

**SUBSTITUTE**  
**ORDINANCE No. 183657 As Amended**

\*Establish Police Review Board and clarify investigatory powers and complaint handling procedures of the Office of Independent Police Review (Ordinance; amend Code Chapters 3.20 and 3.21)

The City of Portland ordains:

Section 1. The Council finds:

1. The City believes that an effective police force requires the community's trust and confidence.
2. The City remains committed to hearing community concerns and complaints about police services and responding quickly so that service is improved.
3. Creation of a Police Review Board that will include the Director of the Independent Police Review Division as a voting member and provide a report of its activities on a regular basis will increase the public's trust and encourage transparency,
4. Improving the Independent Police Review Division's investigatory and complaint handling procedures is an important step in increasing the public's confidence in police accountability.
5. Providing the Independent Police Review Division with an enhanced ability to gather information will lead to more effective handling of complaints.
6. The Council's intent is that administrative investigations and subsequent disciplinary actions regarding police officers employed by the City of Portland occur in an expeditious fashion.
7. The Council recognizes that implementation of certain provisions of this ordinance may be subject to an obligation under state law to collectively bargain the impacts of this ordinance's provisions on the wages, hours, and other conditions employment of non-probationary police officers employed by the City of Portland who are represented by a labor organization.

NOW, THEREFORE, the Council directs:

- a. Code Chapter 3.20 is amended by replacing code section 3.20.140 Discipline Committee as shown in Exhibit A. The amendments to Code Chapter 3.20.140 shall apply to complaints filed on or after the effective date of the amendments, as specified in Section 3 of this ordinance;
- b. Code Chapter 3.21 is amended as shown in Exhibit C. The amendments to Code Chapter 3.21 shall apply to complaints filed on or after the effective date of the amendments, as specified in Section 3 of this ordinance;

- c. The Portland Police Bureau shall review and revise its directives to the extent that the directives conflict with these code provisions;
- d. A stakeholder committee consisting of one member each from the Albina Ministerial Alliance, the IPR Citizen Review Committee, Oregon Action, the Portland Police Bureau, the Human Rights Commission, the Office of Independent Police Review, the National Alliance on Mental Illness, the National Lawyers Guild, the League of Women Voters, ACLU of Oregon, Copwatch, the Office of the Commissioner in Charge of Police, one representative from the Latino Network Center for Intercultural Organizing and one Native American representative, the City Attorney's Office, and a representative of each Council member's office shall convene to recommend additional improvements to the City's oversight of the Portland Police Bureau. Grant Commissioner Leonard the administrative authority to make sure that the community is well represented as a whole, including sexual minorities. The recommendations, including any proposed code amendments, shall be presented to the City Council within 90 days of the effective date of this ordinance;
- e. The Portland Police Bureau, Independent Police Review Division, and the Bureau of Human Resources are directed to research, consult with impacted labor organizations, and develop discipline guidelines consistent with Bureau of Human Resources Administrative Rules for use in making discipline recommendations to the Chief, and return with a recommendation to Council.
- f. The Portland Police Bureau and Independent Police Review Division are directed to confer with each other and impacted labor organizations regarding proposed timelines introduced at the March 18, 2010, Council meeting. Following conferral, the Bureau of Human Resources shall provide notice and bargain about timelines that are mandatory for bargaining.

Section 2. The Council declares that an emergency exists because of the Independent Police Review Division's need to quickly implement these reforms; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.


Section 3. To allow the Independent Police Review and the Portland Police Bureau time to prepare for implementation, the amendments to Code Chapter 3.21 and Section 3.20.140 shall be effective from and after 30 days after the effective date of the ordinance.

Section 4. Council hereby declares that if any section, subsection, sentence, clause or phrase of this Ordinance, or the code amendments it adopts, is for any reason held to be invalid or unconstitutional, that shall not affect the validity of the remaining portions of the Portland City Code.

Passed by the Council: **MAR 31 2010**

Auditor LaVonne Griffin-Valade  
 Commissioner Randy Leonard  
 Prepared by: Mary-Beth Baptista, Director of IPR  
 Date Prepared: March 31, 2010

**LaVonne Griffin-Valade**  
 Auditor of the City of Portland  
 By

  
 Deputy

S-451

SUBSTITUTE

Agenda No. **183657** As Amended  
**ORDINANCE NO.**

Title

\*Establish Police Review Board and clarify investigatory powers and complaint handling procedures of the Office of Independent Police Review (Ordinance; amend Code Chapters 3.20 and 3.21)

<p><b>INTRODUCED BY</b> Auditor/Commissioner: <b>LaVonne Griffin-Valade and Randy Leonard</b></p>	<p>CLERK USE: DATE FILED <u>MAR 31 2010</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities – Fritz</p> <p>Position 2/Works – Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety – Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>Susan Parsons</i></u> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Auditor/IPR Bureau Head: LaVonne Griffin-Valade <i>LaVonne Griffin-Valade</i></p> <p>Prepared by: Mary-Beth Baptista Date Prepared: March 31, 2010</p> <p>Financial Impact Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input checked="" type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Council Meeting Date</p>	
<p><b>City Attorney Approval</b></p> <p>Linly Rees Deputy City Attorney <i>LFR</i></p>	<p><b>ACTION TAKEN:</b></p>

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	