

Police Accountability Commission
PAC Sub-Committee on Structural Oversight
12-01-2022
Meeting Summary

Contents

1. Attendance
2. Agenda
3. Reference Documents
4. Notes
5. Zoom Chat
6. Zoom Q&A
7. Advance Public Comment
8. Meeting Recording

Attendance

Commission Members					
Name	Present	Absent	Name	Present	Absent
Aje	X		Faythe		X
Debbie	X		Sophia	X	
As the PAC has not yet selected co-chairs for this sub-committee, full commission co-chair Christian also attended to provide support.					

Support Staff	
Facilitator(s)	CSD Staff
Dr. Christine Moses (Facilitator)	Sameer Kanal
Ayomide Nikzi (Facilitator)	Emily Mann
	Austin Foster

Agenda

1. Call to Order
 - A. Logistical Announcements
 - B. Land Acknowledgment
 - C. Community Agreements
 - D. PAC Timeline
 - E. Review of today's meeting purpose
2. Introductions
3. Review
 - A. Charter 2-10 Sections Related to Structural Oversight
 - B. Council Resolutions 37527 and 37548
 - C. Agenda and Scope
 - D. Sub-Committee Mandate and Timeline
4. Round-Robin Discussion: Who would we want to hear from / be briefed by?
5. Discussions:
 - A. How this Sub-Committee Relates to other PAC Powers and Duties Phase Sub-Committees
 - B. What sections of the PAC's Fact-Finding Phase documents are relevant to this process?
6. Next Steps
 - A. Drafting Groups / Tasks for Next Meeting
 - B. Sub-Committee Co-Chair Process
7. Public Comment (15 minutes)
8. Conclusion
 - A. Garden Plot Recap
 - B. Thank you and adjournment

Reference Documents

[PAC 12-01-2022 Advance Public Comment](#)

[PAC 12-01-2022 Meeting Slides](#)

[REFERENCE ONLY: Portland City Charter Section 2-10](#)

[REFERENCE ONLY: City Council Resolution 37527, Exhibit A](#)

[REFERENCE ONLY: City Council Resolution 37548, Exhibit A](#)

[REFERENCE ONLY: PAC Agenda and Scope \(09-15-2022\)](#)

[REFERENCE ONLY: Powers and Duties Phase Sub-Committee One-Pagers \(10-27-2022\)](#)

[REFERENCE ONLY: Charter Commission Areas of Agreement Example #1](#)

[REFERENCE ONLY: Charter Commission Areas of Agreement Example #2](#)

Notes

Recording begins at 7:00 PM. Timestamps for the recorded video are given where applicable in the notes below.

- Meeting is called to order at 7:00 PM
- The Commissioners begin a round robin discussion regarding who they would like to meet with and be briefed by regarding this work.
 - Suggestion of a lawyer involved in a sexual assault case between two officers which resulted in a settlement - Jason Kafoury
 - Suggestion to speak with the lawyers or officers involved in any case involving a civil settlement, regarding the culture of PPB
 - Suggestion to speak with PCCEP
 - Suggestion to speak with someone with legal experience implementing policy with police – are there specific labor laws, etc.?
 - Suggestion to speak with someone who has experience recommending policy changes to the City
- The Commissioners begin a review of the Charter 2-10 sections related to structural oversight. – Timestamp 0:30:30
 - Section 2-1001: “make recommendations regarding police practices, policies and directives to the Portland Police Bureau and with a primary focus on community concerns”
 - No discussion on this item.
 - Section 2-1006 (indirect): “The Board shall have authority to exercise independent judgment in performing all legally assigned powers and duties.”
 - Commissioners discussed the previous suggestion to get legal advice, including independent legal counsel for the

Commission in addition to support from the City Attorney's Office.

- Section 2-1007b: "The Board shall have the authority to make policy and directive recommendations to the Portland Police Bureau and City Council. The Portland Police Bureau shall consider and accept or reject all policy or directive recommendations made by the Board. If the Portland Police Bureau rejects a policy or directive recommendation, then at the request of the Board, City Council must consider and vote to accept or reject the policy recommendations received from the Board. Council's decision will be binding on the Portland Police Bureau."
 - Commissioners discussed asking for the Portland Committee on Community-Engaged Policing to give advice, and staff noted that for advice on old recommendations (those that have had time to be responded to, but have not yet been implemented), asking former PCCEP members may also be beneficial.
- The Commissioners move on to discuss how this subcommittee relates to the other two subcommittees. – *Timestamp 0:38:35*
 - Discussion revolves around subcommittee tasks, officer accountability, access of information, and the proposal of policy changes and how change is implemented.
 - Internal complaints within PPB have increased over the years, retaliation, culture, and other issues broader than a single officer on a single day's actions would come to this sub-committee, while individual actions would go to the Officer Accountability sub-committee.
- The Commissioners move on to discuss what sections of previously-approved PAC documents, specifically the Fact-Finding Phase outcomes, are relevant to this subcommittee. – *Timestamp 0:52:55*

- Commissioners discuss the Areas of Agreement on Barriers and Best Practices: outcomes section, current laws and policies, culture and cultural norms, collective bargaining, limitations of discipline, lack of response and implementation to recommendations, inadequate resources for civilian oversight. They discuss cultural change and how this could occur.
- The Commissioners move on to an overview of the Areas of Agreement on Best Practices, and Practices to Avoid, from Other Jurisdictions –
Timestamp 1:11:05
 - Commissioner Debbie's outline (added to reference documents after the meeting) included reference to Category A (Policy) as a whole (A1-A6), B1 under the oversight board authority category, ("individual and systemic police oversight, including overall agency practices and policies"); Category I (Audit Functions) sections I2 and I3 on initiating policy review from closed misconduct cases, and Sentinel Event Reviews, respectively; W2 under Community Engagement including that community suggestions would be solicited on policy development as part of community engagement, and the categories on Collective Bargaining (X) and Continuous Improvement (Z1).
 - Item A5, on a staff unit devoted to policy, might be something covered in this sub-committee and/or in the next Phase of Work (Structure and Details), which includes staff structure for the new Oversight Board.
- The Sub-Committee moved on to discussing the Areas of Agreement on Proposals to Consider, or to Avoid, from Subject Matter Experts.
 - Commissioner Debbie's Outline included three items: A1, saying the oversight board should do structural oversight as well as individual misconduct cases; A3, a proposal to consider saying that the oversight body should be the final decision-making authority on policy development, and E1, on Continual Improvement and the ability for the oversight system to independently initiate structural change that can improve itself.

- Next Steps and Drafting Tasks
 - The subcommittee discusses where to start and how to divide up research, how deep into research they should go, drafting groups, and an outline of what needs to be done. A subcommittee member suggests organizing these tasks into categorical groups to distribute workload.
 - Sub-committee members divide the work into groups and assign the groups among themselves:
 - Debbie (Sophia will assist):
 - Police Recommendations Development
 - Process once a recommendation is made (to bureau, City Council, etc.) and obligation to respond
 - Relationship with current PPB Directive Review process
 - Sentinel Event Reviews
 - Aje:
 - Initiation of policy recommendations from misconduct cases and auditing
 - Collective Bargaining
 - Sophia:
 - Continual Improvement / Oversight Board's ability to originate Charter and Code recommendations
 - Oversight Board's ability to influence federal and state law
 - Faythe:
 - PPB Budget Review
- The subcommittee moves to general public comment. – *Timestamp 1:47:05*
 - There is a comment from a Commission member not on the sub-committee, regarding collective bargaining, reporting, and policy recommendations, and pointing out that the Portland Police Association has the ability to give comments after the public comment period

- There is another comment on structural oversight, structural racial discrimination in terms of disciplining officers and the idea of accountability/discipline currently being applied to individual acts, but leaving open the question of how to discipline PPB as an institution if needed.
- Garden plot recap. – *Timestamp 1:51:30*
- Meeting is adjourned, and recording ends, at 9:06 PM.

Zoom Chat

19:05:23 From CSD Support Staff 1 : As of 7:04 PM, 3 members of the sub-committee are present and 1 are absent. The sub-committee has 4 total members and therefore 3 are required for quorum.

There are currently 4 people in the audience.

19:06:31 From CSD Support Staff 1 : Members of the public can find all the meeting materials for today's meeting on the PAC website at:

<https://www.portland.gov/police-accountability/events/2022/12/1/pac-sub-committee-structural-oversight>

19:13:55 From Je (she/they) : Forgot to mention I'm full commission co-chair as well!

19:23:38 From Je (she/they) to Hosts and panelists : Jason Kafoury
<https://www.kafourymcdougal.com/about-us/>

19:24:44 From Austin Foster (she/her) - PAC Staff to Hosts and panelists : Jason was on the steering committee for the ballot measure. Great guy! Doing great work. I got to work with him closely.

19:53:48 From Je (she/they) to Hosts and panelists : matching cats!

20:37:29 From Christian O.B : Yes thank you commissioner Aiona very useful, much appreciated!

20:41:22 From CSD Support Staff 1 : 1. Policy recommendations development
2. Process once a recommendation is made (to bureau, City Council, etc.) & obligation to respond
3. Taking policy recommendations out of misconduct cases & auditing
4. Collective bargaining

5. Relationship with current PPB Directive Review process
6. Continual Improvement / Ability to originate Charter/Code recommendations
7. Ability to influence federal/state law
8. Budget review
9. Sentinel Event Reviews

20:42:41 From CSD Support Staff 1 : Note: Public reporting (including the tracker) is also something that got mentioned, and that might be an item for the next Phase of Work (under the Agenda and Scope)

20:44:42 From CSD Support Staff 1 : 1-3 could be combined together, possibly with 5 and 9.

20:50:05 From CSD Support Staff 1 : Category A: 1-3, 5, 9

Category B: 4

Category C: 8

Category D: 6 & 7

20:55:04 From CSD Support Staff 1 : Debbie 1-2, 5, 9 (Sophia will assist)

Aje: 3 and 4

Sophia: 6 & 7

Faythe: 8

20:58:32 From Sophia Glenn : I have to pop off

20:59:09 From Sophia Glenn : ok

20:59:33 From Sophia Glenn : i'll stay for a minute.

Zoom Q&A and Responses

Philip Chachka (he/him) (Guest) 07:27 PM

Would it be possible for the Board to have the power to attend or drop-in unannounced on police trainings so they can see what is actually happening at the trainings?

This question has been answered live

Philip Chachka (he/him) (Guest) 07:31 PM

Right now, the Training Advisory Council provides recommendations to the Police, would it possible for the PAC to talk with the TAC about their work and how to support them?

This question has been answered live
dan handelman he/him (Guest) 07:40 PM

Does the language of the charter mean that the Bureau can't accept part of a recommendation and negotiate changes with the board? It says they "shall consider and accept or reject"

This question has been answered live
dan handelman he/him (Guest) 07:52 PM

Furthering my point you can look at the OIR Group's 2020 report on police shootings where they "agree" "disagree" or "agree in part" to 28 recommendations. <https://www.portlandoregon.gov/ipr/article/766203> beginning at p. 114 of the pdf . // also, Retaliation is defined as misconduct both in the DOJ Agreement and PPB policy.

<https://www.portlandoregon.gov/police/article/760883>

This question has been answered live
dan handelman he/him (Guest) 08:15 PM

The PPA is given the power to make the final review on policies: 15.1 When the Police Bureau is contemplating changing its policies and procedures, it shall provide the Association with final drafts of the to-be-amended policies and procedures and provide the Association with an opportunity to comment on the final drafts with at least fifteen (15) business days' advance notice of the proposed changes. When the Bureau of Human Resources is contemplating changing its policies and procedures, it shall provide the Association with at least fifteen (15) business days' advance notice of the proposed changes.

<https://www.portland.gov/sites/default/files/2022/city-of-portland-collective-bargaining-agreement-with-portland-police-association-2021-2025.pdf>

This question has been answered live
dan handelman he/him (Guest) 08:49 PM

can't see A, B, C, D

This question has been answered live

Advance Public Comment

No advance public comment was received for this meeting.

Meeting Webpage and Video

PAC Meeting Webpage: <https://www.portland.gov/police-accountability/events/2022/12/1/pac-sub-committee-structural-oversight>

Meeting video: <https://youtu.be/GF3YtodA9GI>