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191892

Ordinance

Add Community Police Oversight Board pursuant to Portland City Charter Chapter 2, Article 10 (add Code Title 35)

Passed

Amended by Council

The City of Portland ordains:

Section 1. The Council finds:

1. Council on July 29, 2020, unanimously approved Resolution No. 37499 to refer a Charter Amendment to the ballot authorizing the creation of a Community Police Oversight Board (hereafter, "Oversight System") to promptly, fairly, and impartially investigate and impose discipline on Portland Police Bureau sworn employees and supervisors thereof, and to make recommendations regarding police directives with a primary focus on community concerns.
2. Portland voters on November 3, 2020, approved Measure 26-217 by a vote of 81.58%, and the Oversight System was thereafter adopted in City Charter Section 2-1001 through 2-1009.
3. On November 15, 2023, Council unanimously passed Resolution No. 37673, which directed the City Attorney's Office, in consultation with Council staff, to seek required approvals from the United States Department of Justice (DOJ), and comply with any collective bargaining obligations, on amendments to the settlement agreement between the United States and the City and to City Code to establish the Oversight System, and in a form substantially similar to Exhibits A and B of the Resolution.
4. After an additional 30 days' opportunity for community comment, including a December 4, 2023, City-hosted community forum on the proposed amendments and code, along with another City-hosted community forum on July 15, 2024, revisions were made in response to stakeholder feedback, and the City Attorney's Office complied with its collective bargaining obligations, and also obtained approval from the DOJ for the proposed amendments and code in substantially the same form as recommended by Council.

Introduced by

[Mayor Ted Wheeler](#)

City department

[City Attorney](#)

Contact

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Chief Deputy Attorney

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☎ [503-823-3038](tel:503-823-3038)

Monday - Friday, 8:00am -
7:00pm

Stephanie Howard

Mayor's Director of Community
Safety

✉ stephanie.howard@portlandoregon.gov

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

September 11, 2024

Changes City Code

5. The DOJ and City jointly moved for the Court to approve the proposed amendments to Settlement Agreement Section VIII, and the Court set a fairness hearing for August 29, 2024, to determine whether to approve the proposed amendments.
6. Thereafter, the Settlement Agreement provides the City 21 days from the Court's approval to enact the Code.
7. The recommended City Code provisions, attached as Exhibit A, establish the Oversight System and create a fair and impartial community-led process, fulfilling the will of the voters.

NOW, THEREFORE, the Council directs:

- A. City Code Title 35 is adopted as set forth in the attached Exhibit A.

Exhibits and Attachments

 [Exhibit A](#) 358.47 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed as amended by Council
September 11, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

This proposed Code represents an important step in establishing the community-led police oversight board that Portland voters overwhelmingly approved in November 2020. The public process has been extensive with many community members and stakeholders providing their critiques and comments to improve the proposed Code. It has also been reviewed and approved by the U.S. Department of Justice, pursuant to the Settlement Agreement. The City has also complied with all bargaining obligations.

Financial and Budgetary Impacts

None. The City's FY 2024-25 Adopted Budget includes funding for the Community Board for Police Accountability and the Office of Community-Based Police Accountability (the Oversight System). This ordinance has no financial or budgetary impact.

Community Impacts and Community Involvement

There has been extensive community involvement in developing and revising the Code.

100% Renewable Goal

Not applicable.

Financial and Budget Analysis

No fiscal impact. The City has budgeted equivalent of 5% of the Police Bureau's adopted budget for the Oversight System in accordance with City Charter.

Document History

Item 776 Time Certain in [September 4-5, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/9/4)
(<https://www.portland.gov/council/agenda/2024/9/4>)

City Council

Passed to second reading as amended

Vote called. Item failed to pass. (Y-3 Mapps, Rubio, Ryan; N-2 Gonzalez, Wheeler)

Motion for reconsideration: Moved by Wheeler and seconded by Mapps. (Y-5)

Motion to remove the emergency clause: Moved by Wheeler and seconded by Mapps. (Y-5)

Passed to second reading as amended September 11, 2024 at 9:30 a.m.

Item 794 Regular Agenda in [September 11, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/9/11)
(<https://www.portland.gov/council/agenda/2024/9/11>)

City Council

Passed As Amended

Commissioner Rene Gonzalez Nay

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea