

Exhibit A

Mandated Duties of the Commission

The Commission is required to complete the below tasks. The Commission will create a code change package to create a new police oversight system as reflected in the City of Portland charter amendment establishing a community police oversight board. The code change package will contain all the below provisions. The Commission is required to seek out testimony and input from all stakeholders in the Federal Department of Justice settlement agreement, as well as other interested parties, impacted communities, and concerned constituents, and may seek out expertise from those they identify as beneficial to the process both within and outside of Portland. Upon completion of their work the Commission will present this code change package to City Council for their consideration. After the work below is completed and the package is presented to Council, this Commission will be disbanded.

The Commission must identify a manner and method of their choosing to provide quarterly briefings to City Council offices to provide them with updates about the work of the Commission.

The Commission will work with the City Attorney office and Bureau of Human Resources to ensure that recommendations comply with collective bargaining and other requirements.

Definitions: The Commission shall define, as necessary, any terms below, or shall include and refine those definitions already defined below. The Commission is authorized to provide other definitions as it deems necessary.

1. **Name:** The name of the new oversight system.
2. **Operational Budget:** The Charter Amendment requires that the oversight system have funding of at least 5% of the Portland Police Bureau's annual operational budget.
3. **For Cause:** For what reasons a Board member can be removed.
4. **Independent Judgment:** what constitutes independent judgment.
5. **Interference by other Bureaus/Commissioners:** What level of involvement may other parts of the City Government have with the Board, and what types of interactions are forbidden.
6. **Existing Barriers:** Identify current barriers that have stymied the work of Portland's police oversight systems. Make suggestions on how to overcome these barriers.
7. **Duties of the Board:** Other types of misconduct the Board should investigate, if any, outside of those included in the Charter amendment (i.e. deaths/deadly force, injury, discrimination, and constitutional violations).
8. **Accountability:** Provide a working definition of accountability that includes the relationship between communities and the police.
9. **Discipline:** Describe and define the discipline procedure, with consideration of the existing procedure and the addition of the Community Police Oversight Board.
10. **Any other terms** that the Commission feels need to be defined.

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.

1. Council shall continue to fund the Independent Police Review to maintain the existing staffing and resources as needed for the transition.
2. 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.
3. 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.
4. How to transfer existing files and institutional knowledge to the new system.
5. 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?
6. How and when to wind down the current oversight systems.
7. What parts of current police oversight code should be transferred to the new system.

Powers of the New Oversight System: The Charter Amendment outlines various powers of the new oversight system which require a more detailed explanation of how these will function.

1. Power to compel testimony and method of obtaining testimony.
2. Access to Police records, evidence, and data, and access to police databases as authorized by federal and state law.
3. How to propose direct changes to police policies and directives.
4. How the Board imposes discipline within any due process and/or just cause requirements.

Organizational Details: Appointment of a Director and professional staff are required by the Charter Amendment. Other details are required about how the system will be setup.

1. Workflow of investigations and processes.
2. Procedures after completion of investigation, including determination of validity of allegations, application of the preponderance of evidence standard, due process considerations, whether there is an appeal process for a complainant and the appeal process if one exists, whether or not City Council will have a role in appeals, and application of discipline guide and compliance with other State laws.
3. Size of the Oversight Board, whether review and/or hearings will include all members of the board or a subset, and how to maintain diversity if the latter.
4. Initial and replacement selection method for Board members, length of terms for board members, training requirements for board members, quorum requirements.
5. How initial staff will be hired and onboarded.
6. Method to ensure Board membership meets diversity goals outlined in the Charter Amendment.

7. Transparency of the process: when will reports come back to Council, how will they be made, and what will they contain, will reports be made public, when will meetings be open to the public, and what information about individual investigations will be available to the public.
8. Compensation: Should Board members be compensated for their participation on the Board? What is the expected workload of a Board member, and if they should be compensated at what level?

Optional Duties of the Commission

1. The Commission may choose to author a report to present to City Council to further explain their recommendations.
2. Should a minority of the Commission feel their viewpoint and opinions are critical to understanding the outcome of the Commission's report, a Minority Report may be written and presented before City Council.
3. Should the Commission believe that additional changes should be made to the Charter relating to this oversight system they may provide a proposed change in language to the Charter Review Commission.
4. The Commission may make recommendations to add duties to the above listed work that they believe are important to the success of the oversight system.