

City of Portland  
Police Accountability Commission  
Transition Plan

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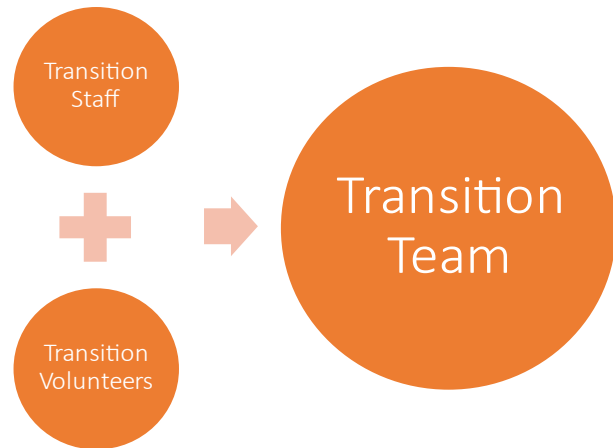
## A. Definitions and Overview of Timeline

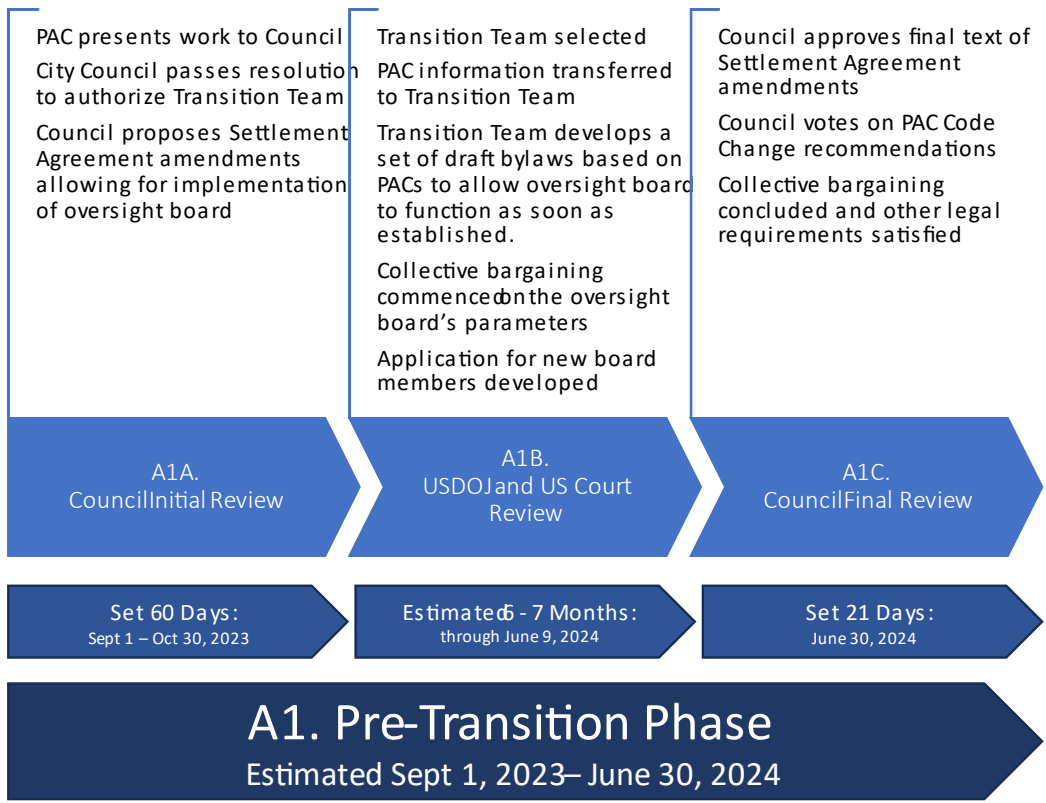
# Transition Team

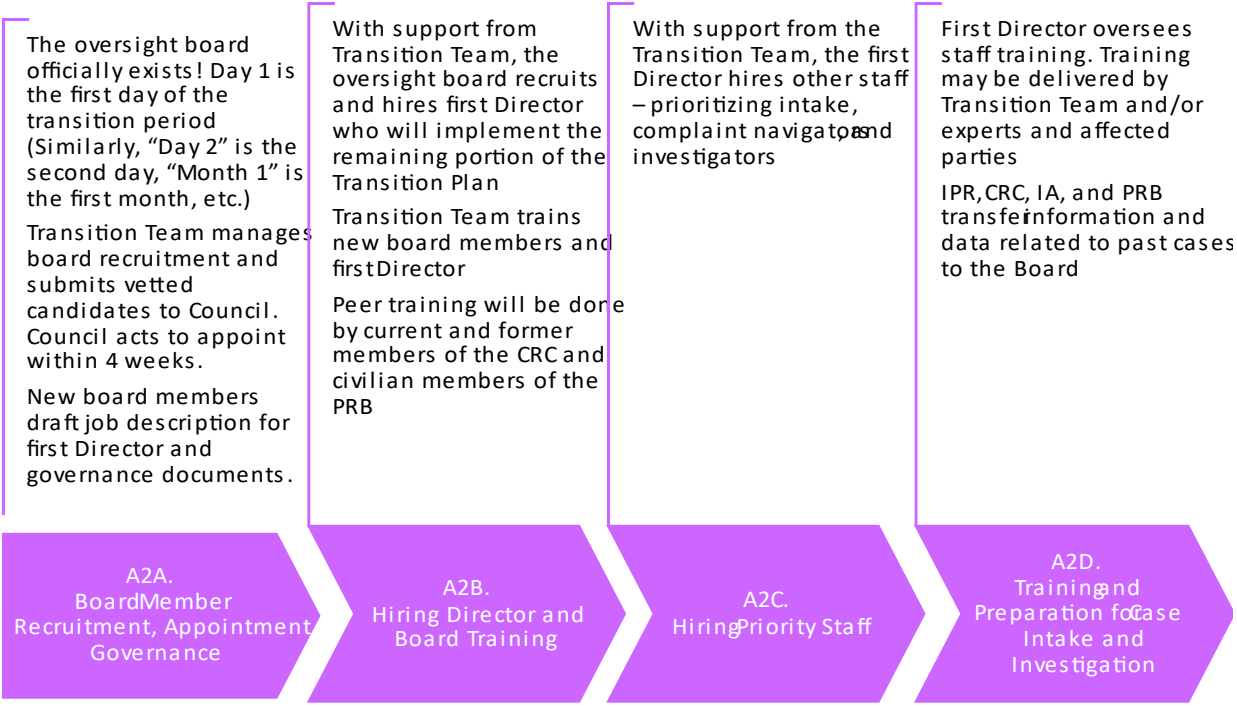
**Transition Team** – the collective term for transition staff and transition volunteers.

- **Transition Volunteers** – Up to twelve volunteers working on setting up the Oversight Board prior to the appointment and training of the initial 33 board members

- **Transition Staff** – At least three paid City of Portland employees, led by a transition manager, working on setting up the oversight board and bureau prior to the hiring and training of its first Director







**A2. Transition Phase**  
 Set 1 - Year Maximum; Estimated Start Date July 1, 2024

Intake of new cases within the oversight board's jurisdiction now handled exclusively by the oversight board. However, IA and IPR will continue their work to resolve complaints received prior to this period, even if those complaint types are under the oversight board's jurisdiction  
CRC will continue to hear appeals and shall work to resolve all pending appeals

No other bureau will continue work on administrative investigations of police misconduct.\* If any work is ongoing at other bureaus, they will transfer this unfinished work to the oversight board and bureau, who will complete the work

\* This only applies to the types of complaints the oversight board has jurisdiction to address

A3A.  
Phase I

A3B.  
Phase II

6 months  
Beginning at end of one year Transition Phase

Beginning at end of Post Transition Phase I

## A3. Post-Transition Phase

Estimated Start Date July 1, 2025

## B. Transition Team and Budget Access

### B1. General

- A. The initial implementation of the Transition Plan will be managed by a Transition Team that includes staff and volunteers.
- B. The Transition Team shall assist in initial Oversight Board staff and member training and initial organizational tasks. The Transition Team shall, as outlined below, coordinate City Council appointment of the initial 33 Oversight Board members and alternates, so that appointments may be made promptly upon creation of the Oversight Board.
- C. Many of the necessary tasks for board implementation can begin prior to the beginning of the Transition period. These tasks may include:
  - i. Developing internal City capacity for the recruitment process, drafting board application, ensuring legal compliance
  - ii. Coordination among bureaus
  - iii. Creating necessary City infrastructure for future board members (having IT permissions, protocols, and files in place)
- D. The Transition Team shall be selected during the second part of the Pre-Transition phase defined in Section A1B.
- E. The City Attorney's Office shall ensure that member(s) of the Transition Team are present for any mediation with the US Department of Justice related to the implementation of the Oversight Board. The Bureau of Human Resources shall ensure that member(s) of the Transition Team are present for any negotiation and mediation with collective bargaining units related to the implementation of the Oversight Board. These responsibilities will be transferred to the Director upon their hiring and completion of training, and Board members, upon their appointment and completion of training.
- F. The Transition Team shall provide a set of draft bylaws based on the PAC's to allow the new Board to function as soon as it is established. Once the

Board has approved the Director's job description, they shall adapt these documents as desired or create new ones.

## B2. Transition Staff

- A. During the first part of the Pre-Transition phase defined in Section A1A, the City Council or its designee shall create a transition staff of at least three people to facilitate the early stages of the Transition period, prior to a Director being hired. This transition staff shall be managed by a City of Portland employee, referred to as the "transition manager," who is preferably someone familiar with the work of the Police Accountability Commission (PAC).
- B. At the Director's discretion, transition staff positions may be transferred to the Oversight Bureau following the hiring and training of the Director. Remaining transition staff positions will conclude after the appointment and training of the Director.

## B3. Transition Volunteers

- A. The transition staff shall appoint a group of up to 12 transition volunteers who recuse themselves from the initial appointment of board members. These volunteers will be drawn from former members of the PAC and current or former members of the CRC and any other volunteer entity being concluded as part of Board implementation.
- B. The transition volunteer group shall conclude after the appointment and completion of training of the first Oversight Board members, but these volunteers should remain available as a resource to new Oversight Board members.

## B4. Budget Access

- A. To accomplish the timeline outlined in this document, several factors are reliant on having necessary budget available to staff the transition. The Oversight Board will have access to its budget on Day One of the Transition period (Section A2A), but due to potential delays in the timeline if funding is delayed, the transition would be more feasible if a budget allocation is available prior to that date. 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.
- B. The timeline outlined in the recommendations of this document assume that necessary budget and support will be in place to accomplish the transition. "Necessary budget and support" includes, at a minimum:
  - i. Authorization for three staff positions including the transition manager.
  - ii. Funding for outreach, recruitment, technology, and transition staff, of at least \$700,000 of the Oversight Board's budget allocation for the transition fiscal year(s). Access to this funding will be made available to the transition staff upon their appointment; PAC recommends that it occurs during the Pre-Transition period (A1).
- 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

- A. Applications for Board Membership should be available during the Pre-Transition period, but no later than Month One of the Transition (A2A). Transition staff will manage the application process and the Transition Team will conduct outreach to the community.
- B. The Transition Team will review applications and will submit to the City Council a set of eligible candidates to consider.
- C. The PAC requests that Council determine appointees within 4 weeks. The City Council shall review the applications and then will notify transition staff of desired appointees so that appointments can be placed on the Council Agenda at the next opportunity. 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.<sup>1</sup>
- D. The application may remain open, and the Transition Team will continue to review applications and submit new candidates to City Council regularly to fill any member positions unable to be filled in the first appointment, or to appoint alternates.
- E. Board members appointed during the Transition period will be appointed for terms lasting the remainder of the Transition period and an additional 1, 2, or 3 years, such that one-third of the board (11 members) will have terms of one year, another one-third two years, and another one-third three years. Board applicants may select their preference of term length and the transition team will do their best to accommodate first or second preference in the batch of applicants sent to City Council; the Transition Team shall also prioritize Board member selection requirements in each

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<sup>1</sup> City Charter effective January 1, 2025, Ballot Measure 26-228, Section 2-102.  
<https://www.portland.gov/sites/default/files/council-documents/2022/attachment1-final.pdf>

group of 11 recommended appointees to ensure that each group reflects the diversity outlined in the Areas of Agreement on Board Membership.<sup>2</sup>

- F. Board members will begin to receive compensation and other forms of support upon appointment.<sup>3</sup> It is anticipated that different parts of the member support structure will take effect at different times, with some portions not taking effect until after the Transition period.

## C2. Initial Board Member Training

- A. After Council appointment, Board members and alternates shall go through training.<sup>4</sup>
- B. Training that will normally be organized by staff may be delivered utilizing a trauma-informed approach by Transition staff and/or by experts and affected parties, including but not limited to:<sup>5</sup>
  - i. Civil rights attorneys
  - ii. Public defenders
  - iii. Civil rights activists
  - iv. Members of overpoliced communities (such as BIPOC, immigrant communities, people with mental illness/addiction recovery, houseless community)
- C. Peer Training, which normally will be conducted by one or more existing board members, will be done by current and former members of the CRC and civilian members of the Police Review Board (PRB).<sup>6</sup> After completing training on handling confidential materials, the Oversight Board members will review case files in CRC appeals and PRB cases, consider the findings in those cases, and attend the hearings (without interfering) as part of their training on how to review complaints.

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<sup>2</sup> [PAC Areas of Agreement on Board Membership §B1](#)

<sup>3</sup> [PAC Areas of Agreement on Board Membership §D3; §D4](#)

<sup>4</sup> [PAC Areas of Agreement on Board Membership, §E-1](#)

<sup>5</sup> [PAC Areas of Agreement on Board Membership, §E-1](#)

<sup>6</sup> [PAC Areas of Agreement on Board Membership, §E-1](#)

## D. Initial Staff Hiring and Training

### D1. Director Hiring

As soon as the Board members have been appointed by City Council, the search for a Director will commence. A draft job listing will be prepared by the Transition Team for review and approval by the Board. Then, transition staff will post the job and conduct community outreach, so the community is aware of the position. Transition staff shall share these applications with the Board. The Board will then follow the procedure from PAC's Areas of Agreement on Oversight Staff to hire the Director.<sup>7</sup>

### D2. Priority Staff Hiring During Transition period

- A. Once the Director is hired, they will work with the Transition Team to recruit staff applicants for the oversight bureau.
- B. The Director will prioritize the hiring of intake staff, navigators, and investigators to ensure the oversight board is able to begin receiving and investigating complaints by the end of the Transition period.<sup>8</sup>
- C. During the Transition phase, the Director may also wish to hire the Auditor/Monitor/Inspector General and legal counsel to ensure a smooth ramp-up. If so, as outlined in the PAC Areas of Agreement on Oversight Staff, the Board shall be involved in hiring those positions.<sup>9</sup>

### D3. Staff Training

- A. The Transition Team and Oversight Board are responsible for ensuring the Director undergoes training upon hiring.
- B. The Director is responsible for ensuring all other oversight bureau staff undergo required training upon hiring.<sup>10</sup>

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<sup>7</sup> [PAC Areas of Agreement on Oversight Staff, §A-1b](#)

<sup>8</sup> DOJ Settlement Agreement §XI-195b <https://www.portland.gov/police/doj/documents/doj-settlement-agreement-revised-feb-28-2023/download>

<sup>9</sup> [PAC Areas of Agreement on Oversight Staff, §B-4c](#)

<sup>10</sup> [PAC Areas of Agreement on Oversight Staff, §B5](#)



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

### E1. Portland Police Bureau and other City of Portland transfer of information

- A. The Oversight Board will have authority to obtain information to provide an administrative response to allegations of misconduct, and to conduct oversight effectively. The methods for obtaining information will include, but will not be limited to, compelling testimony, subpoena power, and access to police records, data, and body camera footage.<sup>11</sup>
- B. Necessary members of the transition team, after training on confidentiality, will have access to information and data related to cases involving civilians reviewed by Independent Police Review (IPR), Internal Affairs (IA) as applicable, the Police Review Board (PRB), and the Citizen Review Committee (CRC), and any other appropriate entities only as needed to prepare trainings for incoming board members.
- C. During the Transition period, after training on confidentiality, the incoming board members will have access to all information and data related to cases involving civilians reviewed by IPR, IA as applicable, the PRB, the CRC, and any other appropriate entities.

### E2. Transfer of information from the Police Accountability Commission

- A. All information and data collected by the PAC will be transferred to the Transition Team upon creation of the Transition Team. All information and data collected by the PAC and the Transition Team will be transferred to the Oversight Board upon creation of the Oversight Board. In the event the Transition Team and the Oversight Board exist concurrently, all information and data collected by the Transition Team will be made available to the Oversight Board on an ongoing basis.

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<sup>11</sup> [Police Accountability Commission Areas of Agreement on Access to Information](#)

- B. The PAC Values and Goals, PAC Bylaws, and PAC Community Engagement Framework will be given to the Oversight Board members as model documents to assist in creation of the Oversight Board's internal process documents.

### E3. Information from IPR, IA, PRB, and the CRC

- A. During the Transition period, Independent Police Review (IPR), Internal Affairs (IA), the Police Review Board (PRB), and the Citizen Review Committee (CRC) will transfer to the Oversight bureau all information and data from previous complaints and misconduct investigations. The transfer will follow all applicable local, state, and federal laws and policies regarding privacy and transparency.
- B. If the transfer of information and data from these agencies cannot be completed in the Transition period, the Oversight bureau will work with the IPR, IA, PRB, and/or CRC to create a plan to transfer information and data within a reasonable timeframe not to exceed one additional year.

## F. Post-Transition Period

### F1. Independent Police Review

- A. At the beginning of the Post-Transition period, IPR will no longer accept *new* complaints. During Phase 1 of the Post-Transition period, IPR will continue to work through any complaints accepted prior to the end of the Transition period. IPR shall work to resolve all pending complaints by the end of Phase 1 of the Post-Transition period.
  
- B. As IPR's work winds down, the IPR Director, along with the Bureau of Human Resources, will determine how to reduce the size of the organization to match the workload.<sup>12</sup> The Director of the Oversight Bureau may at their discretion hire the Director of IPR on staff and allow them to complete work for the old system while the new one ramps up.
  
- C. The Director shall ensure that IPR staff have preference in hiring for employment at the new oversight bureau, as long as they meet all additional criteria for oversight bureau employment.<sup>13</sup> When hiring current IPR employees for positions at the oversight bureau, the Directors of the oversight bureau and of IPR shall coordinate, so that IPR maintains continuity of operations.<sup>14</sup>

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<sup>12</sup> City Proposal Under Paragraph 195(a) of the DOJ Settlement Agreement

<sup>13</sup> [PAC Areas of Agreement on Oversight Staff, §B6-b.](#)

<sup>14</sup> DOJ Settlement Agreement §XI-195 <https://www.portland.gov/police/doj/documents/doj-settlement-agreement-revised-feb-28-2023/download>

## F2. Citizen Review Committee

- A. The CRC will continue to hear appeals during Phase 1 of the Post-Transition period. CRC shall work to resolve all pending appeals by end of Phase 1 of the Post-Transition period.
- B. During Phase 1 of the Post-Transition period, the City will maintain full membership of the CRC so that they can hold hearings and participate in PRB hearings where CRC members are required.
- C. CRC members may serve on both the CRC and on the Oversight Board during the Transition and Post-Transition Periods, provided they meet all other necessary criteria.

## F3. Police Review Board

- A. During Phase 1 of the Post-Transition Period:
  - i. The PRB will continue to hear cases initiated during or prior to the transition period. PRB shall work to resolve all pending cases by the end of Phase 1 of the Post-Transition period.
  - ii. IPR shall ensure that the pool of PRB community members shall be sufficient to hold Police Review Boards. PRB community volunteers may also concurrently serve on the Oversight Board, provided they meet all other necessary criteria.

## F4. Internal Affairs

At the beginning of the Post-Transition period, the Oversight Board will accept those types of complaints currently addressed by Internal Affairs, but which the new system directs to the Oversight Board.<sup>15</sup>

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<sup>15</sup> [PAC Areas of Agreement on Officer Accountability, §A-6b](#)



## F5. Transfer of Active Cases Received Under Old System

- A. At the end of Phase 1 of the Post-Transition period, all cases pending before IPR, PRB, or the CRC that are within the jurisdiction of the Oversight Board shall be transferred to the Oversight Board for resolution. The Oversight Board shall prioritize prompt resolution of these cases.
  - i. To the extent allowable by applicable law and collective bargaining agreements, the Oversight Board shall apply *its* procedures and standards to resolution of cases transferred from IPR, PRB, or CRC at the end of Phase 1 of the Post-Transition period. PAC strongly recommends this approach, because it is in line with the values of the Charter Amendment and addresses the issues identified by the PAC in its Fact-Finding Phase.
  - ii. If the City is not able to implement this recommendation, and the Oversight Board is legally required to apply legacy procedures and standards to transferred cases, the Board shall create a separate, transitional hearings division to ensure that the transferred complaints are handled in accordance with such requirements. The transitional hearings division shall conclude as soon as all transferred cases are resolved.
  
- B. IPR and CRC shall conclude their operations within a reasonable period of time in Phase 2 of the Post-Transition period. PRB shall similarly conclude its operations relevant to cases within the Oversight Board's jurisdiction during this time frame.