

ORDINANCE No. 183995 As Amended

Clarify composition of Police Review Board and applicability of code provisions
(Ordinance; amend Code Section 3.20.140 and amend Ordinance No. 183657)

The City of Portland ordains:

Section 1. The Council finds:

1. On March 31, 2010, the Council adopted Ordinance No. 183657 which amended code provisions governing the Independent Police Review Division and created the Police Review Board.
2. Code Section 3.20.140 Police Review Board defines the purpose of the Review Board (Board) as an advisory body to the Chief of Police ("Chief"). The Board will make recommendations as to findings and proposed officer discipline to the Chief of Police. To ensure that the Board is attaining one of its primary objectives of increased accountability at all levels, the composition of the Board should include the Commander / Reporting Unit (RU) Manager of the involved officer as a voting member of the Police Review Board. The Commander / RU manager is responsible for reviewing the investigation, applying the applicable standards for performance and conduct, and making a recommendation as to whether there has been a violation of policy or unacceptable performance. The division commander has an understanding of the performance expectations at their division and an understanding of the work environment at their precinct or division.
3. Ordinance No. 183657 provided that the Police Review Board code provisions would apply to complaints filed on or after the April 30th, the effective date of the code amendments. Given the varying lengths of time required to investigate individual complaints, in practice, this would mean that the Police Review Board and the existing Performance Review and Use of Force Board would have to operate simultaneously to handle complaints based on when they were filed. Simultaneous operation of the boards is unworkable.

NOW, THEREFORE, the Council directs:

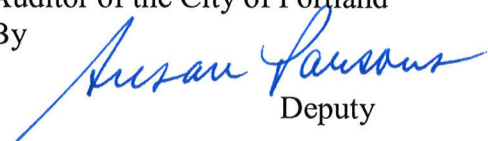
- a. Code Section 3.20.140 is amended as shown in the attached exhibit A
- b. The second sentence of Directive a. of Ordinance No. 183657 is superseded by the following:

The Police Review Board described in Section 3.20.140 will replace the existing Use of Force and Performance Review Board on September 1, 2010.

Passed by the Council: JUL 14 2010

Auditor LaVonne Griffin-Valade
Prepared by: Mary-Beth Baptista, Director of IPR
Date Prepared: June 10, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland
By


Deputy

~~908~~ ~~968~~ ~~1035~~ ---

Agenda No. **183995** As Amended

ORDINANCE NO. 183995

Title

Clarify composition of Police Review Board and applicability of code provisions
 (Ordinance; amend Code Chapter 3.20) *and amend Ordinance 183657*
Section 3.20.140

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|---|---|
| INTRODUCED BY Commissioner/Auditor: Auditor | CLERK USE: DATE FILED <u>JUN 11 2010</u> |
| COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard | LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>Susan Parsons</i></u> Deputy |
| BUREAU APPROVAL Bureau: Auditor Bureau Head: Auditor <i>LaVonne Griffin-Valade</i> Prepared by: Mary-Beth Baptista Date Prepared: June 10, 2010 | ACTION TAKEN: JUN 16 2010 CONTINUED TO JUN 23 2010 9:30 A.M. As Amended JUN 23 2010 PASSED TO SECOND READING JUL 14 2010 9:30 A.M. |
| Financial Impact Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> | |
| Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| Council Meeting Date Wednesday, June 16 | |
| City Attorney Approval <i>Judy Pees</i> | |

Toni OK

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| AGENDA |
| TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) |
| CONSENT <input type="checkbox"/> |
| REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 15 min (for presentation, testimony and discussion) |

| <i>VOTE ON 7/14/10</i> | | COMMISSIONERS VOTED AS FOLLOWS: <i>#3 6/23/2010</i> | | | |
|------------------------|------|---|-------------|-------|------|
| | YEAS | NAYS | | YEAS | NAYS |
| 1. Fritz | | ✓ | 1. Fritz | ✓ | |
| 2. Fish | ✓ | | 2. Fish | _____ | |
| 3. Saltzman | | ✓ | 3. Saltzman | | ✓ |
| 4. Leonard | ✓ | | 4. Leonard | | ✓ |
| Adams | ✓ | | Adams | ✓ | |