

City of Portland  
Police Accountability Commission  
Outline – Transition Plan

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## A. Overview of Timeline

### A1. Council Approval Process (September 2023 – estimated June 2024)

- A. PAC presents work to Council
  - i. Council proposes Settlement Agreement amendments allowing for implementation of oversight board (60 days)
  - ii. USDOJ and US Court review of Council-proposed agreements to Settlement Agreement (estimated 6-7 months)
  - iii. Council approves final text of Settlement Agreement amendments and votes on PAC recommendation code changes (21 days)

### A2. Transition Period (July 2024 – at latest June 2025)

- A. Oversight Board officially exists; up to 1-year transition period begins (Month 1-12)
  - i. Although the oversight board will exist, it will not have any members appointed, nor staff hired, at the beginning of this process
  - ii. The Transition Team will manage the oversight board on an interim basis, including board member recruitment and onboarding and Director application management.
- B. City Council appoints first board members
  - i. Incoming board members will work to hire the Director and implement the remaining portions of this transition plan
- C. Oversight Board hires first Director
  - i. The incoming Director will work to implement the remaining portion of this transition plan.
- D. Director hires other staff – prioritizing intake and investigators
- E. Oversight Board drafts foundational Board documents, including by-laws and other necessary documents

**A3. Sunset of Existing System (July 2025 – December 2025)**

- A. 1-year transition period ends; new complaints no longer go to IPR. IPR wraps up remaining complaints (assume 180 days maximum overlap period)
- B. 1-year transition period ends, Oversight Board starts taking on new complaints
- C. CRC?

**Commented [PAC 06-011]:** Staff note: May need to be updated due to CRC information.

**Commented [AF2]:** From Dan and Tim – Overlap could take as long as 2-years. Needs review.

**Commented [AF3]:** (referenced below – will decide if belongs here)

**B. Transition Team and Budget Access**

- A. The initial implementation of the Oversight Board Transition Plan will be managed by an Oversight Board Transition Team including staff and volunteers.
- B. They will have essential duties to ensure that when the Board is created they are able to initiate board recruitment and training right away.
- C. The Transition Team shall coordinate City Council appointment of the initial 33 Oversight Board members, so that appointments may be made promptly upon creation of the Oversight Board at the start of the 12-month transition period. The Transition Team may also assist as necessary in initial Oversight Board staff and member training and initial organizational tasks.
- D. Many of the tasks necessary to begin can be done prior to the beginning of the one-year transition period. Some of these tasks may include:
  - i. Developing internal City capacity for the recruitment process, drafting board application, ensuring legal compliance
  - ii. Coordination between bureaus
  - iii. Creating necessary City infrastructure for future board members (having IT permissions, protocols, and files in place)

E. The Transition Team shall be hired/appointed during the period set aside for Department of Justice and judicial review of changes to the Settlement Agreement related to implementation of the Oversight Board.

#### **B1. Transition Staff**

A. The City shall create a transition staff to facilitate the early stages of the transition period. This transition staff shall be managed by at least one full-time City of Portland employee, preferably one who is familiar with the work of the Police Accountability Commission.

B. Transition staff positions shall be transferred to the Oversight Board upon the hiring of the Oversight Board director.

#### **B2. Transition Volunteers**

A. The City shall also create a group of transition volunteers, consisting of up to 12 former members of the PAC and CRC who are not interested in being on the new Board. City Council shall appoint the transition volunteers, a process that transition staff will coordinate.

A-B. The transition volunteer group shall sunset 30 days after the appointment of the first Oversight Board members.

#### **B3. Budget Access**

A. To accomplish the timeline outlined in this document, several factors are reliant on having necessary budget available to staff the transition. In this section, the recommended funding for staffing is outlined as well as potential delays in the timeline if funding is not available. The Charter outlines that the budget is available on Day One of the board, but there are pressing matters that would make the transition feasible if there is budget available prior to that date.

B. The timeline outlined in the recommendations of this document assume that necessary budget and support will be in place to accomplish the transition. If funding is not in place, work cannot begin until Day One, and the work outlined here will be significantly delayed. These delays could place the City out of compliance with the Charter and potentially the Settlement Agreement. "Necessary budget and support" includes, at minimum:

- i. Authorization for up to three staff positions including the staff member designated to manage the team.
- ii. Funding for outreach, recruitment, technology, and transition staff, of at least \$500,000 of the Oversight Board's budget allocation for the transition fiscal year(s).

B-C. Remaining portions of the Oversight Board's budget allocation for the fiscal year(s) in which the Board members are appointed and the Director is hired would remain accessible to the Board and Director.

## C. Initial Member Appointment and Training

### C1. Member Appointment

- i. Applications for Board Membership will be available beginning in Month One of the Transition. Transition staff will~~There will be a staff person (Recruiter)~~ manage the application process and conduct outreach to the community. Once 4-6 weeks has passed, the application will remain available so that additional applicants can apply; however, the applications submitted in the 4-6 weeks will constitute the first applicant pool.
- ii. The transition team staff will review all applications and submit to the City Council a set of applications for them to consider. Appointments made before January 1, 2025 will be made by the full City Council, including the Mayor and four commissioners; appointments made after January 1, 2025 will be made by the vote of the 12 members of the City Council~~With the current form of City~~

Commented [AF4]: Needs discussion

Commented [PAC5]: Staff note to add citation to Charter (new).

~~Council, the 4 commissioners and the Mayor will vote to appoint Board Members; once the new form of government takes effect, the 12 members of the City Council will vote to appoint Board Members.~~

- iii. The City Council shall have 2-4 weeks to review the applications and then will let the Recruiter transition team know which ones they would like to vote to appoint. If there are not enough appointees in this first round, then the application will remain open and ~~the~~ transition team staff will continue to review applications and submit new batches to City Council every 2 weeks until the Board is complete.
- iv. All Board Members appointed in the first year will be appointed for terms lasting 2, 3, or 4 years, with the length of term beginning on the first day of Month 13. Seats 1-11 will be a 2-year term, seats 12-22 a 3-year term, and seats 23-33 a 4-year term. Board applicants may select their preference of term length and the transition team staff will do their best to accommodate first or second preference in the batch of applicants sent to City Council.

## C2. Initial Member Training

- A. The goal is to prepare the board members to function as a city body, hold hearings/appeals, impose discipline as appropriate, and recommend policies.
  - i. After Council appointment, members and alternates shall go through training, both training organized by staff and peer training with more experienced members.
  - ii. Training organized by staff may be delivered by staff and/or by experts and affected parties. Topics shall include, at minimum:
    - i. City training applicable to all members of City advisory groups
    - ii. Training on public meetings and public records law

Commented [PAC6]: Edit by Faythe

Commented [PAC 06-017R6]: Staff proposed rewording: "Seats 1-11 will serve for the remainder of the transition period and one year beyond the end of the transition period" etc. (to avoid saying "4 years" when Board Membership says "3 years")

Commented [AF8]: Needs discussion

Commented [PAC9]: Videos presented to PAC: City Attorney (Board member basics and ethics of public officials including public meetings and public records), Bureau of Human Resources (harassment, discrimination and retaliation)

Links: <https://vimeo.com/351003428/a98a3cb63f>  
[https://www.youtube.com/watch?v=3cEQ\\_6XWWm4](https://www.youtube.com/watch?v=3cEQ_6XWWm4)

Commented [PAC10]: Member suggestion (Dan): Possibly delivered by City Attorney or Auditor's attorney

iii. Training about the **Portland Police Bureau**. Including its history including lawsuits, history of the Portland Police Association, key events, policies, procedures, and internal PPB training.

**Commented [PAC11]:** Member question: who should deliver this? Civil rights attorneys or activists? Is there a role for PPB or PPA to play? Would that harm community trust in the new board?

iv. Training about the oversight board and staff, including its history:

1. The history of the Independent Police Review, Citizen Review Committee, and Police Review Board delivered by people involved in those entities
2. History of ballot measure delivered by people involved in drafting and promoting 26-217
3. History of PAC delivered by PAC members

v. Training about the oversight board's internal structure and processes

vi. Training about civilian oversight of law enforcement

vii. Training **about local history of over-policing**, including geographically specific training, BIPOC, and people with mental illness

**Commented [PAC12]:** Delivered by civil rights attorneys, public defenders, civil rights activists? Specifically, from members of over-policed communities like BIPOC, people with mental illness/addiction, houseless communities, etc.

viii. Paperwork necessary to ensure access to City resources, including compensation and other support services, potentially from BHR

ix. Training on confidentiality

iii. Peer Training

i. **Appointees shall be assigned to one or more current full board members for peer training**

1. **Training should be done by members of the Citizen Review Committee and Police Review Board. The new oversight board members should be allowed to review case files in CRC appeals and PRB cases, think about the findings they**



would come to in those cases, and attend the hearings (without interfering) as part of their training on how to review complaints. Preferably, the community pool members of the PRB will conduct the training and not members of the PPB.

Commented [AF13]: Needs discussion.

- ii. The oversight board shall establish a list of responsibilities and topics to be covered during peer training such as how to review a case file, the meaning of the findings, how the discipline guide works, procedural issues for hearings.

Commented [AF14]: Is it more appropriate to have Transition Team members determine this?

## D. Initial Staff Hiring and Training

### D1. Director Hiring

#### A. Hiring of initial staff

- i. As soon as the Board has a quorum, the search for a Director will commence. ~~the Recruiter~~ transition staff will post the job and conduct community outreach, so the community is aware of the position. Once Transition staff has sufficient qualified applicants, they will share these applications with the Board. The Board will conduct interviews and select the Director.

### D2. Priority Staff Hiring During Transition Period

Once the Director is hired, they will work with initial staff (including transition staff member(s)) to recruit the staff for the Oversight Entity. ~~Recruitment for staff will not begin sooner than Month Seven, giving six months to hire (and onboard?) the staff.~~

#### A. The Director will prioritize~~s~~ the hiring of intake staff and investigators

### D3. Staff Training

- A. Director Training – Transition Team
- B. After Director is hired, they take over all training responsibilities (as per “Oversight Staff”)

## E. Transfer of Files and Information from Current Systems

Waiting on information from drafting group

## F. Sunsetting of IPR and CRC

### F1. General IPR-CRC Transition

A. Beginning in Month 13, IPR will no longer accept new claims. They will continue to work through any claims accepted prior to Day One of Month 13. As their work winds down, the IPR Director, along with Bureau of Human Resources, will determine how to reduce the size of the organization to match the workload.

B. IPR staff will be given hiring preference to work on the staff of the new Oversight bureauEntity, as long as they meet all additional criteria for employment. The transition of IPR staff to the new Oversight Entity-bureau will be coordinated between the Directors of the organizations, so that IPR does not lose more staff than they can handle at the beginning.

C. The Citizen Review Committee and the Police Review Board will continue to hear appeals and PRB cases until the last ones initiated under the old system are completed. This ensures the Oversight Board does not hear cases using older procedures and standards.

D. CRC members who wish to apply to be on the Oversight Board should announce their intention once the application process is opened. CRC should continue to function with no fewer than 7 members of its allotted 11 members so they can hold hearings (with a quorum of 5) and sit in on PRB hearings where CRC members are required.

~~D-E.~~ The pool of PRB members shall be sufficient to hold Police Review Boards for as long as two years after the new system is in place, and the pool of CRC members shall also be sufficient to complete any ongoing work.

**Commented [PAC15]:** Question from Q&A: Will this include the director?

**Commented [PAC16]:** Staff note: "Prior to the end of month 12"?

**Commented [PAC17]:** Staff note: Text similar to "PPB shall ensure that" and "IPR or CSD shall ensure that" would help clarify who is responsible.

**Commented [AF18]:** Needs discussion.

F2. What happens to unresolved complaints at the end of the 180 days (or other timeline in F1)

**Commented [AF19]:** Solved for above

F3. Conditions for early sunset of IPR / CRC (e.g. if they have 2-3 cases remaining on day 30)

**Commented [AF20]:** Addressed in Item G above

## Reference Information

1. Mandate of the Sub-Committee
2. Agenda and Scope
3. Timeline (Staff to update based on this conversation)
  - a. September 2023-June 2024
  - b. June 2024-?
4. Budget Access (co-chairs to write new text)
5. Transitional Staff (co-chairs to write new text)
6. Appointment Process (from existing)
7. Member training (from existing, co-chairs may shorten/trim)
  - a. Onboarding Process and Training
  - b. Peer Training
8. Staff Training (co-chairs may leave unwritten or write new text saying who does it)
9. Hiring of initial staff (Staff to write new text based on timeline text from co-chairs)
10. Transition of files/information (Waiting on Angie/Lovisa)
11. IPR-CRC Transition (from existing text)
12. one-time activation (co-chairs to write new text)

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.

## Agenda and Scope

### f. Transition Details

- i. IPR continuing and concluding work on ongoing investigations
- ii. Will existing staff (IPR/IA/etc.) get preference to apply?
- iii. Key dates and transfer of responsibilities

### E-F Questions to be addressed:

- i. Board Member Training:
  - i. Will people be paid to conduct these trainings?
  - ii. (Who decides how to spend the \$12.3 million before the Board and Director are selected? Remember the non-interference clause in Charter section 2-1006.)
  - iii. To what extent will a project manager assigned to the transition be able to coordinate or deliver these trainings?
- iv. Does the PAC want to recommend board members attend citizens academy, and/or go on ride-alongs? And perhaps engage in a houseless immersion.

- v. [Add section about trauma-informed trainings and determine correct category for it (e.g., delivered by staff, peer training, etc.)]
- vi. [Add section about training members on their responsibility with relation to confidential information]
- ii. Initial Appointments:
  - i. Can a Board member apply to be Director?
  - ii. Do Board members start earning compensation upon appointment or once the Oversight Entity is fully-operational?
  - iii. Timeline—how much time do we need for hiring staff? What happens if people are extended job offers several months before the work starts?

**Commented [PAC 06-0121]:** GARDEN PLOT: Possible revisions to "Board Membership" document.

**Commented [PAC 06-0122]:** GARDEN PLOT: Possible revision to "Oversight Staff" document.

**Commented [PAC 06-0123]:** Staff note: Should be addressed in "initial appointment" section above.

From the Plan to Establish the Independent Police Review on Removal from Auditor’s Office:

“Council shall fund the Office of IPR at an amount that continues the current number of positions until, upon completion of the work of each position, the work transitions to the new Oversight Board.”

“the City will maintain the funding for IPR to continue the necessary work, including sufficient staffing and other resources, and the IPR Director shall actively recruit and fill such positions, so as to complete the outstanding IPR work for which the vacated position was responsible.”

“The budget and associated expenses for the non-represented employee positions will transfer to the office or bureau according to the choice made by the respective employees; provided, however, if any vacancies exist in the non-represented positions at the time IPR completes its work then the vacant positions shall be eliminated in the budget.” (“Upon the completion of IPR’s work.”) – This seems to indicate that when IPR employees transfer from the organization, if they transfer to a different city bureau then their budget transfers with them, including if an IPR employee transfers to the new Oversight Bureau.

\*Questions

1. As far as we can tell, the last members of PRB’s terms expired in September 2022 and February 2023. When was the last time members were appointed to PRB? Will existing members’ terms be sufficiently-long to deal with processing “old” claims?
2. Roughly 2 members of CRC’s terms end in 2023, 7 in 2024 and 2 in 2025. Will IPR re-nominate the current members to new terms and/or seek out new members for City Council to appoint?
3. Should the PRB Coordinator be on staff through the end of PRB’s work? (This is likely a decision the Police Bureau will need to make, but having the PRB Coordinator remain in place will accommodate our Transition Plan.)