



# CITY OF PORTLAND POLICE ACCOUNTABILITY COMMISSION

Quarterly Report  
January – March 2023

The Commission convened in December 2021. From January-March 2022, the Commission held its Organizational Phase. The Fact-Finding Phase, including research and identifying problems to address, went from April-October 2022.

Starting in October 2022, the PAC began to develop the new system, starting with the functions of the new system, in its Powers and Duties Phase.

PAC and sub-committees hold seven meetings to finalize one outcome document (on **Access to Information**), as well as continue discussions on remaining two outcome documents for the Powers and Duties Phase.

The commission hosts two listening session + Q&A events to hear from members of the community about their goals for a future accountability system.

The PAC and sub-committees meet 4 times to finalize two remaining outcome documents (on **Officer Accountability** and on **Structural Oversight**), which **concludes the Powers and Duties Phase**.

The PAC begins to develop the form of the new system in its Structure and Details Phase, holding one sub-committee meeting and another listening session and Q&A.

The PAC holds 11 events, including 7 sub-committee meetings and 1 full commission meeting as part of the Structure and Details Phase. One sub-committee (Reporting and Transparency) finishes its work.

3 events are community engagement events designed to hear from members of the community about what they want to see in the new police accountability system.

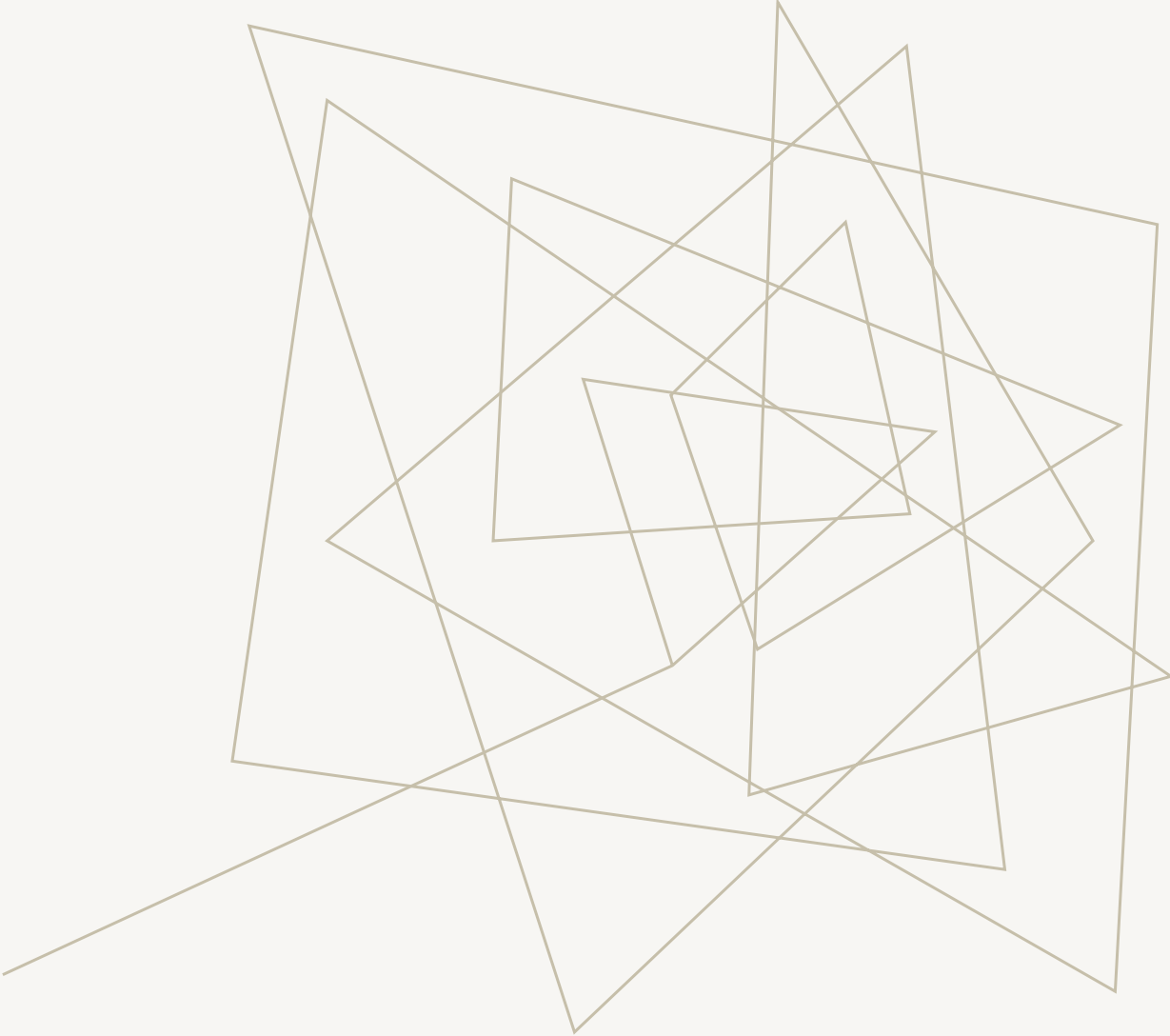
DECEMBER 2021-  
DECEMBER 2022  
(2022 Q1-Q4  
REPORTS)

JANUARY 2023

FEBRUARY 2023

MARCH 2023

TIMELINE



PART 1 OF 3:

CONCLUSION OF  
POWERS AND  
DUTIES PHASE

# POWERS AND DUTIES PHASE DOCUMENTS

## AREAS OF AGREEMENT ON...

### 1. ACCESS TO INFORMATION

This document includes access to police records, compelling testimony, and subpoena powers. It also includes data protection and bodyworn cameras.

During this quarter, the Sub-Committee met once, referring the document to the full commission (who **approved the document on January 26**).

### 2. OFFICER ACCOUNTABILITY

This document includes the process and flowchart of an allegation of officer misconduct from intake to final resolution, including issuing discipline, mediation, and a list of types of cases the new oversight board will address.

During this quarter, the sub-committee met three times, referring the document to the full commission. **The PAC approved the document on February 13.**

### 3. STRUCTURAL OVERSIGHT

This document addresses community oversight of PPB as a whole, including recommending changes to PPB policy and directives, as well as the oversight board's process to recommend other changes to other relevant decision-makers.

This sub-committee met twice during this quarter, referring the Areas of Agreement to the full commission. **The Commission approved the document on February 6.**



## PAC AREAS OF AGREEMENT ON

## ACCESS TO INFORMATION


The oversight board shall have the authority to obtain information to administratively respond to allegations of misconduct, and conduct structural oversight effectively.

This includes processes for several powers given to the oversight board by the voters in Charter 2-10:

- Compelling evidence related to an investigation
- Compelling sworn officers and supervisors to participate in investigations, including at hearings
- Subpoena power for witness testimony and for records, recordings, etc.
- Access to records, including statements from criminal investigations and police reports

This document also includes information on legal ownership of records, protection of confidentiality and data security, and database access.

The PAC also agreed the oversight board should have access to body camera footage, when implemented, for administrative investigations.



## PAC AREAS OF AGREEMENT ON OFFICER ACCOUNTABILITY


The PAC envisions a process to address complaints alleging officer misconduct that implements the Charter and centers community voices. Steps may include:

1. Intake of complaints
2. Investigations
3. Findings
4. Corrective Action and Discipline
5. Appeals

The new system will also include informal complaints (to the officer's supervisor) and mediation (with the officer).

The new system was envisioned by the PAC to be more straightforward, more comprehensive, and more supportive of complainants than the current system.

It will investigate complaints alleging an officer did something that they should not do, as well as alleging that an officer did not do something that they should do (e.g. neglect of duty).



## PAC AREAS OF AGREEMENT ON OFFICER ACCOUNTABILITY

Some key differences:

- All complainants will have an advocate (or “complaint navigator”) **from beginning to end**, and both complainants and officers may have up to three support people throughout the process.
- **All complaints involving a community member** will be routed through the oversight board, without investigations being handed back and forth between an independent entity and PPB’s internal processes
- **Increased resources** will allow not only for advocates, but investigations that meet mandated timelines, mediators, and support for the people in this process
- Findings will be made by panels of community members (from the oversight board), not groups with a majority of members that are current police officers (4/7 of each Police Review Board)



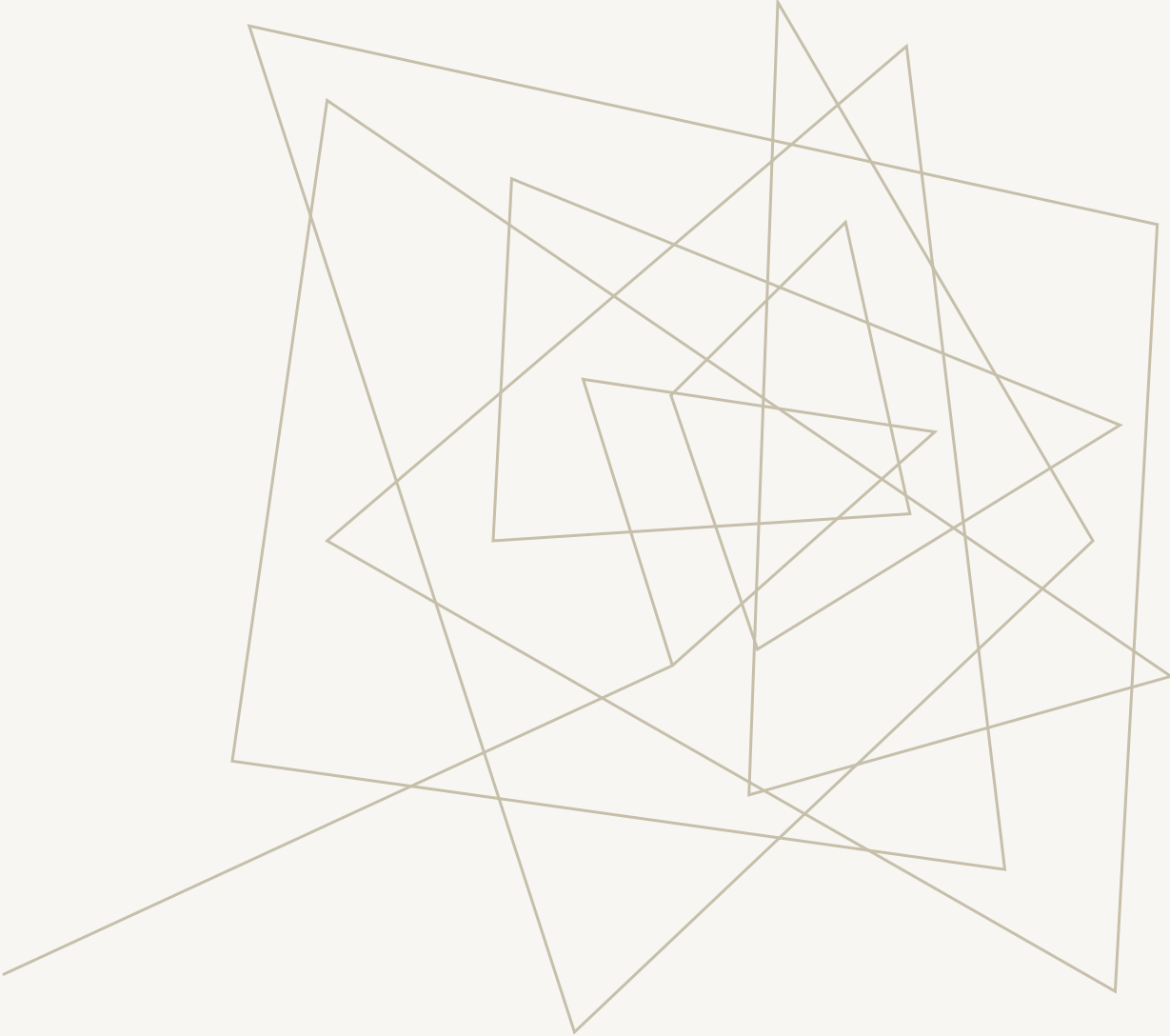
## PAC AREAS OF AGREEMENT ON STRUCTURAL OVERSIGHT

The Police Accountability Commission developed a system whereby the oversight board can engage in structural oversight, primarily through policy recommendations as outlined in Charter 2-10:

- Initiation of the policy recommendation process, including required components and information accessible as part of the recommendation process
- A process whereby Board members, other community members, Board staff, panels determining findings in misconduct cases, large-scale patterns of alleged misconduct, and the PPB Directive Review process can lead to the Board initiating consideration of a policy recommendation
- The Board having a process including research and analysis, formal decisions to adopt or rescind policy recommendations, and communication of recommended policies
- The Charter-mandated process by which PPB must consider and respond to a policy recommendation, and if rejected by PPB, the process by which the City Council must consider and vote on the recommendation.

The document also includes the oversight board's responsibility to gather and pass on community input on police-related issues and decisions to the City, to be involved in influencing policy beyond the City which affects policing in Portland, and to review itself regularly and self-improve.





PART 2 OF 3:

STRUCTURE AND  
DETAILS PHASE



# POLICE ACCOUNTABILITY COMMISSION PHASES OF WORK

ORGANIZATIONAL PHASE (JANUARY-MARCH 2022)

FACT-FINDING PHASE (APRIL-OCTOBER 2022)

POWERS AND DUTIES (OCT. 2022-FEB. 2023)

**STRUCTURE AND DETAILS (FEBRUARY-MAY 2023)**

TRANSITION PLAN AND BROADER SYSTEM

CONCLUDING PHASE:  
FINAL RECOMMENDATIONS AND APPROVAL

All phases of work are defined in the PAC Agenda and Scope. Each phase of work has specific outcomes, including documents. The Agenda and Scope also lists out ongoing projects of the PAC that are not limited to a single phase, such as community engagement and reports to the City Council.

More information at: [www.portland.gov/police-accountability/resources/agenda-and-scope](http://www.portland.gov/police-accountability/resources/agenda-and-scope)

# STRUCTURE AND DETAILS PHASE OUTCOMES

## AREAS OF AGREEMENT ON...

### 1. BOARD MEMBERSHIP

This document was designed to define the size of the oversight board, member qualifications and requirements, representation, recruitment and appointment, onboarding and training, term lengths and renewability, member support and compensation, & internal processes (like quorum).

During this quarter, the Sub-Committee met three times.

### 2. OVERSIGHT STAFF

This document will describe the Director position, including how the oversight board will hire and manage the Director, their qualifications, authority, and performance reviews. It also will describe cause for removal. The sub-committee will also discuss staff structure, an auditor / monitor / inspector-general role, and legal counsel for the oversight board.

Finally, the sub-committee's work will include information on the budget process, office location, and where in the City's org chart the new oversight board will be housed.

During this quarter, the sub-committee met four times.

# STRUCTURE AND DETAILS PHASE OUTCOMES

## AREAS OF AGREEMENT ON...

### 3. REPORTING AND TRANSPARENCY

This document addresses what meetings are open to the public, what information is shared with the public, and what reports are made public. It also addresses the oversight board's communication to City Council and reporting on its activities, so that the City Council is always aware of the oversight board's work.

This sub-committee met four times during this quarter, referring a draft document to the full commission for consideration during the next quarter.

## PAC DEFINITIONS

City Council asked the PAC to develop definitions of several terms (Resolution 37548). Most of these are being addressed in the most relevant sub-committees and their outcome documents, but the PAC has worked on two broader definitions through its Structure and Details Phase:

**“Accountability:** Provide a working definition of accountability that includes the relationship between communities and the police.”

**“Independent Judgment:** what constitutes independent judgment.”

# COMMUNITY ENGAGEMENT

## PAC COMMUNITY ENGAGEMENT EVENTS THIS QUARTER:

**JANUARY 10** – COMMUNITY LISTENING SESSION + Q&A (IN PERSON)

**JANUARY 31** – COMMUNITY LISTENING SESSION + Q&A (VIRTUAL)

**FEBRUARY 16** – LISTENING SESSION WITH OREGON JUSTICE  
RESOURCE CENTER AND DON'T SHOOT PORTLAND

**MARCH 14** – COMMUNITY LISTENING SESSION + Q&A (VIRTUAL)

**MARCH 22** – COMMUNITY LISTENING SESSION + Q&A (IN PERSON)

## MULTIPLE WAYS TO JOIN IN

The PAC also receives community input live at meetings through public comment (at every meeting of the PAC).

Additionally, community members can give public comment between meetings which is distributed to PAC members before the following meeting.

### Calendar:

[www.portland.gov/police-accountability/events/](http://www.portland.gov/police-accountability/events/)

The Police Accountability Commission now accepts Advance Public Comment in three ways:

- 1. Online Webform:** Community members can send public comment to the Police Accountability Commission and/or specific sub-committees at <https://tinyurl.com/portlandpaccomment>.
- 2. Voicemail:** Community members can leave a voicemail at **503-823-3346**, which will be transcribed (and if necessary translated) before circulation to PAC members.
- 3. Postal Mail:** Mail sent to the new PO Box will be transcribed and, if necessary, translated:

Police Accountability Commission  
City of Portland, Community Safety Division  
**PO Box 9065**  
Portland OR 97207

Public comment received by Tuesday at 8:00 AM is circulated in advance of the Thursday PAC meetings. Public comment received by Friday at 8:00 AM is circulated in advance of the following Monday's PAC meetings.

ADVANCE  
PUBLIC  
COMMENT



**PART 3 OF 3:**

**REQUESTS FOR  
CITY SUPPORT  
AND NEXT STEPS**

# ENSURING THE PAC HAS THE RESOURCES IT NEEDS

The PAC has made two requests in the last few months to the City Council.

Both requests are for vital resources the PAC needs to do its work and do it well:

**1. Time**

**2. Funding (for City staff support)**



# ENSURING THE PAC HAS THE RESOURCES IT NEEDS

On December 8, the Police Accountability Commission, by consensus, formally requested that the Portland City Council allow the PAC to continue its work through October 29, 2023.

On March 22, the City Council changed the end date from June 9 to August 31. **The PAC thanks the Council for this decision.**

The PAC continues to stress the importance of Council giving the PAC as much **time** to do its work as possible, so that the PAC can:

- respect volunteers' time as they contribute to this process around their other obligations (e.g. employment, family, caregiving, and other personal obligations)
- to comply with Council's directive that the PAC have **“an inclusive, diverse community driven process is needed to develop recommendations to City Council for the structure and processes of the new oversight system”** (37527)
- to comply with Council's directive that the PAC **“be a lengthy, involved process where consideration is given to the complex topic of police accountability”** (37527 and 37548)

# ENSURING THE PAC HAS THE RESOURCES IT NEEDS

On May 4, the Police Accountability Commission requested, by consensus, that the two PAC-specific staff positions be funded for the next fiscal year.

The two positions are the PAC Engagement and Communications Coordinator and PAC Research and Policy Coordinator. Funding for these positions is not currently in the proposed budget.

The resource of **staff support** is vital to ensure that the PAC can do its work, and also that the community (and Council) have the resources to understand the PAC's recommendations, its process and reasoning, and its proposed new system.

The PAC requests that Council fund the positions through the final Council decision on the PAC-proposed code changes (expected around June 2024).

# ENSURING THE PAC HAS THE RESOURCES IT NEEDS

Reasons for the request, noted in the PAC's discussion, included:

- These are the only full-time positions supporting the Police Accountability Commission project
- The Council will be discussing and possibly considering adjustments to the PAC's proposed code changes throughout the first three steps that occur after the PAC finishes meeting:
  - 60 days for Council to propose amendments to the Settlement Agreement corresponding to the recommendations (expected Sept. 1-Oct. 30, 2023)
  - A review period for the USDOJ and Court to approve these amendments (no deadline, but expected to take ~6-7 months, ending in May 2024)
  - 21 days for Council to approve the final text of the Settlement Agreement amendments and to **“consider and vote on the confirming City Code provisions creating the Oversight Board.”** (expected in June 2024)
- These positions are vital support to ensure that the commission's volunteer membership is supported, and that the public is aware of what the City may choose to implement.

## WHAT'S NEXT

### TRANSITION PLAN AND BROADER SYSTEM PHASE

This is the fifth of six phases of work, and began in May 2023. It focuses on developing the Transition Plan from the current system to the new one, and Areas of Agreement on the Broader System – how the new oversight board will relate to other City entities or adjust them, and how it will engage and communicate with county, state, or federal entities.

This phase of work is expected to end by early July.

More information at [www.portland.gov/police-accountability](http://www.portland.gov/police-accountability)

### QUARTERLY REPORT, APRIL-JUNE 2023

The Police Accountability Commission will publish its quarterly report for April-June 2023 (2023 Q2), and present it to the City Council, in early August 2023.

# WHAT'S NEXT

## COMMUNITY ENGAGEMENT EVENTS

Community engagement events are held regularly. The next event will be:

PAC Informational Session

Wednesday, June 7

6-8 PM

More information at [www.portland.gov/police-accountability](http://www.portland.gov/police-accountability) under “Events”

## CITY COUNCIL WORK SESSION NEXT TUESDAY

On **Tuesday, May 23, from 9:30-11:30 AM**, the City Council will hold a work session with the Police Accountability Commission.

This work session will cover the PAC’s recommendations for the functions of the new system, as well as the form it will take, in the context of what the PAC identified as barriers to police accountability in the current system.

More information at <https://www.portland.gov/council-clerk/events/2023/5/23/police-accountability-commission-work-session>