

## DRAFT PCCEP CODIFICATION PLAN

Overview of the Draft Codification Plan:

The Draft Codification Plan was drafted using the framework of [Approved Amendments to the PCCEP Plan December 2019](#), with supporting text and ideas taken from the [PCCEP Charter](#) and the [Recommendations for PCCEP for codification](#) document. The current PCCEP bylaws will need to be amended as necessary once the final version of this recommendation is approved and PCCEP is codified by City Council.

The main additions and revisions to the Amended PCCEP Plan include the following:

1. Revision of Section I Mission Statement.
2. Revision of Section II PCCEP Goals, incorporating elements outlined in the PCCEP Charter.
3. Revision of Scope of Work, incorporating elements of Recommendations for PCCEP for Codification while not incorporating points 7,8 (9 will be addressed negotiated outside of this plan).
4. Revision of Section III Membership and Reporting, to report directly to City Council instead of the Mayor (Police Commissioner).
5. Revision of Section IV Selection, to reflect the PCCEP authority to select its members as recommended in the revised Scope of Work section.
6. Revision of Section VI Removal, to reflect the PCCEP authority to select its members as recommended in the revised Scope of Work section.
7. Addition of Section VII PPB'S Responsibilities.
8. Revisions to Section IX Members' Responsibilities.
9. Addition to Section X Deliverable Product, to include a yearly Police Commissioner and Police Townhall and community scorecard.
10. Revisions throughout the document to revise authority of Mayor in cases where PCCEP would now perform certain duties such as appointing members, removal of language related to DOJ Settlement to reflect a to-be-determined post-settlement PCCEP.

### Version 2 revisions after the September PCCEP meeting on September 22, 2020.

1. Highlighted all sections where additions or changes were made so changes could more easily be tracked.
2. Revision of Section I Mission Statement based on PCCEP and community member feedback.
3. Revision of Section II PCCEP Goals, incorporating elements outlined in the PCCEP Charter based on PCCEP and community member feedback.
4. Revision of Section IV Selection, to reflect the PCCEP authority to select its members as recommended in the revised Scope of Work section based on PCCEP and community member feedback.
5. Revision of Section VI Removal, to reflect the PCCEP authority to select its members as recommended in the revised Scope of Work section based on PCCEP and community member feedback.

6. Revision of Section IX Members' Responsibilities, re-adding section on teaching PCCEP members about the Settlement Agreement prior to becoming voting members.

**Version 3 revisions after the October PCCEP Steering Committee meeting on October 13, 2020.**

1. Revision of Section I Mission Statement based on PCCEP and community member feedback during October 2020 Steering Committee Meeting
2. Revision of Section X Deliverable Product. Addition of points 6 and revision of point 7.

This is a draft document. This draft is intended to guide and support PCCEPs efforts for codification. A final document will be voted on by PCCEP after input from the PCCEP and the community.

City of Portland Plan for Portland Committee on Community-Engaged Policing (PCCEP)

**I. MISSION**

To convene and amplify the voices of the communities of Portland to support improved outcomes of the Portland Police Bureau regarding community safety, accountability, and equitable practices and culture.

**II. GOALS**

The goals of PCCEP are to; increase collaboration with communities; encourage transparency and accountability within; and to assess equitable and just outcomes of; the Portland Police Bureau for all of Portland's diverse communities. PCCEP will achieve these goals by engaging the greater public in discussions around community safety, assessing PPB's current community engagement processes, and developing recommendations and strategies for systems to increase accountability and engagement with a broad cross-section of the community.

Additionally, PCCEP members will review and make recommendations on PPB policies touching key areas of concern, including constitutional policing, use of force, interactions with people experiencing **behavioral health challenges**, complaint investigations, and racial justice.

In order for PPB to effectively build trust with Portland's diverse communities, the communities' concerns must be heard and meaningful action by PPB must be taken. To facilitate this outcome, PCCEP members will also make recommendations in the key areas of concern for Portland's diverse communities based on the communities' articulated experiences and grievances.

PCCEP will maintain an ongoing relationship with City Council, the Police Commissioner, the Mayor, and the PPB Chief to ensure the success of the committee and community engagement efforts.

PCCEP's mission and goals will guide the following:

1. Scope of work
2. Membership
3. City's responsibilities
4. Available tools and resources
5. Members' responsibilities
6. Deliverable products

#### SCOPE OF WORK

PCCEP will engage with Portland's diverse communities in key areas of concern, including constitutional policing, use of force, interactions with people experiencing **behavioral health crises**, complaint investigations, and racial justice.

Specifically, PCCEP will be authorized to:

- **Recruit and appoint its own members to the committee following a standardized framework of criteria of desirable members including diversity of racial background, sexual orientation, lived experience with mental health, those impacted by police violence, members of different abilities, ages, genders, and underserved communities.**
- Develop recommendations for PPB systems to engage meaningfully, both short-term and long-term, Portland's diverse communities, and improve community relations. Gather and synthesize information from Portland's diverse communities and make recommendations based on that information in key areas of concern to communicate to the Mayor, PPB, the Office of Equity and Human Rights, the DOJ, and the public at large.

- With the Mayor's written approval, and after consultation with the other City Commissioners, PCCEP is authorized to identify for off-schedule review directives not related to the DOJ Settlement Agreement or key areas of concern.<sup>1</sup> PCCEP must provide a written explanation for the request, which will be considered by the Mayor and City Commissioners.
- Provide information to and solicit feedback from Portland's diverse communities through focused and targeted round tables and town halls, to be held at least quarterly and be open to the public. PPB presence is required at quarterly town halls.
- Continue to collaborate with the City on surveys regarding Portland residents' experiences with and perception of PPB's community outreach and accountability efforts. PCCEP will consider survey results in developing recommended strategies.
- Provide ongoing feedback to PPB regarding community engagement initiatives already in progress and those added/needed in the future.
- PCCEP will have access to disaggregated raw data collected by PPB and the City related to any efforts necessary to fulfill its mission.
- PCCEP will have a leading role in the hiring of PPB officers. This will include having a PCCEP representative on hiring committees for all top-level command staff including Police Chief, Assistant, and Deputy Chiefs. PCCEP will draft job descriptions for PPB positions and solicit input from the community on this process.
- PCCEP will be embedded into the PPB Universal Review Process for all directives that directly impact the community.

### III. MEMBERSHIP and REPORTING

PCCEP will be comprised of a diverse group of thirteen self-appointed volunteers, who are committed to improving systems-based police/community relationships and ensuring and exceeding constitutional policing standards. Two of the thirteen seats will be reserved for youth members, ages 16-23. The PCCEP will report directly to the City Council, separately and at least quarterly with the Mayor, Police Commissioner, and the Director of the Office of Equity and Human Rights.

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<sup>1</sup> PPB directives are generally scheduled for Bureau review every two years. The City recognizes that the community has an interest in a number of directives, and particularly those that are relevant to current events (e.g., Directive 635.10. Crowd Management, with respect to demonstrations; Directive 810.10, Arrest of Foreign Nationals with respect to Portland's status as a Sanctuary City). This authority is intended to allow PCCEP to be responsive to community concerns when there is a compelling interest to review and revise a Bureau practice.

#### IV. SELECTION Codified Selection Process

PCCEP, in consultation with the City Council, shall convene an interview committee as described below to develop selection criteria and public outreach strategies for the PCCEP selection process. This process may begin before the Fairness Hearing and approval of the revised Settlement Agreement by the Court. Following the development of the selection criteria, a written, downloadable application will be posted and available on the City's website. Posted alongside the application will be the deadline for submission, selection criteria, selection process, and a description of PCCEP member responsibilities. The City will engage the community in a variety of ways to communicate the application and selection process, criteria, and timelines. Extra effort will be made to invite people who have experienced mental illnesses to apply.

The codified selection process for PCCEP' will adhere to the following framework:

(1) Application submission; (2) Initial screening of applicants by an interview committee convened by the steering committee with the support of PCCEP staff that shall include at least one PCCEP staff, at least two PCCEP members, two community member seats, and two seats for community organizations; (3) Candidate interviews with interview committee; (4) Steering Committee appointment and (5) Recommendations for alternates by the interview committee to the Steering Committee; (6) Steering Committee appointment of alternates; (7) Full Committee confirmation.

#### Youth Member Selection Process

In accordance with best practices for youth-adult partnerships, the process to select youth members ages 16-23 will be as follows: 1) Outreach to and opportunity for recommendations by David Douglas School District, Parkrose School District, and Portland Public Schools (up to three students per district); 2) Outreach through Portland's 2-year and 4-year colleges and universities in collaboration with student-led groups and clubs; 3) Application submission; 4) Group interviews by an interview committee comprised of the PCCEP chair/co-chairs, PCCEP staff; 5) Recommendations for youth members/alternates by the interview committee to the Steering Committee; 6) Steering Committee appointment of alternates; and 7) Full Committee confirmation.

Any youth who apply through the regular process will be incorporated into the youth selection process. Any youth under the age of 18 must obtain permission from a legal guardian (or provide documentation that they are legally emancipated) to apply and serve on the PCCEP.

#### Ongoing Selection Process

After the PCCEP's inaugural year, a written, downloadable application will continue to be posted and available on the City's website. Posted alongside the application will be the deadline for

submission, selection criteria, selection process, and a description of PCCEP member responsibilities. Extra effort will continue to be made to invite people who have experienced mental illnesses to apply.

The process to select members (other than youth members) will be as follows: 1) Application submission; 2) Initial screening of applicants by PCCEP staff, a member of the Mayor's staff, and staff from any Council office who wishes to participate, and a community representative; 3) Interviews (in-person or by phone) by an interview committee comprised of the PCCEP chair/co-chairs, PCCEP staff, Mayor's staff, Council staff if they elect to participate and the invited participation of a representative each from the AMAC and the MHA; 4) Solicitation of community feedback on candidates recommended by interview committee; 5) Mayoral interviews of recommended candidates; 6) Mayoral appointment; and 7) Council confirmation. The PCCEP will accept applications on an ongoing basis and will maintain an alternate pool of qualified candidates. There will be no minimum or maximum number of alternate PCCEP members.

The steering committee will consider the selection criteria and views of the community in appointing volunteers. City employees may not be appointed to sit on the PCCEP.

#### V. TERM

Volunteers will serve two-year terms, with the option to re-apply at the end of a term. During the first year of PCCEP's life, volunteers will be appointed on a staggered basis where the majority of the board will serve two-year terms, and the remainder will serve one-year terms. Applicants will be able to indicate on their application forms whether they wish to serve one or two-year terms. Any volunteers who serve one-year terms will have the option of re-applying for the opportunity to serve a full term. In accordance with City policy for advisory boards and commissions, volunteers can serve no more than eight years on the PCCEP.

#### VI. REMOVAL

The Steering Committee, after consultation with the Council, the PCCEP Program Manager, and PCCEP co-chairs (absent a conflict of interest) will have sole discretion to determine when PCCEP members are no longer fit to serve on the committee due to misconduct or violation of rules or terms of membership as outlined in the PCCEP Bylaws. If a member is removed or resigns, the selection process identified above will be used to recruit, appoint, and confirm the new member.

#### VII. CITY'S RESPONSIBILITIES<sup>2</sup>

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<sup>2</sup> With the amendments to Section IX of the Settlement Agreement and the development of the PCCEP, the City understands there is concern about the role of the Portland community in monitoring the Settlement Agreement, and updating the wider community on the status of terms of the Settlement Agreement. The City will provide updates to the community on the status of

After PCCEP's board orientation, the City shall continue to provide resources for member training as needed so that members continue to fulfill their obligations.

The City shall make appropriate information available regarding PPB's current community engagement initiatives, directives, and directive review and implementation process.

The PPB, in particular, and in accordance with its directive review schedule, shall meet with PCCEP during a universal review period to brief members on directives related to the DOJ Settlement Agreement and/or key areas of concern, provide information as needed/requested, and solicit PCCEP member feedback. The PPB shall make the adjustments necessary to its current directive review system in order to integrate PCCEP into the PPB's work.

The City shall provide thorough and timely responses to PCCEP recommendations and requests for information and shall endeavor to do so within 60 days.

The City shall provide staffing for the PCCEP including a program manager and administrative support. The City will also provide staff support and funding for community organizing/outreach.

The City shall provide meeting locations, and work with PCCEP to identify community-friendly locations that are accessible to and appropriate for the community for public meetings

To ensure constitutional policing, to closely interact with the community to resolve neighborhood problems, and to increase community confidence, PPB shall work with City resources knowledgeable about public outreach processes, the PCCEP, and the PPB's Equity & Diversity Manager to develop a Community Engagement Plan, which shall be adopted by Council following a public hearing.

The Mayor's Office shall publish on the City website an annual report, commencing from the date PCCEP begins meeting through the duration of its existence, which will include updates on progress made by the City in key areas of concern and community engagement recommendations.

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the City's compliance with its obligations under the Settlement Agreement in the following ways: 1) at the annual status conference before the federal district court; 2) through quarterly community meetings with the COCL either separate from or jointly with the PCCEP, and staffed by the City; 3) through reports on the COCL website; and 4) through other means as appropriate. After the City is found to be in compliance with the Settlement Agreement and the Court, DOJ and COCL are no longer involved, PCCEP will provide recommendations to the Mayor/Police Commissioner regarding continued assessments of the City's progress, generally, and community engagement.

The Mayor or the Mayor's delegate shall endeavor to attend all public meetings of PCCEP, unless PCCEP requests otherwise. Other Commissioners or their delegates are encouraged to attend unless PCCEP requests otherwise. The purpose of such attendance is to listen to understand, provide information either at the meeting or as a follow-up, and learn from PCCEP members and public testimony.

### VIII. PPB'S RESPONSIBILITIES

PPB will maintain an ongoing working relationship with PCCEP based on communication, transparency, engagement, and respect.

The PPB Chief or the Chief's Delegate shall endeavor to attend all public meetings of PCCEP, unless PCCEP requests otherwise. PPB staff shall engage with PCCEP and its subcommittee's efforts related to PCCEP's scope of work.

PPB must meaningfully consider the recommendations PCCEP produces. PPB will provide a written response to all recommendations within 60 days.

PPB shall have a liaison present a report on the progress of all active recommendations at the monthly PCCEP meeting.

PPB will update its officers quarterly on PCCEP activities during role call before patrols. PCCEP members will have the option to attend role call meetings when necessary to engage and update PPB officers on PCCEP endeavors.

All recommendations produced by PCCEP shall be sent to the Police Commissioner and the Police Chief.

The Portland Police Association (PPA) shall engage with PCCEP when needed. The PPA President or an appointed representative shall participate in one PCCEP meeting annually.

If after any period of time PCCEP does not feel its recommendations are being fully considered by PPB, it may appeal to the Police Commissioner for a review of its working relationship with the PPB. The Police Commissioner, Police Chief, and PCCEP Steering Committee will then meet to review its working relationship.

### IX. MEMBERS' RESPONSIBILITIES

PCCEP members must engage all participants in a respectful and collegial manner, and be responsible for the following:

Prior to voting as a PCCEP member:



- Learn about the history of Portland's diverse communities by a panel of community members convened by the Steering Committee and or the PCCEP Staff.
- Learn about the history of the United States v. City of Portland Settlement Agreement, with an opportunity for AMAC and MHA to participate.
- Participate in a ride-along with PPB (1 per PCCEP member). If necessary, the City is willing to provide a reasonable accommodation that would instead permit a PCCEP member to participate in a ride-along with a member of the Behavioral Health Unit or a Neighborhood Response Team (in lieu of regular patrol); or participate in a morning walking beat.
- Review lessons learned from the COAB.
- Participate in subject matter and board trainings.
- Learn about:
  - PPB organizational structure;
  - Policy development and implementation process;
  - PPB Racial Equity Plan;
  - PPB Training Division Plan;
  - PPB's Office of Community Engagement and current community
- engagement initiatives, generally; and PPB advisory bodies.
- Have the option to attend PPB community academy, if possible as an alternate prior to appointment to PCCEP as a member. If necessary, the City is willing to provide a reasonable accommodation that would instead permit a PCCEP member to observe a session of the community academy and be given a guided tour of the PPB Training Division (with the opportunity to ask detailed questions about the Training Division).
- Gather input from Portlanders regarding experiences with and perceptions of PPB's community outreach. Input will be gathered through culturally responsive and relevant strategies that center on the needs of the community. These strategies will include meeting community members where they are physically, mentally, emotionally, and spiritually. Such input will be solicited from (though not limited to) the following groups:
  - General consultation with Office of Neighborhood Involvement (ONI) and/or District Coalitions, Coalition of Communities of Color, and ONI's Diverse Civic Leadership partners
  - AMAC, The Portland Commission on Disabilities, the Human Rights Commission, and the New Portlander Policy Commission
- Evaluate national best practices regarding police and community engagement leading to bias-free policing and community trust.
- Analyze prior community surveys and consult with the City to conduct additional community surveys.
- Receive public comment from Portlanders at large.
- Review PPB directives and make recommendations to PPB based on public feedback in key areas of concern.
- Provide ongoing feedback to PPB's Office of Community Engagement on its community engagement practices and initiatives and provide feedback on PPB's Community Engagement Plan.

- Hold monthly meetings. Meeting agendas shall be structured in a manner that provides a meaningful opportunity for public comment at the meeting prior to the conclusion of deliberations and voting. PCCEP meetings will generally be open to the public. However, if PCCEP reasonably determines that good cause exists on a particular occasion (for example, to deliberate on sensitive matters, such as matters involving personal medical information, or due to safety concerns), the PCCEP may meet without the public present. Facilitators will ensure that no votes are taken without the public having the opportunity to be present.
- Form subcommittees that may meet at other times during the month. Subcommittee meetings must be open to the public and provide an opportunity for the public to weigh in on the substantive matters being considered.
- Agendas and minutes from all PCCEP meetings will be published on the City website within 10 business days after the meeting date.

## **X. DELIVERABLE PRODUCT**

PCCEP shall be responsible for producing the following:

- Summary reports issued (to the Mayor, PPB, DOJ, and the public at large) contemporaneously with quarterly town halls, providing an overview of community concerns around and any recommendations regarding the use of force, interactions with people experiencing mental illness, complaint investigations, and racial justice. Strategies and recommendations developed to ensure greater public outreach and engagement, including opportunities for outreach to a broad cross-section of community members, to inform PPB's Community Engagement Plan, utilizing the following procedure:
  1. PCCEP shall consult with community members and hold at least two (2) public hearings, to be completed within 180 days of PCCEP members being seated (PCCEP's town halls may be utilized for this purpose). To gather public input on PPB's outreach efforts and progress towards eliminating unconstitutional disparate treatment, the hearings shall be held in locations to ensure that PPB receives input from all parts of the Portland community. PCCEP shall review PPB's prior community outreach efforts to contribute strategies to the development of a new Community Engagement Plan.
  2. PCCEP shall meet at least quarterly with the Director of the City's Office of Equity and Human Rights and PPB's Manager of Equity & Diversity, including a review of PPB's current Racial Equity Plan, and evaluate PPB's ongoing efforts to implement that plan.
  3. PCCEP shall suggest for inclusion in the Community Engagement Plan strategies to ensure greater public outreach and engagement, including opportunities for

4. PCCEP may also provide information to the PPB on other areas related to meaningful community engagement and outreach to contribute to the development of the Community Engagement Plan. The Plan will specify how to integrate community values and problem-oriented policing principles into PPB's management, policies, and procedures.
5. The Chief's Office shall consult with the PCCEP and shall consider and utilize to the extent practicable PCCEP's recommendations in developing and implementing the Community Engagement Plan. The Chief's Office shall present the final proposed Community Engagement Plan (with implementation timeline) to the PCCEP for its final review and comment within 45 days of receiving PCCEP's recommendations. The recommended Community Engagement Plan shall be considered by the City Council in a public hearing, leading to the Council's adoption of the Plan after review and amendments if indicated.
6. The PCCEP shall meet at least twice per year with the Chief, the Police Commissioner, PPB Precinct Commanders, PPB Neighborhood Response Teams, and a representative of the Office of Neighborhood Involvement Crime Prevention to assess and solicit comment on PPB's activities in regards to community outreach, engagement, and problem-solving policing. The PCCEP shall also provide the opportunity for public comment at any town hall and roundtable meetings to keep open lines of communication with the public at- large. The PCCEP may also invite testimony from other City bodies, including but not limited to Portland Commission on Disability (PcoD), Behavioral Health Unit Advisory Committee (BHUAC), Training Advisory Council (TAC), Human Rights Commission (HRC), Citizen Review Committee (CRC), and the citizen members of the Police Review Board (PRB).
7. The PCCEP shall host two (3) town halls within the year to connect the public at large with the Police Commissioner and Police Chief, and others on how they feel the Bureau is performing as an organization. Following the town halls, the PCCEP shall produce and submit a timely community scorecard annually, based on the information shared in four categories: (1) Use of Force; (2) Transparency; (3) Accountability; and (4) Community Engagement.