

**City of Portland**  
**Police Accountability Commission**  
**Draft Areas of Agreement on Broader System**

**Contents**

- A.** The Oversight Board and City Government..... 2
  - A1.** General Relationship with other parts of City government ..... 2
  - A2.** Impact of Oversight Board implementation on City advisory entities ..... 3
  - A3.** Impact of Oversight Board implementation on City staff entities ..... 5
- B.** Relationship with County Government ..... 6
  - B1.** Policy Coordination and Subject Matter Expertise ..... 6
  - B2.** District Attorney ..... 6
  - B3.** Exchange of Information With / About Other Law Enforcement Agencies... 7
  - B4.** Other County Relationships ..... 7
- C.** Relationship with State Government ..... 7
  - C1.** Obligation to Follow State Law..... 7
  - C2.** Policy Coordination and Subject Matter Expertise ..... 7
  - C3.** Exchange of Information With / About Other Law Enforcement Agencies... 8
  - C4.** Support of state court consideration of cases involving officers or incidents subject to complaint ..... 8
- D.** Relationship with Federal Government ..... 8
  - D1.** Obligation to Follow Federal Law..... 8
  - D2.** Policy Coordination and Subject Matter Expertise..... 9
- E.** Relationship with Other Oversight Entities ..... 9

The Police Accountability Commission is tasked with developing the new police accountability system in Portland, including the new community police oversight board. As part of ensuring the oversight board and bureau can be effective in completing their duties, the commission was also tasked with determining

appropriate involvement between the new system and other parts of City government, as well as relationships with other levels of government. The commission is also tasked with determining how implementation of the new system will impact parts of the current police oversight system in the City, including determining which parts will continue or cease to function, and how.

The PAC's proposed system will be bound by all relevant law and regulations, including at the federal, state, county, and city levels. It will be a part of the City of Portland government, with independent judgment guaranteed in the Charter.

It will also have strong working relationships with many other layers of government as described below. The oversight board will make clear in its discussions with any level of government that it is representing its own views, and not serving as a representative of the City government.

## A. The Oversight Board and City Government

### A1. General Relationship with other parts of City government

- A. The oversight board will be a part of City government, subject to all laws, rules, and policies which affect City government generally, including the City Charter, City Code, and administrative rules such as Human Resources policy.
- B. The oversight board will supervise an independent bureau as part of its Charter-mandated "independent judgment", which includes non-interference in its required duties and roles from other parts of City government.<sup>1</sup> The Director will be a "Bureau Director" as defined by the Charter.<sup>2</sup>
- C. The board will develop working relationships with other parts of City government to ensure its ability to participate in relevant City processes related to the tasks required of the oversight board by law or regulation.

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<sup>1</sup> Cite Charter "independent judgment," PAC definitions, and Council Resolution with Scope of Work (37548?) as it pertains to non-interference.

<sup>2</sup> Cite Charter.

These include the Portland Police Bureau, Mayor, City Council, Bureau of Human Resources, City Attorney's Office, and Office of Government Relations.<sup>3</sup>

**Commented [PAC1]:** These six are specifically listed in previously-approved Areas of Agreement documents.

## A2. Impact of Oversight Board implementation on City advisory entities

- A. Many of the current advisory groups related to police and policing will not be directly impacted by implementation of the oversight board.<sup>4</sup>
- B. The City has already determined that two of the remaining advisory groups related to police and policing, the Police Accountability Commission itself and the Citizen Review Committee, will sunset as part of oversight board implementation.<sup>5</sup>
- C. Some groups may have their workloads adapted to reduce redundancy and avoid community confusion.
- D. To provide them with increased independence as well as access to the Board's investigatory and analytical resources, to avoid confusion from the public, and to be an efficient use of City resources in support of volunteers,

**Commented [PAC2]:** Staff note: A-D from Co-Chair KC's version. E from Commissioner Debbie's version. Remaining portion of Commissioner Debbie's text down below in "Reference Information".

**Commented [PAC 06-133]:** Staff Note: Co-Chairs changed text to a framework rather than naming specific groups, with the intent of having either a list of groups for each part of this framework, or a methodology for determining that, added by the 06-20 meeting.

Additionally, co-chairs supported having a framing discussion on this question during the 06-13 meeting prior to discussing textual changes.

<sup>3</sup> From Areas of Agreement on Structural Oversight:

The Office of Government Relations shall consult directly with the Board as part of its development of the City's legislative agenda, in a manner equivalent to any top-level administrative division of the City government.

The Bureau of Human Resources shall reserve, during negotiations with collective bargaining units representing PPB sworn officers and their supervisors, at least two seats for representatives chosen by the Board. The City Attorney shall consult with the Oversight Board during the collective bargaining process and inform the Board as soon as practicable regarding any potential changes to the police contract(s). The Board's ability to make recommendations shall include proposals for the collective bargaining contracts.

<sup>4</sup> The PAC found ~~18~~ 19 groups related to police and policing in the City of Portland, including one listed as active on City websites, but which media reporting indicates has disbanded (the Alliance for Safer Communities), and additional three (Precinct Councils) mentioned as active but with no other information. ~~12~~ 1 of the ~~18~~ 19, including the 4 listed in the preceding sentence, are reflected in this sub-section as not being directly impacted by oversight board implementation.

<sup>5</sup> The CRC will sunset on a schedule to be defined in the PAC-proposed Transition Plan.

some groups will be incorporated into the oversight board. Advisory groups being incorporated into the oversight board shall be maintained as distinct sub-committees of the oversight board for at least 2 years.

- E. Members of groups being incorporated into the new oversight board, as well as of groups being adapted as a result of implementation, shall be guaranteed an appointment as a board alternate during the transition period if they meet board eligibility requirements. These volunteers may also apply and be considered for oversight board membership. Whether board members or alternates, volunteers who were previously a member of an advisory group that is incorporated into the oversight board shall be assigned as full voting members of the oversight board sub-committee that is a successor to the incorporated group.
- F. Representatives from the oversight board and other advisory committees will meet periodically in public to discuss emerging issues and policy concerns they have encountered in the course of their work. If meetings are not practical, at a minimum, they will share by email or other means information on those topics among themselves. This information will be reported back to members of the various advisory committees. They may chose to create joint study committees to research those issues and develop joint recommendations. The oversight board will meet with remaining volunteer bodies related to policing periodically, in meetings open to the public, to discuss policy issues that have emerged in their respective committees. The oversight board may create opportunities to form joint study committees to research those issues and develop joint recommendations.
- G. Prior to establishing any new advisory groups related to police or policing, the Mayor and/or City Council shall discuss the proposal with the oversight board and give sufficient time for a response.<sup>6</sup>

**Commented [PAC 06-084]:** Flagged for further discussion (Debbie)

Staff Note: Drafting group will be needing to revisit and adapt (and incorporate multiple versions) before Tuesday 06-13 group.

**Commented [PAC 06-085R4]:** Commissioner comment (Debbie): TAC and FITCOG in particular work closely with police (Training Division and FIT respectively), not sure of the merit of incorporating that into oversight board.

**Commented [PAC 06-086R4]:** Co-chair comment (KC): In addition to efficiency argument, consolidation supports simplicity, so that the public knows where to go.

**Commented [PAC 06-087R4]:** FLAGGED FOR FURTHER DISCUSSION (on 06-13 sub-committee meeting)

**Commented [PAC8R4]:** Staff Note: As per Officer Accountability, the oversight board will work closely with the Training Division.

**Commented [PAC 06-089]:** Flagged for further discussion (Debbie)

Staff Note: Drafting group will be needing to revisit and adapt (and incorporate multiple versions) before Tuesday 06-13 group.

**Commented [PAC 06-0810R9]:** Commissioner comment (Debbie): TAC and FITCOG in particular work closely with police (Training Division and FIT respectively), not sure of the merit of incorporating that into oversight board.

**Commented [PAC 06-0811R9]:** Co-chair comment (KC): In addition to efficiency argument, consolidation supports simplicity, so that the public knows where to go.

**Commented [PAC 06-0812R9]:** FLAGGED FOR FURTHER DISCUSSION (on 06-13 sub-committee meeting)

**Commented [PAC13R9]:** Staff Note: As per Officer Accountability, the oversight board will work closely with the Training Division.

**Commented [PAC 06-1314]:** Proposed change (Debbie):

**Commented [PAC 06-1315]:** Commissioner comment (Debbie): I'm not sure this is a good idea, but if we decide to incorporate it, it's important for the police bureau to decide on the advisory committees it feels it needs to do its work.

<sup>6</sup> Cite new Charter authority for creation of advisory groups.

### A3. Impact of Oversight Board implementation on City staff entities

#### A. Portland Police Bureau (PPB) Internal Affairs

- i. The oversight board will investigate most complaint types which currently are handled by PPB Internal Affairs.<sup>7</sup>
- ii. The only complaint types which currently go to PPB Internal Affairs that would not go to the oversight board are complaints filed by officers, about conduct not affecting any community member, where the complainant officer does not choose to have the board investigate. For these cases, this work shall be transferred to Bureau of Human Resources (or equivalent agency within City government, but outside of both PPB and the oversight board).<sup>8</sup>
- iii. Internal Affairs shall sunset following the creation of the board and conclusion of its work addressing complaints received prior to the oversight board's full implementation.<sup>9</sup>

#### B. Other parts of the Portland Police Bureau

- i. The oversight board and bureau will maintain a working relationship with the PPB Professional Standards Division, including staff working on the Employment Information System (EIS). This relationship will be beneficial to the board having access to information necessary to fully consider and investigate complaints.
- ii. To avoid confusion as the oversight board implements a position that may have the same title, the Police Accountability Commission requests that the PPB retitle the position currently titled "Inspector-General," so that the community may be clear as to which position provides independent monitoring.<sup>10</sup>

**Commented [PAC16]:** Two points previously referenced:  
- There's a lot of professional standards division work that isn't in Internal Affairs, and collaboration/communication between Standards and Accountability / oversight board might be helpful to explain  
- (From Transition Plan) importance of PRB coordinator role in the immediate post-transition phase.

**Commented [PAC17R16]:** Staff Note: First part covered here. Second part is (as per co-chairs) better in Transition Plan.

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<sup>7</sup> Cite Officer Accountability.

<sup>8</sup> Cite Officer Accountability.

<sup>9</sup> The (draft) Transition Plan includes the exact information on the date the oversight board, rather than Internal Affairs, will start receiving these types of complaints.

<sup>10</sup> Cite Oversight Staff.

## B. Relationship with County Government

Commented [PAC 06-0818]: Staff Note: Question regarding Washington and Clackamas Counties

### B1. Policy Coordination and Subject Matter Expertise

As per the Areas of Agreement on Structural Oversight:

"The Board may officially endorse legislation/policy ideas and shall have the authority to testify in front of relevant government bodies and communicate its policy positions with employees and elected officials at any level of government."

Commented [PAC19]: Co-chair note: Needs to include "appointed" officials too. GARDEN PLOT for revision to "Structural Oversight" document (and if that document is revised, this would also).

### B2. District Attorney

- A. The board shall collaborate to the extent allowable under law with the Multnomah, Clackamas, and Washington County District Attorneys' Offices, including information sharing where appropriate. To ensure officers' constitutional rights, in no case shall compelled testimony from officers be transferred to DAs' offices.
- B. In the rare event that a subpoena is issued and needs to be enforced, the board shall apply to the appropriate County authority for the enforcement of a subpoena or to impose the penalties for failure to obey a subpoena or order.<sup>11</sup>
- C. The oversight board and bureau shall exchange information with the District Attorneys' Offices, including seeking access to court records and case information pertinent to complaints under investigation.
- D. The oversight board, through legal counsel shall work with the District Attorneys' Offices to determine appropriate disclosure of public records, and protection of confidential information, including through clarifying or appealing to the DAs' offices.

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<sup>11</sup> Cite Charter.

### B3. Exchange of Information With / About Other Law Enforcement Agencies

The oversight board and bureau shall maintain a working relationship with the Multnomah, Clackamas, and Washington Counties' Sheriff's Offices, as well as each county's corrections agencies, and with oversight groups for these entities. This relationship will be beneficial to the board fulfilling its duties due to police collaborations and joint operations, and police activity with relation to (county-run) jails.

### B4. Other County Relationships

- A. The oversight board and bureau shall exchange information pertinent to complaints under investigation with the counties' Medical Examiners' Offices.
- B. The oversight board and bureau may seek membership for a representative in Multnomah County's Local Public Safety Coordinating Council (LPSCC), to assist with developing working relationships and exchange-exchanging information in pursuit of oversight goals and responsibilities.

Commented [PAC 05-3020]: LPSCC Website: <https://www.multco.us/lpsc>

Open question: what should the relationship look like? Consensus around having one but should it report or should it be a member?

Commented [PAC 06-1321]: Staff note: Typographical fix.

## C. Relationship with State Government

### C1. Obligation to Follow State Law

The oversight board is obligated to follow all applicable state laws and rules, including the Oregon Constitution (and protecting the rights of all parties under the state constitution), collective bargaining agreements (as per the Public Employees Collective Bargaining Act), public records and public meetings law, and as of July 1, 2025, statewide discipline guides.<sup>12</sup>

### C2. Policy Coordination and Subject Matter Expertise

As per the Areas of Agreement on Structural Oversight:

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<sup>12</sup> The City of Portland's current discipline guide was bargained with the Portland Police Association. The state determined that statewide discipline guides created by the LESC would take effect after the expiration of current bargained discipline guides in each jurisdiction that had bargained one. Portland's collective bargaining agreement with the PPA expires on June 30, 2025.

“The Board may officially endorse legislation/policy ideas and shall have the authority to testify in front of relevant government bodies and communicate its policy positions with employees and elected officials at any level of government.”

**Commented [PAC22]:** Co-chair note: Needs to include “appointed” officials too. GARDEN PLOT for revision to “Structural Oversight” document (and if that document is revised, this would also).

### C3. Exchange of Information With / About Other Law Enforcement Agencies

**Commented [PAC23]:** Staff note: Mirrors county text above.

The oversight board and bureau shall maintain a working relationship with the Oregon State Police (OSP), including the State Medical Examiners Office, as well as the Department of Corrections (DOC), and with oversight groups for these entities. This relationship will be beneficial to the board fulfilling its duties due to police collaborations and police activity with relation to (state-run) jails, prisons, and detention centers.

### C4. Support of state court consideration of cases involving officers or incidents subject to complaint

- A. The board shall collaborate to the extent allowable under law with State courts and prosecutors, including information sharing where appropriate. To ensure officers’ constitutional rights, in no case shall compelled testimony from officers be transferred by the oversight board.

- Arbitration / Employment Relations Board

**Commented [PAC24]:** Staff Note: Needs to be expanded/placed into relevant category.

## D. Relationship with Federal Government

### D1. Obligation to Follow Federal Law

**Commented [PAC25R24]:** Staff Note: May be helpful to review information about arbitration which the City Attorney’s Office presented at PCCEP in March 2023 (link goes to start time of presentation): <https://www.youtube.com/live/DxNww5oeKM0?feature=share&t=901>

The oversight board and bureau are obligated to follow all federal laws, including the United States Constitution (and protecting the rights of all parties under the US Constitution), and the *USDOJ v. City of Portland* Settlement Agreement. Implementation of the oversight board is obligated to follow the Settlement Agreement, Paragraph 195.<sup>13</sup>

<sup>13</sup> Note that as part of this process, any responsibility currently tasked to another volunteer group, if that volunteer group would be incorporated into the oversight board under this document (Section A2), would need to be reassigned to the oversight board as part of the settlement agreement amendment process described in the *USDOJ v. City of Portland* Settlement Agreement, Paragraph 195.



## D2. Policy Coordination and Subject Matter Expertise

As per the Areas of Agreement on Structural Oversight:

“The Board may officially endorse legislation/policy ideas and shall have the authority to testify in front of relevant government bodies and communicate its policy positions with employees and elected officials at any level of government.”

**Commented [PAC26]:** Co-chair note: Needs to include “appointed” officials too. GARDEN PLOT for revision to “Structural Oversight” document (and if that document is revised, this would also).

## E. Relationship with Other Oversight Entities

The oversight board should seek to be a model for other jurisdictions that review and adapt their own oversight systems.

The oversight board and bureau shall also maintain a working relationship with oversight entities outside of Portland, to exchange information, best practices, and solutions to barriers faced by entities working on law enforcement oversight.

The oversight board and bureau shall maintain a working relationship with regional, national, and international groups focused on law enforcement oversight, to have access to trainings and conferences that can help the oversight board perform its duties more effectively.<sup>14</sup>

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<sup>14</sup> [Add Citation to Board Membership on access to optional additional trainings.](#)

## Reference Information

### Interactions with the state:

Oregon State police:

Oregon Advocacy Commissions Office

The Oregon Advocacy Commissions Office (OACO) was established to support the statutory work of all four OACs:

- Oregon Commission on Asian & Pacific Islander Affairs (OCAPIA)
- Oregon Commission on Black Affairs (OCBA)
- Oregon Commission on Hispanic Affairs (OCHA)
- Oregon Commission for Women (OCFW)

Oregon State Archives

Oregon State Bar Association

Oregon Commission for the Blind

The Office of the Chief Operating Officer (also known as the DAS Director's Office) manages all executive branch agencies; provides governmental and external communications; conducts economic analysis; and coordinates legislative activities.

Programs included within this division:

- Communications

- [Internal Audit](#)
- [Legislative Coordination](#)
- [Office of Economic Analysis](#)

#### [State Audits Division](#)

[Conducts](#) audits to protect public interest

[Municipal and local audits](#)

#### [Department of Administrative Services](#)

[Doing business with the state](#)

#### [Oregon Council on Court Procedures:](#)

[Where do the Oregon Rules of Civil Procedure come from and how are they changed? If a particular rule is not effective or has been rendered obsolete by technology, or by practice, how may it be amended? The ORCP are the work product of the Council, and the Council is charged with the responsibility of maintaining the ORCP.](#)

[The Council on Court Procedures is the Oregon public body that is most directly involved in creating, reviewing, and amending the Oregon Rules of Civil Procedure that govern procedure and practice in all Oregon circuit courts \(except for the small claims departments\).](#)

#### [Oregon Court of Appeals](#)

[Oregon has two appellate courts, the Oregon Supreme Court and the Oregon Court of Appeals. The Oregon Supreme Court is the highest court in the Oregon judicial branch. The court has seven elected justices. They choose one of their own to serve a six-year term as Chief Justice. The only court that may reverse or modify a decision of the Oregon Supreme Court is the United States Supreme Court.](#)

The Oregon Court of Appeals is Oregon's intermediate appellate court created by statute in 1969. With the exception of a limited number of appeals that go directly to the Oregon Supreme Court--most notably death penalty cases, ballot title cases, lawyer discipline matters, and tax court cases--the Court of Appeals receives every appeal or judicial review taken from Oregon's trial courts and administrative agencies.

The Oregon Supreme Court and Court of Appeals are supported by a single records office. The Appellate Court Records office is responsible for processing all documents filed in those courts, calendaring all oral arguments, distributing opinions, and issuing appellate judgments.

#### Criminal Justice Commission

To improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems.

The mission of the Oregon Criminal Justice Commission is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems.

We do this by:

- Providing a centralized and impartial forum for statewide policy development and planning;
- Developing a long-range public safety plan for Oregon;
- Analyzing capacity and use of state prisons and local jails, implementation of community corrections programs and methods to reduce future criminal conduct;
- Funding and evaluating Oregon drug courts;
- Conducting research;
- Developing fiscal and racial / ethnic impact estimate of crime-related legislation;
- Providing a statistical and data clearinghouse for criminal justice;
- Administering Oregon felony sentencing guidelines; and
- Staffing the Public Safety Task Force and other advisory committees.

[Employment Relations Board](#)

[Government Ethics Commission](#)

[Governor of Oregon](#)

[Justice Department of Oregon](#)

[Oregon State Legislature](#)

[Medical Examiner, state](#)

[Psychiatric Security Review Board](#)

[Public Defense Services](#)

[Public Safety and Standards](#)

## **TAC**

### **Questions about your group**

#### 1. Membership

How many members is your group authorized to have, at maximum? How many are currently filled positions? Who is the appointing authority?

- **TAC is authorized to have 18-24 members per our Bylaws, which are available on our public Google Drive as well as the PPB website.**  
[https://drive.google.com/file/d/1XdBUjgxqvl9NFygc03is\\_Gzkz6rsgfGw/view?usp=drive\\_link](https://drive.google.com/file/d/1XdBUjgxqvl9NFygc03is_Gzkz6rsgfGw/view?usp=drive_link)
- **Members are appointed by the Chief of Police or Designee. In practice, this duty is delegated to the Training Division leadership, and recruitment is managed by the TAC Steering Committee with appointment and final selection confirmed by TD leadership.**

#### 2. Outputs or Outcomes

Does your group have defined outputs or outcomes? When creating these, who does your group send them to?

- **TAC is required to hear PPB's quarterly use of force reports. This requirement is in the USDOJ-City of Portland Settlement Agreement.**

- TAC regularly reviews in-development training and provides feedback. Feedback is written up and published on our website: <https://www.portland.gov/police/tac/ppbtacrecs>
- TAC also splits up into work groups to produce recommendations each year. These recommendations are mostly on the TAC's PPB website, and include responses from the Chief of Police.
- TAC periodically produces resolutions calling for specific reforms. Several were sent in 2020.
- TAC members serve as panel members for PPB hiring and promotion panels as needed.

### 3. Recent Work

What are some recent actions/recommendations that your group has made? Have they been responded to, and/or implemented?

- See TAC's website: <https://www.portland.gov/police/tac/ppbtacrecs>
- The most exhaustive collection of records is on the Google Drive: [https://drive.google.com/drive/folders/1Ga2zCyYQdbPLJoweCxqfj4ZupW1g\\_4tE?usp=sharing](https://drive.google.com/drive/folders/1Ga2zCyYQdbPLJoweCxqfj4ZupW1g_4tE?usp=sharing)

### 4. City Support

Where in the City's org chart are you institutionally housed, or whose staff supports you (e.g. PPB, IPR, CSD)? What is your annual budget from the City?

- **TAC was created by Council Resolution 36912 as an advisory body within the police bureau. As far as I know, there is no budget available to TAC.**

### 5. Required Response

Is your group defined under any specific law (City Charter, City Code, Settlement Agreement, etc.?) Does this law require any sort of response, decision, or implementation of your group's recommendations by any part of the City?

- **The expectation in the TAC Bylaws is that the Chief of Police responds to recommendations within 60 days, and so far this has happened**
- **The Settlement Agreement requires TAC to hear use of force reports on a quarterly basis**
- TAC is defined by Council Resolution 36912: [https://drive.google.com/file/d/1XKp9kVux0b6\\_Ar7HI65SDPU3sU93T70d/view?usp=drive link](https://drive.google.com/file/d/1XKp9kVux0b6_Ar7HI65SDPU3sU93T70d/view?usp=drive_link)

## Portland Police Bureau Advisory Groups

<https://www.portland.gov/police/advisory-groups>

### **Police Bureauwide Advisory Committee**

This committee advises Bureau leadership on Citywide issues, provides input to staff about budget development, reviews plans on long-term Bureauwide projects, and provides feedback on community priorities. (A number of city bureaus have BACs that advise them on budget and other issues).

### **Police Equity Advisory Council**

This council is charged with holding the Portland Police Bureau accountable for achieving the objectives of the Bureau's Racial Equity Plan.

### **Coalition of Advisory Groups**

The eight groups listed below have seats on the **Coalition of Advisory Groups**. People who are not members of the coalition may attend by invitation only. They say decisions and statements are posted on their website, but there don't seem to be any listed at this time.

According to the PPB website, there are six Community and Culturally Specific Advisory Councils.

- African American Advisory Council
- Alliance for Safer Communities Advisory Council (representing the LGBTQ+ community) (according to a March 2023 article in Willamette Week, this group is on hiatus  
<https://www.wweek.com/news/city/2023/03/24/portlands-lgbtq-police-advisory-council-quietly-disbanded-last-year/>)
- Asian and Pacific Islander American Advisory Council
- Latino Advisory Council
- Muslim Advisory Council
- Slavic Advisory Council.

These advisory groups are independent, self-organized bodies whose meetings are not open to the public if the group so-chooses.

There are also two Bureau Operational Advisory Councils:

- Behavioral Health Unit Advisory Committee (Settlement Agreement: Section VI -- Crisis Intervention)
- Training Advisory Council -- The TAC's mission is to provide ongoing advice to the Chief of Police and the Training Division in order to continuously improve training standards, practices and outcomes through the examination of training content, delivery, tactics, policy, equipment and facilities. (Settlement Agreement paragraphs 86 and 87)

These two groups hold public meetings (the BHUAC meetings are open to the public only on occasion, TAC meetings are open to the public) and post their minutes.

## **Police-Related Committees Housed Outside the Portland Police Bureau**

### **Focused Intervention Team Community Oversight Group**

The Police Bureau's Focused Intervention Team is led by a captain, lieutenant, and two sergeants and has 12 officers. The group is responsible for addressing gun violence and the proliferations of weapons in the city. They are advised by a Community Oversight Group, that began work in June 2021 and is responsible for assisting with recommendations to reduce gun violence through prevention, intervention, and response. <https://www.oregonlive.com/crime/2022/01/portland-police-bureau-new-focused-intervention-team-hits-streets-to-address-gun-violence.html>

### **Portland Committee on Community-Engaged Policing**

PCCEP is a group of 13 community members who are independent from the City and the Portland Police Bureau (PPB). Its work includes independent assessment of the implementation of the DOJ Settlement Agreement and gathering input and exchanging information about PPB policies and practices. Their full committee and subcommittee meetings are open to the public and they encourage community participation. They have the authority to make recommendations to the Police Bureau and City Council with a response from the city required. (Settlement Agreement: Section IX – Community Engagement and Creation of Portland Committee on Community-Engaged Policing)

### **Citizen Review Committee**



The eleven-member committee was created in 2001 to help improve police accountability, promote higher standards of police services, and increase public confidence. Volunteer CRC members are appointed by City Council.

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## 1. From Barriers and Best Practices

“3. Some parts of the current system are duplicative, confusing, and contradictory.

Recommended Findings: Multiple reviewers can recommend findings, and those recommendations sometimes contradict each other.

For example, unofficial recommended findings come from IA or IPR, then go to the commanding officer who makes the official recommended findings. Then the Branch Assistant Chief, the Internal Affairs Captain, and the IPR may choose to recommend findings that are different from the commanding officer (known as **controverting**). If the findings are controverted, or if the findings are sustained, or if the case involves deadly force, the Police Review Board then reviews the investigation and again recommends findings. PRB has no obligation to form a majority opinion, so the PRB may send multiple sets of recommended findings to the Chief. The case may then be appealed to CRC, which makes a majority-opinion recommendation on findings. If the Bureau disagrees with the CRC’s recommendation, the appeal goes to City Council. With the exception of cases which go to City Council, as provided in City Code, the Police Chief or Commissioner-in-Charge makes the ultimate final decision on findings.”

“7. Burdensome parts of the accountability system disproportionately impact community members who are part of historically excluded groups.

Current accountability systems structurally fail to address or even take seriously the impacts of policing on historically excluded groups or **the disproportionate level of effort it takes for those community members to participate in the accountability system** as they attempt to pursue individual misconduct complaints.”

“9. The current system is governed and protected by several layers of **local, state, and federal law and policy**, including and especially labor law.

Collective bargaining: The current system is subject to collective bargaining between the City government and the collective bargaining units. Most of the collective bargaining process is not open to the public. No representatives from either the volunteer or staff portions of the current community oversight system are part of collective bargaining processes. What currently exists is the result of many years of collective bargaining by the collective bargaining units.  
Law: Current labor laws do not take into consideration the input of the community, but rather favor the police collective bargaining units' input."

"12. The current civilian accountability system lacks the comprehensive power necessary to be effective at reducing misconduct.

Limitations of Scope: Some complaints have no avenue for resolution outside of private litigation. Importantly, not everyone has the capability to pursue private litigation. The system's limitations direct some potential complaints to be resolved in civil court, instead of through an administrative system. Civil courts focus on violations of rights, not of policy, and as a result are not the appropriate place for all types of complaints. For example, officer rudeness would not rise to the level of a civil rights violation but should be addressed by the administrative process. This results in some officer misconduct being excused that would not have been excused by a more comprehensive administrative accountability system."

"15. People who are making decisions about and within the system have a vested interest in the system being upheld.

Investigations: The current system relies on the Portland Police Bureau to investigate itself in most cases for both administrative and criminal allegations. IPR was created in 2002 but didn't do their first investigation until 2013. IPR can't compel testimony and is still reliant on police to do so. This demonstrates that the police are still involved in nearly all cases.

Internal Affairs: PPB IA investigations give a tremendous amount of deference to involved officers. PPB officer judgement receives wide latitude from PPB IA investigators. PPB IA Investigations are not rigorous enough, especially when officer statements and physical evidence do not match up."

"19. Community volunteers who participate in the current system often feel their work is ineffectual because it lacks real authority.

Final decision-making: The final decision-making power is vested in entities other than the Citizen Review Committee, which makes members of that committee often feel their input is not heard when their recommendations are not taken. Community volunteers on the Police Review Board, which also only makes recommendations, are outnumbered by police.

Lack of response and implementation: Policy recommendations from community entities often do not receive a response from decision-makers in a timely fashion. Even when they are responded to, community input is regularly not taken. Public input and testimony from the Citizen Review Committee indicates that volunteers often feel like their work is meaningless because their recommendations are often ignored by the City and the police.”

## **2. From Access to Information**

“B3. The oversight board, with the assistance of legal counsel, shall have the authority to subpoena witnesses, administer oaths and require the production of evidence. Through legal counsel, the board shall apply to Multnomah County Courthouse (or to the appropriate court) for the enforcement of a subpoena or to impose the penalties for failure to obey a subpoena or order.”

“B6. Any *person* who fails to comply with a subpoena may be subject to contempt proceedings as prescribed by State law; provided that such persons shall not be required to answer any question or act in violation of rights under the constitutions of the State or of the United States.”

“C4. To the extent allowable under state and federal law, the oversight board shall have direct access to all relevant database networks to which the Bureau subscribes. This includes, but is not limited to:

- a. Regional Justice Information System (RegJIN)
- b. Criminal Justice Information Systems (CJIS)”

## **3. From Officer Accountability**

“B1. Referral of criminal investigations

A. The Board has the authority to refer cases to the District Attorney or other authority for criminal investigation when the incident or allegations indicate possible criminal activity by the officer(s).”

#### **4. From Structural Oversight**

“H. Board Proposals Related to Federal/State Law

The Board may officially endorse legislation/policy ideas and shall have the authority to testify in front of relevant government bodies and communicate its policy positions with employees and elected officials at any level of government. The Office of Government Relations shall consult directly with the Board as part of its development of the City’s legislative agenda, in a manner equivalent to any top-level administrative division of the City government.”

#### **5. From Board Membership**

“B3(2). Board Members cannot simultaneously be members of any other government-run advisory group related to police or policing.”

“C5. The applications of board applicants shall remain confidential to the extent allowable by law.”

“D6. The Oversight Board shall be empowered to advocate to other governmental entities (including the State of Oregon) for protections for oversight board members.”

#### **6. From Oversight Staff**

“B7b-vii. Community engagement includes discussions on how to improve police practices and policy which include soliciting community input.<sup>15</sup> Policy discussion should also include local, state, and federal laws which are not necessarily police bureau policies.”

#### **7. From Reporting and Transparency**

(Nothing found in this document.)

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<sup>15</sup> From Chicago and Los Angeles County.