

**OUTLINE: Sub-Committee on Oversight Staff (changed from "Oversight Agency")**  
last updated March 31, 2023

**A. Agency Director**

**A1. Qualifications / hiring process.**

A1a. From Charter 2-1005: The Board shall hire a Director to manage the professional administrative staff and professional investigators, and to make operational and administrative decisions... and shall be appointed by, and serve at the will and pleasure of, the Board.

A1b. ? Selection of the Director shall be done through a "community process led by the oversight board."

A1c. ? In Denver, the process leads to the selection of three candidates.

**Commented [DH1]:** Footnote: From Denver.

**Commented [2]:** Will the community be involved before the narrowing to three candidates? Does this mean there will at least be community input on which of the three finalists to pick during some kind of public Q&A with the finalists? DH/DA

**A2. Authority /duties.**

**A3. Performance reviews.**

A3a. ? San Diego County: The Board conducts annual performance reviews and manages the Executive Director.

**B. Staff Structure, qualifications, duties and Board involvement in hiring.**

Note: to maintain independence between the Board and the police, it is recommended that former and current police officers not be hired as staff.

**Commented [DH3]:** Footnote: added by Commissioners.

**B1. Inspector General or Police Auditor with full access to Bureau records, training and staff.**

B1a. Auditor/monitor/inspector-general: In charge of auditing records and other aspects of the accountability system.

**Commented [DH4]:** Footnote: Proposed in PAC's Agenda and Scope, found in San Francisco, Oakland and Seattle.

**B2. Attorney(s) with local, state and federal specializations**

B2a. Legal counsel: to provide legal advice for the Board and staff separate from the City Attorney's office.

**Commented [DH5]:** Footnote: based on Areas of Agreement from other jurisdictions, identified in Denver, Oakland, San Diego (County), San Diego (City) and Portland City Code 3.21.070 (P).

**B3. Other positions recommended for the Board Staff**

B3a. From Charter 2-1005: Professional staff of the Board, other than the Director, shall be appointed by and serve under the direction of the Director.

**Commented [6]:** Question from meeting: Does Auditor's independent legal counsel need to be approved by City Attorney's Office?

B3b. The Director shall hire part or full time staff members focusing exclusively or in combination on:

B3b-i Policy work: Note that New York’s policy unit does data analysis, includes lawyers, and makes monthly, semi-annual and annual reports.

B3b-ii Mediation.

B3b-iii Investigation.

B3b-iv Hearings support.

B3b-v Records.

B3b-vi Outreach/Community Engagement.

B3b-vii Intra-governmental affairs.

B3b-viii Data analysis: to include demographics and disparities.

B3b-ix Equity and Inclusion.

B3b-x Public affairs/communications.

B3b-xi. Personnel.

**B3c. Hiring of the following staff positions shall involve the Board members:**

B3c-i Auditor/monitor/inspector-general.

B3c-ii Legal counsel

**B3d The oversight system may reach outside city structures to complete its work**

B3d-i The Board or staff may consider working with law school faculty and/or students or other community resources.

**Commented [DH7]:** Suggestion (AA): Have someone act as a “lobbyist” to change federal/state laws that impact the Board’s work .

**Commented [DH8]:** Footnote: From San Francisco.

**Commented [DH9]:** Footnote: added by Commissioners.

**Commented [DH10]:** Footnote: From San Francisco.

**Commented [DH11]:** Footnote: Found in Washington, DC, New York, San Francisco.

**Commented [DH12]:** Footnote: From New York.

**Commented [DH13]:** Footnote: From New York.

**Commented [DH14]:** Footnote: added by Commissioners based on New York’s Racial Profiling unit.

**Commented [DH15]:** Footnote: added by Commissioners; suggested by San Diego City staff.

**Commented [DH16]:** Footnote: From 3/13 meeting

**Commented [DH17]:** Footnote: suggested by San Diego City staff.

**Commented [DH18]:** Footnote: In Oakland, the board hires this position.

#### **B4. Staff training**

**B4a. Staff shall be trained on issues specific to their roles, such as:**

B4a-i policies,

B4a-ii interviewing,

B4a-iii evidence,

B4a-iv patrol mandates,

B4a-v operations,

B4a-vi legal issues including stops, frisks and searches.

B4a-vii Trauma-informed service delivery, focused on interviewing and other community interactions.

**Commented [DH19]:** Footnote: Each of these six items from New York.

**Commented [DH20]:** Footnote: Added by Commissioners.

**B4b. It is not necessarily appropriate for the Police Bureau to give administrative and legal guidance to staff.**

**Commented [DH21]:** Footnote: Adapted from New York.

#### **B5. Staff qualifications**

**B5a. There may be a minimum number of years of experience required for positions such as investigators; it is not appropriate for that number to be as many as eight years.**

**Commented [DH22]:** Suggestions for backgrounds of investigators (AA)

**Commented [DH23]:** Footnote: Adapted from New York.

**B5b. The oversight agency should include as a preference in staff recruitment that candidates have experience working with community.**

**Commented [DH24]:** Footnote: Suggested by Oakland oversight staff.

**B5b-i. Other preferred background qualifications include candidates with public defense or civil rights backgrounds, investigative, policy, and/or management skills. Investigative background can**

**Commented [DH25]:** Footnote: Suggested by Oakland oversight staff.

include Child Services, insurance investigations, and other non-police agencies.

B5b-ii. Staff should also be versed in contemporary legal topics related to policing such as Critical Race Theory.

**Commented [DH26]:** Footnote: added by Commissioners.

**Commented [DH27]:** Footnote: added by Commissioners.

## **B6. Staff duties**

B6a. Staff shall review all misconduct investigations to ensure they are complete before they are sent to the Board to make findings and determine discipline.

**Commented [DH28]:** Footnote: In Seattle, this is the job of the Inspector-General.

B6b. Staff and community engagement

B6b-i. The oversight body conducts public education on the role of the oversight system and community members' rights, keeping the community informed of activities, how to file complaints without fear of retaliation, and receive input.

**Commented [DH29]:** Footnote: Rights trainings done in New York and San Francisco. \* Education on rights=Constitutional rights. (note from co-chairs)

B6b-ii. Oversight staff should "train the trainers" so that they can go into specific groups/communities and train in ways that work for those groups, not just focus on trainings directly to the public.

**Commented [DH30]:** Footnote: from San Diego City.

B6b-iii. Participatory public process is the goal, not just a check-box. The public's input needs to be integrated into the outcomes.

**Commented [DH31]:** See this resource for more information:  
[https://www.iap2usa.org/resources/Documents/IAP2USA\\_PillarsOfPublicParticipationBrochure.pdf](https://www.iap2usa.org/resources/Documents/IAP2USA_PillarsOfPublicParticipationBrochure.pdf)

B6b-iv. Where appropriate, staff shall set up community engagement events involving the Board members.

B6b-v. The outreach should be conducted in ways to be accessible in terms of language, abilities, and other considerations.

B6b-vi. Communities to engage should include youth and community partners, immigrant communities including undocumented communities and others negatively affected by policing.

**Commented [DH32]:** Footnote: from Washington, DC

**Commented [DH33]:** Footnote: added by Commissioners.

B6b-vii. Outreach locations should include schools, libraries, community organizations, neighborhood meetings and organizations serving the houseless population.

**Commented [DH34]:** Footnote: Adapted from New York, which includes "housing authority"

B6b-vii. Community engagement includes discussions on how to improve police practices and policy which include soliciting community input.

**Commented [DH35]:** Suggestion (AA): Policy discussion should also include local, state and federal laws which are not necessarily police bureau policies.

B6b-viii. The oversight body conducts education on their activities for law enforcement personnel and bargaining unit representatives.

**Commented [DH36]:** Footnote: from Chicago and Los Angeles County.

**Commented [DH37]:** Footnote: From Washington, DC

## **C. Position and other logistics within the City**

### **C1. Budget**

**C1a.** The oversight body has a publicly disclosed budget. Charter 2-1004 defines a minimum of 5% of the PPB budget for the oversight board/agency.

**C1b.** Board /staff should be able to request more funding on an annual basis after evaluation of the budget.

**Commented [DH38]:** Footnote: suggested by Commissioners

## **C2. Office location**

**C2a.** The offices may be located in a private office space.

**Commented [DH39]:** Footnote: also found in Washington DC, Denver and Oakland.

**C2b.** The offices should not be in the same building with the Mayor or the police.

**Commented [DH40]:** Question: (AA) Should the Board not share space with ANY city entity to affirm the non-interference clause in 2-1006?

**C2b-i** Charter 2-1006: The physical office of the Board shall be located outside of a Portland Police Bureau facility.

**Commented [DH41]:** from San Diego City, San Francisco

**C2c.** The office should not be in a space where security is provided by law enforcement.

**Commented [DH42]:** Footnote: adapted from San Diego County.

## **C3. Where in the city's organizational chart is the Board housed?**

### **C4. Suggested hours of operation**

*Note: DH/DA got through end of F6 on 3/16/23;*

*DH/AA did F7, H1&2, I1, W1,2 and 3 & Experts D1/D3 on 3/23/23.*

- o **AGENDA AND SCOPE**
- o c. Staff of new Board
  
- o i. Agency director – qualifications, hiring process, authority, performance reviews
- o ii. Staff structure
- o *iii. Will existing staff (IPR/IA/etc.) get preference to apply? (transition?)*
- o iv. Inspector General or Police Auditor with full access to Bureau records, trainings, and staff
- o v. Attorneys on staff with local, state, federal specializations
  
- o d. Position within City
  - i. Budget – at least 5% of PPB budget
  - ii. Office location – How/where does it exist to be? free-standing?
  - iii. Where in the City org chart / bureau structure is the Board housed?

**Commented [PAC 03-1343]:** Co-chair note (Dan): Title of this position TBD.

Other Jurisdictions-Research

**A5. The oversight body has a staff unit focused on policy.**

Identified in: New York

- In New York, the oversight body has a policy unit of paid staff members. The policy unit does data analysis, includes lawyers, and makes monthly, semi-annual and annual reports.

**Commented [PAC 03-1344]:** Co-chair comment (Dan): At least one person focused on policy (not necessarily a "unit").

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**F. Staff**

**F1. The oversight body manages, and conducts reviews, of the Executive Director of the oversight agency, and in some cases can hire and fire that person.**

Identified in: Washington DC, San Diego City, New York, San Diego County, Denver, Oakland

- In Oakland, the oversight body can hire and fire the agency director.
- In Denver, with the assistance of a selection committee, the oversight board screens and selects three agency director candidates. A community process led by the oversight board concludes with the selection of a nominee who is confirmed by city council. The oversight board has the authority to fire the agency director.
- In San Diego County, the Executive Director serves at the pleasure of the Board. The Board conducts annual performance reviews and manages the Executive Director.

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**Commented [PAC 03-1345]:** Commissioner comment (Monica): Because the Board is community, it's good to have power to hire and fire the Director.

**Commented [PAC 03-1346]:** Commissioner Katherine / Staff note: Board's ability to hire and fire Director is in Charter 2-10.

**Commented [PAC 03-1347]:** Co-chair comment (Aje): Love the idea of a community process.

The Police Accountability Commission also identified several partial best practices:

- In Washington DC, the oversight body hires the Executive Director and conducts annual performance reviews. Contracts are for three years and may be renewed.
- In New York, the Board sets policy including personnel policy, and hires the agency director.
- In the City of San Diego, the oversight body conducts annual performance reviews of the Director. However, the City Council hires and fires the Director.

**Commented [PAC 03-1348]:** Co-chair proposal (Dan): Two-part proposal:  
That there be some kind of position (name TBD) in charge of auditing records and other aspects of the accountability system  
When the Director hires that person, the Board should be involved in the hiring process.  
  
Note:  
Charter gives hiring authority (beyond Director hire itself) to Director.

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**F2. The oversight body hires, manages, and can choose to fire the top monitor or inspector-general.**

Identified in: Oakland

- In Oakland, the Police Commission hires and fires the Inspector-General.

<snip F3 on hiring and firing the Chief>

**Commented [PAC 03-1349]:** Co-chair proposal (Dan): When the Director hires that person, the Board should be involved in the hiring process.

**Commented [PAC 03-1350]:** Staff note: In IPR City Code 3.21.070P.

**F4. The oversight body has the authority to hire independent legal counsel.**

Identified in: Denver, Oakland, San Diego (County), San Diego (City)

City attorneys are responsible for representing the interests of the municipality, which sometimes conflicts with the interests of a civilian police oversight agency.

- In Denver and Oakland, the agencies have the authority to hire Independent counsel who gives civilian oversight agency the legal advice they need to carry out its duties.
- In San Diego County, the Board has independent legal counsel.

**Commented [PAC 03-1351]:** TO LOOK INTO (Co-Chair Dan): Does Auditor's independent legal counsel need to be approved by City Attorney's Office?

**Commented [PAC 03-1352]:** Commissioner comment (Katherine): Charter gives authority to Board already to hire - as staff - lawyers for the oversight board.

Contracted legal counsel (non-employee) is different.

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- In San Diego City, the Board is required to retain legal counsel on contract or as an employee.

The Police Accountability Commission also identifies a partial best practice in Washington DC:

- In Washington, DC, the board has independent legal counsel, but in court is represented by the US Attorney (this is unique to the District of Columbia, which is not in a state).

The Police Accountability Commission also identified a counter-example in New York, which it considers a practice to avoid:

- In New York, they have lawyers to support misconduct hearings but not legal counsel separate from the City's.

**F5. The oversight agency has staff to support agency operations.**

Identified in: Philadelphia, Washington, DC, San Diego (City), San Francisco, New York, San Diego (County)

- Philadelphia's new system being implemented currently, will in addition to an Executive Director have staffers paid by the city to support the work of the Civilian Review Board.
- In Washington, DC, there are 22 staff: a Deputy Director, 11 investigators, 3 supervisors, administrative staff, and public affairs/community engagement staff.
- In San Francisco, staff work in Divisions: Audit, Mediation, Policy, Investigation, Records and Outreach.
- In New York, they have 180 staff, including specific units on Outreach, Intra-governmental affairs, Racial Profiling and more.
- In San Diego City, there are currently 6 staff who respond to public inquiries, take complaints, prepare reports, send meeting notices and prepare minutes.
- In San Diego County, they have 8 employees including at least one investigator and legal counsel.

The Police Accountability Commission also identified a counter-example in San Francisco:

- In San Francisco, the commission Secretary, which is a staff position, is a police sergeant, which the PAC identifies as a practice to avoid.

**F6. Oversight body staff are provided adequate training for their roles.**

Identified in: New York

- In New York, civilian investigators are trained on policies, interviewing, evidence, patrol mandates, operations, legal issues including stops, frisks and searches.

The Police Accountability Commission also identified counter-examples in New York, which may be considered practices to avoid:

- Also in New York, investigators must spend two days at the police academy and have 8 years of prior experience; it's not certain whether the police academy requirement is appropriate nor that 8 years is needed.
- Furthermore, the NY Police Department gives administrative and legal guidance to staff; it is not clear whether this is appropriate.

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**Commented [PAC 03-1353]:** Commissioner suggestion (Aje): Equity and Inclusion

**Commented [PAC 03-1354]:** Commissioner comment (Monica): Data analysts, graphs, reports, etc. data that comes in the macro system.

**Commented [PAC 03-1355]:** Commissioner comment (Katherine): One of the main outputs of Reporting and Transparency is likely to be requirements for outgoing reports (to public/Council) which will require this sort of staff expertise

**Commented [PAC 03-1356]:** Co-chair comment (Aje): Looking at NY, they have a Racial Profiling unit. I'd want data analysis to assess and analyze demographics and disparities. Important to name skills of equity and inclusion around data analysis.

**Commented [PAC 03-1357]:** Note: "Outreach" interpreted as "community engagement"

**Commented [PAC 03-1358]:** Commissioner comment (Katherine): Hearings support is an important staff responsibility that needs staff support.

**Commented [PAC 03-1359]:** Flagged for further discussion (Co-Chair Dan): Do we want to put any type of rule in about staff being hired being current/former police officers?

**Commented [PAC 03-1360]:** Co-chair comment (Aje): I support the idea of not having police (current/former) as staff, to maintain independence between Board/police

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**Commented [PAC 03-1361]:** Co-chair comment (Aje): This training should be trauma-informed, e.g. "trauma-informed interviewing".

**Commented [PAC 03-1362]:** Co-chair comment (Aje): I don't support implementing either counter-example. On first, they shouldn't have to go to police academy (but they could if they wanted) and not sure where 8 years came from. On second, don't support having police provide any guidance to this board.

**F7. The oversight system may reach outside city structures to complete its work.**

Identified in: Albany NY

- In Albany, NY, the review system is supported by staff at the Government Law Center at Albany Law School.

**H. Budget**

**H1. The oversight body has a publicly disclosed budget.**

Identified in: New York, Philadelphia, Washington DC, San Diego (City)

In several cities, the budget is guaranteed at a certain level; it is not clear whether these budgets are sufficient to fund the agency in each jurisdiction.

- In New York, the annual budget is nearly \$39 million.
- In Philadelphia, the police oversight budget is limited to less than 1% of the police department's budget.
  - In Washington, DC, the oversight budget is \$2.2 million, mostly for salaries.
- In the City of San Diego, the budget of the Citizens' Review Board on Police Practices, which existed from 1988-2016, was \$1,327,134 for three staff members. The Commission on Police Practices, which was created in 2020, has a budget of about \$2.5 million.

**Commented [PAC 03-1363]:** Staff note: Charter 2-10 defines a minimum of 5% of the PPB budget for the oversight board/agency.

**Commented [PAC 03-1364]:** Commissioner comment (Monica): Board /staff should be able to request more on an annual basis after evaluation of budget.

**H2. The location of the office is independent and accessible to the community.**

Identified in: Washington DC, San Diego City, San Francisco, New York

- In Washington, DC, the office is located in a private office space.
- In the City of San Diego, the office is separate from where the Mayor and Internal Affairs are housed.
- In San Francisco, the office is separate from City Hall and the police.
- In New York, the Board has its own office space in Manhattan, and can do interviews in any of the five boroughs.
- The Oakland oversight agency is located in an office building that is part of the City Hall complex and also home to the City Permit Center, Finance Department, Housing Resource Center. The police department is located elsewhere.
- The Denver oversight agency is located in the Denver Post Building that also houses parks and public health departments, economic development office, and Civil Service Commission.
- The Denver city government leases space in this privately-owned office building.

**Commented [PAC 03-1365]:** Commissioner suggestion (Monica): Accessible via public transit / centrally located

The Police Accountability Commission also identified a partial best practice in San Diego County:

- In San Diego County, the office is located separate from the Sheriff's office. However, the oversight body's office may have security provided by the Sheriff's office, which is a practice to avoid.

**Commented [PAC 03-1366]:** Co-Chair comment (Dan): Agency would review misconduct investigations before information is turned over to the Board (who makes findings and disciplines).

Might be something to defer to the new Director to determine who on the staff is reviewing.

**Commented [PAC 03-1367]:** Commissioner comment (Monica): Might be the auditor's role.

**I. Audit Functions**

**I1. The oversight agency reviews all misconduct investigations to ensure they are complete before findings and discipline are determined.**

Identified in: Seattle

- In Seattle, there is an Inspector-General who reviews investigations prior to findings and discipline being determined. This practice helps ensure investigators conduct thorough investigations, and inserts an added layer of oversight and review to the process.

## W. Oversight Agency Community Engagement

### W1. The oversight body conducts public education on the role of the oversight system and community members' rights.

Identified in: Washington DC, San Diego (City), San Francisco, New York

- In Washington DC, oversight agency public affairs staff does outreach to youth and community partners, including "know your rights" talks.
- In San Diego City, the oversight body must keep community informed of activities and receive input, including how to file a complaint without fear of retaliation.
- In San Francisco, the oversight body conducts "Know your rights" trainings.
- In New York, oversight agency outreach unit teaches about the oversight board, civilians' rights, de-escalation, and filing complaints. Outreach is conducted at schools, libraries, community organizations, neighborhood meetings, housing authority.

### W2. The oversight body engages with the community on how to improve police practices and policy.

Identified in: Chicago, Los Angeles County

- In Chicago and in Los Angeles County, the oversight commission solicits community input and conducts engagement on use-of-force incidents and civil rights issues, and functions as a bridge between community and law enforcement.

### W3. The oversight body conducts education on their activities for new law enforcement personnel and bargaining unit representatives.

Identified in: Washington DC

- In Washington DC, oversight agency public affairs staff conducts a training for new officers, as well as presentations for bargaining unit representatives.

**Commented [PAC 03-1368]:** Co-chair comment (Dan): Staff should also be setting up community engagement for the Board (i.e. members)

**Commented [PAC 03-1369]:** Co-chair comment (Aje): Oversight staff should "train the trainers" so that they can go into specific groups/communities and train in ways that work for those groups, not just focus on trainings directly to the public.

**Commented [PAC 03-1370]:** Commissioner comment (Monica): Important to focus on immigrant communities, including undocumented communities.

**Commented [PAC 03-1371]:** Co-chair comment (Dan): Staff should be involved in setting these up, even as board (members) will be doing the engagement itself.

**Commented [PAC 03-1372]:** Co-chair comment (Aje): "Participatory public process" is the goal, not just a check-box. The public's input needs to be integrated into the outcomes.

**Commented [PAC 03-1373]:** Co-chair proposal (Dan): "Solicits community input"

**Commented [PAC 03-1374]:** Commissioner comment (Dan): Garden Plot – "public affairs" role for staff?

**SUBJECT MATTER EXPERTS RESEARCH**

**D. Staff and Budget**

**D1. The oversight body should have support from paid staff across the range of duties the oversight body is expected to perform.**

Proposed By: National Association for Civilian Oversight of Law Enforcement (NACOLE), City of San Diego oversight body staff

- NACOLE proposes that staff be hired by localities, with statewide and/or local permanent financial structures for staff.
- City of San Diego oversight staff (Commission on Police Practices), when contacted regarding current practices, suggested that they hoped to create positions in analysis, **communications**, and **personnel management**. They also suggested these as practices for Portland, as these functions may be essential to the new oversight system in Portland.

**D3. The oversight agency should include as a preference in staff recruitment that candidates have experience working with community.**

Proposed By: Oakland oversight body staff

- The interim director of the Oakland Community Police Review Agency suggested that candidates with **public defense or civil rights backgrounds** might be better suited to **lead oversight agencies** because it is important for them to know how to connect to the community. This would be a desired qualification alongside **investigative, policy, and/or management** skills.

-----END OF MARCH 13 SUBCOMMITTEE MEETING-----

**Commented [PAC 03-1375]:** Co-chair comment (Aje): Other backgrounds that may be helpful to include: Critical Race Theory, different types of academic fields that might be related to the history / current reality of policing.

**Commented [PAC 03-1376]:** Co-chair comment (Dan): All staff, not just managers/director.

Proposed by co-chairs:

--Audits conducted by staff will include police practices, policies and directives, including regular audits of police communications with the public (news releases, social media, etc).

--Alone or in cooperation with other city agencies/bureaus, Board staff will also audit police surveillance and other technologies.

**Commented [DH77]:** According to the Reporting and Transparency document staff will also post these and other data on online dashboards. Cochairs' note.

**Barriers and Best Practices (Portland)**  
**(Included because of issues of compensation, and issues that may also affect paid staff)**

18. The current system relies heavily on volunteers, and then does not provide them with sufficient support.

**Board Compensation:** Civilian oversight is provided by community members who serve on a volunteer basis, and do not receive compensation other than limited stipends.

**Time:** Civilian volunteers often have other commitments, but the system is not built around understanding their limited time. As a result, civilian volunteers are asked to handle large case files and large caseloads on short timelines. Additionally, the brief window for submitting comments on PPB policy/directives is also a barrier for advisory committees that meet only every month or two.

**Training:** Civilian volunteers have asked for more training, but training resources are not always available. As a result, civilian volunteers do not receive sufficient ongoing training.

**Commented [DH78]:** For discussion: Does staff train the board or do they train each other?

**Mental Health:** Doing civilian oversight, including reviewing alleged police misconduct, is taxing on the emotional and mental health of volunteers. Community members who volunteer as part of accountability system do not receive adequate mental health support. This inadequacy is exacerbated for those who, due to their own lived experience, may be more affected by the work of civilian oversight.

**Complexity**

6. Hours of operation: Most City offices, including most of the City's current accountability system, operate between 8 AM-5 PM. For complainants with less flexible schedules, who often are lower- and middle-income individuals, this is a direct barrier to participation as well as to receiving information and updates.

**Commented [DH79]:**  
The Board's offices shall be open to accept complaints for longer hours than M-F 9 AM-5 PM, including early mornings, weekend times, and evenings. (Expanded from New York/San Francisco-- from Officer Accountability areas of agreement)

Best practices:

Civilian Staff Involvement

The current system has multiple avenues for frontline staff to be involved in the investigative process. For example, IPR staff can go directly to the scene of officer deadly force incidents. Additionally, civilian staff can complete intake and intake investigations. Staff can do (mostly) independent investigations and have nominal

**Commented [DH80]:** Be sure to include availability for such on-scene response in the "duties" section. -DH

subpoena power for documents and people.

#### Qualifications of Investigators

The current system has experienced investigators. IPR and Internal Affairs investigators collaborate, team up, advise, consult, share information, knowledge, and experience about how to conduct investigations. All of these investigators have prior investigative experience, including experience with sex abuse, homicides, criminal, personnel, and administrative investigations.

**Commented [DH81]:** Currently, IPR investigators get trained alongside PPB Internal Affairs investigators. Having the oversight agency collaborate or train with police bureau employees can compromise the independence of the new Board. (co-chairs' note)

**Commented [DH82]:** Perhaps add social work including child services, medical, and insurance investigators to this list. (co-chairs' note)

**Items for Discussion Identified in Officer Accountability Phase 3:**

**INTAKE:**

Assigning advocates/navigators to complainants upon intake: do these assistants come from a City employee pool, community organization contractors, or other?

(From Co-Chair discussion)

How many advocates will be needed?

If there are 10 advocates they would each have roughly 28 clients per year.

(Will they be part time?)

Advocates: Continuing education for them. Community education about the process.

**Commented [DH83]:** Trauma Intervention Program <<https://www.tipnw.org/>>. has intervened when police had a conflict with someone in crisis. They have over 200 volunteers. Could be a good pipeline for the advocate position. (AA)

**Commented [DH84]:** How much of this work can be done remotely? Is this a transition question or something we need to contemplate in this phase? (co-chairs' note)

**Commented [DH85]:** Discuss mental health as noted above- Barriers and Best Practices #18.

**INVESTIGATIONS:**

Who should be hired as investigators? From Barriers document: "If an investigator is former law enforcement, community members may still see them as members of the police department. Further, community members do not differentiate between civilian and sworn members of PPB. It is confusing, frustrating, and intimidating to discuss your complaint about PPB with a current or former employee of PPB."

From co-chairs discussion:

How many investigators?

Currently: 6 investigators at IPR and 8 at internal affairs (14).

Assigned 30 investigations in 2021 (with <200 complaints)

From 280 non-dismissed complaints assume 200 full investigations, 50 mediations, 30 informal resolutions.

5-10 cases per year per investigator (depending on complexity)? Probably need about 28 investigators (average of 7 cases per investigator lasting 70 days each, for 200 investigations).

Should the Board write or at least approve rules set up by the Director? IPR code 3.21.170 K states: "IPR shall adopt, promulgate, amend and rescind rules and procedures required for the discharge of the Director's duties, including policies and procedures for receiving and processing complaints, conducting investigations, and reporting findings, conclusions and recommendations." And the Citizen Review Committee is supposed to "Advise on operations." (IPR Code 3.21.090A).

**MEDIATION:**

*Have at least one staff person who's dedicated to mediations (part or full time). Portland likely would need far less than 130 mediators used in San Francisco. Consider paid professional mediators rather than volunteers.*

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HIRING (from co-chairs' discussion):

Do outreach to create a pipeline of employees for the Board by engaging people in the community.

**Portland City Charter Section 2-10**

**Section 2-1005 Professional Staff of the Board.**

The Board shall hire a Director to manage the professional administrative staff and professional investigators, and to make operational and administrative decisions. The Director is a "Bureau Director" for purposes of Charter section 4-301 and shall be appointed by, and serve at the will and pleasure of, the Board. Professional staff of the Board, other than the Director, shall be appointed by and serve under the direction of the Director as classified employees.

**Section 2-1006 Independent Authority.**

The Board shall have authority to exercise independent judgment in performing all legally assigned powers and duties. The Mayor, City Council, Auditor, and City departments, bureaus and other administrative agencies shall not interfere in the exercise of the Board's independent judgment. The physical office of the Board shall be located outside of a Portland Police Bureau facility.

**Portland City Code**

**3.21.040 Director Selection and Removal.**

A. The City Council shall select the Director of IPR, in accordance with the City's human resource policies and rules and any other applicable laws, by the following process:

1. Each Council member shall select a member of their staff to be part of the recruitment and selection process;
2. The selected Council staff shall work with the Director of the Bureau of Human Resources (BHR) or designee to create a job posting that comports with the necessary and desired qualifications for an IPR Director;
3. The Director of BHR or designee shall assess minimum qualifications and provide the eligibility list to the selected Council staff, who shall then determine at least three candidates best qualified to interview;
4. The selected Council staff shall interview the candidates and the top scoring candidate will be moved forward;
5. The top scoring candidate shall be presented to Council for consideration and vote; and
6. Council shall determine whether the presented candidate is well-suited for the position and may vote either to appoint the candidate as IPR Director or not to appoint the

candidate, and if not appointed, then the selected Council staff shall present the next top scoring candidate to Council for consideration. The selection process shall continue as stated until Council votes to appoint a candidate as the IPR Director; this shall include reopening the recruitment process if none of the interviewed candidates are appointed by Council.

**B.** The Director shall be a person of recognized judgment, objectivity and integrity who is well-equipped to analyze problems of administration, and public policy, and shall have a working knowledge in criminal justice commensurate to the powers and duties of the office.

**C.** The Director of IPR shall be removed from office only upon a finding of cause and by a vote of four or more members of Council.

#### 3.21.050 Staff and Delegation.

**A.** The Director may appoint other personnel necessary to carry out the provisions of this chapter, when in keeping within the adopted budget for the IPR.

**B.** The Director may delegate to a designee any or all duties or responsibilities.

#### 3.21.060 Office Facilities and Administration.

**A.** The City shall provide suitable office facilities for the Director and staff in a location convenient for the public but separate from the Bureau.

**B.** The Director shall comply with the City's purchasing procedures but shall have sole discretion in choosing consultants to assist with investigations.

**Commented [DH86]:** Charter 2-1005: Professional staff of the Board, other than the Director, shall be appointed by and serve under the direction of the Director as classified employees.

NOTES TO CONTEMPLATE

**CITY BUDGET**

FY 2022-2023 Independent Police Review

14 full time positions, \$2,820,881 + \$150,000 admin support person added = \$2,970,881

Current: 11 people.

Director

Deputy Director

Lead Investigator

5 Investigators

Management analyst

Admin. Specialist (provides administrative support to IPR management and investigators)

Operations coordinator (coordinates the office's overall administrative functions in support of operations and serves as a liaison between IPR and its interagency and administrative partners.)

(Previous positions: Investigations Coordinator: oversees the investigations unit and the Community-Police Mediation Program, Outreach Coordinator, Policy Coordinator.)

Expenditures

Personnel Services	\$ 2,365,310
External Materials and Services	\$ 168,548
Internal Materials and Services	\$ 437,023
Bureau Expenditures Total	\$ 2,970,881

14 FTE about \$3m means \$12m will pay for as many as 56 FTE (maybe more if materials and services don't also need to be multiplied fourfold).

**Commented [DH87]:** Estimated 5% of Portland Police Bureau Budget.

Other questions/ideas (from Co-Chairs)

Do outreach to create a pipeline of employees for the Board by engaging people in the community.

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Education on rights=Constitutional rights.

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Assuming about 400 community complaints a year (based on IPR pre-2020):

IPR dismissed about 43% in 2021, assume the new Board will dismiss maybe 30%.

That leaves 280 complaints or about 1/day. (120 dismissed)

How many advocates will be needed?

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If there are 10 advocates they would each have 28 clients per year. (Will they be part time?)

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Advocates: Continuing education for them. Community education about the process.

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Dunbar's number: 148 relationships are sustainable to a person at a given time.

How many investigators?

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Currently: 6 investigators at IPR and 8 at internal affairs (14).

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Assigned 30 investigations in 2021 (with <200 complaints)

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From 280 non-dismissed complaints assume 200 full investigations, 50 mediations, 30 informal resolutions.

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5-10 cases per year per investigator (depending on complexity)? Probably need about 28 investigators (average of 7 cases per investigator lasting 70 days each, for 200 investigations).

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Wild guess: 28 Investigators + 10 advocates + Director + Deputies (2) + Outreach / Mediation + Policy + Legal Counsel + 6 admin staff (reconfigure based on Subcommittee discussions of staff requirements)

Estimated 50 staff leaves the equivalent of 6 FTE salaries for board members compensation?