

City of Portland

Police Accountability Commission

Outline – Transition Plan

1. Charter 2-10 Sections Related to Transition Plan
 - a. From Exhibit A of City Council Resolution 37548 (7/28/21) - Transition Plan: This system will replace and fundamentally change how police oversight is conducted in the City of Portland. A transition plan is required to switch from the current systems to the new system. The Transition Plan must include the following components.
 - i. Council shall continue to fund the Independent Police Review to maintain the existing staffing and resources as needed for the transition.
 - ii. Once the new system is adopted and operational, what should happen with existing police misconduct investigations and cases that will be covered by the new Oversight Board be handled.
 - iii. How to incorporate current best practices and procedures into the new system, including how the different aspects of the current oversight system will function, or cease to function.
 - iv. How to transfer existing files and institutional knowledge to the new system.
 - v. Whether the existing human resources administrative rules that would provide a preference for employees of the current oversight system should apply to the Community Police Oversight Board?
 - vi. How and when to wind down the current oversight systems.
 - vii. What parts of current police oversight code should be transferred to the new system.
 - b. From Settlement agreement
 - i. 195. In 2020, the City referred to voters a ballot measure that would overhaul the police accountability system incorporated into this Agreement by establishing a new Community Police Oversight Board to replace IPR for investigations of certain complaints of police misconduct and to PROPOSED SECTION XI replace the Chief of Police for imposition of discipline. City voters approved the ballot measure. The City has since empowered a 20-member civilian Commission to define the duties and authority of the Oversight Board and submit a proposal to City Council for final approval.
 - ii. The City will comply with any collective bargaining obligations it may have related to the Oversight Board, which the City agrees to fulfill expeditiously and in compliance with its obligation to bargain in good faith.
 - iii. Within 18 months of the date this paragraph is entered as an order of the Court, the Commission shall propose to City Council changes to City Code to create a new police oversight system as reflected in the City of Portland Charter amendment establishing a Community Police Oversight Board. Within 60 days of receiving the Commission's proposal, the City will propose amendments to City Code to address the Commission's proposal, and corresponding amendments to this Agreement, subject to the United States' and the Court's approval, to ensure full implementation of the Oversight PROPOSED SECTION XI Board and effective police accountability, consistent with the requirements of this Agreement. Within 21 days of the approval of the amendments to the

Agreement by the United States and the Court, the City Council shall consider and vote on the conforming City Code provisions creating the Oversight Board. Within 12 months of the Council's adoption of the City Code provisions, the new Oversight Board shall be staffed and operational, and IPR shall then cease taking on new work and complete any pending work. For good cause shown, the deadlines imposed by this subparagraph (b) may be reasonably extended provided that the City is in substantial compliance with subparagraph (a).

- iv. Before January 1, 2022, the City Council and Auditor shall each present a plan to the United States for an orderly transition to the Community Police Oversight Board by ensuring the continuity of IPR operations while the Commission develops the Oversight Board for City Council's approval. The United States shall determine whether either of these two plans is acceptable. City Council will then adopt a plan that the United States has determined is acceptable. The Parties agree that the adopted plan shall be appended to this Agreement and will become part of this Order, provided that the Parties may agree to modify the plan if warranted by the circumstances. Until the Oversight Board becomes operational, the City shall ensure that administrative investigations are completed as required by Section VIII – Officer Accountability and that officers are held accountable for violating PPB policy and procedure as required by Paragraph 169.

2. Existing City Code and Policy

- a. Compliance and flexibility with the City Board and/or Commission policy

3. Previous PAC Areas of Agreement - recommendations developed in timeline order

- a. Board recruitment and membership
 - i. Board applications, nominations, recruitment and selection (Board Membership C6)
 - ii. Staggered terms for first set of board members (Board Membership F2)
 - iii. Board member onboarding and training (Board Membership E1 and E2)
- b. Secure information transfer/ data requirements/ protocol
 - i. Protocols for securing both physical and electronic information during its consideration of complaints, (Access to Information D2)
 - ii. Protocols for access to raw body camera footage (Access to Information E1, E2, E3)
- c. Ongoing investigation transitions
- d. Recommendations regarding board involvement in Collective Bargaining processes

4. Previous Garden Plot Items