Council NOT allow Lisa Weeney-Miran to be on the Police Oversight Panel.

She is one of the people suing the city with the Council against the camera ban. See her posts on twitter---she posts videos basically calling everyone who is upset by the increased crime these past few years and the number of homeless people as her clear opinions on cops, and that in some ways she would be going in with her own strong views, which would not help the committee. She would not be a good fit.

Thank you for listening. Have a great day
Jennifer McCaleb

EXHIBIT 6

From: [Richard Steel](#)
Subject: Potential PAM Police Oversight Panel Folder
Date: Wednesday, December 4, 2022 1:33:23 PM

Richard Steel

Greetings,

I heard that Lisa Sweeney-Miran is asking to become part of the Police Oversight Panel. I object to this.

Please consider other community members who will take a more objective approach.

Thank you,

Richard Steel

EXHIBIT 6

From: [Warren -ult uist](#)
To: [en amin, Matt e -rockett, Aaron Friend, ac el Winer, ara ates, ob Wallac , Mark osepe , unie peer, icole Folkerts, auren ate, eresa i era andermide, uria Council](#)
Subject: Police ersig t Panel and t e ntentional arm of ocal Policing: n ursday agenda
Date: Wednesday, eember 4, 2022 3: 3:04 PM
Attachments: [Abolition of police isa e a faf fdb d3 d 0e 22 4a33. pg](#)

terna ender

Dear Council Members, City Manager, and City Attorney,

Do you ever get the feeling you've been baited or swindled into reacting to a problem that in hindsight appears choreographed to move public opinion in a unified direction?

This Thursday you'll be considering candidates for the freshly minted (and intentionally reactive) Police Oversight Panel.

You will receive many letters and hear from public speakers urging you to not place Lisa Sweeney-Miran on that panel. Her documented bias is glaringly for "abolishing" local policing.

For example, see this screenshot of a now-deleted tweet from Ms. Sweeney-Miran from September of 2022. (The internet never forgets, thanks to the wayback machine).

EXHIBIT 6

Abolition of police Lisa e8a96faf886fdb86d36d60e722664a33.jpg



...And consider....why would someone delete this if they were earnestly for defunding / "abolishing" local police? Maybe it is a political recalculation now that people are waking up to the intentional and severe harm being done in select cities around the country by this plainly toxic agenda.

I urge you to not only reject placing Ms. Sweeney-Miran on that panel, but also ...investigate the nexus of policy changes that intentionally created the illegal camping and associated crime. Cities like LA, Seattle, Portland, Denver, San Francisco, New York, Austin, etc. have all more or less followed the same policy template of decriminalization and bail reform, and are now suffering from severe crime waves.

I ask, are you for this intentional, managed demolition of select cities? Do you not see the pattern emerging in select cities across the country, and now here in Boulder?

The policies that catalyzed those crime waves are intentionally harmful, meant to degrade and demoralize local police, thus ushering in more conflict via "Police Oversight Panels", well-intentioned but unrealistic and spiraling expenditures on "addressing the homeless problem", and overall shifting a community into a self-destructive pattern of accomodating and tolerating illegal activities.

EXHIBIT 6

The reactions are predictable, starting a downward spiral of conflict and crime.

This is a very old tactic of creating a problem to catalyze a reaction, thus setting the stage for a suffering community to demand a "solution".

Problem, Reaction, Solution.

We didn't have a "policing problem" in Boulder, certainly not on a level that would justify the extreme and reflexive policy responses to riots around the nation. National attention on Minneapolis was used and abused to push this harmful agenda in cities receptive to the "play". Lacking a local martyr, Boulder leaned into the Homeless / illegal camping angle, blamed "covid", and with some outside "help" from the ACLU, created the conflict desired to cast policing in a bad light. In other words, when the supply of conflict was low, it had to be manufactured, with staged and just-in-time graffiti slogan tagging and all.

While there's certainly anecdotes to shame any police department in the country, even in Boulder, on the whole, our police are not known for "lethal knee on the neck - systemic racism".

Our town was not broken, so it had to be broken in a plausible way so that "reimagining policing" could be justified. That's the "solution" being peddled as a result of the choreographed problem. Demoralization leads to abdication, which leads to crime, which leads to seeking "outside" help from "higher" authorities.

People are starting to see the scaffolding of this sham. People are getting wise to the sick game being played. It's not too late for you all to reverse the obvious and intentionally harmful policies, and stop the dystopia-theatrics that are now having real and very negative impacts on a once-peaceful and safe town. We've always had a seasonal ebb and flow of people passing through. It was at a manageable level and most of those folks were not committing crimes or turning Central Park and bike paths into a KOA-drug festival-chop shop free for all.

Simple political triage suggests we don't need a "Police Oversight Board" nearly as much as we need to fill the 29-officer hole in the roster and immediately reverse the decriminalization policies that started the cycle of trouble in the first place. Those found to still be pushing these intentionally harmful policies should be identified and held fully accountable for violating their oath of office.

Warren Hultquist
Boulder, CO

EXHIBIT 6

From: [Cristopher Drummond](#)
To: [Winer, Tara](#)
Subject: Police Oversight Panel
Date: Wednesday, December 4, 2022 2:03 PM

Internal Sender

Hello Tara,

It is my understanding that Lisa Sweeney-Miran is asking to become part of the Police Oversight Panel on Thursday night at the City Council meeting. While I believe it is important that this panel have individuals with diverse views, I also believe the members need to be un-biased and focused on solving the important issues facing the Boulder Police Department along with the community as a whole. I have read Ms. Sweeney-Miran's tweets and it is clear that she is biased. I would encourage you to consider other community members who will take a more objective approach. Thanks for your consideration. Chris Drummond

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EXHIBIT 6

From: [jenniferrhodes](mailto:jenniferrhodes@gmail.com)
To: [jenniferrhodes](mailto:jenniferrhodes@gmail.com)
Subject: Police Oversight Panel
Date: Tuesday, December 3, 2022 10:20 PM

Personal Message

Hello, I am a Boulder community member and BVSD parent. I am part of a parent group advocating for safety of all children in our community. Our group is pushing for safe zones for kids around our schools and on their way to and from schools. This Fall, I sent out a petition that very quickly got 1500+ community members' support.

Several members in our group have been publicly mocked by Lisa Sweeney-Miran and we have brought these complaints to the school board formally via the BVSD attorney as well as the Superintendent and the BVSD board president. Ms Sweeney-Miran has mocked parents regularly on her twitter feed -- parents who are standing up publicly to advocate for children's safety. I have spoken to a handful of BVSD teachers and they are afraid to speak up and ask that I use their personal email because of fear of retribution by Ms. Sweeney-Miran. She is a bully.

At a recent BVSD board meeting I addressed her directly at the end of my speech with this quote "Teachers and parents are afraid of speaking out because of a culture that *some* on this board have created. I have had teachers email me privately because they are afraid of losing their jobs. Ms. Sweeney-Miran, I am here on behalf of the safety of all children. Mocking me or anyone else after speaking publicly about the safety of kids is inappropriate and it needs to stop."

I believe Ms. Sweeney-Miran is a threat to public safety, is clearly biased and has a conflict of interest given that she is suing the city and Chief Herold. How can she possibly serve legitimately and fairly on the Police Oversight Panel? She can not. Please take my complaints seriously.

Sincerely,
Jennifer Rhodes

Jennifer Rhodes, MD, PMH-C
(T) 917 494 1190
(F) 414 346 7631

<https://www.drjenniferrhodes.com/>

<https://jennifermrhodes.wixsite.com/my-site>

EXHIBIT 6

From: [Jennifer Rhodes](#)
To: [Robert Winer, Sara](#)
Subject: Police Oversight
Date: Tuesday, December 3, 2022 : 0:00 PM

Jennifer Rhodes

Good evening, again:)

Just sent this to CC members Brockert, Benjamin, Joseph, and Friend. Wanted to send to you as well, for the record.

Hello, I am a Boulder community member and BVSD parent. I am part of a parent group advocating for safety of all children in our community. Our group is pushing for safe zones for kids around our schools and on their way to and from schools. This Fall, I sent out a petition that very quickly got 1500+ community members' support.

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<https://www.drjenniferrhodes.com/>

<https://jennifermrhodes.wixsite.com/my-site>

EXHIBIT 6

From: [Lisa Keeney Miran](#)
To: [Benjamin, Matt](#), [Eli Rockett](#), [Aaron Friend](#), [Jacqueline Winer](#), [Robert Wallac](#), [Mark Joseph](#), [Unie Peer](#), [Nicole Folkerts](#), [Auren Tate](#), [Alicia Eresa](#), [Lizandra Andermyde](#), [Julia](#)
Subject: P P Appointment
Date: Wednesday, December 4, 2022 10:44 AM

Letter to the Mayor and Council

Dear Mayor Brockert, Mayor Pro Tem Wallace, and members of Boulder City Council,

I am honored to have been selected by the current members of the Boulder Police Oversight Panel, the Council, and the Board of Directors in 2023.

Prior to tomorrow's council approval of the Oversight Panel selection committee, I wanted to share some additional information with members of council.

As a plaintiff in the Council suit, I see a judicial determination on the question of whether it is constitutional to implement and enforce a blanket ban and a tent ban when there are no other available places for people to sleep. This suit sees to stop enforcement of this ban going forward unless and until there are enough safer safe camping sites available for all unsheltered people to have a legal place to be. It is not my goal to do with the day-to-day operations of the Boulder Police Department.

As a person in favor of measures to increase funding to alternative residential programs, decrease funding to the police department, and reimagine policing. The raises in the budget for the police are seen by some as being controversial, the work actually accomplished in the term includes work we have all done here in Boulder.

Alternative residential programs like the Community Outreach, and Boulder's recently approved Family Care program that fund mental health workers instead of police programs are examples of this work. I have worked to implement similar programs in Boulder Valley Council District B where we have replaced Council Resource Officers with safety advocates that focus on restorative justice programs. The safety advocate program that we have implemented in Boulder is seen as a gold standard for reframing the way we view school safety, and I've been thankful to present about that work across the state to groups like the Colorado Community Foundation and the Colorado Association of School Boards.

I believe in the importance of public conversation around instances of police overreaction, police violence, and police officers who violate the law and the trust of their colleagues and our community. I do not believe that engaging in public conversations about bad policing or questionable police tactics is the same as being condemnatory of all police officers because I do not believe that all police officers nor all police tactics are bad.

Across the country there are issues with police officers who go too far with their use of force, who profile based on race or socioeconomic class, or who violate the law and harm civilians. Anyone who has read the settlements paid out by the City of Boulder in response to these incidents, heard the stories of Raymond Tinson or Annie Lawrence, or read the released cases reviewed by the Oversight Panel last year knows this to be the case. Close scrutiny, open conversation, and transparency about concerns is a necessity for community trust

EXHIBIT 6

and for a police department that feels confident in their colleagues.


There is a group in Boulder that routinely speaks about our un-organized community in disparaging terms. This group uses intimidation tactics to attempt to silence people with whom they disagree. In Boulder meetings at which this group has come to speak, my children have had to be moved to a secure wing of the building, security staff has been called in to work transfers, and staff has felt it was needed to drive me home or walk me out.

Members of this group have emailed staff at my nonprofit, they have spoken about using Google+ to look at my house, and they have tried to get me to resign from my work in education through intimidation. Increasingly, the activist groups that speak about law and order around the country and in our community are using fear and inflammatory rhetoric to put in danger those with whom they disagree. While I have been made to feel concerned for my safety and that of my children, believeless advocacy and police accountability are important and will continue speaking out.

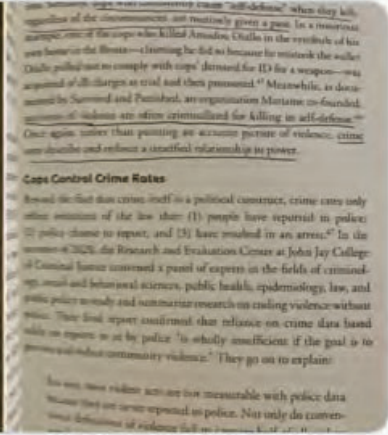

I am thankful for the Board's panelist appointment recommendation, which they affirmed last week for a second time in their monthly meeting. All of the above information, including my role in the Case suit, was disclosed to the Board in my application. I look forward to serving on the Board and to working with all of you on City Council and city staff as we move forward.

Sincerely,

Isa Weeney-Miran

 **Lisa Sweeney-Miran** @LSweeneyMiran

Got my copy of **No More Police: A Case For Abolition** just in time to set it aside for tonight's Boulder City Council discussion on policing the unhoused. Can't wait to dig in more - so far every page is 🔥. Incredible work from [@prisonculture](#) and [@dreanyc123](#)! Get yours today.



7:42 PM · Sep 1, 2022 · Twitter for iPhone

15 Retweets 2 Quote Tweets 70 Likes

🗨️ ↻️ ❤️ 📤

[SHOW THIS THREAD](#)

 **Lisa Sweeney-Miran** @LSweeneyMiran · Sep 6

The armored vehicle and weapons ***are a threat to public safety***

This isn't a war zone, [@boulderpolice](#), it's a busy downtown street next to several large housing complexes, restaurants, and a hotel. Do better.

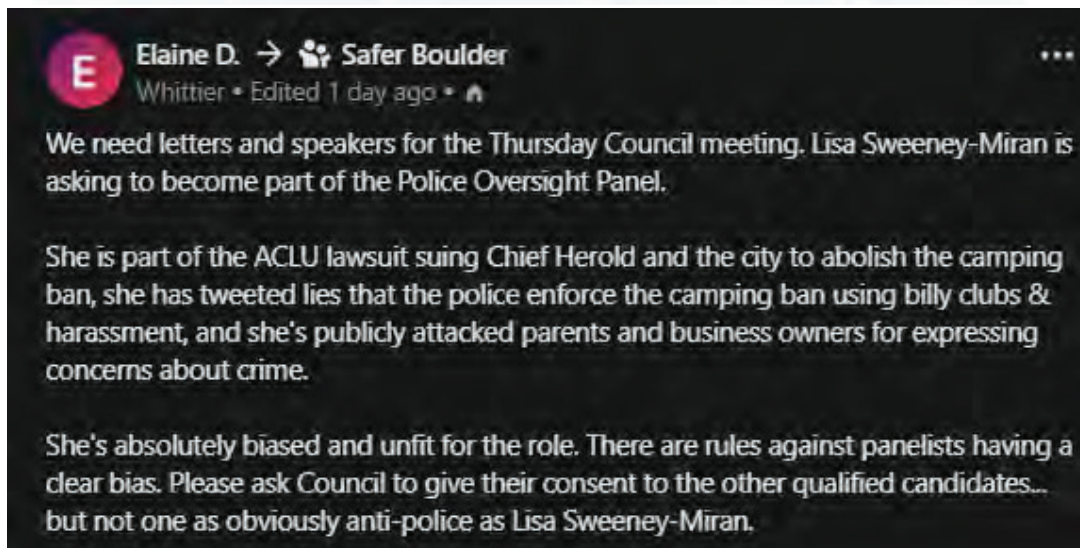
 **Boulder Police Dept.** @boulderpolice · Sep 6

Replying to @TheCultClassics

We use our armored rescue vehicle to protect officers and the community during dangerous operations. There was no threat to public safety after the search warrant was executed

🗨️ 16 ↻️ 8 ❤️ 78 📤

EXHIBIT 6





Lisa Sweeney-Miran ✓

@LSweeneyMiran



Public comment looks like we can expect more hate & hyperbole from people who believe their right to live without discomfort trumps other people's right to exist



Lisa Sweeney-Miran ✓

@LSweeneyMiran



Emily Reynolds immediately attacks Nicole and Lauren for not supporting the enhanced policing budget intended for bullying the unhoused.



Lisa Sween...  @LSwee... · Sep 30 ...

“Since the start of this year, police in the United States have already killed 770 people. We can expect that next week they will kill about 19 more, with 19 more the week after that and the week after that.”

Amazing piece on the need for alternative response in Boulder.

100  



Lisa Sween...  @LSwee... · Oct 29 ...

Lovely Saturday afternoon downtown with the kids: biking the creek path, hanging out at the Boulder Library, playing on the playground, and learning about anti-homeless infrastructure.



Lisa Sweeney...  @LSwee... · Dec 7 ...

A press release that gives more questions than answers.

A series of inconsequential “disciplinary measures”.

A complete dismissal of POP’s recommendation for officer termination.

A refusal to answer questions from the public or the media.

Boulder Police need *real* oversight.



Lisa Sweeney-Miran ✓

@LSweeneyMiran



Reminding people that they live at the mercy of an authoritarian police force by brutalizing & terrorizing them doesn't somehow lead to housing. We can't simply allow & request the police to traumatize people repeatedly and expect that not to have exacerbating consequences. 3/

5:14 PM · Jun 6, 2022



Lisa Sweeney-Miran 

@LSweeneyMiran



Emily Reynolds tried to conflate Hill shooting with unhoused folks asking CC “can’t you agree to do the bare minimum?” in a sing-sign tone.



Lisa Sweeney-Miran ✓

@LSweeneyMiran

Valerie Love, for the second time tonight, compares unhoused folks to children who can't clear their rooms. Then compares the city to teeth that haven't been brushed. And maybe threatens a recall? Pretends her anti-unhoused advocacy will help the vulnerable unhoused.

7:40 PM · Oct 20, 2022



Lisa Sweeney-Miran ✓

@LSweeneyMiran



Instead of housing we get cops.
Instead of mental health services
we get cops.
Instead of social service
networks we get cops.
I'm so tired of nonprofits and
neighbors and GoFundMe doing
the work our governments should
be doing while my taxes pay for
sirens and fear and brutality



Lisa Sweeney-Miran ✓



@LSweeneyMiran

I am one of the plaintiffs in the [#ACLU](#) “camping” ban suit against the city of [#Boulder](#). Sending police in with billy clubs & bulldozers to take away what dignity and possessions folks have left is cruel & inhumane; it’s also neither effective nor a good use of resources. 1/

EXHIBIT 6



Lisa Sweeney-Miran @LSweeneyMiran · Sep 6

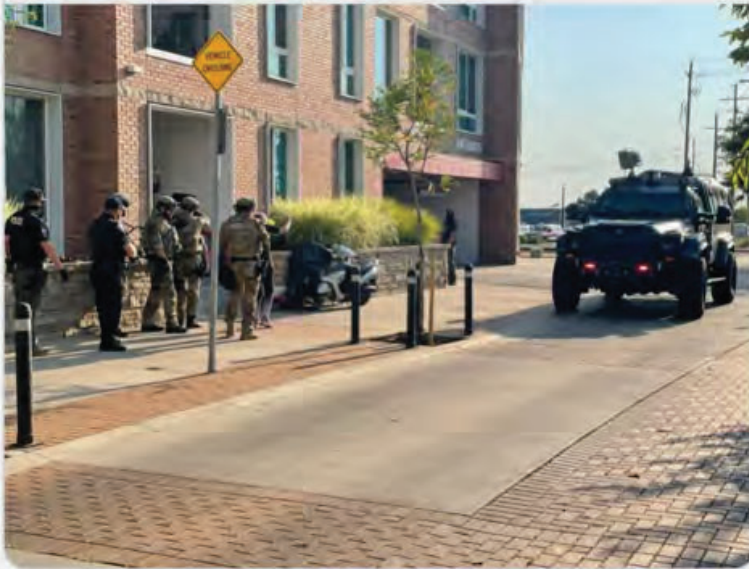
Another day, another excuse to drive a tank down city streets.

I guess if you spend all our tax money on expensive toys you need to pretend to have reasons to take them out and show them off. #Boulder

Boulder Police Dept. @boulderpolice · Sep 6

If you're seeing a large police presence in the 3100 block of Pearl Parkway right now we just executed a search warrant. More information to come out later today. There is no threat to public safety #boulder

[Show this thread](#)



5 9 69

[Show this thread](#)



Lisa Sweeney-Miran @LSweeneyMiran · Sep 6

The armored vehicle and weapons ***are a threat to public safety***

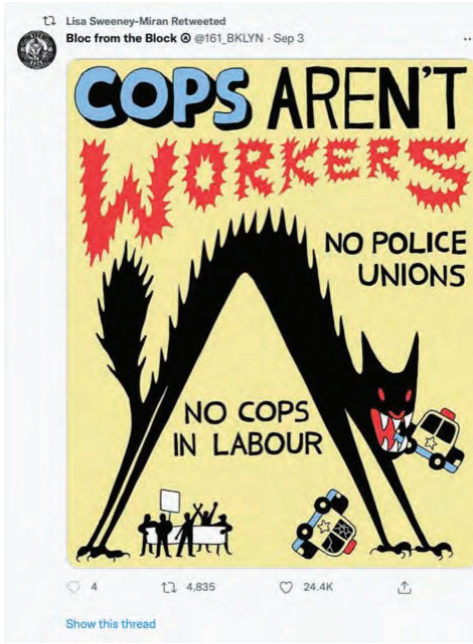
This isn't a war zone, @boulderpolice, it's a busy downtown street next to several large housing complexes, restaurants, and a hotel. Do better.

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Replying to @TheCultClassics

We use our armored rescue vehicle to protect officers and the community during dangerous operations. There was no threat to public safety after the search warrant was executed

16 8 78



4 4,835 24.4K

Show this thread



Lisa Sweeney-Miran @LSweeneyMiran · Aug 12

When police enter a space the temperature immediately rises. Fear increases, everyone's adrenaline ramps up, and de-escalation becomes nearly impossible. If we want situations contained and resolved with empathy and understanding police aren't the solution. #Boulder #Denver



Andy McNulty @aj_mcnulty · Aug 12

this program is universally lauded as being extremely successful. it should be expanded, not turned into a co-responder program. the police have no place in these interactions with the public. they make us less safe. twitter.com/dashrorg/statu...

1 8 40



Lisa Sweeney-Miran @LSweeneyMiran · Sep 9

If you're going to share your views on Twitter, in a city council meeting, on ND, or in any other public space you are asking for people to engage & respond. Not everyone is going to like what you have to say. If you can't accept that you shouldn't speak in the public square.

2 1 42

EXHIBIT 6

From: [rob.gordon](#)
To: [a.e.russell](#)
Cc: [Benamin, Matt](#), [e.rockett](#), [Aaron Friend](#), [ac el Winer](#), [ara ates](#), [ob Wallac](#), [Mark osepe](#), [unie peer](#), [icole Folkerts](#), [auren ate](#), [eresia i era](#), [andermyde](#), [uria elley russell](#)
Subject: Potential PAM e: Concerned about Lisa Sweeney Miran serving on the Police Oversight Panel
Date: Thursday, December 15, 2022 3:41:33 PM
Attachments: [image.png](#)

terna ender

Dear City Council, we concur with Dave and Shelley Russell that Lisa Sweeney-Miran should not be a member of the Police Oversight Panel. Her involvement with the ACLU lawsuit should automatically disqualify her nomination. It is imperative the Police Dept have an objective independent person who is familiar with all of the hazards of illegal homeless encampments. Our neighborhood was subject to two (2) homeless campfires last summer (May and August 2022). A fire will quickly spread and endanger everyone. We support the Police Dept and City's encampment cleanup efforts. Thank you City Council for continuing the funding for this effort.

Gail and Rob Gordon
377 West Arapahoe Lane
Boulder CO 80302-5858
home phone: 303-938-1216
email: rob4527@gmail.com

On Thu, Dec 15, 2022 at 1:14 PM Dave Russell <dave.and.confuzed@gmail.com> wrote:

Hello, I am writing to express my concern about this. My wife (Shelley Russell), and I are very concerned about the illegal camping issue in Boulder as we experience whenever we walk the creek, or go to the bandshell area in the park, such as for the Boulder Country Market.

In our opinion, more needs to be done about this illegal activity, not less, and having someone with a stated conflict of interest more deeply involved seems improper at best.

image.png



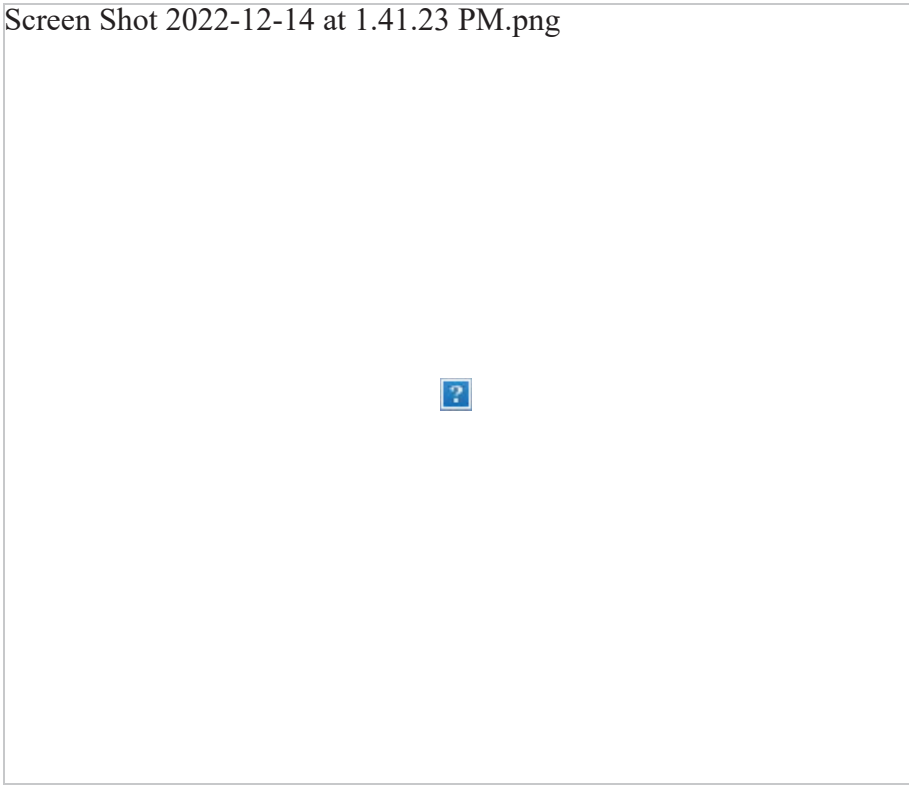
Best Regards,
Dave Russell

EXHIBIT 6

From: [Daphna Rubin](#)
To: [Benjamin Friend](#), [Michael Rockett](#), [Aaron Winer](#), [Robert Wallace](#), [Mark Joseph](#), [Nicole Folkerts](#), [Aurea Tate](#), [Alicia Andermyde](#)
Subject: Potential PAM to the Police Oversight Committee
Date: Wednesday, December 4, 2022 : 3:0 PM
Attachments: [Screen Shot 2022-12-14 at 1.41.23 PM.png](#)

Dear City Council members,

I am writing to express my concern about Lisa Sweeney-Miran's appointment to the Police Oversight Committee. She is not a suitable candidate because she has extreme bias/prejudice toward police in general and BPD specifically. She is currently a plaintiff in an ACLU lawsuit that names Chief Herold as a defendant. She has been overt and vocal about supporting the abolition of police. See one of her many messages below on this topic.



I strongly oppose her appointment to this panel.

Thank you,
Daphna Rubin

EXHIBIT 6

From: [o_eply](#)
To: [Council ContactCo](#), [Mueller, rad Mesc uk, C ris_a is, Pam_i era_andermyde, uria_untley_ara](#)
Subject: Warren Hultquist: Feedback on pending council action
Date: Wednesday, December 4, 2022 0:02 PM
Attachments: [4330_2_Abolition of police isa e a_faf_fdb_d3_d0e_22_4a33.pg](#)

Preferred Form Language: English / Inglés

Name: Warren Hultquist

Organization (optional): Quantum League

Email: whultquist@gmail.com

Phone (optional):

My question or feedback most closely relates to the following topic (please choose one): Feedback on pending council action

Direct my submission to: Staff and Council

Comment, question or feedback: Dear Council Members, City Manager, and City Attorney,

Do you ever get the feeling you've been baited or swindled into reacting to a problem that in hindsight appears choreographed to move public opinion in a unified direction?

This Thursday you'll be considering candidates for the freshly minted (and intentionally reactive) Police Oversight Panel.

You will receive many letters and hear from public speakers urging you to not place Lisa Sweeney-Miran on that panel. Her documented bias is glaringly for "abolishing" local policing.

For example, see this screenshot (attached) of a now-deleted tweet from Ms. Sweeney-Miran from September of 2022. (The internet never forgets, thanks to the wayback machine).

...And consider....why would someone delete this if they were earnestly for defunding / "abolishing" local police? Maybe it is a political recalculation now that people are waking up to the intentional and severe harm being done in select cities around the country by this plainly toxic agenda.

I urge you to not only reject placing Ms. Sweeney-Miran on that panel, but also ...investigate the nexus of policy changes that intentionally created the illegal camping and associated crime. Cities like LA, Seattle, Portland, Denver, San Francisco, New York, Austin, etc. have all more or less followed the same policy template of decriminalization and bail reform, and are now suffering from severe crime waves.

I ask, are you for this intentional, managed demolition of select cities? Do you not see the pattern emerging in select cities across the country, and now here in Boulder?

The policies that catalyzed those crime waves are intentionally harmful, meant to degrade and

EXHIBIT 6

demoralize local police, thus ushering in more conflict via "Police Oversight Panels", well-intentioned but unrealistic and spiraling expenditures on "addressing the homeless problem", and overall shifting a community into a self-destructive pattern of accommodating and tolerating illegal activities.

The reactions are predictable, starting a downward spiral of conflict and crime.

This is a very old tactic of creating a problem to catalyze a reaction, thus setting the stage for a suffering community to demand a "solution".

Problem, Reaction, Solution.

We didn't have a "policing problem" in Boulder, certainly not on a level that would justify the extreme and reflexive policy responses to riots around the nation. National attention on Minneapolis was used and abused to push this harmful agenda in cities receptive to the "play". Lacking a local martyr, Boulder leaned into the Homeless / illegal camping angle, blamed "covid", and with some outside "help" from the ACLU, created the conflict desired to cast policing in a bad light. In other words, when the supply of conflict was low, it had to be manufactured, with staged and just-in-time graffiti slogan tagging and all.

While there's certainly anecdotes to shame any police department in the country, even in Boulder, on the whole, our police are not known for "lethal knee on the neck - systemic racism".

Our town was not broken, so it had to be broken in a plausible way so that "reimagining policing" could be justified. That's the "solution" being peddled as a result of the choreographed problem. Demoralization leads to abdication, which leads to crime, which leads to seeking "outside" help from "higher" authorities.

People are starting to see the scaffolding of this sham. People are getting wise to the sick game being played. It's not too late for you all to reverse the obvious and intentionally harmful policies, and stop the dystopia-theatrics that are now having real and very negative impacts on a once-peaceful and safe town. We've always had a seasonal ebb and flow of people passing through. It was at a manageable level and most of those folks were not committing crimes or turning Central Park and bike paths into a KOA-drug festival-chop shop free for all.

Simple political triage suggests we don't need a "Police Oversight Board" nearly as much as we need to fill the 29-officer hole in the roster and immediately reverse the decriminalization policies that started the cycle of trouble in the first place. Those found to still be pushing these intentionally harmful policies should be identified and held fully accountable for violating their oath of office.

Warren Hultquist
Boulder, CO

[[FSF080521]] Submission ID is #: 1046893797

[Compose a Response to this Email](#)

EXHIBIT 7

From: [King, Victor](#)
 To: [Kane, Aimee](#) [AW](#) [A](#) [PA](#) [A](#) [AC](#) [A](#) [Ana Casas](#) [Jude Landsman](#) [Holt, Sarah](#)
 Subject: e: AF of POP Selection Process document
 Date: Thursday, December 22, 2022 : 0: 3 AM

I affirm.

From: Kane, Aimee <KaneA@bouldercolorado.gov>
Sent: Tuesday, December 20, 2022 2:57 PM
To: SHAWN RAE PASSALACQUA <shawnrae@empathyadmissions.com>; Ana Casas <ana@elcentroamistad.org>; Jude Landsman <econopps.naacpbouldercounty@gmail.com>; Holt, Sarah <HoltS@bouldercolorado.gov>; King, Victor <KingV@bouldercolorado.gov>
Subject: RE: DRAFT of POP Selection Process document

Thank you Shawn Rae and to Sarah and Jude for affirming.

From: SHAWN RAE PASSALACQUA <shawnrae@empathyadmissions.com>
Sent: Tuesday, December 20, 2022 2:15 PM
To: Ana Casas <ana@elcentroamistad.org>; Jude Landsman <econopps.naacpbouldercounty@gmail.com>; Holt, Sarah <HoltS@bouldercolorado.gov>; Kane, Aimee <KaneA@bouldercolorado.gov>; King, Victor <KingV@bouldercolorado.gov>
Subject: DRAFT of POP Selection Process document

terna ender

Hello Selection Committee Members,

Please find attached a draft of the process document.

Please know:

- 1) In the interview section, a link to all the interviews will be included.
- 2) Per the request from City Council, an additional section will be added to end of that document with language that the Selection Committee reconvened on 19 December 2022 with the City Attorney’s Office and City Manager to discuss next steps, that they received the public comments that went to council, and then whether or not they reaffirmed the final selections of the panelists and alternates.

At this stage, I ask that you all respond to this email as to whether you affirm the final selections or would like to amend them. [You all should have received responses from Sarah and Jude, as well as an email from Nuria.]

Thank you!

Shawn Rae

EXHIBIT 7

Shawn Rae Passalacqua (*they/them*) — [Learn more](#)

Empathetic Admissions Advisor / CEO

1.802.648.1230 PO Box 17974, Boulder, CO 80308

www.empathyadmissions.com

EXHIBIT 8

From: [AW A PA A AC A](#)
To: [Ana Casas](#)
Subject: e: AF of P P election Process document
Date: ursday, eceMBER 22, 2022 2: 3:2 PM

terna ender

No worries, Ana. :)

I am so sorry that you've been having problems with your heating today. I hope that you and the family are someplace warm.

Thank you for your reaffirmation of the selections for panelists and alternates.

Shawn Rae

Shawn Rae Passalacqua (*they/them*) — [Learn more](#)
Empathetic Admissions Advisor / CEO
1.802.648.1230 PO Box 17974, Boulder, CO 80308

www.empathyadmissions.com

On Thu, Dec 22, 2022 at 12:02 PM Ana Casas <ana@elcentroamistad.org> wrote:

Thank you Shawn Rae,

I meant to get to this earlier, but our heater burned out this morning and we are trying to figure out what to do.

After reviewing the material provided by city staff, I re-affirm my selections for the Police Oversight Panelist and Alternates. I also affirm I addressed implicit and explicit bias with extreme rigor through the applications review, and interviews and followed all procedures required by the ordinance.



Ana K. Casas Ibarra
Coordinadora de Acceso y Desarrollo Comunitario
(303) 995-2318
[El Centro AMISTAD](#)

From: SHAWN RAE PASSALACQUA <shawnrae@empathyadmissions.com>

Sent: Thursday, December 22, 2022 9:44 AM

EXHIBIT 8

To: Ana Casas <ana@elcentroamistad.org>

Subject: Fwd: DRAFT of POP Selection Process document

Hello Ana!

I hope you are well and having a relaxing holiday season with family and friends.

When you have a moment, please let me know whether you affirm the decisions you and the Selection Committee made on Panelists and Alternates, OR based upon the public comments emails received from City Council, that you would like to amend or make changes to the decisions.

Once I have heard from you, Aimee and I will communicate with everyone what our next steps will be.

Thank you so much!

Shawn Rae

Shawn Rae Passalacqua (*they/them*) — [Learn more](#)
Empathetic Admissions Advisor / CEO
1.802.648.1230 PO Box 17974, Boulder, CO 80308

www.empathyadmissions.com

----- Forwarded message -----

From: **SHAWN RAE PASSALACQUA** <shawnrae@empathyadmissions.com>

Date: Tue, Dec 20, 2022 at 2:14 PM

Subject: DRAFT of POP Selection Process document

To: Ana Casas <ana@elcentroamistad.org>, Jude Landsman

<econopps.nacpbouldercounty@gmail.com>, Sarah <HoltS@bouldercolorado.gov>, Kane,

Aimee <KaneA@bouldercolorado.gov>, King, Victor <KingV@bouldercolorado.gov>

Hello Selection Committee Members,

Please find attached a draft of the process document.

Please know:

1) In the interview section, a link to all the interviews will be included.

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EXHIBIT 8

selections of the panelists and alternates.

At this stage, I ask that you all respond to this email as to whether you affirm the final selections or would like to amend them. [You all should have received responses from Sarah and Jude, as well as an email from Nuria.]

Thank you!

Shawn Rae

Shawn Rae Passalacqua (*they/them*) — [Learn more](#)
Empathetic Admissions Advisor / CEO
1.802.648.1230 PO Box 17974, Boulder, CO 80308

www.empathyadmissions.com

From: [Jude Landsman](#)
 To: [Kane, Aimee](#)
 C: [Solt, Sara](#) [King, Victor](#) [Ana Casas](#) [AW](#) [A](#) [PA](#) [A](#) [AC](#) [A](#) [Liera](#) [andermyde](#) [Nuria](#) [ate](#) [eres](#)
 Subject: e: Public Comment mails to Council
 Date: Tuesday, December 20, 2022 2:0 :3 PM

terna nder

Dear Aimee, Shawn Rae, Nuria and All,

I concur with Sarah Holt--

After reading the attached material, and especially considering the contested candidate's statement that she will remove herself from the ACLU litigation, I re-affirm my selections and state that I believe we addressed implicit and explicit bias with extreme rigor through our interview and followed all procedures required by the ordinance.

Thank you.

Sincerely,
 Jude Landsman
 NAACP Boulder County

On Mon, Dec 19, 2022 at 7:44 PM Kane, Aimee <KaneA@bouldercolorado.gov> wrote:

Good evening selection committee,

Thank you for your patience while city staff pulled the above information together.

I am attaching the public comment emails that were sent to council regarding the panel candidate selections. We only included unique emails as some individuals chose to send each council member individual, but duplicative, emails. Should you want them all, we would be happy to forward.

Also, please note to the panel that in some of the emails you just see an outline where an image would be. The only way the communications team could get the image to appear within the email in a PDF was to print in a way that my name appeared on the top of every email which seemed weird, so each email was saved as a PDF and then they went back and pulled all of the images. Many were duplicates so she only pulled once. They are all within the document just not right with each email.

EXHIBIT 9

I will work to update the memo to council tomorrow after receiving final direction for the selection committee and the process summary from Shawn Rae. The memo will be sent to council in advance of the January 19th meeting.

I appreciate everyone's time and energy throughout this process.

In Gratitude and Service,

Aimee Kane

Equity Officer

(pronouns: she/her/hers) [What's This?](#)

C: 720-315-4933

kanea@bouldercolorado.gov

City Manager's Office

1777 Broadway | Boulder, CO 80302

BoulderColorado.gov

The City of Boulder acknowledges the city is on the ancestral homelands and unceded territory of Indigenous Peoples who have traversed, lived in and stewarded lands in the Boulder Valley *since time immemorial*. Those Indigenous Nations include the: Di De'i (Apache), Hinono'eiten (Arapaho), Tsistsistas (Cheyenne), Nąmąnų (Comanche), Kiowa, Čariks i Čariks (Pawnee), Sosonih (Shoshone), Oc'eti S'akowin (Sioux) and Núuchiu (Ute). The City of Boulder recognizes that those now living and working on these ancestral lands have a responsibility to acknowledge and address the past and must work to build a more just future. [Read our full staff land acknowledgement.](#)

EXHIBIT 10

----- Forwarded message -----

From: **Holt, Sarah** <HoltS@bouldercolorado.gov>

Date: Tue, Dec 20, 2022 at 6:41 PM

Subject: Re: Public Comment Emails to Council

To: King, Victor <KingV@bouldercolorado.gov>, Ana Casas <ana@elcentroamistad.org>, Jude Landsman <econopps.naacpbouldercounty@gmail.com>, SHAWN RAE PASSALACQUA <shawnrae@empathyadmissions.com>

Cc: Rivera-Vandermyde, Nuria <Rivera-VandermydeN@bouldercolorado.gov>, Tate, Teresa <TateT@bouldercolorado.gov>

-Amiee

After reading the attached material, and especially considering the contended candidates statement that she will remove herself from the ACLU litigation, I re-affirm my selections and state that I believe we addressed implicit and explicit bias with extreme rigor through our interview and followed all procedures required by the ordinance.

-S



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: January 19, 2023

AGENDA TITLE

Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, "Police Oversight," B.R.C. 1981, pertaining to the composition, duties and powers of the city organization related to civilian oversight of the police and setting forth related details.

PRESENTER(S)

Nuria Rivera-Vandermyde, City Manager
Teresa Taylor Tate, City Attorney
Aimee Kane, Equity Officer
City of Boulder Police Oversight Selection Committee

EXECUTIVE SUMMARY

The purpose of this item is to request City Council approval of the Police Oversight Panel members and alternates selected by the City of Boulder's Police Oversight Selection Committee. On November 10, 2020, Council passed a motion to adopt Ordinance 8430 amending Title 2, Chapter 11, "Police Oversight," B.R.C. 1981, pertaining to the composition, duties and powers of the city organization related to civilian oversight of the police, and setting forth related details. Additionally, on July 21, 2022 Council passed a motion to adopt Ordinance 8543 amended section 2-11-6 "Police Oversight Panel – Qualifications and Appointments," B.R.C. 1981, Increasing the number of Panel members to eleven and alternates to four; and setting forth related details.

The ordinances call for the formation of a Selection Committee to interview and select six new panel members and four alternates. Consistent with the ordinances, the Selection

EXHIBIT 11

Committee consisted of two current members of the Police Oversight Panel along with a representative from two non-profit organizations that serve the Boulder community. El Centro Amistad and the NAACP of Boulder County were the two non-profits selected by the Police Oversight Panel to serve on the Selection Committee.

Process

Applications to serve on the Police Oversight Panel were accepted from September 24th, 2022 to October 14th, 2022. A total of 57 individuals applied. The Selection Committee members reviewed all application materials and selected 19 applicants to interview and interviewed 18 applicants. Interviews occurred from November 9-20, 2022. The Selection Committee then met on November 20, 2022 to discuss the interviewed applicants and select the six panel members and four alternates.

At the December 15th, council meeting, council members passed the following motion language: *To refer Consent Agenda Item 3E back to the Selection Committee to relook at all applicants or all recommended panelists under code criteria that are required to be appointed and eligible for this panel with guidance from the City Attorney's Office and with explanations or certifications explaining the steps that were taken, in writing.*

On December 19th the selection reconvened with City Manager Nuria Rivera-Vandermyde and City Attorney Teresa Taylor Tate to discuss council's ask and next steps. Also, on December 19th, the selection committee received a package of public comment materials that were sent to council referencing the candidate slate for the police oversight panel.

A written detail of the selection process, including demographics can be found as Attachment B.

The selection committee is reaffirming their selections of panelists and alternates as listed below.

Recommendations

The six applicants chosen by the Selection Committee are:

1. Danielle Aguilar
2. Maria Soledad-Diaz
3. Madelyn Strong Woodley
4. Sam Zhang
5. Lisa Sweeney-Miran
6. Mylene Vialard

The four alternates chosen by the Selection Committee are:

1. Kristen Drybread
2. Lizzie Friend

EXHIBIT 11

3. Jason Savela
4. Arlette “AB” Barlow

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981, pertaining to the composition, duties and powers of the city organization related to civilian oversight of the police and setting forth related details.

ATTACHMENT

- A – Nominated Panel Members’ Bios and Video Interview Links
- B – Police Oversight Panel Selection Panel + Demographics



CITY OF BOULDER
CITY COUNCIL REGULAR MEETING ACTION SUMMARY
 Thursday, January 19, 2023

1. CALL TO ORDER AND ROLL CALL – 6:00 p.m.

Present – In Person:	Brockett, Benjamin, Folkerts, Joseph, Speer Wallach, Winer, Yates
Present Virtually:	Friend

Motion to AMEND the agenda to:

To ADD:

- **Item 1C** – National Day of Racial Healing Declaration to be read by Council Member Benjamin – which will reorder items (1C – added item & previous 1C will now be 1D.)

To CONTINUE to the February 2nd, 2023 meeting:

- **Item 5B** – Continuation of second reading and consideration of a motion to amend Ordinance 8556, amending Title 9, “Land Use Code,” B.R.C. 1981, to update the use table and use standards related to industrial uses and districts

Motion Carried – 9:0

A.	Joni Teter & Matt Appelbaum Housing Legacy Day Declaration to be read by Mayor Brockett	
B.	International Holocaust Remembrance Day Declaration read by Council Member Winer	
C.	National Day of Racial Healing Declaration read by Council Member Benjamin	ADDED
D.	Debrief on changes to the emergency alert system , and what social media platforms the city utilizes for real time updates related to the Sunshine Wildland Fire	

2. OPEN COMMENT

3. CONSENT AGENDA – Items B thru E – APPROVED 9:0 – 3A CONTINUED

A.	Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel , as outlined in Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details – Motion to call a Special Meeting of Council on January 26th, 2023 prior to the Study Session made by Council Member Yates and seconded by Council Member Joseph. - Motion carried: 9:0	Motion to CONTINUE to direct the City Attorney to investigate the verified Code of Conduct complaint, and verify quorum requirements – Carried 5:4
B.	Consideration of a motion to approve Matt Applebaum’s appointment to the ICLEI Local Governments for Sustainability USA board as the city's representative	

EXHIBIT 12

C.	Introduction, first reading and consideration of a motion to order published by title only Ordinance 8515 to update the Site Review criteria as part of the Community Benefit code change project	
D.	Second reading and consideration of a motion to adopt Ordinance 8565 amending Section 10-10-2, “Adoption of the International Plumbing Code with Modifications,” and Chapter 11-3, “Industrial and Prohibited Discharges,” B.R.C. 1981, to comport with state and federal laws; and setting forth related details	
E.	Second reading and consideration of a motion to adopt Ordinance 8567 amending Section 2-2-14, “Initiation and Settlement of Claims and Suits,” B.R.C. 1981, increasing the settlement threshold from \$10,000 to \$50,000; and setting forth related details	
4. CALL-UP CHECK-IN		
A.	Call-up consideration of a Concept Plan Review and Comment for a redevelopment proposal of 2747 Glenwood Court. The proposal includes demolition of the existing apartment complex and redevelopment of the site with attached multi-family and town house dwelling units constructed atop a new underground vehicle parking structure. The new development is proposed to include a multi-family building comprised of 102 efficiency living units (ELUs), 15 two-bedroom units, and six three-bedroom units, two separate townhouse buildings containing seven units each, and a leasing building. Reviewed under case no. LUR2022-00037	Motion to Call Up made by Council Member Speer and seconded by Council Member Wallach. – Failed: 3:6
5. PUBLIC HEARINGS		
A.	Consideration of the following tax related ordinances: 1. Second reading and consideration of a motion to adopt Ordinance 8548 amending Chapters 3-19 “Electronic Smoking Device Tax,” 4-32, “Tobacco Retailers,” 6-4, “Regulation of Smoking,” and 6-4.5, “Sale of Tobacco Products,” and Section 4-20-75, “Tobacco Retailer License Fee,” B.R.C. 1981, to clarify licensing of tobacco and electronic smoking device retailers and tax on electronic smoking devices containing nicotine by all businesses; and setting forth related details 2. Second reading and consideration of a motion to adopt Ordinance 8562 amending Sections 3-1-1, “Definitions,” and 3-2-6, “Exempt Property and Services,” B.R.C. 1981, to exempt essential hygiene products from the city’s sales tax; and setting forth related details 3. Second reading and consideration of a motion to pass Ordinance 8563 amending Title 3, “Revenue and Taxation,” B.R.C. 1981, to provide greater consistency in tax administration within the code, align terms with best practices in the state, provide clearer guidance to taxpayers; and setting forth related details	ADOPTED ADOPTED PASSED AS AMENDED – to be scheduled for a 3rd reading.
6. MATTERS FROM THE CITY MANAGER		
7. MATTERS FROM THE CITY ATTORNEY		
8. MATTERS FROM THE MAYOR AND MEMBERS OF COUNCIL		
A.	Recommendations from Council Subcommittee on Engagement and a Welcoming Council Environment	
9. DISCUSSION ITEMS		
10. DEBRIEF		

11. ADJOURNMENT at 9:55 p.m.



1. CALL TO ORDER AND ROLL CALL – 6:00 p.m.

Present – **In Person:**

NONE

Present **Virtually:**

Brockett, Benjamin, Folkerts, Friend, Joseph, Speer Wallach, Winer, Yates

A.	Consideration of a motion appointing Claybourne M. Douglas as Special Counsel pursuant to § 2-7-10(c), Boulder Revised Code, 1981	APPROVED 8:1 NAY: Joseph ABSTAIN: Speer
B.	Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details	APPROVED 6:3 NAY: Wallach, Winer & Yates

2. ADJOURNMENT at 7:08 p.m.

2022 11 09 POP Interviews 1 transcript

<https://www.youtube.com/watch?v=I1rMljhPTb4>

0:00

I like that she okay

0:12

hello oh Arlette how are you I'm good how are you doing quite well thank you

0:21

um so um my name is Sean Ray pasalaqua um I am this year's recruitment

0:26

coordinator and former uh police oversight task force uh panel member

0:31

um just wanted to let you know that this was the interview or reminds you that

0:37

this is the interview for the police oversight panel uh this meeting is being recorded

0:43

um for a future reference as part of the city of Boulder um we have about 20 minutes

0:50

um for this interview uh our questions that we'll be asking you and there are five will be posted in the chat

0:57

um just in case um you don't hear them right you'll have a reference as well and I'm just going

1:03

to quickly introduce the members of our committee we have two current panelists Martha Wilson and Sarah Holt we have two

1:12

community members who are serving on the selection committee on a Caso sibara from El Centro Amistad and Jude landsman

1:19

from NAACP we have myself and then we also have Amy Kane who is with the city

1:25

of Boulder and we're very happy to have you here nice to meet you thank you go ahead with

1:33

question number one

1:39

hello um again thank you for being here and accepting too like for this interview at

1:45

this time um the first question is what do you believe you signed up for in applying to

1:52

the city of Boulder's police oversight panel

1:57

I'm glad for the chat um

EXHIBIT 14

2:03

what do I believe I signed up for I believe that I signed up to be part of

2:08

a group of people who look over what the goings-on that are happening with the citizens of Boulder County and also the

2:17

police department to make sure that things are just Fair basically that

2:26

sorry real quick follow-up if they're not Justin Fair what do you think this panel does

2:32

um well that's why I'm here because I don't actually know I researched a little bit and um but I'm curious and

2:39

but anything that's about making sure that where there's some sort of checks and balances and accountability that's

2:46

pretty awesome what that how that presents itself depends on the committee right

2:52

but I think that every organization should have this thank you

3:00

uh on to me hi I'm Jude can you tell me how to pronounce your name

3:07

it's um a b a b yes or Arlette oh that's

3:13

okay thank you um no problem uh greetings

3:19

um I the question is how would you characterize your perception of law

3:25

enforcement and why how would I characterize my perception

3:33

of law enforcement um law enforcement here in the states I've

3:38

lived all over the world my dad was Air Force my mom was NASA so I grew up in Europe so I've had a chance to

3:45

experience different types of law enforcement you know especially being black in America

3:52

um and that said um I haven't had any super negative experiences

3:58

how would I perceive it um

4:04

here in Boulder County um I don't even know how to answer that you

4:10

know it's not a negative for me I think that it's in place to make sure that
4:15
people are safe and that there has some sort of organization but I really don't know how
to answer
4:21
that question I'm sorry that's fine um I get it the the
4:29
let me ask this as a black person walking around Boulder
4:36
uh do you feel safe and do you feel safe around the
4:45
police um again I present myself a little bit
4:51
differently than my brother who lives in Atlanta because he's lived in the states longer
than I have
4:58
um I don't get bothered by the police the
5:03
police don't mess with me um I'm not frightened by the police
5:09
because I I lean on my education I lean on the knowledge that I was taught by my
5:14
parents how do we respond when there's some sort of conflict um we lean in you know
we don't make it
5:21
worse we don't incite I'm a law-abiding citizen so I really don't for my kids I teach them
the
5:29
things that they're supposed to do as black kids and black people in in this world so that
they too can be safe
5:37
but um pretty much in Boulder I've only had
5:43
positive experiences I've been pulled over and I've been treated courteously
5:49
Boulder is one of the few places where it is super safe you know when I'm in the South I
do not
5:55
drive at night time in between cities because it is not safe
6:01
right so you have a general understanding yes of being black in America and
6:08
the relationship with the police yeah but I don't wear it as a chip on my shoulder
because I have not

6:15

I have not had those experiences where I'm hardened in that way I'm still super curious I still believe that people most

6:22

people mean well and what can I do in any situation to make sure that that is front and

6:28

foremost [Music] right good well thank you thank you you

6:36

know uh the police oversight panel does tend to hear the complaint part the part

6:43

that means don't go right so I understand that yeah and I'm aware that things most a lot of

6:51

times things don't go right right so I'd like to listen through I am a transformation coach

6:58

um tripex listening Is My Jam to hear through and hear everything

7:03

so thank you to be a part of those conversations

7:10

thank you um a b I'll go ahead and lead with that

7:15

um uh since that's how you identified yourself initially

7:21

um I've got question three uh we share a time when you questioned

7:28

or challenged a long-held belief or idea how did you deal with the blowback of

7:34

being in the hot seat I'm 55 so yes this has happened in my

7:41

lifetime um again and I keep falling back on this because it's a huge part of who I am I mean

7:49

I've lived in America and I've lived overseas and I travel a lot um

7:55

I'm also very outspoken so I can be in the hot seat sometimes how do I deal

8:01

with it with curiosity I always want to know more about how I got there what I can do better I'm always at the

8:08

belief that I can do better I believe for other people too that they can do better given the opportunity

8:15

we can lean in and do something different so me coming at you with curiosity and compassion I want to know

8:22

where you're at I want to know how you got there and a lot of times that's super disarming

8:28

because people like to be heard that's what I've learned people like to talk and they like to be heard

8:37

amen well hi IBM Sarah

8:45

um can you talk to me a little bit about your your strengths and areas for development as it as they would relate

8:52

to the mission of the police oversight panel my strengths and areas of development as

9:01

it pertains to as it relates to your work on this police um

9:07

foreign

9:19

my biggest strength is that I'm a connector of people

9:25

it's what I've always been and I also believe that everyone has a voice

9:31

and I'm curious man I keep saying that I want to actually know

9:37

situation and I want to and another big strength is that I'm a co-collaborator I love to

9:44

work with people I like to create new systems I do a lot of Dei work and

9:52

um and I do it in a different way because I have a global aspect

9:58

I'm not about tearing people down about showing

10:03

I'm a disrupter of patterns

10:11

any proprietary information

10:20

um I do it every day with my coaching where people walk in with certain **biasedness** and a lot of it comes from

10:25

the patterns that they that they they're living their own patterns I'm living my own patterns I'm divorced I'm

10:31

living my own patterns which is why I'm not dating right now so I want to make sure that I'm aware of these things and

10:36

I make sure that my clients are aware of these things that the things are places and our environments bring us to where

10:43

we are right now and if we want to have change then we have to fully investigate ourselves we have to look inside and see

10:50

where our **biases** are what it is that we believe in how we got here in order to

10:55

see a way through okay so a little self-investigation goes a long way

11:01

fair enough fair enough [Music] um uh just a real quick yes or no what we

11:09

found is that the time commitment is significant it's about 15 hours per month

11:14

um is that something that you could still commit to seven 15 hours a month yeah

11:20

um how how is that played out how are those 15 hours played out

11:27

yeah flexible to our schedules yes flexible tour schedules

11:33

um for sure but often it would be like this where we take a couple hours out of our nights sometimes if there's a big

11:40

issue it's multiple nights of a couple of hours all of us have most of us have families

11:46

but the having to squeeze in some additional time or this is a reality

11:53

no I understand it's work that's important to me so I have the time

12:00

thank you thank you uh AB do you have any follow-up

12:08

questions for the committee we have um about five five more minutes

12:15

with you if you'd like perfect um yeah I do um how long have you all been working

12:22

together and what is how does the oversight committee work together what type of people are you looking for

12:29

to work with you what type of how open are you how hard

12:34

is this I have so many questions [Laughter] I think that may be a great question for

12:41

us up Sarah is going to answer lovely yeah I'll answer really quickly and then I'll certainly let

12:48

what I'll say time commitment was a surprise it is worth it also I think

12:54

generally we're not working for a certain type of person we're looking for somebody who understands the challenges

13:02

of driving change within a system that we don't have as much power as we would

13:08

like to have how we do that um and you know Martha Martha can verify

13:16

this or not um we we all get along but we disagree in a in a way in which tib

13:21

chin brings us to the right outcomes right on that's what I want that's what I wanted to hear thank you

13:27

Martha no we're we're

13:33

average Everyday People some are professionals some are um learning we all bring a different

13:40

perspective that is unique and even when we Clash we still try to work together

13:45

because we recognize that we're um representing uh

13:52

really systemic change and you know sometimes there's there's is a big amount of blowback when you're up

14:00

against systems of white supremacy that's just right that's how it is so

14:05

collaboration is key but and communication is key

14:13

and I would like to say something um from

14:19

NAACP point of view of of calling for the oversight panel to

14:25

begin with as a result of Zade Atkinson being surrounded by the police and

14:31

naropa a black naropa student and so there's an understanding that

14:39

um there's very few checks and balances and this is

14:45

um not the most successful check and balance yet but the this panel we are selecting

14:53

quite a few so this new round of applicants and members will have a

15:00

significant impact on um on the

15:06

um with you know uh the composition and what it looks like

15:12

and how and how it works so there's really sort of a newness happening with

15:18

this that's from more of an outsider uh perspective or overview perspective that

15:27

this Pan the initial panel had a lot of initial work to do

15:32

and now this this panel will have um I think a

15:38

slightly different attitude okay um I just want to add to that there

15:44

there was nothing in existence when we came together so there was a lot of visioning
and then creating and then

15:52

frameworking and it was a mess so I I refreshed and optimistic about who

15:59

we're pulling in um so I don't want to scare you away no

16:06

I've been here since 2005 and I moved here from New Orleans so

16:11

um being the fact that you whether you know maybe late to the party but it's still a good
party I'm glad

16:17

you're here it's important you know and I remember the naropa students I remember
when that happened because I was living here and

16:24

um it is why I teach my kids how they can diffuse and how they can help themselves in
those types of

16:30

situations because an accident can go things can go crazy very quickly you

16:38

know I am just a little bit about me as well I am part of the I am the executive secretary
on the executive board at the

16:45

Dairy Center I am there right now and I'm also on the board for my kids school at
watershed

16:52

so um and like I said I want to be in these spaces so I can create better safe

16:57

places and this is a this is a space that I'm not in and I want to be a part of that building that safety for others

17:05

a part of the new change that you guys have built excited about the music oh no no problem

17:12

whatsoever thank you for carving time out of your day and being at the center to come and speak with us

17:19

um I think that's I think that's a wonderful note to end on um thank you so much for your additional

17:25

Reflections ab and just to give you an idea of the timeline um Jude alluded to this we are selecting

17:34

um five new panelists um as well but and we will be making decisions

17:40

later this month and the city council will be confirming those decisions

17:45

um on the 15th of December so you will have a little bit of time um before you'll actually hear from us

17:52

okay perfect thank you so much for your time thank you very much

17:58

take care

18:14

good evening good evening how are you doing doing quite well um I see I'm on your screen that you go

18:21

by Sue I go by Sue that's correct wonderful well um thank you very much for for being here with us tonight Sue

18:28

um just a quick little overview my name is Sean Ray pasalaqua I'm a former member of the police oversight task

18:35

force that created this entity for which you are applying um this was the interview for the police

18:42

oversight panel um it is uh being recorded uh for our purposes of uh historic relevance for

18:49

the city of Boulder um your interview should last about 20 minutes

18:54

EXHIBIT 14

um the questions will be posted in the chat um so that you can refer to them if you
19:00
need to have them repeated they are there um and then let me introduce your
19:05
selection committee we have two current police oversight panelists that is Sarah
19:11
Holt and Martha Wilson we have two outside community members
19:16
who are joining us on a casa sibara from El Centro Amistad and Jude landsman from
19:22
the NAACP we also have Amy Kane who is a city employee with Boulder
19:30
so without further ado we will get started and again we have five questions
19:36
and they will be posted on a chat for you hello Sue thank you again for being with
19:42
us tonight um and taking the time for this interview uh first question
19:48
what do you think the police oversight panel is and what it does what do you
19:53
think it does uh from what I read it's um it basically handles
20:01
um grievances from citizens um and interactions with Team citizens
20:07
and officers um and trying to in a sense mediate and
20:13
uh let's see what what misinterpretations or any misinformation
20:19
that hasn't happened and kind of um seen uh as far as how the police force can
20:27
better their policy moving forward and handling in such a certain situation
20:38
okay thank you hi uh
20:45
thank you for coming uh what is your experience or have you
20:51
had any direct experience with law enforcement uh
20:56
is part one and if so tell us about it
21:04
um well early on in my life I was going to become a police officer I was going to be a
Potter certified at the state of
21:11
Ohio uh I went forth ride-alongs and I had several friends who were uh sergeants

21:18

when it was still a good friend of mine is a sergeant at Northwood Ohio uh police department and I've seen

21:25

a lot of interactions firsthand um stuff you wouldn't see if you never went on ride-alongs and we thought it

21:31

was due to the late night ride-alongs and uh you know I would watch interactions

21:38

um with that I was a mall security officer that's how we met and I did lost

21:43

prevention for ReStore and I got more asking more questions regarding law

21:48

enforcement but then life you know it doesn't always go the way you want and it just turned into working in Pharmacy

21:56

and I also do mediation work for the torelli foundation

22:03

so what would you say your perception of law enforcement is

22:10

in relationship to the work of the police oversight panel

22:16

yes uh you know there's a lot of there's you know currently a lot of discussion with uh with defunding the police and

22:22

whether or not police officers need it as a home certain to domestic abuse situations you know um and a lot of

22:28

times you see that it's a lot of it is domestic disputes um sometimes domestic violence and you

22:36

know the first thing for us please talk to would do is de-escalate the situation

22:42

you know just try to get our information and de-escalate and see what's going on and

22:48

um you know prevent arrests prevent anything from escalating more more so than it should have

22:57

thank you

23:02

hi Sue um I've got question three uh please share a time when you questioned or challenged

23:10

a long-held belief or idea how did you deal with the blowback of

23:15

being in the hot seat uh well I grew up Southern Baptist my my

23:23

father is actually a southern baptist creature and um I and you know they they

23:29

strongly believe in uh the idea that homosexuality was immoral is wrong

23:37

and I I was actually one of the first people in my church to actually question

23:42

that and you know and and go against my father and I don't household to go

23:47

against you know these people who I'm supposed to look up to and question them and their beliefs and uh I dealt with

23:55

the blowback with on the community with my friends everybody else and it took a lot to stand up against the church and

24:02

uh you know moving forward

24:09

so you using that perspective

24:16

um in some ways this work can be like that

24:23

times um complexity and

24:30

um human nature and mental health elements how uh what is it about you

24:36

that makes you confident that you can jump in there and kind of dissect that

24:42

and work around on it um yeah one of the things I learned in

24:47

uh mediation I've actually gone through the mediation school and um

24:52

and we've we've dealt with uh you know right now we we do with freaking flyers in Boulder County Courts uh of um

25:00

relocation divorces um alimony stuff like that

25:06

and you hear both sides of the mediation here both sides parties and they're very

25:12

strongly agree that or believe that they they are right and without you know you

25:18

can't tell them no you can't come to any agreement at all and then you find uh what's the focus

25:24

and on both those two sides whether it's peace whether it's uh the child's

25:30

well-being Mental Health and then you you kind of hone in on that and you and you kind of listen to both

25:36

parties and you build on and installed agreements like yeah I do agree with

25:41

them I do agree with that it kind of smell the balls into a bigger agreement and kind of trying to figure out what

25:48

what's the biggest cause whatever problem that's going on right now and in kind of like instead of

25:56

figuring out spending a lot of time small things you find the biggest problem like oh that's that's the big

26:01

thing that's the biggest problem that's what you're really guys as I really focused on and if you come to your agreement uh you

26:09

can prevent a lot of people from going to court and um basically settling uh in

26:15

mediation which is great

26:24

cool you know any follow-ups Martha

26:29

I'm no I'm good cool um hi Sue uh

26:37

I'd like um for you to tell me some specific examples of where your strengths

26:46

um uh worked in your favor and or your areas for development hinder your

26:54

progress in work similar to what we do here on the panel

27:00

that's a good question what my strengths I hindered my progress

27:06

so let's think about strengths and areas for development so areas for

27:12

the development is just a new way of saying weaknesses things you need to work on okay so strengths or weaknesses

27:20

because everybody has them it's fine both um can you tell me a specific situation

27:25

on which you used either a strength or where a weakness potentially hindered

27:31

work very similar to like what we do on the police oversight so tense

27:36

kind of maybe not always making popular decisions that kind of stuff you have anything like that specifically where

27:42

you can give us an example yeah um funny story I used to be a car

27:47

salesman for three months uh border Toyota I

27:53

would work at on you know deterior dealership over the summer and I worked

27:59

at the University when I was off during the summer and uh one of the things I've learned as

28:05

a car salesman is it's really strange yeah you do have to listen to people but a lot of things I never realized I've

28:11

done and somebody pointed out to me is that I wouldn't really listen to people I would I would not really concentrate

28:18

on what they're what they're thinking about or what they're actually saying I'm actually coming up with an answer right before they even finished talking

28:25

and I'm really I'm ready to you know spew out the my response by having you

28:31

heard the whole story yet and that's one thing I realized as a weakness that I did when I was you know I was I was

28:38

thinking I gotta be fast on your feet fasten your feet but in actuality you just gotta slow down

28:43

slow down listen to what's going on let them finish because they have this whole

28:48

story and at the end oh okay that's your question at the end and then that's one thing I I worked on

28:56

um you know I want to listen to them completely and on one of the strings I

29:01

have they used to have this nickname for me they called me the Asian persuasion and

29:07

they I would I would you know I'll do a good job of you know trying to relate to

29:13

the person kind of understand where they're coming from because we've all been there
you know I totally understand

29:18

what you're saying I've been there we've all been through it we're all here in the same
boat

29:25

I mean let's come together let's work together as a team if we got the situation let's
figure out and it kind

29:30

of bond them and gained that trust um you have to use it incorrectly but

29:36

just to you know let them know this is what's going on we're not here to see you we're
here to work with you you

29:41

understand where we're coming from I understand where you're

29:48

cool um uh one real quick kind of yes or no question

29:54

um what we found is the actual time commitment uh to be a panel member is
significant it's about 15 hours per

30:02

month um and we just want to reconfirm with you that you understand that and that you
have that time available in your

30:09

schedule I do yes I understand that I have that time available in University

30:15

okay all right I think I'm done Sean you want to wrap it up

30:20

of course so I just put in the chat we have five minutes left if necessary um Sue do you
have um any questions that

30:27

you would like to ask of our selection committee yeah I do actually

30:33

um what is your guys's uh yeah before you get started the community what was your
perception of the committee and

30:40

after working there not so becoming like jaded or actually understand what it is what
was your what was your thoughts of

30:47

the the committee afterwards after working there for a year or so

30:55

you want to say you want to go

31:00

um I I came in

31:06
right you know mid Brianna Taylor George Floyd protest
31:14
ready to take on Goliath and
31:20
uh person my perception did not meet reality in terms of um
31:28
this is we're still in the initial phases of of what this is and can be
31:34
but it's um for some reason being um
31:42
presented or interpreted as um
31:48
a mediation point but we're not a mediation point we are bearing witness
31:55
to victimizations um of community members by police officers
32:03
and attempting to suss out what's going on and if necessary recommend
32:09
accountability for officers so um
32:14
I I don't know how we can pitch to make that a little bit more clear
32:19
um and and I just want to be fair to you in in terms of
32:25
um like yes we do technically do a ride along as part of the training but you
32:30
know we're not um like this isn't part of the police department it's part
32:37
of the oversight Avenue to make sure that people are not victimized and if
32:43
they are that um the powers that be can uh effectuate
32:49
care for the community members
32:55
thank you yep I would agree with um Martha anybody else want to say
33:02
anything
33:12
well I'm glad it you know there it is the most a misconception
33:18
perhaps that this is about about mediating and
33:24
uh seeing both sides and coming to an agreement in the middle

33:30

uh what Martha said is accurate to the mission is that people who are

33:37

victimized particularly by the police don't have many Avenues

33:43

to be heard or to have uh any recourse or any accountability

33:49

so it is much more about accountability and speaking up in the

33:57

having an Avenue uh for

34:03

citizens to express their concern

34:09

so uh that's important to know and I'm glad I'm glad that we you know we get to

34:16

clarify so thank you um Sue can I ask having heard that

34:22

description do you want to let us know something else about yourself that

34:27

um that could help us um

34:33

just ensuring that uh you know we didn't come to a strange

34:40

crosshairs in the beginning you're fine yeah I know absolutely I do believe in

34:47

police accountability I I do believe in uh sometimes when you give

34:53

someone too much power or even the perception or power that it would be corrupt
absolutely you know that there's

34:59

that old saying power corrupts absolutely power corruption so yeah I think

35:06

um as police officers they they do undergo a lot of stress and um in jobs and but

35:14

it's their job to actually do the escalated situation not to create more harm to the
problem than there's already

35:21

going on um you know I'm a minority myself I was the only minority growing up in Long

35:27

Bridge Ohio [Music] every single day for a month when I

35:33

first moved there or the most ridiculous reasons oh your registration lights out

35:39

well how do you say your name I looked up your driver's license your name you know stuff like that like

35:46

uh you know a lot of times you do feel as a minority you you do feel that you uh are singled

35:52

out and well the beginning of the creation of police or it's what's just to

35:58

uh be an enforcer for uh slaves after you know those days are free so I mean

36:04

that didn't change much from a long time ago in certain areas of the country you know

36:10

you have areas like Alabama where they're trying to make you know slavery legal again you know through

36:17

you know arresting people for all texasations getting into bail situations where they can't bail out and they're in

36:24

jail working for free for governmental programs I mean that's definitely something that I do feel strongly that

36:31

it's it's happened in the United States today and you know there's a lot of times if you're a victim of something

36:37

you can't say anything or do anything if you're unless you're white or you have money or you have some sort of

36:42

clout where you have some sort of protection behind you where you can actually go out there we have the time and day to go to

36:50

court and deal with it you know follow up with grievances all here at the line

36:56

um you know there's a lot of YouTube videos audit the audit I love watching that you know there's there's people

37:03

that don't know the laws all the time and you know

37:08

I do I do feel like as Citizens we we have a lot more rights and

37:15

that are being overtaken by police officers and he was treated but at the same time your fear being hurt by a

37:22

police officer because of your staying power and you know going back at them most times you want to just say yeah

37:28

you're right here's my ID just leave me alone and unless you're unless you're

37:35

um you know my wife who's Caucasian um she she speaks up during times of

37:41

traffic stops I'm like don't say anything you know just let me do this talking don't say anything I'm not

37:47

trying to get shot today now you always see those things you always hear those things because you're losing the media

37:53

at the same time um you know I'm sorry I'm actually starting to ramble on now my thoughts of

38:00

Holly I feel about police interactions with people and and see so she's in YouTube and in social media how you feel

38:08

so much anger or anger towards police officer from mistreating somebody and you know their situations in Denver

38:16

there's a video of somebody who had a closed bottle of alcohol they were trying to write him a ticket and then somebody stood up for them and they the

38:23

police officers are in Hawaii into their cars uh you know so it's it's stuff like

38:28

that where somebody could stand up for someone and say something and speak out and help those who can't speak out for

38:34

their songs whether it's in language barrier or just understanding the laws in your

38:40

in your rights is this I would I do feel strongly about that wonderful well thank you sue for your

38:47

additional Reflections uh we are out of time for tonight um and uh just wanted to let you know

38:54

that um we are being you're interviewing uh potential panelists over the next few

38:59

days uh we will be making decisions towards the end of November and the city council will be confirming those

39:05

decisions uh on the 15th of December so it may be a little while before you hear from us again uh we do thank you for all

39:12

the time you've taken tonight and um we wish you well thank you all right take care take care

39:34

hello hello good evening Danielle how are you doing well how are you doing well thank

39:42

you my name is Sean Ray pasalakwa I'm a former member of the original police

39:48

oversight task force that created the police oversight panel for which you are interviewing

39:55

um just wanted to let you know that this interview is being recorded uh for both informational and historic purposes was

40:01

part of the city of Boulder uh the interview should last about 20 minutes we have five questions for you and

40:09

perhaps some other questions um and each of those five main questions will be posted in the chat for reference

40:15

okay you can follow along there I'd like to introduce your selection committee

40:21

which comprises two current panelists uh Sarah Sarah Holt and Martha Wilson

40:28

uh we also have two outside non-panelists community members

40:33

um Anna Casa sibara from El Centro anistad and Jude landsman from the NAACP

40:39

and we are also joined by our wonderful Amy Kane who doesn't play with the city of Boulder

40:46

hi everyone nice to meet you wonderful um committee you can get started with

40:51

your questions so again and thank you so much for meeting with us at

40:58

this hour um our first question is what do you

41:03

think the police oversight panel is and what do you think it does

41:10

um so I would say um from my understanding of the police oversight panel is

41:17

um it's an opportunity for folks within the Community to

41:24

um think about what it what policing means within the community

41:31

provide feedback kind of be uh

41:37

of ways for the broader community so from my understanding it's also

41:43

um kind of made up of like a diverse group of people who

41:48

um are representing different aspects and different parts of the broader Community to kind of just bring in a

41:55

more nuanced understanding of um what law enforcement could be or

42:00

potentially should be um and so that's what I think it is I think it what it does like provide maybe

42:08

feedback or guidance as it pertains to

42:13

um issues of Justice uh maybe like disproportionate um ways in which folks of color

42:21

experience law enforcement or how um

42:27

folks of color um not just like the amount of times that they experience law enforcement but like

42:33

what their experience is and so the police oversight committee would provide

42:38

you know potentially guidance or be another soundboard for how that

42:45

engagement could take place thank you do you know how the Universe

42:53

um the police oversight panel was created um I did talk with I think uh Taisha

43:00

Adams and I got a little bit of um information but I

43:07

am new to Boulder so the police oversight um committee was like one place that

43:12

people told me to kind of like begin to kind of get an understanding um of what's happening in Boulder

43:19

um I believe from my memory there I remember there's like a documentary

43:26

um that somebody was like talking about their experiences they were like I think

43:31

they were like picking up trash or something like that and um they were kind of being what I would

43:36

say like hassled by um police officers and like being told to like put down their weapon but it was

43:43

like a I don't know what you call it like a trash thicker upper and so those are kind of

43:50

like the things that I could remember from the various conversations that people have like I've had with um some

43:56

folks and kind of how I got um even to know that um this police oversight committee exists

44:04

thank you thank you

44:11

dude you're on mute I'm Jude and I'm muted

44:17

um I am from the NAACP are you familiar with the NAACP uh yes yeah and and the incident

44:27

that you're referring to is was with uh naropa University student a black

44:33

University student who was you know on work study and picking up trash and was

44:38

surrounded by the police um and uh threatened to be tased and

44:44

threatened um uh with weapons so the NAACP

44:54

called for and you know with other Community Voices but we spearheaded

45:01

um a a response for Boulder to have a

45:07

police oversight specifically to

45:14

address issues of accountability for police Behavior

45:19

and a way for the citizens a broader Community

45:24

citizens to be able to be heard and

45:30

possibly and ask for accountability so that's what you were referring to which

45:37

brings me to my the question that I ask is one do you have any direct experience

45:45

with the police um and what would you say your perception of uh the police from those

45:54

experiences either direct or um indirect

45:59

uh yes so thank you for that question um I would say characterize most of my

46:05

experiences with police or law enforcement probably as negative

46:12

um I've experienced I have have experience I guess with

46:18

um law enforcement folks in the sense of like visiting family members who are

46:24

incarcerated I've also had experiences of being

46:30

um misrepresented I guess as a threat and have been

46:36

um you know taken to the ground as a high schooler and that was

46:43

a traumatizing experience just kind of based on like I was like doing all the

46:50

right things I was in AP classes I was working I was on a varsity sports team

46:55

and all of those sorts of things that we kind of usually associate with good

47:02

behavior so uh that those that's kind of how I would say my experience with law enforcement

47:10

um has has been um I've like heard about other communities particularly I think Chicago

47:17

kind of like having um in oversight committee and just other sorts of like

47:23

um communities kind of creating more um Community initiatives to hold law

47:29

enforcement accountable uh to

47:34

uh actions of violence or um harassment and things of that nature

47:42

thank you so much thank you Danielle

47:47

um now that you've kind of let your hair down a little bit uh

47:52

I'm gonna ask my question um please share a time when you questioned or challenged a long-held

47:58

belief or idea and how did you deal with the the blowback that can come from sort

48:05

of being in that position in that hot seat um well can this be in any like context

48:13

or would you all okay um so I'm a I'm a PhD student right now

48:19

um and part of our our program it's pretty intense on like methods

48:26

um so one of like our introductory classes is a year-long quantitative methods course

48:34

um and I kind of it was my first time really being introduced to statistics kind of at the same time I stumbled upon

48:40

uh and for folks who might not know who

48:46

Dalton is he's a cousin of Darwin um and kind of like The Mastermind behind

48:52

Eugenics movement and kind of um some of the founders of statistical methods that we use today

48:59

um I've done a little bit of um study within um like modes of course reality or

49:06

incarceration and kind of know the connections between Eugenics and the

49:12

disappointing incarcerate incarceration rates for folks of color so I started doing you know a little bit

49:18

more um digging and kind of started I guess

49:24

challenging um how quantitative methods is taught here at the University particularly in

49:29

the school of education um and how how I navigate I guess the

49:35

response um to that is I think for me it's just something that

49:41

um I feel like I I have my folks who I can go to to vent

49:47

and then I kind of like come back and say like okay how can we re-strategize

49:52

to keep moving forward um I've been in the education system

49:58

almost my entire life because I've went from high school to

50:03

undergrad straight to a master's degree and then worked in education for seven years and then came back to a PhD so I'm

50:09

very well aware of what it means to be a queer woman of color in education

50:15

particularly in predominantly white spaces and how my personhood let alone

50:21

my intellectual thoughts and ideas and passions that come into the room are

50:27

often very policed in violent ways

50:32

um and so I think for me how I've as I've gotten older and kind of have

50:40

realized that this is probably going to be something I'm navigating for my entire career
let alone entire life is

50:46

really to find the community and the support systems I need um to remain afloat
mentally and

50:52

emotionally um and then finding ways to continue to

50:57

strategize to kind of um make more movement on you know topics

51:05

that many of my ancestors have really fought for in order for me to be in this

51:10

position today thank you

51:19

cool um can you tell me some specific times in which you used

51:25

your strengths um to move things forward or um we're hindered by your areas for

51:31

development um in work similar to what we do here on

51:37

the police oversight panel

51:47

yeah so I mean I would say most of my work has included

51:54

um advocacy on various levels for folks who

52:00

have marginalized identities primarily with students of color in Academia and

52:05

lgbtq students and then also more recently agriculture workers and um

52:14

low-income families through the work that I've done in Upward Bound which is a pre-
college program

52:21

and so I would say that having a deep rooted

52:28

Um passion towards wanting to see systems change is both um a strength but at times can

52:37

be a hindrance because it's trying to figure out how to talk to folks

52:43

and to inspire change um both for people who are not on board but

52:52

then even some people who claim to be on board but maybe their actions are not maybe aligned with you

53:00

know actually making some of that uh change and so I think that's kind of been most of my experience in education

53:07

I'll be you know hired for jobs such as like diversity jobs and then when I'm

53:16

kind of like hey this is what I'm hearing from students maybe these are some changes that we can like kind of

53:22

think about there's kind of a halt um specifically

53:27

um I can talk about an experience in which I advise some

53:32

lgbtq identified students at Santa Clara University who are trying to have an

53:38

LGBT Focus conference and then we got some pushback because some alumni felt

53:44

that it was not in alignment with um Catholic teaching because it was lgbtq

53:50

so we were being asked to like not be so like queer um and so I think there are times where

53:58

a passion for um change is both a sense of a strength

54:03

and also a hindrance to figure out how to navigate um particular systems that

54:09

say that they're for change but um are when that change is happening kind of take a back step

54:19

thank you um just really quickly we found um that the time commitment for this

54:25

panel is significant it's around an average of 15 hours uh per month

54:31

um we wanted to reiterate that commitment to you being a PhD student
54:37
um uh we just wanted to hear that you have that time no judgment but you have
54:43
that time to give to something like this um yes so if this is an opportunity that
54:51
I am offered um it is something that I will be in conversation with my advisor about to
really uh you know think about
55:00
how to for me to be able to balance um
55:05
you know balance those things so thinking about like the sequence in which I take
certain courses that are known to be a little bit of higher load
55:11
I'm not you know doubling up on those sorts of things within the same semester that
I'm
55:17
um you know actively on this panel so it is a point of conversation
55:23
um that I'll have with my advisor if that's the case okay thank you
55:31
wonderful thank you Danielle uh we have about uh two or three more minutes uh
55:36
left in this interview if you have any questions for the selection committee yeah I guess
my biggest questions
55:43
um so I I did have an opportunity to talk with Taisha Adams and she just kind of
55:49
gave me her um you know um perspective on the police oversight
55:55
committee and so I just wanted to ask like in this now that it's not like new
56:00
new extremely new what are some of like the working goals for um the incoming uh
cohort committee for
56:09
um that you all see as kind of like the most pressing
56:17
Sarah why don't you leave that one so from from my perspective we've done a
56:22
lot of work around understanding how to get to the ultimate goal of having more
56:29
decision making power within the system that we work in maybe Jude might have a
different
56:37

perspective here but I think with the incoming folks it's about trying to drive change at a more rapid Pace

56:45

um within the constraints that we have um and that's going to be tough because the constraints are written in an

56:52

ordinance the the constraints are written in an ordinance not necessarily self-imposed

56:59

that's what I would say

57:04

um I would agree with that and I would um I would say that we are looking for people who've got the

57:12

heart and the hutzpah to to make things happen in terms of

57:18

[Music] um listening and learning and and going to the

57:24

um the issue at at hand um which at the end of the day is

57:32

ensuring that should Injustice happen

57:38

um accountability happens thank you

57:47

right um well let's end on that note as we just have a few seconds left uh

57:52

Danielle thank you so much uh for taking the time out of your evening to meet with us and just to give you an idea um

58:00

we are of the selection committee which I'm not a part but the selection committee will be making decisions uh

58:06

towards the end of this month and there will be confirmation by the city council on the 15th of December so there may be

58:13

a little bit of a gap before you hear from anybody again

58:20

yeah thank you very much good night have a good night thank you bye

58:26

and I know that's a loaded questions

58:32

I think I guess I can say one one thing that I've really

58:37

had to work on and that I've learned a lot from um but just the belief that working in

58:44

Social Services that it's a requirement of me to give a hundred percent whenever others
58:51
are getting like 20 so I might think like the belief that
58:57
me giving everything is going to be what's necessary for someone to get where they
want to be or to reach their
59:03
goals and be successful but instead it's at least 50 50. um
59:10
I mean I think that's I
59:16
I guess that's one belief that I've had to challenge my for myself um
59:25
and as far as like the blowback I guess maybe that's not a very
59:31
good example um
59:38
I mean I feel like we have the the space in which to unpack it if you
59:44
want to unpack it a little bit
59:49
um
59:55
I guess just a change in approach um when when working with people
1:00:01
um and just kind of allowing people to
1:00:06
be who and where they are and meet them at that place and build from there
1:00:12
um
1:00:18
yeah I'm sorry I'm not sure if that answers your question
1:00:26
um I don't know that it does but I think it's because I asked it strangely uh
1:00:33
so let me let me try to reframe it so you did describe you know kind of the
1:00:39
origin story of why it's necessary for the police oversight committee to exist
1:00:45
um in some of your earlier responses so I guess what I what I am searching for
1:00:51
is that piece that lets me know what uh experience you have with
1:00:59
um you know standing up to Injustice even if it's just you yeah okay okay

1:01:07

um yeah I mean I think just the

1:01:13

the feeling of thinking like one voice is not enough um or just feeling

1:01:19

powerless as like an individual but I I have seen like what can be done just

1:01:25

from one person taking action and what the outcome can this that there

1:01:31

can be successful outcomes there and change can be made

1:01:45

thank you Sarah

1:01:50

hi Cindy um uh really quickly I want you to think about your strengths the stuff

1:01:57

you bring to the table that that helps you knock things out of the park and that as well as your areas for

1:02:03

development sometimes called weaknesses I want you to think about those things and thinking about some specific

1:02:09

examples in your past where you utilize your strengths or areas for development to

1:02:15

do work like we do on the on the police oversight panel when your strengths have

1:02:21

helped you get to where you want to go and your areas for development have maybe hindered your progress you have

1:02:28

any specific examples yeah I think um a lot of strengths that

1:02:33

I or some strength that I have that have helped me in my career um like the

1:02:39

program I work with now is a brand new program so we had to create it from

1:02:44

scratch basically um so I think my ability to

1:02:49

um adjust quickly as needed and um

1:02:56

I think also just ability to work collaboratively has brought a lot of success for me

1:03:03

um and um I think also

1:03:10

being an advocate I've worked like with my history working in Social Services a big piece that has

1:03:16

been an advocate and having the ability to be a voice for the unheard and

1:03:23

encourage folks to have the strength and confidence to

1:03:29

speak up for themselves because I know like a big piece of people even having the

1:03:37

sense of safety to even make her report or a report against Boulder PD because

1:03:43

of discrimination on Career treatment is not an easy task and I know a lot of people may not have that within them

1:03:51

um so I think it's a strength that I've had is just being able to

1:03:57

kind of meet people where they are and help them become as close to they want to be as they can

1:04:05

and I think and I think some areas of growth

1:04:14

um

1:04:28

I think I'm constantly trying to like striving and trying to find Opportunities to further develop my leadership skills

1:04:35

um and also sometimes maybe taking on too many tasks

1:04:41

or taking on too much and not really appropriately

1:04:46

delegating um

1:04:58

okay thank you um uh just really really quickly

1:05:04

um kind of yes or no um we what we have found is that the time commitment for the panel is

1:05:11

significant um for a lot of people about 15 hours per month is that

1:05:16

something you think that you can um commit to at this time

1:05:22

I I do yeah but I I do have a question about like how that time is is um kind of split out

1:05:29

throughout the month like is it like weekly meetings or like what what does that look like

1:05:35

yeah so there are monthly meetings um for a couple of hours but what we

1:05:41
have found is like things like this doing interviews or writing bylaws or
1:05:48
meeting with the chief of police because we want some clarity on something
1:05:54
those things often push in monthly um now what we do is oftentimes these
1:06:00
extra hours are a surprise however that's why we're letting people know
1:06:06
kind of what we're experiencing yeah however they are always scheduled around
1:06:12
your schedule and oftentimes if you can't make it you just can't make it
1:06:18
okay does that answer your question yeah and there's a lot of it like evening weekends
because I think I have
1:06:24
flexibility within my position like would any of it be within a typical work schedule like
Monday Friday you
1:06:31
typically stay away from people's work schedules because it is just too hard to get
everyone
1:06:36
during the work day so it's either weekends or nights like this
1:06:42
oh yeah yeah I I think I can I can meet that commitment
1:06:48
thank you yeah if you can play Jenga with time
1:06:53
that would be a skill yeah
1:07:00
uh Sydney um do you have any other follow-up questions for the selection committee
1:07:06
tonight um
1:07:12
I do I just within your experience with the panel um just out of curiosity like
1:07:19
what what barriers have come up like do you feel that Boulder PD has been
1:07:24
um and they if they work well with you or do you feel like there's been barriers that have
come up with getting
1:07:30
everything moving forward
1:07:35
Martha I'll give that one to you oh come on

1:07:41

um

1:07:46

standing up against white supremacy culture in a system that is

1:07:54

built cooked baked cemented in it um

1:07:59

it it's a thing it's a thing but it's it's a blessing and a curse just like

1:08:05

anything else you get out of it what you put into it just like anything else

1:08:12

um and we are hoping with you know this fresh round of folks to be able to do

1:08:20

more and say more because um we were part of the guild building the

1:08:26

bones and now we got the bones when we got to get some meat on them yeah yeah

1:08:31

yeah that's great um how many how many panel positions are open

1:08:38

we're technically looking for nine um for our alternate positions so

1:08:45

um I think I might have that reversed yeah uh five to five four but we're

1:08:50

looking for nine people okay and then with the getting the meat on

1:08:55

the bones like what are some of the goals that you're working towards

1:09:09

uh the goals are like um you know I think

1:09:14

specific to the work that is coming in um so that's at least my perspective on it

1:09:22

I other people might have a different take uh hi Sydney it's uh Jude and I think

1:09:30

what I uh think what Martha is referring to in terms of the meat of it is that

1:09:39

the the police oversight panel is one of

1:09:44

the only um specific committees that asks for

1:09:51

accountability for police Behavior so how I would interpret the meat of the

1:09:58

work of the a police oversight panel in the upcoming future is to be able to

1:10:05

address those complaints of Injustice

1:10:10
um racial bias disproportionate
1:10:16
um uh or on you know uh unreasonable being
1:10:21
stopped um situations that arose to the initial uh the Catalyst for
1:10:29
the police oversight panel starting was Zaid Atkinson being stopped and
1:10:35
surrounded by police for picking up trash in front of naropa so
1:10:40
um it's those kind of um that's the nitty-gritty of working
1:10:47
towards police accountability and is is it in a system that um
1:10:52
Martha described very well so I I correct me if anyone else on the
1:11:02
panel has any other thoughts or selection committee has thoughts about what is the
meat of the matter
1:11:15
and I think that the the skills that you presented the strengths would be in the
1:11:22
advocacy work that you're talking about I I imagine that that may uh come in be
1:11:28
a helpful strength and being able to work collaboratively is a is a helpful
1:11:33
strength and the fact that you've worked with um a diverse sense of a set of population
1:11:42
of teens and I believe young adults you mentioned yeah um so you have a good idea of
what their experiences are
1:11:51
and I I really appreciate you mentioning trauma informed
1:11:57
um because that's a big upcoming issue with dealing with mental health in
1:12:03
Napoleon yeah thank you thank you and I see the same time check
1:12:09
too now when I respect your time but um I really appreciate the opportunity to meet with
you all and I'm going to look
1:12:14
forward to hearing from you and just the opportunity to interview that's fantastic yeah
thank you all for
1:12:20
the work you do it's not yeah it's it's really great work

1:12:25

um I'm a two panelists that are here with you my um exemplify you know what this panel is

1:12:31

all about so I'm glad uh you're able to get some answers from them as well so um in terms of our timeline uh the

1:12:38

selection committee will be making decisions uh towards the end of this month and it's the city council of

1:12:45

Boulder who will be making the confirmations um selecting uh around the 15th of

1:12:50

December okay okay so thank you again for coming um out tonight and uh we will certainly

1:12:57

be in touch soon yeah thank you so much and I apologize for my camera it's just been a day of technical difficulties it

1:13:03

is quite all right it was quite all right your your voice and your spirit is is equally important and uh definitely

1:13:09

shown through so you're you're fine thank you so much I hope you'll have a great night all right take care

1:13:16

so we know that the you know the 720 hour um is eating into your evening time so

1:13:23

really thank you for for being here um I am Sean Ray pasalakwa

1:13:29

um I am an original member of the city of Baltimore Police oversight task force

1:13:34

um and coordinating things for your interview um this interview um is as a reminder for the police

1:13:41

oversight panel for the city of Boulder um it is being recorded

1:13:46

um as part of our archive situation um part of the stamp holder we have 20

1:13:53

minutes with you um in which we'll ask you um at least five questions and each of those

1:13:59

questions will be put in the chat um so that you can refer to them um I also will be posting a five minute

1:14:06

to go and a one minute to go time check towards the end so those will be in the

1:14:12

chat as well um tonight we have um on our selection committee um two current panelists

1:14:19

um who are Martha Wilson and Sarah Holt and then we have uh two community

1:14:26

members who are non-panelists but part of the selection committee um those are Anna Casa sibara

1:14:35

and Jude landsman with the NAACP and then with the city of Boulder we have our Equity program manager Amy Kane

1:14:42

who's assisting us tonight as well so without further ado as we say in

1:14:49

French um we can get started with the questions okay

1:14:59

again thank you so much for being with us at this hour um our first question is

1:15:07

what do you think um the police oversight panel is and what do you think

1:15:12

it does okay um so I I have a little bit of

1:15:18

information so um the oversight panel I think is um yeah

1:15:23

um well panel that will review

1:15:29

um concerns or or complaints regarding police

1:15:34

um activity if I'm not mistaken um and what I understand that

1:15:40

um we will do is um actually review those and make recommendations in terms

1:15:46

of what the next step should be thank you

1:15:53

um do you know why the police oversight was created

1:15:58

um I am not entirely sure but can maybe that uh

1:16:05

I would think that it responded to a couple of incidents that happened in the city of Boulder with the police in response to that

1:16:16

okay thank you maybe Jude can um let us know a little bit more about

1:16:22

those incidents you're muted

1:16:29

otherwise you'll hear my dog um so uh you're correct I mean never yes
1:16:37
it was response to incidents and the catalyzing incident was with uh Zade
1:16:45
Atkinson uh uh black naropa student who
1:16:50
was um the police approached and it escalated to a dangerous situation out
1:16:58
of for nothing he was working uh so uh the NAACP
1:17:06
spearheaded a response and called for police oversight panel and city council
1:17:12
responded and I was part of uh three members I was
1:17:19
one of three members of the NAACP who worked with two members of city council
1:17:27
to create uh and choose uh people like Sean for Sean Ray for the um
1:17:35
task force and the creation so there's this this was newly formed and they had
1:17:42
a lot of work to do to create the fa the actual working framework for a police oversight
uh so uh that's the the origin
1:17:52
story there uh my question is about uh if if you could
1:18:01
tell us about either your own direct experiences with law enforcement in Boulder County
or familiarity with
1:18:08
indirect um you know other people's in your community in the community uh experience
1:18:14
with law enforcement and how that uh how that creates a perception what
1:18:22
the perception of the police are from those experiences okay
1:18:27
yeah so uh uh my main job is um the shelter program director for spam
1:18:34
uh so uh in my position I interact a lot with uh Boulder PD
1:18:43
[Music] um my own experience from those interactions are a little bit of
1:18:49
everything um we hold a great relationship with um Sergeant Nguyen who is in charge
of the
1:18:56
DD uh response team from Boulder City but we deal with Office of the the

1:19:02
officers that are on the street too uh we do serve um a very diverse
1:19:09
um group of people so we have had a little bit of um uh everything in police interaction
we
1:19:17
have had I personally have had great great experiences with the newer
1:19:22
officers that have interact with people with disability within the shelter environment
1:19:28
um and I also have had very challenging experiences experiences even with myself
1:19:33
being a woman of color in a position of leadership sometimes you have to take things
for a little bit of
1:19:40
Grace um and be generous but um yeah I think there
1:19:46
there are good intentions uh but I also think that there's a lot of work that needs to be
done
1:19:54
um I also think that um as a part of the
1:19:59
community Advisory board for downtown Boulder um
1:20:05
I'm also aware that there is a lot of interaction that are not in the best of the spectrum I
want to say with the
1:20:12
homeless population in Boulder so um yeah I think that I I I I yeah my
1:20:21
experience my personal experience and the experience of my clients and the people
that I work with is
1:20:26
um very very different for different people
1:20:33
um and I think also that there are a lot of learning needs to happen in terms of
awareness
1:20:38
uh and diversity equity and inclusion
1:20:44
thank you um maybe without without giving away anything that you
1:20:51
are not supposed to talk about within your role yeah um
1:20:56
can you give more specifics about maybe the good and the bad that you've seen

1:21:02
sure um so in the context of the shelter itself uh we have had interactions where
1:21:10
um specifically with one officer that was able to work
1:21:16
pretty well with the best um client that was in a product
1:21:21
situation uh they were very patient they were um specific to this officer
1:21:28
new American Sign Language so she could communicate appropriately with the
1:21:34
person even though we were we were actually asking this person to leave the shelter
1:21:39
[Music] um so that uh it's in the in in the good interactions
1:21:47
of my Spectrum uh the difficult ones have been um basically I I mean
1:21:54
yeah I don't want to say super difficult but even
1:22:00
to show up to every time that we call the police at the shelter um
1:22:06
and and it's hard to um
1:22:11
hold my position and ask them I mean I don't know the first interaction is always from
yes I
1:22:20
am the shelter director yes English is my second language and yes I'm in charge
1:22:25
of this place uh and and you know it's Michael and so
1:22:30
I those have been kind of difficult um some officers are pretty entitled I
1:22:36
guess and the attitude is it requires more work on my part to to
1:22:43
conduct the incident itself to a good outcome
1:22:49
so uh I don't I haven't had a specific situation where the police haven't been
1:22:57
or have have acted inappropriately but I do know that when they are dealing with
1:23:04
um uh White uh American um people
1:23:10
it's a little bit different for space some to say something it's different than we're dealing
with

1:23:17

um uh people of color

1:23:22

um since uh Martha I'm gonna ask question four as a follow-on to this

1:23:28

um just FYI um uh it seems like you have some specific examples in which you utilize your

1:23:36

strengths to kind of deal with these difficult situations can you talk about

1:23:41

you know maybe where your strengths help to get to the right outcome for for

1:23:48

instance the clients you have at your shelter and any incidences in which your

1:23:54

areas for developments or weaknesses maybe sometimes hinder the the possible

1:24:00

good outcomes can you talk to me about that uh yeah sure so um I have my background

1:24:06

I I am I study law in Chile um my first job actually was working for

1:24:13

the Chilean government and where I had to work with the police very closely and with the legal system

1:24:21

so um I I think in my strength is that education piece and also the fact I'm

1:24:28

not afraid of the police I wasn't like I didn't grow up here I I came here

1:24:34

um five years ago for the second time the first time was when my husband was doing his PhD at CU so it was a little bit

1:24:40

different but this is not my first time in Boulder um and I I don't have my like at least

1:24:47

experience of being discriminated against so if you want to put it in a way I'm very

1:24:53

naive in my relationship and I I'm very concerned when I'm talking to the police and I think that have been a

1:25:01

strength for me and a tool that I have used uh to to manage those interactions

1:25:09

um I do know that for uh my clients and very specifically my

1:25:16

clients of color that is not the experience uh and

1:25:22

and I'm also I'm very aware of that so um challenges is exactly that one but my
1:25:28
lead experience is not the same as everyone else that had been raised here as a woman
of color
1:25:35
um and at the same time but English is my second language that that is something that
is always
1:25:42
um present you can of course you can you can tell but it's not my my first
1:25:47
language and uh when interacting as specifically with um
1:25:53
male officers that that place of big but
1:25:58
thank you thank you for sharing Martha
1:26:03
um so she kind of hit at what my question
1:26:08
goes for already um and I kind of wanna go off script a little bit if that's
1:26:14
okay um because you are affiliated with span you have a very
1:26:21
um specific idea and understanding of the power and control wheel yeah
1:26:26
um regarding you know all aspects of of interaction um are you
1:26:34
uh can you give us an example of how you would be able to translate that into this work
1:26:42
in terms of um you know vulnerable citizens and police and the need for accountability
1:26:51
hmm that's a great question and I think
1:26:57
[Music] um I'm very
1:27:04
aware and familiar with um the concept of power and control
1:27:12
um very aware of uh even in my own work daily work I know that being
1:27:20
uh inside of the shelter I hold a lot of power and that my interactions can uh
1:27:28
replicate abusers interactions with the victim
1:27:33
um and I think that having the language and having
1:27:39

um the knowledge and and I you know I think I'm I'm
1:27:48
very humble I'm gonna speak of my skills of being able to communicate those in a
1:27:53
respectful way in a clear way uh have really been very helpful for me
1:27:59
especially in these interactions where I have to you know
1:28:04
um kind of bring to the table some um uncomfortable conversations if you want
1:28:16
beautiful thank you yeah just just one last question from us
1:28:22
um we've realized that the actual time commitment for this work um is a little bit
significant
1:28:29
especially to a busy person such as yourself and all of us actually um it's about 15
hours per week or sorry
1:28:36
per month per month sorry for a month and we just wanted to
1:28:43
you know reiterate that and ask if that is something that would fit into your life we I
would assume you have high
1:28:49
demand on your time uh yeah yeah I'm previously but uh you
1:28:55
know in all honesty I take this as part of my job um so it's a commitment that that for
me
1:29:00
is part of what I do and uh in my paid job and my volunteer work
1:29:05
uh so um my my supervisor is aware that I am
1:29:11
um my intention that I that I applied for for this panel so
1:29:17
um and I'm supported in that so I yeah I'm pretty aware it's great thank
1:29:23
you oh so there Soledad
1:29:29
um do you have any uh questions for our selection committee and we have about
1:29:34
four minutes left yeah actually my question was exactly that one the time
1:29:40
commitment um yeah and and how how do you meet
1:29:45

regularly and how does that happen and and you can expand a bit I don't know
1:29:51
who can do that but um a little bit of how how this work is done actually that
1:29:56
would be helpful yeah Martha you want to take that or you want me to
1:30:02
my phone cut out a little bit so I only heard part of it I'll take it then um so
1:30:07
um so the regular Cadence things are a monthly meeting that's a couple of hours
1:30:13
as well as one or two hours
1:30:18
per month reviewing cases with at least two other
1:30:24
panel members kind of on the side so those are regular kind of stuff let's just say five
hours what we have however
1:30:31
realize is there is so much scaffolding and frameworking that continues to need
1:30:38
to be done and side meetings with the chief of police and you know side
1:30:44
meetings for you know how we're going to process something that that um you can
1:30:52
um choose to do much more and all of us are pretty passionate about it so we are
1:30:59
seeing a chosen commitment of that you know kind of five to about 15 hours per
1:31:05
month but mostly it's about like what's your we're able to pick you know cases
1:31:11
that we're most interested in in reviewing we don't all have to review them all we all try
to show up for the
1:31:16
monthly meeting sometimes travel and work commitments come into it but um you
1:31:22
know what I would say is kind of big on like five hours of stuff you definitely
1:31:27
need to do for the core work um and then there's an optional up to
1:31:33
additional 10 hours of work that you can do you can join a subcommittee and you can
be as active in that as you want for
1:31:40
instance does that answer your question absolutely thank you so much yes
1:31:46
wonderful um well let's let's conclude here um thank you so much again for spending

EXHIBIT 14

1:31:54

your evening with us and just to give you an idea of the timeline we have a

1:32:01

couple more uh days of interviewing um other applicants uh we the committee

1:32:07

will be um making decisions on all of the applicants who've applied

1:32:13

um in the next few weeks and then those suggestions of who they would like to

1:32:19

select for the panel will be sent to the city council and the city council will make the confirmations on the 15th of

1:32:26

December so we still have a month before before things will

1:32:32

actually happen um so um in the meantime if you do have questions uh feel free to reach out but

1:32:37

if we go radio silent it's just the time frame that we have for for this process

1:32:43

okay thank you so much and let me say hi hi Amy we

1:32:51

too so thank you so much thank you I really enjoy this time bye

1:32:59

bless us

English (auto-generated)

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0:00

this year just to let you know that this obviously

0:06

is an interview for the police oversight panel for which you've applied we are

0:12

recording this meeting obviously a city of older business um you'll have about 20

minutes for this

0:19

interview we have five questions for you and maybe some follow-up questions those

0:26

questions will be posted in the chat each time as we go along so look you

0:31

know open your chat and you can see those as well um wanted to introduce everybody who is

0:39

on the selection committee we have two current police oversight panelists who

0:44

are Martha Wilson and Sarah Holt hi Sarah we have two community members who are on

0:53

the selection committee this year and that's on a casa sibara from El Centro anistad and Jude landsman from NAACP and

1:01

then we also have Amy Kane who's the equity program manager for the city of Boulder

1:07

so that are those are the introductions I'm going to let everyone get started

1:12

with questions

1:19

sorry I apologize sorry about to close the door because my dog is barking a lot

1:26

um hello again my name is Anna thank you for being here with us today um our first question is what do you

1:34

know about the police oversight panel like what do you think it does and

1:41

um yeah like what do you think it does what do you think it is yeah um my understanding that it was created

1:48

kind of in response to the incident where um

1:54

black Community member was kind of targeted um by the police and extra what many

2:02

consider excessive force was used kind of in um confronting him and it kind of

2:09

exposed that in a way leasing in Boulder is much like policing elsewhere in the

2:15

United States um that it doesn't fairly Target every community and also that there is a

2:21

certain amount of force that is used that many um that is problematic in the police and

2:28

so um that better practices of policing could be implemented in the city and the

2:34

goal and my understanding of the oversight committee is to kind of monitor place and how forces used and to

2:41

suggest better practices and to also hold the police accountable when they do

2:47

um at least the community in ways that are arguably not helpful to the

2:52

community much okay thank you

3:02

uh greetings I'm Jude landsman from the NAACP and

3:08

um this question uh is about uh it's two

3:15

parts uh what is your experience either direct indirect with law enforcement

3:24

so I'm an anthropologist and I studied in Brazil I study

3:31

um practices of incarceration and policing particularly among Youth and in

3:36

communities that are under resourced and predominantly made of people of color and

so I've been studying

3:43

um how policing works but most specifically what happens in courts um so how please represent them for

3:50

themselves in courts how people are tried for crimes in courts I look a lot

3:55

at um people work um as an anthropologist one thing that's interesting to me is what they call

4:01

street level bureaucracy so how improvements reports and kind of prison

4:06

incident logs shape our understanding of crime and of policing and how the

4:13

paperwork that um officers and kind of institutional professionals used

4:20

to document their jobs participates in the work of their jobs and because what

4:26

they're doing is they're creating a record not only of the incidents that transpired but also in incidents a record of their own professionalism and

4:33

so to see how tensions arise when someone is trying to represent themselves as a professional while also

4:39

recording a crime and how that means they document their **relationships** with others they're resting of those they are

4:47

bringing to the courts for those that are trying to make words so um I've kind of spent a lot of time

4:53

studying that but also um following community policing I spent

4:58

some time in the base so the um kind of community policing centers in

5:04

Brazil to kind of follow their practices and and their attitudes towards

5:10

how people have implementing of community-based producing change police officers understandings of their jobs or

5:17

not thank you so you it sounds like you may have an understanding of how systemic

5:23

racism Works in in the whole um

5:29

chain of events that reinforce each other reinforce themselves so so that is

5:36

academic knowledge I'm assuming is there um uh in terms of policing today and what

5:45

this the work of the police oversight panel in Boulder will be doing and reviewing cases uh so reviewing certain

5:54

cases so what is your perception of law enforcement here

6:00

well I think that um all the encounters I personally have had with law

6:05

enforcement um have been like I lived in um of older affordable housing Partners

6:12

community and police were very very present in the community and

EXHIBIT 15

6:18

um some were very nice and wonderful to everyone in the community others seem to

6:24

have preconceptions about who lives there and it kind of

6:29

um they're the danger they represent because it's an affordable housing community so it was an interesting kind

6:36

of um way to some policing all my interactions personally were very

6:42

positive but I do have both of my children are black and they've

6:48

I've seen the ways that they're in some respects disciplinary infractions that

6:53

when my younger one is quite energetic what I'd say and you know disciplinary

7:00

infractions she gets punished much more strongly than her peers um Roots you know so I'm very aware of

7:07

that I'm also aware of you know policing in Brazil um in Boulder

7:13

recently you know with the King Sooper shooting with

7:19

um the event that happened in University Hill it's also I you know you know understandably for some

7:25

might be considered an increasingly dangerous job so I think it's also important to kind of reconcile

7:33

um what policing now is versus you know

7:39

kind of ideas of policing that some have of like an Andy Griffith time of policing like a um teach a class that

7:45

see you Boulder about the history of policing times fascinating

7:52

um on to uh thank you again to um Martha

7:59

um I actually think that ties in a little bit to my question in

8:05

terms of um so I'm Martha the third question is is more you're kind of explaining a time

8:12

when you've had to challenge that idea and practice uh

8:18

like what you what you did with that and kind of understanding the blowback associated with standing up against big

8:25

systems or um pointing out um items that you described you know considered like with your daughter

8:33

um when you're noticing that difference and and um when you're kind of observing

8:38

the different constraints uh uh that various people perceive so if if

8:47

you can tap into a specific example of um what it was like in that

8:55

um standing up to it that would be great uh well um there was an incidence where

9:01

you know my child was disciplined for something that involved a number of people and I I was

9:10

um we were called in to talk about it and I gave my child's side of the story and the um the teacher listened and then

9:20

she took up a pen and began the record of the meeting by writing your

9:26

child you know my child's first name is disrespectful um as if anything I said about my

9:33

child's you know version of the story didn't count for the record and so

9:38

um I and I'd always been very respected I am respectful of teachers but that made me

9:44

really upset and so um I just I announced that you know the meeting

9:50

our meeting was over that we would have to have a meeting with the principal or another authority to get both sides of

9:56

the story and um kind of respectfully then made an appointment with the principal for us to have a conversation

10:02

about it um and to really work with the school to

10:08

kind of change the paperwork and their procedures for reporting meetings of discipline because

10:14

they tend to not incorporate student perspectives at all and so kind of work

10:19

with the school to have a place on the form for students to give their side of the story so that that would at least be taken

10:26

into consideration as it never was before

10:31

I think um I'm sorry I'm going off and I might not be answered

10:38

um I think what is important to me to really hit at

10:44

is how comfortable are you to stand up

10:51

to Injustice that what is your comfort level with that I think like kind of all day every

10:58

day in the classroom um at CU I the things I teach

11:04

I teach um courses that have to have to and in very kind of

11:11

comfortable the engaging with students who hold perspectives that

11:18

are contrary to my own um I would make sure to listen to what they have to say but also have been you

11:26

know I'm good at finding points where I can help them understand a different

11:33

perspective and kind of part of the reason went into a field I went into was

11:41

to find a way to examine social and racial and gender inequalities and

11:49

differences in order to stand up and speak out against them

11:54

thank you um hi I'm Sarah uh here's my question

12:01

it's mostly about your um self-identified kind of strengths and areas for development as it relates to

12:09

kind of the work we do um on the police oversight panel how

12:15

will those strengths um kind of help move our mission forward

12:20

and can you talk a little bit about how those areas for development might hinder

12:26

things because we all have things that are that we're working on uh um I think one of my strengths is

12:33

EXHIBIT 15

that you know I am I love research and I'm very you know but I also as an anthropologist
I love
12:40
listening to people so um I have a tendency to listen more than
12:45
talk um and so I think that is a strength but I think also kind of a weaknesses that
12:52
much of the work I do is individual thinking through
12:57
um my research individually and so I am less
13:02
experienced working in a group than others might be and I find that you know
13:07
that well in a way take some getting used to but it's also a really exciting prospect to be
able to talk with other
13:14
people and share ideas and learn from um others who have been doing this work
13:20
well any specific examples where you can actually kind of point to a strength or or you
know an area for development
13:29
um well I think like as I just finished um kind of
13:34
well editing a large book um and one of my strengths really was
13:41
kind of encouraging authors like working with the the 16 individual authors to refine
13:49
their arguments and really challenge their convictions and go deeper into their thought
13:54
um I'm really interested in having people think through it's a
13:59
the implications of you know what they're suggesting so not only what the immediate
effects are but what the
14:05
larger implications will be um so I'm really good at kind of talking with people into that
ideas and
14:13
and an editor at heart so I'm really good at writing reports and helping make
14:18
them clear and concise and accessible but you know I worked with a partner who
14:25
was very much better at the organizational aspects and getting
14:31
people to get work done and that is something that you know I'm I'm not as

14:37

good at it's kind of you know calling on people and asking them get things done and demanding that they

14:44

meet deadlines and things like that they're not happy strength

14:50

yeah thank you for that um just a real quick yes or no question what we what we really have realized is

14:56

that the time commitment for this is relatively significant

15:01

um at about anywhere from five to fifteen hours per month just wanted to reiterate that to set expectations and

15:09

ask if that is something that you have time for in your life right now

15:15

um I would be very much willing to do it because I think that issue is really important and you know just kind of

15:22

following the work that this group has done I think it's been very positive and

15:29

um and so I think that it would be a worthwhile way to spend time with each

15:34

month cool that's all I have thank you thank you

15:40

wonderful well we do have a few more minutes uh Kristen if you have any questions for any of the members of the

15:47

selection committee this would be the time yeah one of my questions is like what

15:54

what was the most surprising thing that has come out of this

15:59

um these first years of the group for you all

16:07

right I'll give mine I think um the most surprising thing is how

16:13

inefficiently um these kinds of things actually get created and remain it's important work

16:20

but we are just now um you know getting our bylaws published

16:25

trying to figure out how to work with the various um you know people who care about this

16:31

kind of thing and you know um from an efficiency standpoint

16:36

um it's very government-like paste and I think that was my I should have known

16:41

better but I think that was my most surprising thing is we haven't made as much change as we want to because of

16:48

some of the inefficiencies of government I don't know Martha if you have anything or dude or

16:57

um I think I like the most surprised by

17:05

how quickly um everything defaults to

17:13

fear if that makes sense um I have been most surprised by that uh

17:20

only because um this is gonna be hard it we haven't yet

17:28

come to a point in American society where we aren't racist or we aren't

17:34

battling you know white supremacy or large systems so anything we do or

17:41

Envision is new so I think it's just learning in that

17:51

I I one thing that's so interesting though is like that the like policing as

17:57

it takes place in the United States is relatively a new thing like prisoners

18:02

and policing are relatively new historically speaking yet it's so interesting how they've become the

18:08

default and it's so hard for us to imagine other ways of doing things

18:21

that's real that's real and

18:26

um you know this is definitely off topic but like

18:32

where we are now is a new era because homelessness and mental health

18:38

have um shifted things in a way where I think

18:46

police are involved when it shouldn't be police if that means

18:53

yeah no like um a lot of some of my my children's friends

EXHIBIT 15

18:58

um you know their parents are really trying to mobilize parents to increase policing of people who are unhoused

19:06

without realizing what the effects that could have on the people and their communities

19:12

um our our entire community and that the interesting thing is how we default to

19:19

policing when we have fear when there are many other ways that the community could come together to to address issues

19:31

wonderful well on on that note um thank you so much for those additional questions and

19:37

um I think as we're all aware it's multiple Community Voices that add to the discussion

19:43

um so you're you're getting a feel of what this work is like um although Martha and Sarah have the

19:49

direct experience with the panel um so uh just um in terms of timeline We are

19:57

continuing um interviews for the next few days of the selection committee uh

20:02

we'll be reviewing all of the interviews and making decisions towards the end of this month however the city of Boulder

20:08

will be making the final confirmations of the panelists and alternates around or actually on the 15th of December

20:16

um so if you have a little radio Silence from us that is the reason why do not be

20:22

alarmed at all just part of the process that Sarah was talking about

20:31

thank you so much no thank you all so much um for your

20:37

time and your consideration and your attention and for the work that you do um thank you all and have a wonderful

20:43

day have a good day

20:48

and start recording

21:01

good morning Milan how are you good morning I'm well thank

21:08

EXHIBIT 15

you wonderful um so my name is Sean Ray pasalaqua

21:14

um I'm one of the original members of the police oversight task force that created the panel for which you are

21:21

applying uh we are obviously interviewing a for a position on the

21:27

police oversight panel uh this interview is being recorded as part of city of

21:32

Boulder business uh there will be about 20 minutes uh for you to answer the

21:39

questions from the selection committee those questions will be posted in the chat each time so you have a reference I

21:47

will also be posting time checks when we have five minutes and one minute to go towards the end I'd love to introduce

21:54

the committee members we have two current police oversight panelists who are Martha Wilson and Sarah Holt

22:03

we have two wonderful community members who are joining us as part of the selection process that is Anna Casa

22:09

sibara from El Centro Amistad and Jude landsman from the NAACP and lastly we

22:17

have Amy Kane who is the equity program manager for the city of Boulder

22:23

so without further ado as we say properly in French

22:28

I will let the committee answer their questions or ask your questions

22:34

good morning um again thanks for being here with us today and taking the time to enter

22:41

questions um the first question that we have is

22:46

um what do you know about the police oversight panel like how how was it formed and why

22:52

yeah sorry okay um so my understanding is that the

22:59

police officer panel was created to have

23:05

kind of a community and especially Community most affected by police be

23:12

able to review um cases complaints
23:19
um from the community and um work with the moderator
23:28
um towards resolution and changes if
23:33
necessary with the police um
23:40
on a case-by-case basis and we could make
23:46
recommendations as well so that the police can serve
23:52
um the community better and especially the community most impacted by
23:58
um white police um
24:05
thank you um do you know how or why it was created or like
24:11
what led to the police oversight being created um
24:17
I believe it was created because there were several cases in Boulder where of
24:22
misconduct of the police towards people of color um and um that needed to be
24:31
addressed and the community wanted to have a say in that
24:38
um I know the NAACP was very involved with that
24:45
thank you
24:52
John you will I ever learn okay good morning good
25:00
morning so the second question has to do with your experience either direct or
25:07
indirect with law enforcement do you have a specific
25:13
experiences or or even either direct or indirect
25:20
um I have different direct experience with law enforcement but not in the state of
25:26
Colorado um I am a
25:32
um environmental and racial Justice activist and I've done several um
25:41

actions in the state of Minnesota fighting for line three for um on indigenous territories and was

25:50

um in direct contact with police over there and was arrested and so

25:56

um I do have have seen

26:02

um police misconduct there I I know it happens everywhere and I'm very concerned

26:09

um I do not have direct I haven't had well

26:16

actually I have um I've had also a direct contact or direct

26:22

witnessing of police um what I thought at the time was

26:27

misconduct um I still think so um in front of my house

26:34

where a woman who was obviously intoxicated um and get

26:40

escalated by the questions from the police ended up having

26:48

five or six police officer restrained her

26:53

um on top of her um

26:59

and uh that was a very shocking experience for me here in Boulder in my

27:05

very white neighborhood um

27:10

and I just saw how people get triggered um so that stays very present with me

27:19

thank you so the second part of this question is how what is your perception

27:27

of law enforcement

27:35

I really think that law enforcement most of the time um are doing

27:42

a fairly good job are trying to do the best job

27:48

they can but I think that it's matters is

27:53

sometimes they get triggered fearful um

27:58

not sufficiently trained um maybe to address everything

28:05

um and so I do feel like uh police

28:13

um oversight is necessary um um just to keep

28:20

the communication channels open uh just to keep the awareness

28:27

and I also feel like we tend to think that the police is in

28:33

one size but all solution for everyone and for every cases where we don't have an answer

28:39

um and so

28:45

reflecting on that um

28:55

sorry I'm looking for my words um really reflecting on that and really like digging into consideration what is

29:03

the police position what is the what is expecting from police we

29:08

we really tend to to put all the problems to be solved on the

29:16

police and so I think that communication and and um dialogue and really figuring out a

29:23

way to be in community and to um work with bullies when necessary and

29:30

work with other uh maybe Community

29:35

um venues or or um organizations

29:42

um might be better um to resolve some of the issues that we have so my perception of the police is

29:48

that um there's definitely room for improvement

29:55

um I'm hoping that they're open to hearing

30:01

what the community has to say and um and yes that that's kind of why I'm

30:08

interested in being on the panel and is is just uh being able to make

30:14

suggestions and see where we go with that thank you

30:20

hi there um I'm Martha I've got question three um can you please share a time when you
30:27
questioned or challenged a long-held belief or idea
30:32
um and how how did you deal with the blowback of being in the hot seat
30:39
when I had to question the the police
30:44
is that what the question was sorry um just question uh a long-held idea or
30:50
belief um I think it can be specific to just anything that you you have had to
30:56
stand up um and and be in that hot seat role yeah
31:02
well I think it um even for me having a long held belief
31:08
that the police is gonna protect me um has been there and I've had to review
31:14
that just for myself as well um and as I become
31:20
as I've started to you know looked and learn about police behavior in my
31:27
community and around me and for people who don't look like me um and then my
experience last year in
31:32
Minnesota was definitely a place where heck got to feel it
31:38
um so um really felt like the police was not there to protect me and certainly not
31:44
the indigenous leaders I was protesting for and and and a bit more like
31:52
police were protecting large corporations and property over people and so that is
probably like the most
31:59
the most uh eye-opening uh moment for me
32:06
um and also just witnessing
32:11
um sweeps of unhoused people and how it's not followed by actual
32:19
um Community efforts to do
32:25
[Music] um to repair I I think that
32:32

um those are two things um I don't feel protected
32:39
um necessarily all the time I don't feel like other people are protected and
32:45
especially people who don't look like me who don't have the Privileges I hold I
32:50
own a house in Boulder which is you know it's becoming like really a very
32:58
um important privilege um in this community and so I'm very
33:04
aware of of all those um aspects
33:10
thank you thank you
33:16
thank you for that um uh we're a group of people who all have
33:22
strengths and areas for development as it relates to working on a panel like
33:29
the police oversight panel I'm um uh wondering if you can share some times
33:36
where you've been able to utilize your strengths and or maybe been hindered by
33:43
your areas for development in work similar to what we do on the on the
33:49
panel yeah so for full transparency I am a
33:55
core member of showing up for racial Justice in Boulder and in Denver
34:01
um so we do practice a lot about um
34:06
conversation and having conversations and um being open to different
34:12
truths and reality like my experience is not the same as yours or anyone else
34:19
instead of just understanding that um experiences and realities are
34:26
can be very different and none of them is um
34:32
wrong or not true so holding I think one of the
34:38
things that I've learned to do is holding several several truths at once and also
34:45
being able to not shy away from difficult conversations I think
34:52

um my maybe my weaknesses is that I still have a lot of blinders and so
34:59
um just working on removing those one at a time
35:04
um and and just again not being afraid of having hard conversations not being
35:10
afraid to be shown what my blind spots are um
35:15
it's both you know it's a strength but it's also a weakness to to still have those and so
just um
35:23
that would be
35:28
definitely something that um I can improve on
35:34
um realizing that my
35:40
um my experience up to I would say you know I've always been
35:46
aware of injustices but just really diving into it with with with
35:53
research six seven years ago and I was being very present in Boulder
35:59
um has really taught me a lot um and um
36:05
yeah does that um answer your question yeah there's no right or wrong so whatever you
say yeah
36:12
just uh thank you so much just uh really quick yes or no well we've really
36:18
realized is the time commitment to be on the panel um is anywhere from five at a
minimum
36:24
hours per month to like 15 depending on what extra work you choose to pick up
36:29
um we just wanted to reiterate that need for that commitment and double check that
you have that space in your life
36:37
yes I mean yes I do I do a lot of volunteer work it's it's actually my
36:42
volunteer work has become my job and my job is just kind of feels like it's a
36:48
volunteer on this side type of thing um so I'm really committed to this work
36:54

and I'm really um this is really important to me like very
37:01
um I really care about this and I I really appreciate the opportunity to
37:07
even apply to it I completely understand if I'm not you know selected I know we
37:13
have very strong community members um but I really you know appreciate that the
opportunity to be to be here to be
37:20
talking with you to um see you today um I do have the five hours
37:27
um I'm committed to that so I appreciate that question thank you so much
37:39
we appreciate your responses to our questions so if you have questions for the
committee members we have about four
37:46
minutes left uh feel free to to ask I guess I I do have questions for the
37:53
people who have been already sitting um on the panel um just wondering overall
38:00
if you could give me a quick overview of your experience with it and and
38:06
um maybe I imagine that some conversations were difficult and
38:13
um just yeah if you could give me a quick overview of how you're working and and your
your attachment to this group
38:21
yeah Martha you want to go
38:26
oh god um I think at this point we're trauma
38:31
bonded that makes sense um it
38:38
it is a blessing um it is a blessing in a way that
38:44
um is layered and complex
38:51
and um I think we are doing important things
38:56
and that's why it can get tricky but it's well worth the trickiness
39:05
thank you I really appreciate that that answer um yeah I I
39:14
I get the I get the trickiness um

39:20

it's it's so complicated and there's so many layers so

39:25

um yeah I can also it seems like trauma bonded or not I

39:31

mean you're creating community and that's really important um

39:37

and I'm sorry for the trauma because that sounds rough

39:44

it's good stuff though I mean there's there's more than trauma yeah and I really appreciate the work so

39:52

far you know it's just um you've made it you've made it official you've made it like a a real

39:59

thing and so it's it's just really really important to have that tonight

40:04

um it's it's an honor to to even be considered for this um so

40:10

um

40:16

what's your I I know we're switching the moderator I know there's an opening

40:22

um I'm looking forward to seeing the process on that um and I'm really hope hoping that we get

40:29

someone who's actually independent um but I'm what's your

40:35

um how does the **relationship** with the police how is that happening and what is it and

40:43

how do you what's your experience with that part of the work

40:50

I'm sorry my cat is always has to be on the screen at some point

40:58

Sarah you gotta take that one foreign I think the question was how is it

41:04

dealing with the monitor both the Monitor and the police like what's your experience I I'm not really

41:11

sure how it works or what's your Dynamics there and so I mean I think the

41:16

the very direct candid answer to that is that both the monitor

41:24

um and the police both have motivations

41:30
that are not always aligned with the
41:35
um with the stated outcomes that the police oversight panel would like
41:41
and so there is constant I think tension and tension is not always bad tension
41:48
often respectful tension gets us to the right outcomes but there is almost consistent
tension
41:55
between what the independent monitor does
42:01
the police department cares about and what the what the what the panel cares
42:08
about so um it is refle it is it is respectfully
42:13
tense um often times that's how I would describe it I don't
42:19
know Martha if you have anything else that's a good descriptor
42:25
um I don't want to say that it's bad it's good we're still in it we're
42:30
you know working but respectful tension is there because
42:36
we're talking about real people um and and that is always going to be a
42:43
little bit complicated
42:49
and I'd like to respectfully add that and I so appreciate that description
42:56
Sarah it's amazing uh that there's a power differential
43:02
in in terms of uh that that tension
43:07
so when when Martha asked a question about what it's like to be in the hot seat it's
43:14
partly because of that power that the differential of of power that it is
43:19
important for uh I think police oversight panelists to
43:25
be able to uh have a strong stand up for uh for in
43:33
that tension you know
43:38

well wonderful I appreciate the additional discussion Milan thank you for those additional questions I hope

43:44

they were helpful for you um we are at the end of our time and so

43:50

um I just want to thank you for coming this morning um and speaking to us in terms of

43:56

timeline we have um uh quite a few more interviews to conduct with other applicants

44:03

selection committee will be meeting later this month um to make some final decisions and

44:09

suggestions to the city council and then the city council will confirm um who will become the five new

44:15

panelists and we will also have four alternates as well so if you don't hear anything from us in the next few weeks

44:22

it's just because we are following uh the process that's been laid out okay thank you for explaining that I

44:29

appreciate that um of course and uh thank you so much for taking the time for doing this I

44:34

know it's uh really it's a volunteer position really for all of you so I really appreciate the time and the

44:41

dedication you have for our community it's really really important so I

44:46

appreciate this opportunity again um

44:54

good morning thank you after that

45:00

okay so Madeline um welcome uh to uh today's interview

45:07

um obviously we are interviewing you for um the position a potential position on

45:14

the police oversight panel um we are recording this interview obviously a civil a bolder business uh

45:21

we have about 20 minutes with you and um as we have done in the past we

45:27

will be posting each question in the chat so you can refer to them as we go along

45:33

um and then I will also add time checks in the chat at five minutes to go and

45:39

one minute to go just to keep all of us on track um I'll quickly introduce your selection

45:45

committee we have two current panelists who are Martha Wilson and Sarah Holt

45:52

we have two community members who are on the selection committee

45:57

um who are Anna Casas ibada from Central armistad and Jude landsman from the

46:02

NAACP and you already know but you know lots of us um but you already know Amy

46:08

Kane the equity program manager for city of Boulder who's with us as well I do I do
thank you thank you wonderful

46:15

so we are just going to get started um Anna has your first question and uh welcome

46:21

hello hi good morning thanks for being here um

46:27

with us today and taking the time to answer our questions

46:32

um the first question that we have for you is um what do you know about the police

46:38

oversight panel and why do you think

46:44

um we need a police oversight panel in our community okay well the police

46:50

oversight panel was created as a result of um a 2019

46:57

circumstance involving Zade Atkinson and the community came together

47:05

before the city council demanding correction

47:11

and that Justice be served and it was recommended by

47:18

of the forces of the and other sources that perhaps an oversight committee be

47:24

formed and as a result it was an oversight task was was formed

47:31

its first meeting was May 31st 2019 and um Dr Carolyn little facilitated

47:38

and as a committee we established some basic

47:44

guidelines and and and how we would move forward in the process

47:49

now what was the part I'm sorry Part B to your question what's the purpose for yeah like why do

47:57

you think we need it why do we need a police oversight panel in our community center oh absolutely

48:03

um first of all I think in an oversight panel will serve to improve community

48:09

relations by promoting better Communications between the community and the police department

48:16

um oversight committee can help hold the police department responsible for the actions of its officers

48:24

um we want to make sure there's transparency uh which is key to gaining the community's trust

48:31

also I think those are the three very critical ones and also in a police

48:39

department should welcome an oversight Committee of the community not as an adversary but as a partnership

48:46

it can make the community better it will gain the community's trust uh and it

48:53

will serve I think to make us have a better Police Department that could better protect and

49:00

serve thank you very much

49:09

hi Madeline thank you for joining us yes so uh question two has to do with uh

49:19

the correct experience with law enforcement

49:26

and it's a two-part question and the second part has to do with how that um

49:34

what is your perception of law enforcement today

49:40

okay um in terms of my experience I'm a

49:45

retired bid ex-corporate executive that had worldwide responsibilities for the

49:52

security division um and to make you a better understand

EXHIBIT 15

49:58

what that means a security department operates in a private in the private

50:03

sector within that Corporation while the police department operates outside however all of our officers were armed

50:11

we had a fully armed mobile division uh that served much and much like the

50:18

police officers like their mobile units only thing it's private it's within the

50:26

corporation within FedEx properties worldwide um

50:31

and um that's one thing I'm also uh certified

50:38

well what I was certified through the Memphis Police Department as well as uh

50:44

I was a deputy sheriff um I had that certification rather

50:50

and um so the that's it in a nutshell if you want me

50:58

to go further I can I cannot elaborate more and for the part

51:03

B uh of the question let me make sure I got it perception my perception of

51:10

what's my perception the situation with law enforcement today

51:16

um I think there's room for improvement um but there's room for improvement in

51:21

most things I think it's critical though for this because it involves

51:27

um our community the citizens of our community um

51:32

I think that's where that transparency has to be there we got to develop

51:38

um uh uh uh where the citizens can be assured they have confidence that

51:45

um the police officers that as they they encounter them they won't meet with

51:52

anything that's um dangerous um they will be treated

51:58

fairly and then partially and um they can truly do what they're what

52:05

their objective is is which is to protect and serve uh beyond that I think there's much room

52:12

for improvement but as I said where is that not thank you

52:18

I would like um I would like to see more community

52:26

uh I'd like to see more community members get involved and actually Spearhead

52:33

of the uh uh **relationship**s or a form organization an

52:41

organizations that will better foster that **relationship** but I'd like to see it

52:46

done Let It Be initiated from the community and welcome the uh police department

52:55

um the other thing is I think it's important that we have someone at the table of the PD to make our citizens

53:02

make sure our citizens feel that they can receive fair and impartial treatment

53:11

um that's about it thank you hope I answered your question sure on to

53:20

Martha hi there um hi hi Martha

53:27

I've got question three uh can you please share time when you questioned or

53:32

challenged a long-held belief or idea and how did you deal with the the

53:38

blowback of being in the hot seat um

53:44

okay as um serving as senior manager

53:50

of a worldwide security division but functioning as a managing director

53:56

of that I was always in a hot seat [Laughter] being the only black female

54:04

um at that level in The Boardroom um I often met with uh opposition well I

54:14

could give you one experience um that we had where

54:20

um there was the security side just which would be the police side and then

54:26

the employee side well the employees

54:33

were concerned well first of all they're two classifications there were supervisors there were managers

54:41

for the Hub The Hub it is the centralized point where all of the packages coming in and then they're

54:47

sorted and they go out out to make the next Day deliveries so uh that's a lot

54:54

at the time that I uh had the peer of the Personnel responsibility for that

55:03

this was before the security that issue came up and uh what happened was we

55:09

found that the supervisors were made predominantly black the managers were predominantly white

55:16

the compensation classification for the supervisors

55:22

was a grade level 25. yet for the managers it was a 27. when we looked at

55:30

the job description it was identical so although

55:36

um so I had to take the lead on that because it's

55:41

obvious that it was unfair and the employees were upset

55:46

and my position was to rectify the situation

55:53

um and when you are doing that and you got to decide which is corporate

55:58

management side which I was also a member of and then you got the employee side

56:05

which I felt was my responsibility to speak up for especially when those kind

56:10

of glaring uh differences were very apparent uh I uh I did and as a result

56:20

that all got changed and um after that I was promoted within the

56:28

security Division I jokingly said so if uh if you can't beat me you're gonna

56:34

make me one of you I actually said that but uh

56:42

uh and I just believe in uh we have had a

56:47

procedure called guaranteed fair treatment I helped create that

56:52

and to enforce that it was the interworkings of that was it similar to

56:59

an oversight committee as anything I can I can think of uh the employee got the

57:06

employee that was uh terminated or whatever was trying to get their job at

57:11

actually had the opportunity to pick the members of their panel the people that

57:18

were going to judge and investigate the inner

57:25

actions um and everything that brought about the termination or whatever that situation

57:31

was that caused the need for a review um and um I also I also helped create

57:38

that but uh without going into too much detail I hope that gave you enough

57:47

I did I I basically heard you're a change maker I believe yes I absolutely believe it

57:54

change I don't think you can grow without change that is the way to grow

58:03

yeah thank you um my questions about your self-identified strengths and areas for

58:09

development um we actually sat on that Longmont housing and a Human Services Board

58:15

together a few years ago yeah um so I actually know the answer to this question but I'd like everybody else to

58:23

to hear you know in in work like we do on the police oversight panel what strengths

58:29

um will you be bringing and what areas for development might hinder um and uh if you have any specific

58:35

examples of how this has worked in the past we'd love to hear that okay I may have to ask you to to break

58:42

that up in the park

58:49

so all right delegation I tried to read Amy's uh what she put in

58:57

the chat yeah but it went away

59:02

so uh would you just state it for me again please yeah so how about just tell me a time where you've been able to

59:09

utilize your strengths or been hindered by your areas for
59:15
development in work like we do on this panel
59:25
and how I utilize my strength yeah I think and and uh management I'll
59:34
say um it requires a certain amount of courage
59:41
and you have to be so decided in terms of what you stand for
59:48
I uh in most instances I pray a lot
59:54
I also depending on the circumstance I always
1:00:01
made sure always made sure that uh I was very clear on on
1:00:09
the my objective establish an objective depending on the situation
1:00:15
uh but in most situations yeah that's the way I approached it but it requires
1:00:20
um decidedness boldness and in some sense
1:00:26
of um honesty that's your own personal commitment
1:00:31
and I know it is mine and without if you exude that I don't see poor failure
1:00:40
will happen now in terms of areas of uh development
1:00:47
I think one of my one of my greatest areas of development
1:00:53
is on um being more patient in terms of
1:00:59
time in terms of uh deadlines
1:01:05
um and in terms of manage time management I become impatient when that's not
1:01:13
respected and not regarded and I'm working on it I'm working on it but
1:01:19
that would be probably um my number one and number two would be
1:01:27
making sure that through time management I don't overtask myself I'm retired
1:01:35
I'm retired but I do believe in volunteerism and I believe that's the
1:01:41

way to make valuable contributions to the growth of your community

1:01:48

and so yeah I think that that would be so if there was a second one

1:01:55

hmm I think it probably would be to not

1:02:01

overtask myself because in that I think

1:02:06

you run the risk uh when you overtask yourself you over commit you you want to deliver

1:02:14

and that doesn't speak to success in my opinion so those will be my top two areas of

1:02:20

that I'm working on right thank you so much just a really quick yes or no

1:02:26

um the time commitment you you talked about this a little bit the time commitment on this panel is

1:02:33

significantly more than originally stated anywhere from five to fifteen hours per month depending on what you

1:02:40

what extra you choose to pick up so to your point around time management um we just wanted to reiterate that um

1:02:47

kind of commitment and just ask again if you have time in your life uh to commit

1:02:52

to the to the panel that in that manner yes okay thank you ma'am and that's all

1:03:01

thank you Amy thank you thank you so much so Madeline

1:03:07

we have uh just a couple of minutes uh do you have any questions for the selection committee before we go

1:03:14

uh yes I would like I'd like to know

1:03:20

um what would be their primary if they somebody could identify as a primary challenge

1:03:27

that they face in being affected in in

1:03:33

their tasks in their purpose for being

1:03:39

primary challenge yeah I I personally think Martha you can follow on but I

1:03:45

personally think the actual primary challenge is the ordinance and the way that it was written

1:03:51
which has a significant level of non-power given to the panel so the way
1:04:00
that it was written uh allows us the ability to provide feedback and
1:04:06
guidance but not currently make actual policy changes I
1:04:12
don't know Martha what would you say um I would say
1:04:20
I would I would say that is true and
1:04:26
I think the barriers
1:04:31
are huge um the barriers are so huge that we need
1:04:38
assistance in navigating them because we don't want to be suppressed this is an
1:04:46
accountability body and I think we just need to get to a point where we
1:04:53
can be comfortable being vulnerable in public if that makes
1:04:59
sense it does it does uh do you think it would include the uh
1:05:07
revising the ordinance
1:05:14
it has been discussed but I think what we're getting stuck is
1:05:19
um the legalities
1:05:25
because we're not we're not lawyers we're just people like we're
1:05:30
specifically civilian and specifically everyday average people so
1:05:36
there's a lot of fear of repercussion so if there was any way to
1:05:43
silence that fear of repercussion we could you know use the what where did
1:05:50
you say boldness we could use the boldness without that barrier
1:05:58
okay thank you oh do you have a time frame for the um
1:06:04
decision making for the excellent you just read my mind
1:06:10
so yes we do have a time frame um so this is uh what well yes so the

EXHIBIT 15

1:06:20

interviews are continuing uh you know today uh we will be the committee will

1:06:25

be reviewing um all of the interviews I'm making some final decisions towards the end of this

1:06:32

month and then as you well know with city council business um the city council will be making

1:06:38

confirmation of The committee's Proposal on the 15th of December so we still have

1:06:46

about a month before you may hear from the committee and from the city

1:06:52

I see okay are your finalists are required to go before the um before the

1:06:58

city council no where we did what we did for the first round of panelists last year just uh

1:07:05

City Proclamation and then they start their work got it got it wonderful well Madeleine

1:07:12

thank you so much for taking time today um we have another interview coming up and um as always you know feel free to

1:07:19

be in touch if you have any follow-up questions absolutely thank you it's so good seeing

1:07:25

you

1:07:31

all right thank you

1:07:43

there we go oh Tammy there we go hi there good

1:07:49

morning um my name is Sean rayqua um I'm an original member of the city of

1:07:55

Boulder Police oversight task force that was formed in 2019 um today we are obviously interviewing

1:08:03

you for a prospective position on the police oversight panel for the city of

1:08:08

Boulder we have um a recording um as part of City business today your interview should

1:08:14

last about 20 minutes um that'll be time for us to ask five

1:08:19

questions those questions will be posted in the chat each time um so if you

1:08:26

see those pop up you can also pull the chat out for Zoom I'll be doing a time check at five minutes to go one minute

1:08:32

to go just to keep us all on track today um and then let me introduce your

1:08:37

selection committee members uh we have current police oversight panelists who are Martha Wilson and Sarah Holt

1:08:46

we have two community members who are joining us for the selection committee we have Anna ibada Casa sibara uh from

1:08:55

centronic stud and Jude landsman from the NAACP and then we have um Amy McCain

1:09:01

our Equity program manager for the city of Boulder so we can get started um Anna

1:09:08

I believe has the first question thank you hello Kami

1:09:15

um my name is Anna thank you for being here with us our

1:09:20

questions um the first question is um what do you think that oversight

1:09:26

panel does or is and does and the second part I guess is why

1:09:34

do you think we need an oversight panel in our community a police oversight panel in our community

1:09:39

yeah well first of all let me say good morning um it's good to be here and forgive me

1:09:44

I'm I am compliment of my son's preschool my son and what seems like uh

1:09:52

Colorado at large RSV is in my lungs and all that stuff so if I'm coughing a lot

1:09:57

or sneezing forgive me um but it's good to be here and you know I can't say I have a deep understanding

1:10:04

at all of what the police oversight committee does only a potential perception

1:10:09

um an interpretation of my own meaning making of what that would be so my belief is that it would really be

1:10:17

an intentional committee that's looking to mitigate any you know inequities and

1:10:25

potential sort of **biases** that can run within our you know

1:10:32

um police force um and also I would say at a systemic or
1:10:37
institutional level so I think the oversight committee probably might do
1:10:43
some decision making or recommendations or reviewing of you know specific cases
1:10:49
or things like that to ensure that ideally the you know the police forces
1:10:56
is um in alignment and in Integrity with what it is intentionally designed to do which is
support Public Safety the
1:11:04
well-being of our community members and you know ensure that you know we're not
1:11:09
seeing the ongoing um violence that that seems to continue to happen within
1:11:16
um law enforcement particularly on black and brown and Indigenous bodies so that
1:11:22
is that's my workingest assumption um and and assuming that you know with a
1:11:30
bit of I've been in Boulder now for a year and so my my knowledge base of Boulder is is
limited but also knowing
1:11:36
that there is history here in Boulder just like there is everywhere else where there is the
over policing and continued
1:11:44
perpetuation of violence on particularly black bodies and black and brown bodies and
so my assumption is that to be in
1:11:51
alignment with you know the vision that Boulder has for itself as a community um with
its commitment to advancing
1:11:57
racial Equity that the oversight committee is one of the many ways that
1:12:02
it's seeking to implement structures and systems that would ensure
1:12:07
um live to its you know values and and what it stands for so
1:12:14
okay thank you hi Tammy uh
1:12:22
second question has to do with any direct or indirect experience uh you've
1:12:30
had with uh law enforcement that you think um is relevant relevant to your perceptions
1:12:37
of law enforcement and wanting to do this work

1:12:43

yeah um I would say so I so my the background

1:12:48

and work that I do um I think I spoke to a little bit my application

1:12:53

but I have been doing racial Equity social justice work for quite some time

1:12:58

and been doing it both um in terms of leadership development and organizational development and really centered around systems change so

1:13:06

I have worked in direct partnership and have done trainings for law enforcement

1:13:11

uh closely partnered with um Juvenile Justice centers and whether it's from a

1:13:18

programmatic standpoint or a building capacity um and then also looking at policies

1:13:24

um you know organizational practices and and things like that so

1:13:29

um I haven't directly worked in law enforcement per se but a lot of partnership with or in service to

1:13:37

um and and it's all been within the context of diversity Equity inclusion racial Equity social justice

1:13:44

um I think I think what we're uh uh looking for uh what the question is is

1:13:50

trying to address is more about your direct experience if you direct experience oh they're having uh with the

1:13:57

police got it okay and witnessing events with the police yeah I mean all in all is you know a

1:14:05

white individual I will say um my experiences with law enforcement has been

1:14:10

you know fine um I have I've never experienced any outright mistreatment of or and yet I've

1:14:19

witnessed it firsthand within my own community and when I say my own Community I mean family members and like

1:14:26

beloved friends and people I consider my community where I've seen mistreatment I've seen violence I've seen you know

1:14:33

where there was deferential treatment um so I've kind of seen but all in all

1:14:38

my experience firsthand um with law enforcement has I would say

1:14:43

relatively healthy helpful um supportive if and when you know that

1:14:49

was that was needed thank you and I will just share with my

1:14:55

perception around law enforcement I I think it has to be looked at in two ways

1:15:00

I think there's an individual component but I think it's important that we understand the system that individuals are working within and I think that if

1:15:08

we look at the history of law enforcement and how it was developed and designed it was built off of racist

1:15:14

ideology and so we're we're working with a system that was intentionally designed to ensure right

1:15:21

um the the um forgive me my brain's a little foggy but the um I'll I'll use sort of power

1:15:29

over certain bodies particularly about black bodies and I think that has evolved to indigenous bodies and bodies

1:15:35

of color as a whole um and ensuring sort of Greater Mobility

1:15:41

um for for white bodies and so knowing that there's that institutional piece and that individuals operate and

1:15:47

function within that institution they're you know how you're trained how you're developed how you're supported how

1:15:54

you're you know um I think influence shapes and informs how individuals can operate and function

1:16:01

I think that you have a wide spectrum within law enforcement of you know individuals who generally get into law

1:16:08

enforcement because they are so Community minded and Community centered I think you get folks that come in

1:16:13

because it's an opportunity for power um you know so I think it's that's why I

1:16:19

I think you can't look at one thing as like one thing I don't think it's just an

1:16:25

individual I don't think it's just a system I think you have to take into context all those and and how they

1:16:31

influence each other and and can you know uh work together

1:16:37

right systemic racism thank you yeah yeah

1:16:45

Martha hi there um I've got question three uh can you

1:16:51

please share a time when you questioned or challenged a long-held belief or idea

1:16:56

and explain how you dealt with the blowback of being in the hot seat

1:17:02

oh I'm I'm just laughing a little bit I'm

1:17:08

like I get paid to do that now now it's um so for a number of years and if I'm I'm

1:17:15

just going to reread the question make sure that I am um understanding it correctly

1:17:22

so you know with the work that I've done both as a part of working within a given

1:17:28

organization or institution and then even as a consultant and Coach um so much of my work has been around

1:17:36

disrupting the status quo and really shifting and transforming culture to

1:17:43

ensure the valuing dignifying and honoring of black indigenous and other bodies of culture and to really ensure

1:17:50

that every human being thrives in their wholeness and fullness and so

1:17:56

um I have had many times um part of it so I'm I'm originally from

1:18:02

New York I am East Coast direct through and through um so I will often sort of address

1:18:08

things in a very direct manner but also come from a place of curiosity come from a place of compassion

1:18:15

um and I'm very specific though with some of the terminology I use to address

1:18:20

where whether I'm using power and privilege oppression white supremacy

1:18:25

um things like that and so uh there have been many times where I have questioned

1:18:31

kind of a policy or why something is in place

1:18:37

um you know questions someone's leadership move in terms of maybe it was

1:18:42

decision making or communication [Music] you know and

1:18:48

I would say you know for me blowback is um is sort of expected or or I would say

1:18:56

heat heat rising is is often expected in this work when we name something that we

1:19:01

think might be you know inherently **biased** or you know racist or you know

1:19:07

homophobic or sexist or xenophobic or things like that I think there is always

1:19:13

an activation I shouldn't say always but I think often there's an activation immediate defensiveness that can come

1:19:18

out when we name those things and so for me being the person who often is calling in

1:19:25

or naming things or asking questions um for me it's in in just

1:19:32

extremely important that I do so from a grounded centered place so that when something comes to me my own charge and

1:19:41

activation is not coming back with a defensive attitude or

1:19:46

um you know sort of angry you know sort of that that hostile sort

1:19:51

of you know meeting some of the defensiveness and and you know potential heat and meeting that with the same you

1:19:59

know reactions so for me it's very much been about you know understanding this is just you know part of the work

1:20:06

and I'm here to be in service to a greater good and not let ego get in the way and you know

1:20:14

um seeking for forward movement finding common ground

1:20:19

um as opposed to you know some of the more combative or

1:20:25

other things but I also don't back down very easily I'm pretty good at standing my ground

1:20:33

yeah well thank you um I want to I want you
1:20:40
to uh talk about strengths and weaknesses but um specifically how your strengths
1:20:46
um kind of in the past have have moved you forward and Mary and your areas for
development have potentially hindered
1:20:53
your your progress forward um maybe in work similar to that which
1:20:59
we do on the on the panel yeah um
1:21:05
those I would say um often when when we talk about like our
1:21:13
personal superpowers um I think I actually have a beautiful gift when it comes to
relational work
1:21:21
and I believe this is all relational work what we're talking about um I have an ability to
connect with
1:21:28
people um that I'm using this word very mindfully but
1:21:34
often can feel like it transcends many of the barriers that can exist in
1:21:40
cultivating trusting open Connected **relationships** um
1:21:46
I see people more in their wholeness and fullness for who they are and also
1:21:52
um without knowing someone's full story can usually get a pretty good sense of
1:21:57
potentially some of the traumas that they're holding um or you know why they're
showing up
1:22:02
the ways in which they're showing up that often is is pretty accurate and I think it's just
because I've been
1:22:09
working with people for so long um Decades of working with people I think we only
come in so many forms but
1:22:15
as a social worker as you know a coach as someone who's done you know
1:22:20
transformational leadership trainings and doing this work um I think it's yes and and the
other
1:22:26
piece I'll add to that is that my ability to adapt to any context or

1:22:31

environment um and so really understanding it's it's like that notion of you know sort of like being able to read a room or assess

1:22:38

kind of where someone is at and so suspending like my own need for

1:22:44

something in that moment and really being able to pause um and assess uh you know what's going

1:22:50

on in the room or what's going on with this person and um what might work in this moment that's

1:22:55

going to find greater connection rather than sort of the the distancing us and othering us even even further

1:23:03

um so I think that that's a significant strength particularly in this work um because this is not easy work and I

1:23:11

would say in terms of you know areas that that can be a challenge for me

1:23:17

um that's you know continue to come up as as I mentioned I think it's I do have a particular communication style I mean

1:23:24

it's you know I grew up in specific cultural norms in a specific communication style and so I think that

1:23:30

you know sometimes that could be challenging for people and so you know

1:23:36

I'm able to sort of redirect um or or shift in my Approach

1:23:41

um but I also know it's it's just it's my go-to it's it's who I am at my course so I would say it's you know direct

1:23:47

communication can sometimes be hard for folks foreign

1:23:53

cool thank you really quick yes or no question what we've just what we have

1:23:59

um really realized is the work of the panel takes a significant time commitment anywhere between 5 and 15

1:24:06

hours per month depending on what you decide to pick up

1:24:11

um I just wanted to reiterate that and ask you if you have

1:24:17

that time in your schedule yeah I I yes um I definitely you know there's still

1:24:24

my whole around the whole process and what exactly those hours entail and all that

1:24:31

but yes okay all right that's all I have Sean Ray

1:24:37

so uh Tammy you actually um I think you have a question

1:24:42

um if you have a you have about two three minutes to ask that question if you want to reiterate I think that's

1:24:47

really relevant to uh your application yeah I mean I I think that you know if

1:24:54

it ends up being that you know there's an opportunity to pursue further I I hope that there would be a little bit

1:25:00

more time for for some other questions because two minutes would definitely be enough for the few questions that I have

1:25:07

um but I'll just maybe go with what might potentially be a simpler one is when you say you know there there's a

1:25:14

range of hours of commitment what would be entailed in those hours what is the

1:25:19

request of those hours yeah so the kind of core hours

1:25:25

um are the monthly meeting which is public as well as the actual Core case

1:25:32

reviews so kind of standard like board kind of

1:25:38

uh meeting a couple hours and then as many cases as you want to review

1:25:44

the additional hours are committee related or

1:25:51

um uh kind of just-in-time business related so hey we really want to get on

1:25:58

the chief of police schedule those kinds of things and they're variable

1:26:04

um but I think what what's really important to me and I think the other panel members is making sure people know

1:26:10

it's not just two hours a month when you want to maybe um it it does take a time commitment

1:26:17

like for instance you would not you could choose to do this but this is four hours out of the the middle of our day

1:26:24

this time usually we do do after hour stuff so it doesn't interfere with any standard

1:26:30

working hours yeah my hours are flexible I'm self-employed so it's um yeah so I'm I'm

1:26:38

fortunate in that sense that I have greater flexibility so

1:26:44

well well let's end there and uh and um obviously if you do have additional questions that you feel would be

1:26:51

relevant to your um the eventual selection but feel free to reach out so um both uh while Amy

1:26:58

um is available for sure to coordinate where those questions go um with that um we really thank you for

1:27:05

taking the time this morning and in terms of our timeline um the selection committee will be

1:27:13

reviewing all of the interviews um that they'll be doing and we'll be making some decisions the later this month and

1:27:20

then the city council will be confirming um those uh suggestions panelists and

1:27:27

alternates um on the 15th of December so there's still going to be a month Gap where you

1:27:32

may not hear anything from us but we're just doing work behind the scenes and following our city city schedule

1:27:39

fantastic and Amy do you have an email that um yes I can put that in the chat for you

1:27:47

free Pro tip for folks um city of Boulder email addresses our last name

1:27:53

plus first initial at bouldercolorado.gov unless it's Martha and Martha has to

1:27:58

have it too because there's another Wilson m

1:28:04

INE well I just want to you know regardless say thank you all and thank you for your commitment and your time

1:28:10

and your energy and for those who are you know volunteering of your time this work is critical so I I really I honor

1:28:17

you and and just if anything it was great to put some names and faces

1:28:22

together and and know a bit more of who's in my community and doing this work so appreciate you all

1:28:28

wonderful thank you so much Amy's email is in the chat yep

1:28:35

and uh yeah thank you again I will certainly be in touch great thank you I'm just gonna do a

1:28:41

quick copying of that email of course no take your time for everyone yeah take

1:28:46

care good luck have a good day

1:28:55

hello Jason [Music]

1:29:05

there we go how are you all thank you uh thank you for being here

1:29:12

um in the interest of time we're just gonna jump right in uh we have uh probably about uh 15 minutes with you

1:29:21

um we can extend a little bit some if timing works out um my name is shamri pasalakwa I'm an

1:29:27

original member of the city of Boulder Police oversight task force that created this panel um this interview for your police

1:29:34

oversight panel position is being recorded for city of Boulder uh we'll have about 15 minutes or so we will post

1:29:42

questions in the chat as well as time checks later um our selection committee members

1:29:49

comprise of two current panelists uh Martha Wilson Sarah Holt

1:29:55

we have two community members um Anna Casa sibara from a center avistad Jude landsman from NAACP and Amy

1:30:03

Kane who is our Equity program manager for the city of Boulder so Anna please go ahead and ask the first question

1:30:11

hello Jason um so our first question is

1:30:17

um what do you know about the police oversight panel like what do you think it does

1:30:23

um I think it is and most importantly why do you think we need a police

1:30:29

oversight panel in our community okay um I so

1:30:35

I've heard a little bit about it in the press and uh I believe my friend uh

1:30:42

Keith Olivia was on a police oversight panel although I don't know if it was this one I thought that at one point in

1:30:48

time there might have been two um and uh so generally that's how I heard about it

1:30:55

I'm a criminal defense attorney in town and and uh and believe in in criminal defense and Public Defense and um and

1:31:03

I've worked with a variety of people that have uh had interactions with the police

1:31:08

um and at times I've found uh excellent uh interactions with police and at times

1:31:14

it's it I think it's lacking um it's a nice word

1:31:19

um is it necessary yes absolutely um one of the things that I had recently

1:31:26

was a case where I believe that if the police would have

1:31:33

followed um de-escalation tactics that they have been trained on that we

1:31:38

wouldn't have ended up where we were and I do think that this was a case where it

1:31:44

could have happened in fact um my client was suicidal and um and he but

1:31:50

at the uh initially he was very Cooperative with police and it wasn't until he was approached in what appeared

1:31:58

to be an aggressive way without sort of talking with him that things went wrong

1:32:04

um and we we spoke uh with the prosecution about that and in specific I

1:32:11

spoke with Kim kufner about it um and he helped me to understand a little bit about what how the police

1:32:19

are um how they're reacting to de-escalation

1:32:26

training and when they're uh how they're reacting to to criticism in that

1:32:31

situation um and what it it brought to me was that uh

1:32:40

just because we might believe and understand something if we're going to make any change we

1:32:47

need to very much understand where the police are coming from so that we can make some change

1:32:53

um because we might ask for something that that shuts them down

1:32:58

um and largely that's what I've been training on um at the trial orders college for the

1:33:03

last 10 or so years

1:33:09

thank you thank you hi Jason I'm Jude landsman from the

1:33:17

NAACP so I have to say whether the police are resistant to

1:33:24

retraining or not it doesn't change the fact that it may that it needs to change

1:33:31

yeah I agree I think they're comfortable or not uh so the uh this second question

1:33:37

has to do with experiences with law with police you've alluded to some indirect

1:33:45

experiences if you've had any direct experiences or um

1:33:50

org or as you've talked about the experiences that you've witnessed that

1:33:57

um uh affect your perception or or that influence your perception of where

1:34:03

police are at uh uh policing is now here in Boulder and

1:34:11

uh uh obviously you have a desire to work

1:34:16

with that but maybe you could explain how your how your experience is dealing

1:34:22

with police uh affect your perception

1:34:28

um my primary direct uh um dealing with police has been in court

1:34:37

um whether I'm lucky or or whatever maybe it's uh just because of my skin color

1:34:43

and my sex um I haven't had much interaction with police in the in the real world but in

1:34:50

court I have had lots and um okay

1:34:57

what always frustrates me is a sense of

1:35:03

that they are working for the prosecution and that their job is to

1:35:08

convict rather than to find the truth um and and you know I uh maybe that's

1:35:15

naive um but I would I would like it to be a

1:35:21

little different and I have found officers that are that way um and uh I don't know why there aren't

1:35:28

more of them I found officers that have treated my clients very well and I've seen some

1:35:36

really ugly things um a friend of mine I got the video a

1:35:41

friend of mine was held at gunpoint simply because uh he he said that he didn't want to talk and he wanted a

1:35:48

lawyer um and um and they asked him do you want to be shot I mean I'm like he says no

1:35:58

um and uh and he wasn't doing anything I mean he did we had talked a number of

1:36:03

times about how to deal with situations like that and and he followed all of the rules that I had set for him

1:36:09

um and and so uh and he was calm and he did follow their rules it was simply

1:36:15

that he was not cooperating with um giving up his constitutional rights

1:36:21

and and uh I didn't like that um I I've seen now that we have video we

1:36:26

we see a lot more um and and it's interesting to to look

1:36:32

at the the police reports that look and read almost exactly like they would have

1:36:38

before but now that we have video we the things that we always assumed or we we we

1:36:44

thought might be out there we see them we see them on video and it's true

1:36:51

um so I'm I'm very happy with the video um you know I I want the police to do the
1:36:59

things the right way and I want them to follow their training uh and you know what what
can helped me to understand is

1:37:06

that just because I want that or he wants that doesn't mean they're going to
1:37:12

be receptive to it and if we're going to get them receptive to it we need to have be able
to they need to

1:37:20

be able to hear us um now you know maybe there's maybe there's more power of this
board than I

1:37:26

understand and I'm certainly willing to look at that um I'm not uh trying to apologize or
defend them I'm simply

1:37:34

trying to say I want I want movement to happen and if that takes me

1:37:39

understanding them better I'm willing to do that thank you

1:37:48

hi there I'm Martha hi I've got question three

1:37:54

um I think there might be a interesting answer since you're a lawyer um

1:37:59

when uh can you share a time when you have questioned or challenged or

1:38:04

wrong-held belief or idea and how did you deal with the blowback

1:38:09

of being in the hot seat so my thought was wrong and I had to

1:38:17

deal with that um it's it's whatever your example is

1:38:23

um it's more about um basically your ability to

1:38:30

handle the pressure of asking the questions and

1:38:36

that kind of thing yeah um I will say that that many years ago

1:38:41

uh is that I think it's over 15 years ago at this point in time

1:38:46

um I was doing alternate defense counsel uh conflict work um and I had a case that uh
uh

1:38:56

I felt like the the judges were pushing me around and not letting me accomplish something and I felt like what I'd I'd

1:39:02

given them notice of something and and they they refused to accept um that that I had it was ultimately it

1:39:10

was a relatively minor issue um but it was a power struggle

1:39:16

um and I think that they were wrong on what happened uh in the meeting

1:39:22

previously for whatever reason it was not recorded or transcribed

1:39:27

um but my way of dealing with it caused

1:39:33

consequences to me and no doubt some of my clients over the years

1:39:39

and I didn't give proper respect to them um and

1:39:46

I was very angry at that time this is 15 years ago now

1:39:52

um and I've learned a lot um I I probably spent 10 years struggling with uh the bench in Boulder

1:40:00

um trying to to regain my reputation um and and that hurts

1:40:07

um I do believe I have an excellent reputation now uh judge bakkie and I uh see eye to eye and and she uh supports

1:40:14

me in a number of ways you know I mean there's all these judges can only support lawyers so many ways but she is

1:40:20

happy with me and I believe everybody else on the bench uh is happy with me

1:40:25

um and uh that's been in part me changing and I recognize that that is a

1:40:32

change that I needed to make um but I also think that they were doing something wrong as well

1:40:38

um I I've been going to the trial orders College uh uh since at least 2010 and

1:40:46

one of the things that we do is is we're very much um trying to reverse roles with the

1:40:52

person on the other side of us um and and reverse roles with Witnesses and and and uh people involved in the

1:40:59

case so that we can understand where they are coming from and this is not to say that we'll end up agreeing with them uh oftentimes they

1:41:06

are are disagreeing with our our idea

1:41:12

um but the idea of trying to understand why and how they got to their Position will help me talk with them and work

1:41:20

with them um or in a in a contested situation like a trial help me to show the jury what

1:41:29

um thank you how they got there and what what they're thinking just so that the jury can help

1:41:36

to see that that is in some way not right um does that answer your question I I'm

1:41:42

not quite sure did you are you saying you kind of dissect it to

1:41:49

follow along or help people follow along I don't know not necessarily not

1:41:55

necessarily uh what what I have found is that if I treat somebody like an enemy and

1:42:02

that they're that they um okay

1:42:08

that that they're just wrong and they need to get on the right side

1:42:13

then I I'm basically find that they are completely unwilling to work with me and

1:42:20

I might miss the things that they have to offer that would be valuable

1:42:25

um so uh it's more about the process of getting to a a

1:42:32

a result or or than it is about changing my mind or or their mind

1:42:40

um and it's the respectful process and uh and the respect is simply that that

1:42:46

you try to understand the other person the best you can um so it doesn't mean that you're gonna

1:42:51

follow what they have to say it just means that you know you you need to you

1:42:57

need to understand them I need to understand them um and if I had the opportunity I would

1:43:03

ask you guys questions so I could understand you

1:43:11

thank you thanks uh Martha are you are you good

1:43:16

yeah okay okay um in uh I want to be

1:43:22

um conscious of time here um committee uh I want to skip my

1:43:28

question because I believe Jason has actually answered strengths and areas for development in his previous answers

1:43:34

is anybody opposed to that um Jason you did a really good job of exposing some

1:43:40

of the some of your foibles and some of your strengths um good okay

1:43:45

um then I will ask one additional question actually it's a really quick yes or no um you seem like a a busy guy one of the

1:43:53

things that we have um really realizes the time commitment for

1:43:59

this panel is significant it can be between 5 and 15 hours per month usually

1:44:04

off hours not during traditional working hours um and we just wanted to reiterate that

1:44:11

for you as well as you know really ask you if that is something you have time in your life for I appreciate that and

1:44:19

and I do um whether it's good or bad I don't have children

1:44:24

um and uh and and I do live in town and my practice is is busy but I do have a

1:44:30

uh an associate so when there are issues he he can cover that

1:44:35

um I I find this to be one of the more important uh issues in in my mind

1:44:43

um I say for me personally the the only issue

1:44:49

that I think is more important than this one is um is campaign Finance reform but that's

1:44:57

not something we do in our committee like this um so I I I think uh well

1:45:05

I also know that I know a lot of defense attorneys and public defenders who will talk to me and um maybe they wouldn't

1:45:12

talk to anybody else cool thank you

1:45:18

thank you wonderful Jason so we um do have our next interview who's waiting patiently

1:45:24

in the waiting room um and I wanted to thank you for for

1:45:29

showing up today and um and being thoughtful with your answers um just in terms of timeline uh we will

1:45:38

be conducting more interviews um over the next couple of days uh the

1:45:44

selection committee will be looking at uh advocating for five potential new panelists and four alternates and then

1:45:52

the 15th of December is when those confirmations will be made by the city of Boulder so there's going to be a

1:45:57

little Gap in communication don't be alarmed by that it's just the process that has been set out for us I certainly

1:46:04

understand thank you all for contacting me I'm very much apologize I thought this was on my calendar and ready to go

1:46:11

but I made a mistake um and uh thank you for letting me be here thank you very much Jason all right

1:46:19

all right we're ready

1:46:26

hello hello Sam how are you good how are you all

1:46:32

well I'm doing well I can't speak for everybody else but uh everybody's smiling right now so this is good

1:46:39

um just uh wanted to introduce myself my name is Sean Ray pasalaqua I'm an

1:46:46

original member of the city of Boulder Police oversight task force that created the panel for which you're applying

1:46:54

um I wanted to let you know obviously this was an interview for a potential position on the police oversight panel

1:47:00

um the interview is being recorded for informational purposes in city of

1:47:06

Boulder business uh we'll have about 20 minutes with you this morning um the selection committee will be

1:47:12

asking you five questions and there may be time for you to ask a question or two as well

1:47:18

um we will be posting each question in the chat so you can follow along and we

1:47:24

will be posting time checks at five minutes to go in one minute to go towards the end

1:47:30

um your selection committee um comprise those two current police oversight panelists Martha Wilson and Sarah Holt

1:47:38

we have two community members who are joining us as part of the committee Anna Casa sibara from El Centro anistan and

1:47:46

Jude landsman from the NAACP and lastly we have Amy Kane and I always do that

1:47:52

it's really funny um we have Amy Kane Equity program manager for the city of Boulder so we

1:47:59

will get started with uh Anna's first question for you foreign

1:48:05

excuse me um Amana thank you for being here with us today and willing to answer

1:48:11

our questions um our first question is um what do you know about the police

1:48:17

oversight panel like what do you think it does and most importantly why do you

1:48:24

what do you think um what is the reason for

1:48:29

for the police oversight panels creation yeah okay so here's my understanding of

1:48:35

how it works um and I have to admit it's kind of a high level picture which is uh so it was

1:48:42

formed in the in the last few years right this is a recent sort of creation and it was created alongside the

1:48:50

um the office of the monitor for the police and essentially these are both uh

1:48:57

vehicles for like uh understanding and

1:49:02

weighing in on complaints about police conduct so I think when people file a complaint with the police at first goes

1:49:09

to the monitor who does an investigation and like creates like a report and like recommendation and
1:49:17
um the police oversight panel gets to review that and uh sort of
1:49:23
confidentially look at the data and maybe produce its own recommendation on top of that and both of those pieces go
1:49:30
to the police chief who can uh choose to act on it or not and then it goes to the
1:49:36
city manager who can like override the police chief if they choose not to act
1:49:42
um but so so being part of that like review process is one key duty of the
1:49:48
police oversight panel and the others are like sort of oversight of the monitor's office itself uh um you know
1:49:56
like doing periodic checks on how effective the monitor process is and
1:50:02
whether complaints uh the process for um for people to submit complaints is
1:50:09
like easy for people to use or if there's like some kind of roadblocks
1:50:15
um and uh uh and I guess a third I don't know if
1:50:20
this is like an explicit role of the police oversight committee but there's like a public-facing kind of community outreach role right of getting the
1:50:27
community's input about how any of this is working and how policing and Boulder is working and
1:50:34
help turn that into recommendations for the city so that's my understanding love to be
1:50:40
corrected um but and so why it was created
1:50:45
um I mean historically I think it was all part of the aftermath of uh what
1:50:53
happened with Zaid Atkinson um and so there's like a history of sort
1:50:59
of this being like a tool for the community to like increase serves
1:51:07
responsibility and accountability of the police to just uh Everyday People Like Us who live in
1:51:14

Boulder um and I know this was only one of like several options put forth to the city at
1:51:21
the time uh and I so I don't know too much about the details beyond that but yeah that's
1:51:27
that's my high level understanding of the situation thank you sir
1:51:36
Hi Sam uh I'm with the NAACP I I think um
1:51:41
I've actually met with you a few years ago uh with dealing with Statistics yes
1:51:46
uh and data on policing in Boulder so uh and the importance of the questions that
1:51:54
are posed so um thank you for interviewing uh my
1:52:00
question has to do with perceptions of law enforcement so how would you
1:52:07
characterize your perception of law enforcement
1:52:13
and please give examples if you've had either direct or witnessed indirect
1:52:21
um interactions with the police yeah
1:52:27
I guess direct experience means like my own personal interactions with police as
opposed to
1:52:34
as you mentioned the stuff that I've done and we've done on like the
1:52:40
data around policing and I have to say that as even though I'm a person of
1:52:46
color I think that there is like this like privilege that comes with
1:52:51
being like light-skinned Asian-American like East Asian where I think it's just
1:52:58
generally assumed that people who look like me tend to be
1:53:04
like I don't know like not necessarily working class or like minoritized in the
1:53:10
same way as other people of color and Boulder and and you know there's very historical
reasons for that but I've you
1:53:18
know I think for that reason police have generally left me alone I've uh
1:53:23
uh yeah I haven't had any uh sort of
1:53:29

personal either negative or positive interactions with the police in the seven or eight
1:53:34

years I've lived here and I'm kind of grateful for it you know I feel like I you don't don't
want to have

1:53:41

interactions with the police generally you know means something's gone wrong

1:53:46

um um so I yeah I

1:53:52

um well how would you characterize your perception um knowing knowing the facts
that you do

1:53:57

know how would you characterize your perception of law enforcement and or uh

1:54:05

in relation to having a police oversight panel yeah so I mean this goes to the reason

1:54:12

why the panel exists in the first place is we want accountability for the police

1:54:18

and the reason why we want accountability for the police is because

1:54:23

to some extent the police were unaccountable to start and you know I

1:54:29

think that's just not even implicit that's explicit in the reason the panel exists and I
definitely

1:54:36

am aligned with that idea that police need uh oversight to be accountable that

1:54:45

police my perception of police is often police have like very strong special interests and
like lobbying and

1:54:52

professional groups that give them a lot of political power in America and a lot

1:54:57

of relative independence from City management generally you know like police are
often the largest part of

1:55:03

City budgets um and uh

1:55:09

uh the the actual amount of influence that someone like a city manager can

1:55:16

practically put on the police is unfortunately not as high as I want it

1:55:22

to be like I I think the police that we should take a very rigorous and **unbiased**

1:55:29

look at the history of policing in America the history of racism in America and how it's like led to some of the

1:55:37

structures we have today like how how hard it is to hold police accountable to their actions and how hard it is

1:55:45

um as you know Jude to even get access to police data that would be in the

1:55:51

Public's interest to have um yeah so I hope the hopefully that gets

1:55:58

at your question yes it does thank you very much thank you

1:56:04

hi um uh I took a uh a little pause there

1:56:10

because I was gonna be like hey how about they like raise your shoulders and just keep using that it's not a test

1:56:16

um I have a third question and it's more along the line of just sharing a time

1:56:22

when you have questioned or challenged a long-held belief or idea and really how

1:56:30

you deal with um blowback or being in a hot seat a

1:56:35

position of being in a hot seat

1:56:41

yeah well I think I wrote this in my bio for you all and so maybe you know this already but I'm a PhD student at the

1:56:49

University of Colorado um I lived in Boulder before I was a PhD student so I've been in town for seven

1:56:55

years now and I went to see you because I was already here

1:57:00

um so I kind of like my first allegiances to the local community second is to the university but anyway

1:57:06

I'm doing my PhD in applied math and particularly in kind of like computational social science where we

1:57:13

use like quantitative methods to study social inequality

1:57:19

um and just in terms of like

1:57:25

the day-to-day of that work it is a constant confrontation with

1:57:31

like what I thought I knew but isn't actually true in the face of data

1:57:37

um and that can be hard and also when you like put something out there like we had a paper came out a couple months ago

1:57:45

that kind of blew up on Twitter and like a lot of people like like rushed to

1:57:51

judgment without really reading the paper or just sort of they had their like ideas about like

1:57:56

what our motivations were and kind of assumed bad faith on our part

1:58:02

um and you know that's that's rough but that's also life and it's part of the discourse

1:58:09

and you just have to have a thick enough skin to not like

1:58:15

react to every little thing and know what's like what you can ignore but also be

1:58:20

really like compassionate with people who criticize you and think about what it is that like

1:58:26

motivates them to say what they say and what you can learn from it um and so when it comes to like policing

1:58:33

and I'm sorry if I'm answering this like a test like I said I'm a PhD student when I have six people in a zoom room ask any questions it feels like I'm like

1:58:40

defending and my thesis or something uh

1:58:46

um where it comes to policing I I'm really interested in sort of like what

1:58:53

we can learn quantitatively um I wrote this in my bio but uh I think

1:58:59

this might have been related to the project I did with Jude in the NAACP but we were in contact with Julie Richmond

1:59:04

who used to be the uh director of analytics at the CEO of Boulder or at the city of Boulder

1:59:10

about like what data the police department should collect about police traffic stops so that they can actually

1:59:16

tell if there's racial **bias** and like uh who gets searched and who gets ticketed

1:59:22

after stops uh and from my understanding that you know

1:59:27

I stopped working on that project after Julia left but my understanding is some of that stuff has been rolled out and

1:59:33

one of my motivations for joining the panel is

1:59:38

um I like I I would love to use this as like an experience to learn more about

1:59:44

like the quantitative side of policing in Boulder and more broadly and to use

1:59:51

that to sort of study policing um not just in Boulder but across the

1:59:57

country and see like how Boulder fits in that bigger picture um yeah and I think

2:00:03

doing that kind of work there's definitely going to be people who think like uh

2:00:08

like you know you don't need facts because you can just you like the history speaks for itself

2:00:15

that policing is just racist or police are just good but like you know I think

2:00:22

the only way to resolve sort of like moral value disputes where people have long-held beliefs is to come to the

2:00:28

table with evidence and I'm committed to doing that and uh yeah

2:00:36

beautiful thank you

2:00:42

thank you um I I work with a whole bunch of phds so I appreciate your answers they're

2:00:47

very thorough I know we have a time check um my question is about

2:00:54

um kind of strengths and areas for development I'm going to ask that you specifically focus on your areas for

2:01:02

development so that is your self-identified foibles as it relates to

2:01:09

how they might hinder the work that we're trying to do here um in the

2:01:15

panel um uh so I'll I'll give it over give us give us some of your areas for

2:01:21

development okay well uh and it might be hard to tell from this kind of Zoom meeting
but

2:01:27

I'm usually pretty friendly and I I think that I have a tendency to just

2:01:32

like agree with people especially those people I like and on a panel with like four or 11
people or whatever it's hard

2:01:39

to dissent um and I definitely

2:01:44

I think my weakness is I tend to like give other people too much Authority even when I
like know something I don't

2:01:50

like speaking for myself and I don't know so what I'd like to work on is being like true to
my values and

2:01:58

beliefs and like be willing to as Martha said kind of like face and heat and like be in the
2:02:05

hot seat if it comes down to it and you know like be open to disagreement and conflict if
it's productive

2:02:18

thank you um really quick yes sir no question you're a busy PhD student the time

2:02:25

commitment to be on this panel is anywhere between 5 and 15 hours per

2:02:31

month so I just wanted to reiterate that it is not a joke it is a heavy lift often

2:02:38

the heavy lift often happens outside of a typical work or or school day if you will

2:02:43

um other than things like this um but I just wanted to reiterate that as well as ask ask
you if you have

2:02:51

actual time in your life to commit to that yes okay all right I'm done Sean Ray

2:03:00

beautiful one word answer we like that uh so Sam we do have um about three minutes
left would love for you to uh be

2:03:07

able to ask a question of the selection committee yeah great so

2:03:14

um I guess as I was saying I was interested in like the quantitative side and looking at
like the data

2:03:21

um what have you all been doing on that front

2:03:28

I was with that one um so we get different pockets of data
2:03:35
um the largest data pool we've had so far didn't have a lot of results
2:03:42
um but uh the primary aspect that we're doing it out of right
2:03:49
now is the Legacy Review Committee because we do want to examine those Trends
and get the you know meat and
2:03:55
potatoes behind uh how things are translating and more specifically just
2:04:00
ironing out different details um about those numbers so
2:04:07
I was excited when I was going to talk about um the the data aspects because that's
2:04:13
it's such a huge piece um and in fact when you mentioned even
2:04:18
just on police staffs that has uh come up and you know it it's
2:04:26
it's important what you capture because if you just look at okay um racial data of people
who got
2:04:33
ticketed that'll make that doesn't give you any information about all the people who
didn't um or you know the comparison between
2:04:41
those two Dynamics so um that was exciting for me
2:04:48
yeah awesome wonderful well um thank you Martha for
2:04:53
that for that answer um the um obviously the work that you
2:04:59
would potentially be doing is complex uh so um as Martha and Sarah have uh
2:05:05
explained in many situations it's it's always been moving you know sort of um
2:05:10
Institution as we're all learning to improve oversight of the police in the community
2:05:17
um so with that being said I really wanted to thank you for for taking your time this
morning
2:05:22
um especially as we keep on saying as a PhD student we know what that's like
2:05:28
um just in terms of our timeline the selection committee will be continuing
2:05:34

EXHIBIT 15

interviews over the next couple of days we'll be making some final decisions

2:05:40

um as a group the four committee members later this month and then the city

2:05:46

council in their meeting on the 15th of December will be confirming who the five panelists and four alternates will be so

2:05:54

um if there's a little Gap in communication over the next month that is the reason why it's just the the city

2:05:59

timeline great thanks so much wonderful thank you

2:06:05

so much Sam and uh take care have a good rest of your afternoon thank you Sam bye thank you all

2:06:12

I'm not so high because I was chatty that's okay I'm gonna go ahead

2:06:17

and let Lizzy in thank you

2:06:27

hello hello Lizzy how are you

2:06:33

I am great how are you all doing well um thank you so much for taking time

2:06:40

which now this afternoon uh to meet with us my name is Sean Ray pasalakwa I'm an

2:06:48

original member of the boulder city of Boulder Police oversight task force and I'm just coordinating uh the recruitment

2:06:55

process this year um just to let you know um obviously you are interviewing for a potential

2:07:01

position on the police oversight panel uh this meeting this interview is being recorded for city of Boulder and archive

2:07:09

purposes we'll have about 20 minutes with you and during that time the selection

2:07:14

committee will be asking five questions maybe some follow-up questions and hopefully we'll have time at the end for

2:07:21

you to ask um a question or two um we will be posting those questions in

2:07:26

the chat um as well as time checks towards the end of the process uh the selection

2:07:33

committee comprises um two current police oversight panelists who are Martha Wilson and

2:07:39

Sarah Holt we have two community members who are joining us on the selection process Anna

2:07:45

Casa sibara from El Centro Amistad and Jude landsman from the NAACP and we have

2:07:51

Amy Kane who's our Equity program manager for the city of Boulder so um

2:07:57

we'll let Anna get started with your first question thank you

2:08:07

thank you thank you for meeting us today and willing to answer our questions

2:08:13

um my first question has three parts so um

2:08:18

what do you think the police over some oversight panel does what do you think

2:08:25

it is and why do you think we need a police

2:08:31

oversight panel in our community thanks Anna uh great question huge

2:08:37

questions I wrote them down so hopefully I will address all three parts but I may ask you to prompt me if I forget

2:08:43

anything oh perfect there we go um so starting out with what does the

2:08:48

police oversight panel do I think um it's my understanding that it is a

2:08:54

group of community members civilians who uh convened to work under the office of

2:09:02

the independent monitor to provide guidance and recommendations to the

2:09:08

independent Monitor and also to the Boulder Police Department specifically as it relates to complaint

2:09:13

investigations and uh the discipline following the disposition of those investigations

2:09:20

um I believe the group also does some more General policy recommendations and training recommendations which is really

2:09:27

cool um so basically you know that kind of leads us into the second question there are group that's meant to provide a

2:09:34

community effective and a **diverse** group of voices who are not part
2:09:40
of the Boulder Police Department not necessarily law enforcement folks who can give
that Community perspective and
2:09:47
make sure that uh there is there are lots of voices at the table when it
2:09:53
comes to how Boulder Police Department should operate and how they should sort
2:09:58
of guide the department forward um why is it necessary uh so many
2:10:04
reasons I think you know the past um this country has a long complicated
2:10:09
history with with law enforcement but the past three or four years more so than ever
have shown us
2:10:16
um that we have a lot of really deep systemic issues that we need to address there's
2:10:23
um it's really difficult for any institution when it's uh really
2:10:29
um how do I want to word this very insular and and you know kind of uh one group of
2:10:34
people that are that are making decisions and it's it's really difficult for any kind of
institution to govern itself in a way that's going to be fair
2:10:42
and Equitable and Progressive and include lots of **diverse** perspective and lots of good
new ideas
2:10:48
um so I think police oversight panels and independent monitors provide that steady
flow of new ideas and new voices
2:10:57
and particularly voices that aren't necessarily always at the table so I think it's
absolutely essential to have
2:11:03
groups like this to make sure that we're holding police departments and law
enforcement agencies accountable and
2:11:10
that we are making sure that we're minimizing harm to the communities they serve and
maximizing the good work that
2:11:17
they are doing as well okay thank you
2:11:25
hi Lizzy uh so uh the second question has to do with how you how would you
2:11:34

characterize your perception of law enforcement and uh

2:11:41

provide some examples of either direct experience or indirect

2:11:47

witnessing that uh have to do with creating that perception

2:11:55

yeah thanks Jude uh so my experience right now I actually

2:12:00

work in local government I work for the city of Denver um I manage data analytics and informatics team for the public health

2:12:06

department um but my last role was the uh serving actually in within the sheriff

2:12:12

department as the Director of Performance Management and strategy um so I I think I have a unique

2:12:19

perspective in that I have spent some time embedded in a law enforcement agency as a civilian Community member

2:12:27

um and the reason I took that job was I I was a little hesitant it came to me

2:12:33

as sort of a promotion opportunity and it was um you know interesting from a job perspective the work was going to be

2:12:39

really interesting but I was a little bit hesitant because I you know I never saw myself being involved in in law

2:12:46

enforcement in any way I don't have any connection to the sort of law enforcement culture

2:12:53

um but when I reflected on it I realized that sort of that discomfort I had maybe or that lack of understanding I had made

2:13:00

me want even more so to sort of throw myself into it and embed myself into the culture and figure out how to

2:13:07

better understand it and maybe hopefully figure out how to help and change it from the inside I I

2:13:14

recognized at that point that there was a lot of improvements that we could make but also

2:13:19

um I wanted to figure out you know I think I think you need to be able to come together if you want to make real

2:13:26

change right I wanted to be able to kind of be in the inside get to know the folks that were actually doing this work

2:13:32

and then figure out how to move forward and I mentioned this just to say that I think

2:13:37

that time gave me a lot of perspective on you know they're absolutely real

2:13:43

serious problems that I observed you know serious challenges um there were a lot of things that

2:13:49

happened maybe when I was there that I was not always proud to be a part of um but it also gave me an understanding

2:13:56

of how we got there and what the challenges are that kind of get in the way of us fixing some of those problems

2:14:02

and I have a much better appreciation for that now there's a lot of problems

2:14:07

but there are also a lot of great people trying really hard to do really good work um so I would say my perspective now is

2:14:14

more nuanced for sure than ever I still work with law enforcement and all of our safety agencies and my current role in

2:14:22

public health side um so I would say I it would be hard to

2:14:27

boil it down to like one line but I am appreciative of both the challenges and

2:14:32

opportunities of law enforcement and I'm really hopeful that we can make real change kind of moving forward in

2:14:38

Partnership um does that address the question I know you mentioned examples as well

2:14:45

I wonder if you had any um yes an example that you would

2:14:51

um I I guess I mean you gave it to us in terms of your work with the sheriff's department so I think that that's great

2:14:58

actually perfectly fine thank you thanks

2:15:03

hi Lizzy um I've got question three uh can you please share time when you

2:15:10

questioned or challenged a long-held belief or idea and how did you deal with the blowback

2:15:17

of being in the hot seat oh okay

2:15:22

um that is a very good question I mean you just have to just ponder that one after a moment

2:15:27

uh so a long-held belief or idea on how did you deal with the blowback of being

2:15:33

in the hot seat I think one of the perceptions that I had are

2:15:41

assumptions I had maybe going into my role at the sheriff department was

2:15:47

about the type of person I was going to encounter and the types of attitudes I

2:15:53

was going to encounter and I really thought I had a good idea of kind of what I

2:15:58

would be walking into and there were definitely parts of that that were true and and that you know I experienced some

2:16:05

of those things but I also did need to confront some of

2:16:10

my own **bias** and realize like this is this law enforcement agencies

2:16:16

are not monoliths you know the people who join um and become police officers

2:16:21

or or um Sheriff deputies are not all one and the same and

2:16:27

um I had to do some reflection on my part about how I approached

2:16:34

um you know a culture that maybe I wasn't super familiar with or comfortable with

2:16:39

um and that you know I think early on I had some some um meetings and projects and things

2:16:46

where maybe I kind of came in a little bit more um defensive than I needed to because I

2:16:52

was making assumptions about the people that I was going to work with and I was sort of doing it a way where I was expecting them to be making assumptions

2:16:58

about me but I had to kind of confront the idea that I was also coming in with some **bias** and some preconceived notions

2:17:05

that I really needed to kind of set aside um and meet everyone where they were and

2:17:10

do our best to to work together to move forward um so I think let's see the blowback of

2:17:16

being in the hot seat it never feels good to kind of realize is that that

2:17:21

maybe you were wrong or that um I think we all need to have humility in everything we do we I think I the

2:17:28

older I get the more I realize like the more sure I am about something the more likely I it is that it's probably not entirely correct

2:17:34

um and all of the you know the problems that we encountered at the sheriff department felt like that it felt in the

2:17:40

beginning like why don't we just do X or how can they not just do y and every time we dug into things there were

2:17:46

reasons and you know all sorts of complicating factors that made things not as simple as straightforward or as

2:17:51

easy as we thought um so I think you just have to keep moving forward keep your head up know that we're all

2:17:57

I think being curious and being open-minded and willing to change your mind is one of the most important things

2:18:04

we can do so just gotta keep moving forward

2:18:11

thank you okay um hi I'm Sarah

2:18:16

um my question is about your strengths and your areas for development as they relate to the work that we do on the

2:18:23

police panel so can you give me any um examples of ways that your strengths

2:18:29

have helped move work like this forward in the past and how your areas for

2:18:34

development because we all have them it's not a bad big deal have maybe hindered that in the past

2:18:41

sure um so let's see I think in terms of strengths

2:18:47

um you know I mentioned kind of having a little bit of a confined perspective of

2:18:52

being able to kind of where my Community member hat my civilian hat but also having some understanding of just the

2:18:58

nuts and bolts of of law enforcement agencies and and how things work and what the challenges kind of are

2:19:04

internally and I think that is incredibly important for a panel like

2:19:09

this to have a little bit of that perspective simply because that can inform how to make sure that the

2:19:15

recommendations we make um are done in such a way that they can have Maximum Impact

2:19:22

um when I uh in Denver I participated um from the city Side not in the panel

2:19:27

itself but in the um reimagining Denver policing task force

2:19:33

and all the related recommendations that came out of that um and it was a really incredible effort they had

2:19:38

unbelievable ideas and there was a lot of great work that was done to implement all of their recommendations but there

2:19:44

were a number of times exam where you could see the maybe the

2:19:51

good intentions of a recommendation but it was sort of not quite worded in a way

2:19:57

or it lacked some context that a lot that would have allowed Denver to sort of run with it and implement it

2:20:04

um just simple things like a recommendation that had to do with something that was under the jurisdiction of the state rather than

2:20:10

something that we would handle at the City and County of Denver or you know it was a goal sort of rather than an action

2:20:16

item that we could really just like run with and Implement um so I think being able to bring that

2:20:21

kind of perspective could be really helpful and valuable um I'm also a data person I I do uh data

2:20:29

analytics and research all day every day that's what I love um figuring out how to use the data we

2:20:34

have to answer top questions um get a better understanding of things

2:20:40

that maybe we might not into it without that data analysis and I think being

2:20:45

able to bring that work into the panel could be really interesting especially as it relates to making those broader

2:20:52

policy and training recommendations um so I think those would probably be my

2:20:58

two strengths I would be really excited to dig into that okay I see your time check thank you

2:21:03

um briefly areas of development um let's see I mean I'm

2:21:08

always still learning I think you know I have some experience in various areas of

2:21:13

local government I have some experience working with the sheriff department but police departments are different there's an entirely

2:21:19

um there's a huge part of the Boulder Police Department that had nothing to do with what we did at the sheriff's

2:21:25

department which was not um there was no peacekeeping function it was all really managing the jails and things like that

2:21:30

so I'd have a lot of learning to do and I would be excited to do that uh and

2:21:35

then the one more thing I'll mention is I know you know the purpose of a panel like this is to elevate voices that we

2:21:42

don't necessarily hear from as often and folks who maybe have lived experience um engaging with law enforcement or

2:21:48

being incarcerated I don't have that lived experience and I'm not necessarily the type of voice that we want to

2:21:55

amplify and hear on a panel like this um so I would say I I would view my job

2:22:01

on this kind of panel to support and amplify the other voices on the panel as

2:22:07

much as I could recognizing that you know those are kind of the voices that we want to hear from most

2:22:14

thank you um one really quick kind of yes or no we do now know that the time commitment

2:22:20

required is between 5 and 15 hours per month yeah I just want to uh you know

2:22:26

kind of um reconfirm that with you that that is something that you have time for in your

2:22:31

life yeah absolutely um you know I think something that

2:22:37

you're that you are passionate about and feel strongly about you can always make time we're all busy right

2:22:43

um but I I would love to to set aside the time to to work on a pound well thank you

2:22:50

thank you uh Lizzy we have uh three minutes left

2:22:55

um do you have a question for the selection committee that you'd like to ask sure yeah I have a couple I'll try to

2:23:02

there's two super well one super quick one and then maybe a bigger one or how many slots are you actually

2:23:08

um fulfilling yeah so we um from the group of candidates that we have but

2:23:13

we'll be selecting five panelists to join the panel and four alternates

2:23:20

um and please know that last year the selection of the alternates did lead to people joining the panel

2:23:26

um for various reasons so um so yeah so we're looking for five and four nine

2:23:31

total got it okay um so bigger question here I know

2:23:37

um there can be sorry I don't know if you guys can hear that spam call um

2:23:42

it the success of a panel like this can depend a lot on the **relationship** between the panel the monitor BPD all the

2:23:51

various you know folks and stakeholders in in play um what has been your experience as

2:23:56

members of the panel in terms of your role and how well you feel like you've been heard or

2:24:04

your level of impact what is that been like so far I know the panel is still relatively new

2:24:11

Martha you want to take it nope nope okay I'll do it I've already

2:24:19

I've already answered this question a couple of times today so I'll do it again so the way that I describe the

2:24:24

relationship between the panel the Monitor and the actual police department is tense

2:24:32

um and mostly respectfully tense in a place where tension I believe will get

2:24:38

us to a good outcome long term right now our outcomes are not

2:24:44

aligned with where I think folks who advocated for the panel want

2:24:49

it to be and certainly the panelists are generally dissatisfied with many of our

2:24:56

outcomes however we are continuing to um bring that respectful tension for

2:25:03

better outcomes yeah it's it's not a group hug so uh and

2:25:09

it's not meant to be yeah absolutely I appreciate that thank you

2:25:15

um I guess if we have like 30 seconds I'll just say what would you say is the biggest issue facing BPD or facing kind

2:25:21

of getting in the way of the good work you're trying to do or where you'd like to get BPD

uh I'll take this one again because I've

2:25:28

answered this one before um for me it's actually a very tactical thing the way that

2:25:34

this is written puts a lack of appropriate power for an oversight panel

2:25:40

and so through that tension I was just talking about we hope to and some of our partners like the NAACP

2:25:47

um kind of change that to give us a little bit more decision and policy making power aware appropriate

2:25:54

got it well thank you I could ask many more questions but I know we're at time so I'll leave it at that thank you all

2:26:00

thank you your questions were very thoughtful I'm glad we were able to squeeze those in for you as well

2:26:05

um so just in terms of the timeline Lizzy um we will be continuing interviews for the next couple of days

2:26:12

um we we the selection committee will be making decisions

2:26:18

um based upon the interviews that they've had and then they will put up a list of the five and four that we talked

2:26:25

about and the city council has a meeting on the 15th of December to make those confirmations

2:26:31

there may be a gap in communication or weeks it's just part of the process it has nothing to do with your candidacy or

2:26:38

the Kennedy of other people um but we will be just moving in that sort of time frame

2:26:44

and if you have any follow-up questions you know feel free to reach out um you can reach out to um Amy Kane

2:26:51

who's a part of the city of Boulder and we can make sure that those questions are answered for you

2:26:56

great will do wonderful well thank you again have a great rest of your afternoon thank you

2:27:02

so much you as well appreciate it take care

2:27:07

foreign

2:27:24

hello Lisa how are you doing well how are you all doing well uh for my part

2:27:31

um my name is I can't speak for everyone else um my name is Sean Ray pasol Aqua I'm

2:27:37

original member of the police um oversight task force that was created in 2019 and I'm helping with recruitment

2:27:44

this year um just wanted to let you know and welcome you of course

2:27:50

um that you are interviewing for uh a seat on the police oversight panel for

2:27:56

the city of Boulder we are recording this meeting as part of archival purposes and City business we have about

2:28:03

20 minutes with you to ask five questions and maybe some follow-up each

2:28:10

of those questions will be placed in the chat so they will pop up and if you want to pull out the chat window you can see

2:28:16

them for reference and then we will also be doing a five minute and a one minute time check towards the end

2:28:22

um that's kind of the process for this morning uh I'd like to introduce you to your select action committee that

2:28:30

comprises two current police oversight panelists we have Martha Wilson and

2:28:36

Sarah Holt and then we have two community members helping us uh for selection this year

2:28:42

that is um Anna Casa sibara from El Centro Amistad Jude landsman from the

2:28:50

NAACP and then we have Amy Kane who is the equity program manager for the city of

2:28:56

Boulder who's also assisting us today so without any more hesitation uh we'll

2:29:04

have Anna ask your first question to get started hello Lisa I'm Anna Karina Casas

2:29:12

um thank you for being here with us today and willing to answer questions

2:29:17

um our first question is what um what do you think the over the

2:29:25

police oversight panel is um what do you think it does

2:29:30

and the third part of the question is why is it necessary for our community

2:29:37

sure so I know that you review complaints from the community that you

2:29:42

um look over issues that come up and that you make recommendations back to the commissioner who I think you're in

2:29:48

the process of selecting a new one right with Joey moving on um in terms of why it was created which

2:29:54

I see in the chat I remember in 2019 a lot of conversation with city council around budgeting and questions and concerns a few different incidents that

2:30:01

occurred in the city and the desire from a variety of folks including NAACP and others to make sure that there was a

2:30:07

panel that was doing more review um and I think you had a third question but I don't see it in the chat could you remind me what it was

2:30:15

I think you kind of already entered a little bit it was why is it necessary for our community

2:30:21

oh I mean I think generally transparency is incredibly important at all various levels of government and particularly

2:30:27

when we're talking about a branch of our city government that obviously has a great deal of power

2:30:33

um I think the more power you have the more transparency and accountability is required

2:30:45

hi uh second question that we have has

2:30:51

to do with how you would characterize your perception of law enforcement

2:30:56

a why and feel free to give any examples of either direct or indirect

2:31:05

witnessing of your experiences with uh uh police to police

2:31:12

and policing I have two different kinds of experience with the police any encounters that I've

2:31:19

ever had personally have been fine I grew up here on Boulder and the number of times when I was a teenager when a

2:31:25

police officer knocked on the doors of a party and made sure that we all got home safe was substantial I grew up as a

2:31:31

white middle class girl here in Boulder and I have never had a personal issue with the police and then I have my

2:31:37

day-to-day life and my job where I work every single day with homeless and barely has people here in Boulder and

2:31:42

their experiences are extremely different they're treated um

2:31:48

mistreated in a variety of situations that I've seen personally and that I've heard them describe to me in

2:31:53

relationship with police sometimes that's something as small as being excluded from a public space like a farmer's market being told that that's

2:31:59

not someplace they can be for no reason other than the appearance of poverty other times it's showing up at a house

2:32:05

for maybe a noise complaint and somehow turning that into a much larger and more dangerous situation for everybody

2:32:11

involved but I do think that people in Boulder and people in the US generally are police two different ways based on

2:32:19

skin color certainly and also socioeconomic status so the experience of the police in Boulder I think it

2:32:24

depends on who you are thank you and and so how how does

2:32:33

that relate to the work how does those experiences in that perception

2:32:39

relate to police uh the work of the police

2:32:44

oversight panel I mean I think a couple things I think

2:32:49

on the one hand that when we look at police interactions with folks who have the greatest power differential that

2:32:55

that lens should be given extra scrutiny what are we doing with folks who

2:33:01

generally have the least ability to speak back to speak for themselves to feel comfortable asking questions in a

2:33:07

situation I think is incredibly important and I think part two in terms of what does that mean for police

2:33:14

oversight is simply recognizing that we have many incidents not just nationally

2:33:19

but here in Boulder that have been recorded that have been talked about that have been filmed that have been put in the Press showing that there are

2:33:25

times certainly when the police not only overstep their boundaries but do things that are unconscionable and if we're not

2:33:31

watching and talking about it and making sure that there is some degree of accountability then there's absolutely no reason that those things would stop

2:33:38

does that answer yes it certainly does thank you

2:33:43

take it away Martha hi there

2:33:49

um can you please share time when you challenged a situation and how did you deal with the pressure

2:33:56

of the hot seat and when I challenged uh

2:34:02

oh um well I think perhaps most on point

2:34:07

here it might be the work that we did in bbsd two years ago with sros when obviously we made the decision

2:34:15

um led by me to to start talking about the removal of sros and it was controversial to say the least and for

2:34:21

those of you who have been paying attention to this it remains controversial it's something that I felt very strongly about it's something that

2:34:26

I believe is right it's work that I'm incredibly proud of the way that we have removed sros and the strangers we have made in schools since

2:34:33

and certainly in terms of it says the blowback of being in the hot seat that not only happened at the time when we

2:34:39

were first reviewing it but I think there's not a day that goes by that we don't get an email from somebody in the community that feels that this was not

2:34:45

the best choice for us there's also many days we get emails from members of the community they're enthusiastic about what we've done

2:34:52

um I guess I'm not totally sure how to answer how do I deal with it I you know I'm just responsive I tell people why we

2:34:58

did this and why I believe in it and and why I'm incredibly proud of what we're doing

2:35:07

great thank you um so I'd like to talk about

EXHIBIT 15

2:35:13

you know your own personal self-identified strengths and areas for

2:35:19

development and if you have any specific examples where your strengths and areas

2:35:25

for development may have either moved something forward or potentially hindered the progress of that thing

2:35:33

yeah I go ahead oh sorry I didn't mean to interrupt I thought you were done

2:35:39

um I think both I mean I'm engaged with a lot of different things here in Boulder I certainly think that on the positive like I think I've made a lot of

2:35:45

fantastic changes with work I've done at bvsd with election measures that I participated in that we just got passed

2:35:52

two days ago with expanding the services and the kind of work we do at mother house in the lodge

2:35:58

um in terms of personal weaknesses I think that I work best when I have

2:36:04

somebody who compliments Me by sort of having the opposite strengths when it

2:36:09

comes to how quickly to make change and how to move forward so I think a great example again might be in the SRO situation where my first instinct was to

2:36:17

say like let's move as quickly as we can and working with other people who say let's consider what a process could look

2:36:24

like that might be more in-depth and engaged I think is a useful thing so I feel like I am great at

2:36:31

pushing things forward and advocating for Change and asking for things to move

2:36:36

quickly and for changes that need to to get made and met and I also know that I

2:36:42

work better when I work with somebody who has the opposite tact and wants to pull back the reins a little bit and

2:36:47

talk about what the best steps are to get from where we are to where we're going

2:36:54

okay great um really quick yes or no question what we've realized is that um

2:37:00

the time commitment for this panel is actually pretty significant it's between 5 and 15 hours per month just wanted to

2:37:07

reiterate that and re-ask that you have that kind of time and space in your life

2:37:13

I do are all of your meetings in person or Zoom or hybrid uh mostly Zoom but technically I guess

2:37:21

hybrid right now we haven't moved to fully in person I definitely have the time I noted the

2:37:26

requirement before I signed up the only reason I asked that question is I am a single mom so oftentimes for in-person meetings I have monkeys that follow me

2:37:32

around with iPads and headphones yeah no words um personal life and children are not a

2:37:39

problem we can certainly support that yeah they're very cute yeah all right uh Sean right yeah so um Lisa

2:37:48

uh we just zipped through all of that um we have 10 minutes with you

2:37:54

um meetings so um do you have any questions that you'd like to ask the selection committee and selection

2:37:59

committee do you have any follow-up questions for Lisa um but Lisa will give you the floor first

2:38:05

and I'm happy to these Grant meetings from other

2:38:12

mother and size thing quickly as possible so you've got me in work mode after today um I think what I'm interested in I was

2:38:18

looking over your bylaws and it's some of the work you've done for the last couple years and I was curious what you thought about your governance documents

2:38:25

and about the work you've been doing and whether there were areas where you felt like changes to the overall structure

2:38:30

and governance of the board would be useful or conversely whether there are spaces where you feel like you've been particularly effective

2:38:37

Martha absolutely

2:38:42

um there are a lot of

2:38:49

um barriers is really the only descriptor I can give

2:38:54

um I think what was envisioned

2:39:00

has yet to become because of all the tape that is involved right

2:39:06

now in the ordinance um streamlining it and at least carving out so that we're not just like

2:39:13

not doing something because we think this is what it says uh would that would help a lot

2:39:20

um but also I think there's a little bit of um

2:39:25

discussion and confusion about what it actually is that we are

2:39:32

um needing to do in in the priority the level of prioritization for items

2:39:39

because um like we we created the bones but we need to meet now

2:39:44

so the the next panel people will really be

2:39:50

creating what that looks like and cleaning it up a little bit so that it's movable

2:39:55

Martha I really appreciate that answer and it echoes a lot of what I've heard in the community and from the various folks I work with in homeless Services

2:40:02

Etc um and I guess I would just add that if you choose just like me for this committee that's work that I'd be very

2:40:07

interested in doing looking at sort of what the governance documents look like how we can flush them out more and how

2:40:13

we can sort of more specifically and clearly direct the work that we're doing so it feels increasingly effective for

2:40:19

all of us who are engaged awesome

2:40:30

that was my main question I could probably think of more but if you have some for me I'd be delighted to answer

2:40:39

I'm good I don't have any questions I think that

2:40:46

you gave an amazing description in the original application

2:40:51

So yeah thank you okay well maybe I could ask one more

2:40:57

with oh sorry go ahead then please sorry well I just wanted to say I am familiar

2:41:03

with uh some of your work and I think that um and this has come up

2:41:10

um I'm assuming that what you're talking about with in looking over the governance documents is the ordinance

2:41:18

uh familiarity with the ordinance and

2:41:23

um I appreciate uh your uh willingness to

2:41:28

look at uh or tackle with the panelists

2:41:35

um making making the oversight panel a more effective

2:41:41

in its goals so I appreciate that um ask your question

2:41:47

oh well maybe I can respond and say uh yeah I'm not an attorney currently but I did go to law school and pass the bar

2:41:53

and working with documents like that and thinking about ways that we can

2:41:58

um refine some of the the language around the work we're doing I think seems really valuable

2:42:03

um oh gosh what was I going to ask you oh I think I was going to ask um I had two parts to that question I was sort of

2:42:08

interested in following up in the second half too which is like what it what is there something if there is an example of something that you are all really

2:42:14

proud of that you've accomplished in the last year or two um and where you feel like you've been really effective I would you know I'd

2:42:21

love to hear about what that might be I feel like I may be phrased that strangely but I I would love to hear

2:42:27

something that felt like a great success to you as people on the inside who know the most about the kind of work you're accomplishing

2:42:36

I mean I think the reality of the situation is we spent the last year writing the bylaws and being more and more disappointing

2:42:43

disappointed at the barriers that the ordinance has created

2:42:51

um there are a lot of things we you know there's a lot of tension for instance between us and the NAACP not because we

2:42:58

have different uh and by the way I think tension always gets us to a good place so it's not a negative word but

2:43:06

um uh with what they would like us to do in the ordinance uh

2:43:11

what it gives us the right to do so I think that there's more work to be

2:43:16

done and more transformative work in the next in the upcoming years rather than what we've already done which is just

2:43:22

laying the groundwork thanks Sarah I appreciate that and I am familiar with some of that tension and I

2:43:27

I appreciate you naming it directly I'm curious whether you think that engagement with city council would be a

2:43:33

place that would be useful for moving these things forward or whether in the conversations you've had about tension and about the governing documents like

2:43:39

whether you have I'm sorry this is too like down the rabbit hole I'm just interested now that we're talking about

2:43:45

it like whether you have different ideas for the ways that you would want to move things move things forward like what

2:43:50

would be your ideas of the best way to start making changes um around specifying the kind of work

2:43:56

you do and maybe clarifying your governance documents Etc I don't know I'm gonna kick that one

2:44:02

over to either like Jude or Anna or Martha um I I really enjoyed

2:44:10

the review process up until the point we turn it over if that makes sense the the vehicle is good

2:44:18

we we're thorough we um are able to really dig down to the nitty-gritty and
2:44:24
get the perspective of the community um in a way that I think has never happened
before
2:44:30
and I think the things that are giving us the most struggle have more to do with
legalities and
2:44:38
um we're we're just people I don't know that we are even supposed to be worried about
that kind of stuff
2:44:43
um and I say that not because oh we should just be willy-nilly but we're
2:44:48
we're thoughtful and that is literally the lawyer's job to do
2:44:54
um so maybe that's a naive approach to it but I think we're putting
2:45:02
barriers on ourselves and folks are putting barriers on us when there
2:45:08
doesn't necessarily need to be because we could clean it up a little better thank you I
see we only have two minutes
2:45:14
but I guess I'll just maybe add that um I'm thankful to have really positive **relationships**
with the bulk of our city
2:45:19
council and our mayor as well was with several of the attorneys in town that do work
around police oversight and
2:45:25
enforcement um and I'd just be curious to think about different ways that we could use
all of the resources that each of us has
2:45:31
to sort of help drive that forward wonderful well um Lisa thank you so much
2:45:39
um I hope this was beneficial for you um as it was for our committee and just
2:45:45
to let you know and obviously you're very familiar with how the government works um
the selection committee will be
2:45:52
continuing interviews over the next couple of days we will be convening later this month
to make some final
2:45:59
selections um the committee is looking to fulfill five panelist spots and then four
2:46:05

EXHIBIT 15

alternate spots um now that the panel will be consisting of 11 instead of nine members and then

2:46:13

the actual confirmation uh will take place by the city council on the 15th of December

2:46:19

um so if there's any Gap in communication or silence um it's just because of the timeline and

2:46:26

not necessarily the candidacies of our wonderful applicants and you said well thank you so much for

2:46:32

your time and thank you for answering all of my questions I hope I didn't get a little too off track it was lovely to see you all today wonderful thank you

2:46:39

very much Lisa bye all right take care

English (auto-generated)

AllRecently uploadedWatched

EXHIBIT 16

From: [City Clerk's Office](mailto:John.Neslage@sbcbglobal.net)
To: [John Neslage](mailto:John.Neslage@sbcbglobal.net), [City Clerk's Office](mailto:CityClerk's_office@bouldercolorado.gov), [City Clerk's Office](mailto:CityClerk's_office@bouldercolorado.gov)
Cc: [Tate, Teresa](mailto:Tate.Tate@bouldercolorado.gov), [Lera, Andrea](mailto:Lera.Andermyde@bouldercolorado.gov), [Janes, Andrea](mailto:Janes.Andra.Poe@bouldercolorado.gov), [Poe, Rin](mailto:Poe.Rin@bouldercolorado.gov)
Subject: Confirming Receipt and Sufficiency of Code of Conduct Complaint Exhibits and Sworn Statement
Date: Thursday, January 19, 2023 4:30:22 PM
Attachments: [image00.png](#), [image002.png](#), [image003.png](#), [image004.png](#), [image00.png](#), [image00.png](#)

Mr. Neslage,

Your complaint has been received and will be reviewed and processed in accordance with the Boulder Revised Code.

I will keep you abreast of the progress.

Elesha

From: John Neslage <john.neslage@sbcbglobal.net>
Sent: Thursday, January 19, 2023 4:16 PM
To: City Clerk's Office <cityclerksoffice@bouldercolorado.gov>; City Clerk's Office <cityclerkstaff@bouldercolorado.gov>
Subject: Confirming Receipt and Sufficiency of Code of Conduct Complaint w Exhibits and Sworn Statement

Internal Sender

City Clerk and Staff,

Would you please confirm receipt and sufficiency of the filing earlier today referenced below?

Thank you,
John

Begin forwarded message:

From: John Neslage <john.neslage@sbcbglobal.net>
Date: January 19, 2023 at 1:03:19 PM MST
To: City Clerk's Office <cityclerksoffice@bouldercolorado.gov>, cityclerkstaff@bouldercolorado.gov
Cc: Teresa Tate <tate@bouldercolorado.gov>, Sandra Llanes <llanes@bouldercolorado.gov>, poee@bouldercolorado.gov
Subject: Code of Conduct Complaint w Exhibits and Sworn Statement

Boulder City Clerk and Staff:

Pursuant to City of Boulder Municipal Code Title 2, Chapter 7, I am filing a complaint for a Code of Conduct violation by the Selection Panel for the Police Oversight Panel. The Panel signaled their unwillingness to comply with the applicable ordinance governing qualifications of panel members by renominating the same candidate despite demonstrated bias, prejudice and conflict of interest. Additionally, this candidate also fails to satisfy another stated precondition requiring an ability to build working relationships and communicate effectively with diverse groups.

Determination of bias is not in the opinion of the nominee, but rather from the perspective of the persons to be governed/overseen by this Oversight Panel. The nomination of Lisa Sweeny-Miran by this panel demonstrates their intention to use whatever criteria they feel like, rather than those criteria carefully deliberated and codified into Ordinance 8430.

I will include by separate email certain social media posts by Ms Miran which clearly demonstrate bias, which is generally understood to mean a tendency to prefer one person or thing to another, and to favor that person or thing. While she has a First Amendment right to her opinions, she does not have a First Amendment right to be on this Police Oversight Panel, nor does the Selection Panel have the right to disregard clearly worded ordinances governing the process.

I will also add that the social media posts have been deleted by Ms Miran, which should be taken as an her own admission of their poor reflection of her candidacy and obvious bias. She is also an attorney and should be held to a much higher standard, including her duty of candor owed to a deliberative body, which she is also violating by claiming she is unbiased and trying to advance her candidacy.

Further, I would add in the words of the great American poet Maya Angelou, "When someone shows you who they are, believe them."

Please keep me apprised of progress in this matter. Applicable exhibits showing both perceived and actual bias of candidate follow below.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 19, 2023.

EXHIBIT 16

Thank you,
John Neslage
Boulder Resident and Concerned Citizen

Exhibits: Please review these in light of Ordinance 8430, Section 1, Chapter 2-11-6 (a)(9).

They clearly demonstrate a perceived bias, not to mention an actual one. Especially from the perspective of a police officer. Imagine a self proclaimed racist adjudicating claims against a historically oppressed minority defendant, or a misogynist sitting in judgment of a woman's allegation of harassment. Wouldn't there be at least a perception of bias in both instances? She has also added the hashtag #abolitionist to her new Mastodon account. Res ipsa loquitur - the thing speaks for itself.



A screenshot of a tweet from Lisa Sweeney-Miran (@LSweeneyMiran) dated August 12. The tweet text reads: "When police enter a space the temperature immediately rises. Fear increases, everyone's adrenaline ramps up, and de-escalation becomes nearly impossible. If we want situations contained and resolved with empathy and understanding police aren't the solution. #Boulder #Denver". Below the tweet is a quote tweet from Andy McNulty (@aj_mcnulty) dated August 12, which reads: "this program is universally lauded as being extremely successful. it should be expanded, not turned into a co-responder program. the police have no place in these interactions with the public. they make us less safe. twitter.com/dashrorg/statu...". The tweet interface shows 1 reply, 8 retweets, and 40 likes.



A screenshot of a reply tweet from Lisa Sweeney-Miran (@LSweeneyMiran) dated June 18. The tweet is a reply to @ericmbudd and reads: "In this context, yes. In every other context, yes. Of course we cannot trust **police** to monitor themselves nor to report honestly on their behaviors and crimes - we cannot even trust them to conduct a traffic stop without committing murder." The tweet interface shows 1 retweet and 9 likes.



Lisa Sweeney-Miran @LSweeneyMiran · Sep 6

Another day, another excuse to drive a tank down city streets.

I guess if you spend all our tax money on expensive toys you need to pretend to have reasons to take them out and show them off. #Boulder

Boulder Police Dept. @boulderpolice · Sep 6

If you're seeing a large police presence in the 3100 block of Pearl Parkway right now we just executed a search warrant. More information to come out later today. There is no threat to public safety #boulder

[Show this thread](#)



5

9

69



EXHIBIT 16

[SHOW THIS THREAD](#)



Lisa Sweeney-Miran @LSweeneyMiran · Sep 6

...

The armored vehicle and weapons ***are a threat to public safety***

This isn't a war zone, [@boulderpolicy](#), it's a busy downtown street next to several large housing complexes, restaurants, and a hotel. Do better.

Boulder Police Dept. @boulderpolicy · Sep 6

Replying to @TheCultClassics

We use our armored rescue vehicle to protect officers and the community during dangerous operations. There was no threat to public safety after the search warrant was executed

16

8

78

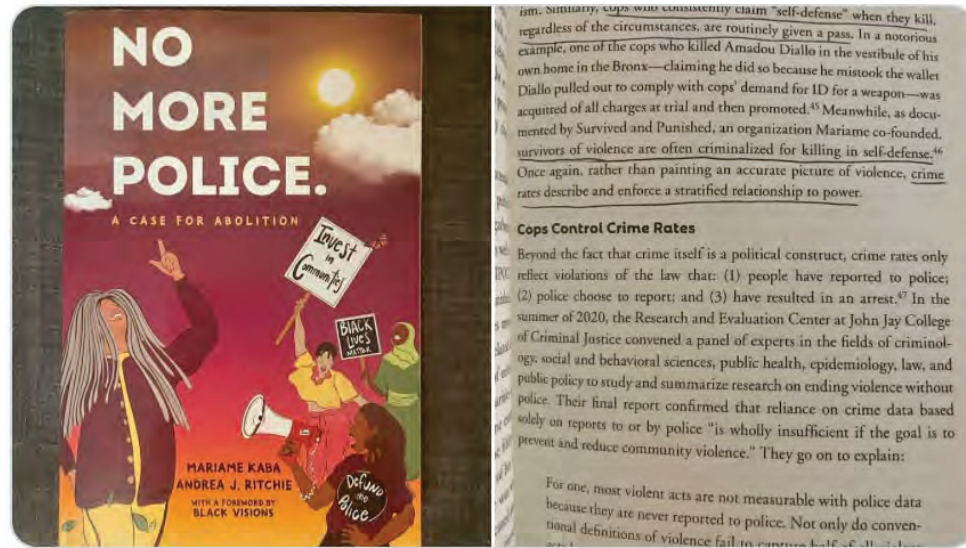




Lisa Sweeney-Miran ✓
@LSweeneyMiran



Got my copy of *No More Police: A Case For Abolition* just in time to set it aside for tonight's Boulder City Council discussion on policing the unhoused. Can't wait to dig in more - so far every page is 🔥. Incredible work from [@prisonculture](#) and [@dreanyc123](#)! Get yours today.



7:42 PM · Sep 1, 2022 · Twitter for iPhone

15 Retweets 2 Quote Tweets 70 Likes

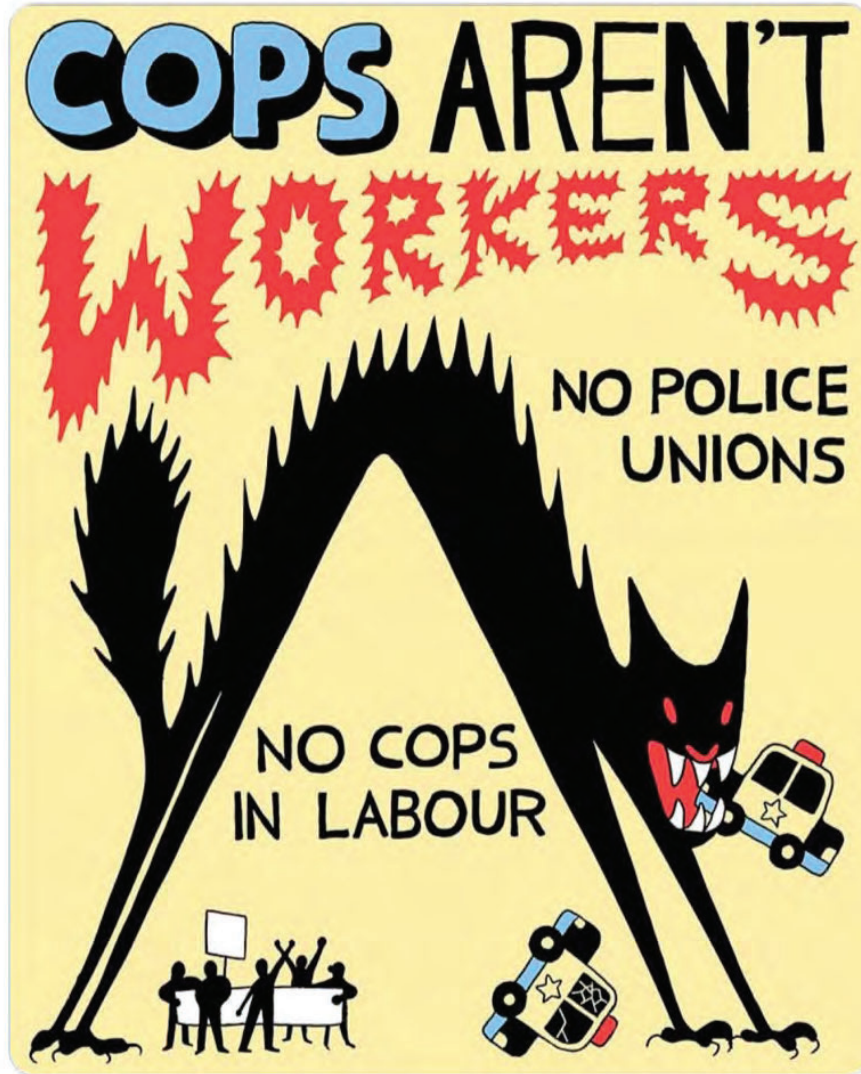


↳ Lisa Sweeney-Miran Retweeted



Bloc from the Block @161_BKLYN · Sep 3

...



4

↳ 4,835

♥ 24.4K



[Show this thread](#)

EXHIBIT 17

Dear Mr. Clayton Douglas,

On January 19th, 2023, attorney John Neslage filed a complaint sworn under penalty of perjury with the Boulder city clerk.

In that sworn complaint Mr. Neslage made several inaccurate statements about key material facts. These statements are easily disprovable as false and show Mr. Neslage's knowing or reckless disregard for the truth.

The following is the body of Mr. Neslage's sworn complaint:

"I will include by separate email certain social media posts by Ms Miran which clearly demonstrate bias, which is generally understood to mean a tendency to prefer one person or thing to another, and to favor that person or thing. While she has a First Amendment right to her opinions, she does not have a First Amendment right to be on this Police Oversight Panel, nor does the Selection Panel have the right to disregard clearly worded ordinances governing the process.

I will also add that the social media posts have been deleted by Ms Miran, which should be taken as an (sic) her own admission of their poor reflection of her candidacy and obvious bias. She is also an attorney and should be held to a much higher standard, including her duty of candor owed to a deliberative body, which she is also violating by claiming she is unbiased and trying to advance her candidacy."

My social media posts do not demonstrate bias, and I look forward to discussing that claim with you at your convenience, however the focus of this letter is on two factual inaccuracies in the second paragraph: (1) "the social media posts have been deleted by Ms Miran, which should be taken as an [sic] her own admission of their poor reflection of her candidacy and obvious bias." and (2) "She is also an attorney and should be held to a much higher standard. Including her duty of candor owed to a deliberative body, which she is also violating..."

Factual inaccuracy (1): I have not deleted any tweets.;

Below are links to each of the tweets Mr. Neslage references as deleted, which obviously are not deleted because they can be found at the following URLs:

1. <https://twitter.com/LSweeneyMiran/status/1565515439844691968>
2. <https://twitter.com/LSweeneyMiran/status/1567161715271561218>
3. <https://twitter.com/LSweeneyMiran/status/1567212912191897600>

EXHIBIT 17

4. <https://twitter.com/LSweeneyMiran/status/1558278616768581634>

5. <https://twitter.com/LSweeneyMiran/status/1538301087492362240>

6. The final tweet in question was a retweet. I have no recollection of ever seeing or retweeting that picture. However a search shows that the original tweet was from the account @161_BKLYN, and that the original tweet was deleted by its author.

[https://twitter.com/search?q=\(from%3A161_BKLYN\)%20until%3A2022-09-04%20since%3A2022-09-01&src=typed_query&f=image](https://twitter.com/search?q=(from%3A161_BKLYN)%20until%3A2022-09-04%20since%3A2022-09-01&src=typed_query&f=image)

As an elected official my twitter account is open to all and no one is blocked from viewing it. These tweets are easy to find by any member of the public who wishes to do so with a simple search: <https://twitter.com/search-advanced>

Factual inaccuracy (2): I am not an attorney and do not have any duty of professional responsibility, however even if I did I would not have violated it.

I graduated from CU Law School in 2005 and passed the Bar in 2006, however I chose not to get sworn in. I am not now, nor have I ever been, a member of the Colorado Bar. This information was easily verifiable with a simple search.

<https://coloradosupremecourt.com/Search/AttSearch.asp>

While I do not have a professional responsibility of candor owed to a tribunal (or deliberative body) that would arise for an attorney, I also have spoken entirely candidly and honestly about my lack of bias, my views, my background, and my beliefs to the members of the selection committee, to city council, and to any and all other members of the community who have asked for my views and beliefs.

I hope that you will find this information useful in your investigation and I am available to meet at any time during this investigation.

Best,
Lisa Sweeney-Miran
lisasweeney@usa.net
720-862-7037

EXHIBIT 18

From: [Don Eselage](#)
To: [City Clerk's Office](#) [City Clerk's Office](#)
Cc: [Aimee Kane](#) [Aimee Kane](#)
Subject: Supplemental Evidence in Support of Previously Filed Complaint
Date: Thursday, January 26, 2023 1:34:23 PM

Internal Sender

Re: Police Oversight Panel Nomination/Appointment – Lisa Sweeney-Miran

Please find attached for review further exhibits demonstrating the Selection Committee's actively ignoring abundant evidence of Ms. Sweeney-Miran being unfit for service on the Police Oversight Panel. For your reference and reminder, excerpted below is part 9 of Section 2-11-6 of City of Boulder Ordinance 8430.

2-11-6. Police Oversight Panel - Qualifications and Appointments. (a) Qualifications.

9) Members of the police oversight panel shall be volunteers who, immediately prior to appointment, shall demonstrate: (A) Strong ties to the city of Boulder. This may include, but is not limited to, residency, employment in the City, or having children enrolled in schools located in the City; (B) An absence of any real or perceived bias, prejudice or conflict of interest; (C) An ability to build working relationships and communicate effectively with diverse groups; and (D) A commitment to the purposes of this chapter

Attached for your reference are screenshots from Ms. Sweeney-Miran's Twitter account. These screenshots raise questions regarding Ms. Sweeney-Miran's ability to approach issues that may come before the BPD Oversight Panel in a manner that would be free of bias and prejudice as outlined in the "Qualifications" section above. References to BPD as "sirens and fear and brutality", "billy clubs and bulldozers" and "brutalizing and terrorizing" do not convey the requisite objectivity and impartiality to review matters related to BPD.

Additional Tweets also raise questions about the nominee's ability to build effective working relationships with diverse groups, particularly those that might have a point of view that disagrees with her own. This manifests clearly in those screenshots containing language such as "hate and hyperbole", "anti-homeless infrastructure", "in a sing-song tone", "intended for bullying the unhoused").

Perhaps most importantly, community members have also submitted written concerns to BVSD Legal Counsel, the BVSD Board and BVSD Superintendent that Ms. Sweeney-Miran previously violated BVSD ethical guidelines in several ways which demonstrate actions and attitudes impermissible for service on this panel. Community members expressed concerns during the October 25, 2022 BVSD School Board Meeting Public Comment period that they had been mocked or otherwise targeted and denigrated by Ms. Sweeney-Miran (see relevant Twitter screen shots attached) when they expressed concerns for student safety or otherwise opposed her personal and professional advocacy positions (reference video record of BVSD Board of Education meeting of Oct 25, 2022 beginning at the 25 minute mark [Active Meetings - 6500 East Arapahoe Road | Boulder](#)

EXHIBIT 18

[CO 80303 | 303-447-1010 BoardDocs® Pro](#)). Mocking or denigrating community members who disagree with your point of view clearly demonstrates an inability to communicate effectively with diverse groups and an obvious inability to build working relationships with them. As a general matter, these should be a disqualifying characteristic for anyone interested in a position of public service, but in the instant case they violate the plain meaning of the ordinance as promulgated.

A decision to approve Ms. Sweeney-Miran's nomination would be in direct contravention of existing city Ordinance 8430, Section 2-11-6, part 9 as well as Boulder's stated community values of Respect, Integrity and Collaboration. Approving the nomination of Ms. Sweeney-Miran would also undermine community trust and confidence in the work of the Police Oversight Panel as well as the decisions of this City Council. Given the above real and perceived conflicts of interest, personal Twitter account statements, ethics concerns and objectionable treatment of other community members, the recommendation of the Selection Committee to add Ms. Sweeney-Miran to the Police Oversight Panel should be rejected and one of the alternate candidates should be elevated as a nominee in her place.

The law as written may be inconvenient, but it is the plainly stated governing ordinance. And what better way to demonstrate impermissible bias than what the person says and/or does? Lastly, this matter should also be referred internally to the equity officer for the City of Boulder. Any one of the actions cited above denigrating concerned citizens and constituents (i.e. clients or coworkers) would be cause for discipline in the private sector, and the City should be held to an even higher standard.

an you,

o n eslage



Lisa Sweeney-Miran 

@LSweeneyMiran

Public comment looks like we
can expect more hate &
hyperbole from people who
believe their right to live without
discomfort trumps other people's
right to exist

EXHIBIT 18



Lisa Sween...  @LSwee... · Oct 29 ...

Lovely Saturday afternoon downtown with the kids: biking the creek path, hanging out at the Boulder Library, playing on the playground, and learning about anti-homeless infrastructure.



Lisa Sweeney-Miran EXPIRE ✓

@LSweeneyMiran

...

Emily Reynolds tried to conflate Hill shooting with unhoused folks asking CC “can’t you agree to do the bare minimum?” in a sing-sign tone.



EXHIBIT 18

Lisa Sweeney-Miran



@LSweeneyMiran

...

Emily Reynolds immediately attacks Nicole and Lauren for not supporting the enhanced policing budget intended for bullying the unhoused.



Lisa Sweeney...  @LSwee... · Dec 7 ...

A press release that gives more questions than answers.

A series of inconsequential “disciplinary measures”.

A complete dismissal of POP’s recommendation for officer termination.

A refusal to answer questions from the public or the media.

Boulder Police need *real* oversight.



Lisa Sweeney-Miran ✓

@LSweeneyMiran

Valerie Love, for the second time tonight, compares unhoused folks to children who can't clean their rooms. Then compares the city to teeth that haven't been brushed. And maybe threatens a recall? Pretends her anti-unhoused advocacy will help the vulnerable unhoused.

7:40 PM · Oct 20, 2022



Lisa Sween...  @LSwee... · Sep 30 ...

“Since the start of this year, police in the United States have already killed 770 people. We can expect that next week they will kill about 19 more, with 19 more the week after that and the week after that.”

Amazing piece on the need for alternative response in Boulder.

100 



Lisa Sweeney-Miran ✓

@LSweeneyMiran



Reminding people that they live at the mercy of an authoritarian police force by brutalizing & terrorizing them doesn't somehow lead to housing. We can't simply allow & request the police to traumatize people repeatedly and expect that not to have exacerbating consequences. 3/

5:14 PM · Jun 6, 2022



Lisa Sweeney-Miran 

@LSweeneyMiran

...

I am one of the plaintiffs in the #ACLU “camping” ban suit against the city of #Boulder. Sending police in with billy clubs & bulldozers to take away what dignity and possessions folks have left is cruel & inhumane; it’s also neither effective nor a good use of resources. 1/

**Lisa Sweeney-Miran**

@LSweeneyMiran

...

Instead of housing we get cops.
Instead of mental health services
we get cops.
Instead of social service
networks we get cops.
I'm so tired of nonprofits and
neighbors and GoFundMe doing
the work our governments should
be doing while my taxes pay for
sirens and fear and brutality



Lisa Sweeney-Miran
@lsweeneymiran

EN

New [#mastodon](#) arrival [#introduction](#) post:

Mom of littles; Vice President of the Boulder Valley School Board of Education;
Executive Director of unhoused shelter network for women and trans folks;
Boulder County Dems; Boulder DSA; JD 2005. She/Her

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[#nonprofit](#) [#homeless](#) [#school](#) [#transportation](#) [#schoolboard](#) [#policebrutality](#)
[#transrights](#)



Nov 6, 2022

TO: Boulder City Clerk

FROM: Zayd Atkinson

RE: Complaint under B.R.C. 2-7-10(b)(2)

January 26, 2023

Dear Boulder City Clerk,

Pursuant to B.R.C. 2-7-10(b)(2), I am submitting a complaint against Boulder City Council Members Tara Winer, Bob Yates, Matt Benjamin, Junie Joseph, Lauren Folkerts, Rachel Friend, Nicole Speer, and Mayor Brockett and Mayor Pro Tem Mark Wallach. The basis for the complaint follows.

BACKGROUND

In March of 2019, while performing my student work study job on Naropa's campus, on the grounds of the building I lived in, Boulder Police Officer John Smyly approached me and requested my ID. I provided my university ID, which is all that I had on me at the time. I did so even though it was clear there was no reason to suspect me of any crime. I assumed, and nothing that occurred subsequently has convinced me otherwise, that Officer Smyly's unfounded suspicions were purely based on my being Black. Officer Smyly, even after seeing my valid school ID, asserted that he was detaining me and drew, at varying times, his Taser and his gun. After many other officers arrived, I continued to be detained until a white female student, and a white employee of the university affirmed what my ID had already shown: I belonged there.

As the city of Boulder is aware, I agreed to a settlement in lieu of pursuing a lawsuit addressing the violation of my constitutional rights. I was heartened to witness the Boulder community, led by the NAACP of Boulder County, respond to this incident. At that time, city council members and the former city manager, among others, were supportive of the public's call for independent community oversight. Ultimately, this effort resulted in passage of an ordinance: now Boulder Revised Code Title 2, Chapter 11: Police Oversight. This oversight model replaced the largely police-driven professional standards review panel that had existed prior.

The legislative intent section of the police oversight code states, in part, that the intent of police oversight is "[i]n order to improve community trust in the police department, the council intends to increase community involvement in police oversight and ensure that historically excluded communities have a voice in that oversight." Such historically excluded communities included, per public discussions at the time, LGBTQ, Latinx, and Black community members. The method of increased community involvement was to establish the police oversight panel.

The police oversight panel's 2021 report states that in that year, "[f]ifty-eight complaints were filed involving 88 separate allegations." Council recently voted to expand the number of police oversight panel members because of their heavy work load caused by large numbers of members of the public regularly bringing complaints of police misconduct. This work is valuable, considerable in its volume, and, importantly, is to be led by diverse community members, including, ideally, "a person who has

experienced incarceration.”¹ If participation of diverse community members were not important, the professional standards review model would not have been replaced with BRC 2-11.

It is my understanding the selection committee for the newest members of the police oversight panel that put forth a slate of candidates was led by a person contracted to facilitate that effort, Shawn Rae Passalacqua. Further, it is my understanding Equity Officer Aimee Kane attended and oversaw the selection committee’s efforts.

On January 19, 2023, five members of Boulder City Council voted to delay the up or down vote on the slate of candidates provided by the selection committee. This followed an earlier unanimous vote at the December 15, 2022 city council meeting to do the same, and a demand by the full City Council at that meeting for details of the selection committee’s deliberations. Both of these votes constitute a failure on the part of City Council to follow the requirements laid forth in the ordinance and as such both votes are a violation of the legal duty City Council has to follow the terms of the city’s municipal code. This complaint is to address multiple violations of the code of conduct related to the above.

COMPLAINT

Complaint 1: Failure to Vote

On December 15, 2022, Consent Agenda Item E was:

Consideration of a motion to approve Selection Committee recommendations for members of the Police Oversight Panel, as outlined in Title 2, Chapter 11, “Police Oversight,” B.R.C. 1981 pertaining to the composition, duties and powers of the City organization related to civilian oversight of the police, and setting forth related details.

Such a vote is called for in BRC 2-11-6(15):

The selection committee will provide council with a written summary explaining why each applicant was selected. A motion to approve the proposed candidates shall be

¹ Advocates for the Boulder Police Department have stated publicly over the last few weeks that having negative impressions about the current state of policing in Boulder and in America constitutes “bias” such that persons with such beliefs should be excluded from the police oversight panel pursuant to the requirements in Boulder’s code. That misinterprets the prohibition in the code concerning bias, which deals with an unwillingness to agree to consider evidence presented to the panel objectively. Indeed, if concerns about bias against police ruled out those who held negative views of the current state of policing in Boulder and in America, it would make no sense for BRC 2-11-6(10) to state that “the selection committee will strive to include a person . . . who has experienced incarceration.” My understanding is that such persons routinely share concerns about police misconduct based on mistreatment they or persons they know have been subjected to, and I do not believe it is the intent of Boulder’s ordinance establishing the police oversight panel to ban from the panel such persons based on that lived experience. Other persons, without such lived experience, likewise should not be discounted for possessing similar concerns about police conduct when the code specifically seeks people with such perspectives.

placed on the council's consent agenda. council members may choose to exercise the call-up option to discuss a proposed candidate's appointment. Council will approve or reject the appointments by majority vote.

Council, per the above section of code, should have either exercised the call-up option, which it did not, or “approve[d] or reject[ed] the appointments by majority vote,” which it did not. Instead, Council, upon information and belief unanimously voted, in part, to delay the vote to ask questions of the selection committee (to be discussed in Complaint 2, below).

Complaint 1, therefore, is that on December 15, 2022, every City Council Member failed to exercise the call-up option available to them, or to approve or reject the appointments by majority vote. Refusing to fulfill their required duties at the December 15, 2022 meeting by delaying action on a vote to approve, reject, or call up the selection of members to the oversight panel is not an option permitted by BRC 2-11-6(15). Thus, in doing so, each of the members of Boulder City Council violated Boulder’s code of conduct section BRC 2-7-8(e)(5) and BRC 2-7-8(f)(1). The public officials’ action in failing to fulfill these duties on December 15, 2022, put at risk the work of the police oversight panel, and undercut its credibility, harming its future efforts.

Complaint 2: Pushing Selection Committee to Share Confidential Deliberations

At the same December 15, 2022 Council meeting, the members of the Boulder City Council directed staff to get further information from the selection committee, in part because of concerns of bias (apparently bias of one or more of the slate of candidates for the police oversight panel).

City Attorney Tate stated in the meeting, after hearing Equity Officer Kane share criteria that were used in selecting candidates for the police oversight panel, “when I hear that, I don’t hear all the criteria reflected that are in the code, and I hear criteria reflected that are not in the code.” Mayor Brockett expressed that “hearing more from the panel about both their thinking process, but also how they applied their code criteria, I think would be really helpful.”

Council Member Friend put forward the motion: “We refer consent agenda item 3E back to the selection committee to re-look at all applicants or all recommended panelists under code criteria that are required to be appointed and eligible for this panel with guidance from the city attorney’s office and with explanations or certifications explaining the steps that were taken in writing.” Council Member Speer commented on the motion “it’s just about providing a little bit more documentation for kind of the public to understand what the process was and what went into it.” The motion passed unanimously.

Requesting the selection committee to “explain[] or certif[y] the steps . . . [it took] in writing” is in violation of the police oversight code, BRC 2-11-6(5): “[s]election panel deliberations shall be confidential.”

Complaint 2 therefore is that every City Council Member, in its vote of December 15, 2022 on the above motion that passed unanimously, intruded on the confidential deliberation of the selection committee by demanding information about the selection committee’s deliberations. In doing so, each of the members of Boulder City Council violated Boulder’s code of conduct section BRC 2-7-8(e)(5) and BRC 2-7-8(f)(1). The public officials’ action jeopardized the deliberative process of the selection committee by

imposing disclosure requirements in violation of the code, thereby harming present and future efforts to make the best possible selections for the police oversight panel.

If it were determined that the selection committee did not sufficiently “provide council with a written summary explaining why each applicant was selected”, BRC 2-11-6(15), such that Council members seeking further information was warranted, then in the alternative, Complaint 2 is against Aimee Kane and/or contractor Shawn Rae Passalacqua, who advised the selection committee for failing to properly instruct the selection committee of its duties, or failing themselves to meet their duties.²

Complaint 3: Failure to Vote

Complaint 3 is similar to Complaint 1, except that is against a subset of Council members. On January 19, 2022, Mayor Brockett, Mayor Pro Tem Wallach, and Council Members Winer, Benjamin, and Yates again failed to either exercise the call-up option or to approve or reject the appointments by majority vote in violation of BRC 2-11-6(15). In doing so, these members of Boulder City Council violated Boulder’s code of conduct section BRC 2-7-8(e)(5) and BRC 2-7-8(f)(1). These public officials’ action in failing to fulfill these duties on December 15, 2022, put at risk the work of the police oversight panel, and undercut its credibility, harming its future efforts.

I swear under penalty of perjury after a reasonable investigation that the above statements are true and correct to the best of my knowledge, information and belief.

Signature of Zayd Atkinson

² Indeed, under the January 26, 2023 *Agenda for the Special Meeting of the Boulder City Council*, item B, Equity Officer Kane and others provided a thorough description of the process that adequately describes “why each applicant was selected.” On information and belief, all of the information to produce this document for the January 26th special meeting was available to Kane and Passalacqua to provide to Council ahead of the December 15, 2022 Council meeting.

January 30, 2023

Boulder City Clerk and Staff:

Pursuant to City of Boulder Municipal Code Title 2, Chapter 7, I am filing a complaint for a Code of Conduct violation against Mayor Brockett and Council Members Benjamin, Folkerts, Friend, Joseph and Speer, the six members of City Council who voted to approve the recommendations of the Police Oversight Panel Selection Committee at the City Council Special Meeting on January 26, 2023.

Factual Allegations:

A: City Council Members violated the Municipal Code when they voted to approve the recommendations of the Police Oversight Panel Selection Committee

1. Qualifications: Ordinance 8430 section 2-11-6 (a) (9) (B) requires "An absence of any real or perceived bias, prejudice or conflict of interest;". These Qualifications are mandatory legal minimum requirements, not merely guidelines and suggestions. The specific legal question posed by part (a) (9) (B) is whether a fair minded and informed observer, having considered the facts, would conclude that there was a real possibility of predisposition, prejudice, partiality or conflict of interest by the nominees.
2. Appointments: Ordinance 8430 section 2-11-6 (a) (15) requires "Council will approve or reject the appointments by majority vote"
3. Lawsuit: one of the nominees is a party to a lawsuit against the City of Boulder and Maris Herold, Chief of Police for the City of Boulder (Case Number 2022CV30341), the allegations included in such lawsuit which could be similar to cases to be reviewed by the Police Oversight Panel
4. Additional testimony and evidence, including social media screenshots and exhibits, have been previously submitted to the City Council and City Clerk; these records include email as well as a prior Code of Conduct Complaint and, being discoverable and accessible through an official records search inquiry, are not included within this submission.
5. To the best of my knowledge, the social media screenshot evidence submitted to the City represents the official account of one of the nominees in question, the accuracy and validity of which has not been disputed by the nominee, Lisa Sweeney Miran.
6. The "real or perceived bias, prejudice or conflict of interest" language included in Ordinance 8430 is consistent with existing language contained in "Bias Motivated Crime" statutes in Colorado as well as other states and federal law; "Perceived" sets a legal threshold that is lower than "real or actual" and is based on how something is seen, interpreted or thought of. Council Members chose to ignore the legal precedents established by these existing laws as well as the existing guidance regarding judicial disqualification/recusal and dismissal of prospective jurors for cause, choosing instead to base their decisions to approve the nominees on information that was neither germane

EXHIBIT 21

to the decision nor consistent with the enabling Ordinance (citation: City Council Meeting video archive for January 19th and January 26th, 2023).

7. Council Members voting to approve the Recommendations of the Selection Committee failed in their sworn duty to uphold the legal requirements of Ordinance 8430 in direct violation of their official responsibilities to the residents of the City of Boulder

B: City Council Members violated the Municipal Code of Conduct when they voted to approve the recommendations of the Police Oversight Panel Selection Committee

1. Chapter 7 of the Municipal Code outlines Codes of Conduct expectations for Member of Council, the purpose of which is to “protect the integrity of city government” by, among other things, establishing “high standards of conduct for elected officials” and outlining Expectations in section 2-7-8 (e) and (f) including doing more than “just the minimum required to meet legal or procedural requirements” and “taking into consideration all available information, circumstances and resources.”
2. City Council has an affirmative responsibility and obligation to ensure that boards, committees, task forces, etc., are performing their duties in full compliance with the Municipal Code. After information on the Police Oversight Panel selection criteria and process was presented to Council by the Equity Officer at the January 19th City Council meeting, the City Attorney commented that not all requirements of Ordinance 8430 had been followed (paraphrasing). To this day I am unaware of any information that refutes that assertion by the City Attorney.
3. Several Council Members have personal relationships with one or more nominees and/or have direct or family relationships with one or more of the local organizations serving on the Selection Committee, raising questions regarding whether recusal by those Council Members would have been appropriate and warranted by the legislative intent and expectations of the Code of Conduct.

declare under penalty of perjury that the foregoing is true and correct.

executed on January 30, 2023.

mily Reynolds

EXHIBIT 22

January 30, 2023

Boulder City Clerk and Staff:

Pursuant to City of Boulder Municipal Code Title 2, Chapter 7, I am filing a complaint for a Code of Conduct violation against Council Member Joseph, who voted against the motion to approve the appointment of a Special Counsel at the City Council Special Meeting on January 26, 2023.

Factual Allegation:

City Council Member Joseph, in willful violation of the specific requirements of the Municipal Code, inappropriately voted against the motion to approve the appointment of a Special Counsel at the City Council Special Meeting on January 26, 2023.

Facts:

1. Junie Joseph is an elected member of the Boulder City Council, the Colorado General Assembly House District 10 and an admitted member of the Colorado State Bar Association.
2. At the January 19th, 2023 City Council meeting, the City Attorney reported that a Code of Conduct complaint had been filed under Title 2 Chapter 7 against the Police Oversight Panel Selection Committee.
3. At the January 26th, 2023 City Council meeting, agenda item 1a presented for Council's consideration a motion to approve the appointment of a Special Counsel.
4. The City Attorney confirmed that a Code of Conduct complaint received on January 19th, 2023 met all the requirements of the code, thereby triggering the process of investigation, which is not discretionary under the Code.
5. The City Attorney confirmed that because she had, at Council's direction, advised the Selection Committee, it would be a conflict of interest for her to conduct the investigation and, as such, she recommended the appointment of a Special Counsel to conduct the requisite investigation.
6. Mayor Brockett specifically then asked the City Attorney whether Council had any discretion in the matter. The City Attorney confirmed that Council had no discretion and that "the city council shall request the city attorney to conduct an investigation regarding a violation of this chapter."
7. Boulder City Ordinances are not optional. Council Member Joseph's disregard for the requirements of the law, even after those requirements were specifically and repeatedly delineated to the Council, represents a willful violation of the legal and ethical responsibilities of her role as a Member of the Boulder City Council and, as such, Council Member Joseph should be subject to investigation and appropriate sanctions that may be deemed necessary. Council Member Joseph's actions are particularly reprehensible given that she is also a member of the Colorado General Assembly as well as a member of the Colorado State Bar Association.

declare under penalty of perjury that the foregoing is true and correct.

executed on January 30, 2023.

mily Reynolds