

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

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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 was 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. 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 or appointed officials at any level of government."

Commented [PAC1]: STAFF NOTE: Not a proposed change to this document, but this text would reflect the proposed change to Structural Oversight (if the PAC approves *that* proposed change).

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.¹ The Director will be a “Bureau Director” as defined by the Charter.²
- 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. These include the Portland Police Bureau, Mayor, City Council, Bureau of Human Resources, City Attorney’s Office, and Office of Government Relations.³

¹ [Portland City Charter § 2-1006 Independent Authority](#), See also: [Police Accountability Definitions](#)

² [Portland City Charter § 2-1005 Professional Staff of the Board](#), See also: [Police Accountability Commission Areas of Agreement on Oversight Staff § C3a](#)

³ 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.”

- D. The oversight board shall maintain a working relationship with other parts of the City government, and work with those entities to ensure there is no duplication of names and titles, processes, and terminology. This process shall seek to avoid confusion and create clarity for the community.

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.
- 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 conclude as part of oversight board implementation.⁴
- C. The oversight board and bureau shall maintain a working relationship with other advisory committees related to police and policing. 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 choose to create joint study committees to research those issues and develop joint recommendations.
- D. Framework for independent and voluntary incorporation
Other advisory groups related to police and policing, whose functions incorporate officer accountability and/or policy recommendations, may independently and voluntarily seek to conclude operations and request that the oversight board assume their duties.
 - i. This process would be initiated through mutual consent by the advisory group, the oversight board, and the bureau associated with the advisory group.

⁴ The CRC will conclude on a schedule to be defined in the PAC-proposed Transition Plan.

- ii. Other details would be developed between the incorporated group, following their voluntary choice to pursue incorporation, and the oversight board.
- E. After the oversight board has been implemented, no sooner than two years after the Board has begun taking on complaints from the public (Transition Plan “Post-Transition Phase Day One”) it may undertake a review of all advisory groups related to oversight of police and policing, including communicating directly and transparently with volunteers serving on those groups, and may make recommendations to the Mayor and/or City Council regarding “how the different aspects of the current oversight system will function, or cease to function,” including “how and when to wind down the current oversight systems.”⁵
- F. 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.⁶

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.⁷
 - ii. The only complaint types which currently go to PPB Internal Affairs that would not go to the oversight board are complaints filed by Bureau employees, about conduct not affecting any community member, where the complainant officer does not choose to have the board investigate.
- 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 Employee Information System (EIS).

⁵ [Portland City Council Resolution 37548, Exhibit A, Transition Plan](#)

⁶ Portland City Charter, [Ballot Measure 26-228 § 2-103](#), (effective January 1, 2025).

⁷ [Police Accountability Commission Areas of Agreement on Officer Accountability, §A6](#)

B. Relationship with County Government

B1. 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 the Board or staff issue a subpoena which 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.^{8,9}
- 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.

B2. 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.

⁸ [Portland City Charter § 2-1007\(a\) Powers of the Board](#)

⁹ [Police Accountability Commission Areas of Agreement on Officer Accountability, §B2N](#)

B3. 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 exchanging information in pursuit of oversight goals and responsibilities.

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.¹⁰

C2. Exchange of Information With / About Other Law Enforcement Agencies

- A. 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.
- B. The oversight board and bureau shall also maintain a working relationship with the Department of Public Safety Standards and Training (DPSST), including sharing information about cases in which officers were found to have committed misconduct and cases in which a finding of "training

¹⁰ 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.

failure" was reached.¹¹ This relationship shall benefit the community by promoting improvement in training and performance of officers.

C3. Employment Relations Board

The oversight board and bureau shall maintain a working relationship with the state Employment Relations Board (ERB). This relationship will be beneficial to the board understanding arbitration and its role in the process of addressing allegations of officer misconduct.

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

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.

D. Relationship with Federal Government

D1. Obligation to Follow Federal Law

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, including any amendments. Implementation of the oversight board is obligated to follow the Settlement Agreement, Paragraph 195.

D2. Exchange of Information With / About Other Law Enforcement Agencies

A. The oversight board and bureau shall maintain a working relationship with federal law enforcement agencies, including the US Marshals, 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

¹¹ [Police Accountability Commission Areas of Agreement on Officer Accountability, § C1\(B\)\(i\) and C1\(C\)\(ii\).](#)

with relation to (federal-run) jails, prisons, and detention centers.

Commented [PAC2]: Co-Chairs' Proposed Change (1/2): Reflects County/State language.

D3. Support of federal court consideration of cases involving officers or incidents subject to complaint

The board shall collaborate to the extent allowable under law with federal 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.

Commented [PAC3]: Co-Chairs' Proposed Change (2/2): Reflects County/State language.

E. Relationship with other municipalities and governments

For those agencies not addressed in other sections of this plan, the oversight board and bureau shall also maintain a working relationship with law enforcement entities outside of Portland, including but not limited to those municipalities whose law enforcement officers may interact with community members in Portland, TriMet police, and private security agencies serving in public spaces while acting in an official or unofficial law enforcement capacity.

F. 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.¹²

¹² [Police Accountability Commission Areas of Agreement on Board Membership, §D2\(A\)\(iii\)](#)