# City of Portland
## Police Accountability Commission
## Outline – Oversight Staff

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# 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."[1]

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

**Commented [1]:** 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.

[1] Footnote: From Denver.

## 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.[2]

### 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.[3]

### 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.[4]

**Commented [2]:** Question from meeting: Does Auditor's independent legal counsel need to be approved by City Attorney's Office?

### 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.

**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.

**Commented [DH3]:** Suggestion (AA): Have someone act as a "lobbyist" to change federal/state laws that impact the Board's work .

B3b-ii Mediation,[5]
B3b-iii Investigation,
B3b-iv Hearings support.[6]
B3b-v Records.[7]
B3b-vi Outreach/Community Engagement.[8]

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[2] Footnote: added by Commissioners.
[3] Footnote: Proposed in PAC's Agenda and Scope, found in San Francisco, Oakland and Seattle.
[4] 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).
[5] Footnote: From San Francisco.
[6] Footnote: added by Commissioners.
[7] Footnote: From San Francisco.
[8] Footnote: Found in Washington, DC, New York, San Francisco.

B3b-vii Intra-governmental affairs.[9]
B3b-viii Data analysis:[10] to include demographics and disparities.[11]
B3b-ix Equity and Inclusion.[12]
B3b-x Public affairs/communications[13]
B3b-xi. Personnel.[14]

**B3c**. Hiring of the following staff positions shall involve the Board members:
B3c-i Auditor/monitor/inspector-general.[15]
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.

## 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.[16]
B4a-vii Trauma-informed service delivery, focused on interviewing and other community interactions.[17]

**B4b.** It is not necessarily appropriate for the Police Bureau to give administrative and legal guidance to staff.[18]

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[9] Footnote: From New York.
[10] From New York.
[11] added by Commissioners based on New York's Racial Profiling unit.
[12] Footnote: added by Commissioners; suggested by San Diego City staff.
[13] Footnote: From 3/13 meeting
[14] Footnote: suggested by San Diego City staff.
[15] Footnote: In Oakland, the board hires this position.
[16] Footnote: Each of these six items from New York.
[17] Footnote: Added by Commissioners.
[18] Footnote: Adapted from New York.

## B5. Staff qualifications

Commented [DH4]: Suggestions for backgrounds of investigators (AA)

**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.[19]

**B5b.** The oversight agency should include as a preference in staff recruitment that candidates have experience working with community.[20]

B5b-i. Other preferred background qualifications include candidates with public defense or civil rights backgrounds, investigative, policy, and/or management skills.[21] Investigative background can include Child Services, insurance investigations, and other non-police agencies.[22]

B5b-ii. Staff should also be versed in contemporary legal topics related to policing such as Critical Race Theory.[23]

## 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.[24]

**B6b.** Staff and community engagement

B6b-i. The oversight body conducts public education on the role of the oversight system and community members' rights,[25] keeping the community informed of activities, how to file complaints without fear of retaliation, and receive input.[26]

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,

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[19] Footnote: Adapted from New York.
[20] Footnote: Suggested by Oakland oversight staff.
[21] Footnote: Suggested by Oakland oversight staff.
[22] Footnote: added by Commissioners.
[23] Footnote: added by Commissioners.
[24] Footnote: In Seattle, this is the job of the Inspector-General.
[25] Footnote: Rights trainings done in New York and San Francisco. * Education on rights=Constitutional rights. (note from co-chairs)
[26] Footnote: from San Diego City.

not just focus on trainings directly to the public.

B6b-iii. Participatory public process is the goal, not just a check-box. The public's input needs to be integrated into the outcomes.[27]

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,[28] immigrant communities including undocumented communities and others negatively affected by policing.[29]

B6b-vii. Outreach locations should include schools, libraries, community organizations, neighborhood meetings and organizations serving the houseless population.[30]

B6b-vii. Community engagement includes discussions on how to improve police practices and policy which include soliciting community input.[31]

**Commented [DH5]:** 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.[32]

[27] See this resource for more information: https://www.iap2usa.org/resources/Documents/IAP2USA_PillarsOfPublicParticipationBrochure.pdf
[28] Footnote: from Washington, DC
[29] Footnote: added by Commissioners.
[30] Footnote: Adapted from New York, which includes "housing authority"
[31] Footnote: from Chicago and Los Angeles County.
[32] 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.[33]

### C2. Office Location

**C2a.** The offices may be located in a private office space.[34]

**C2b.** The offices should not be in the same building with the Mayor or the police.[35]
C2b-i Charter 2-1006: The physical office of the Board shall be located outside of a Portland Police Bureau facility.

C2c. The office should not be in a space where security is provided by law enforcement.[36]

**Commented [DH6]:** Question: (AA) Should the Board not share space with ANY city entity to affirm the non-interference clause in 2-1006?

### 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.*

[33] Footnote: suggested by Commissioners
[34] Footnote: also found in Washington DC, Denver and Oakland.
[35] Footnote: from San Diego City, San Francisco
[36] Footnote: adapted from San Diego County.