

Executive Summary
Portland Police Bureau: Oversight and Accountability
League of Women Voters of Portland Education Fund, April 2021

The history of deadly police encounters in the past few decades reveals that the use of deadly force by officers often has inspired massive outcries, public demonstrations, and a call for discipline of police, but the officers frequently were exonerated and continued serving or resigned before they were disciplined.

Since 2000, there have been 102 police shootings and 51 deaths caused by Portland Police officers. From 2003 to 2020, 28% of those who died by police actions were Black, although they make up only 6% of Portland's population. About half of the victims were experiencing mental health issues. The Portland Police Association (PPA) almost always appeals cases proposing serious discipline to arbitration. The arbitrator can change the findings made by the reviewing body, effectively overruling input of community and elected leaders. Challenging an arbitrator's decision is a lengthy and costly battle that the City often loses and is increasingly less likely to fight. Settlements with family members of those who died have cost the City financially nearly four million dollars in the past ten years.

In 2012, the City and the U.S. Department of Justice (DOJ) entered into a Settlement Agreement. The agreement specified detailed actions in use of force policy, training, crisis intervention, and community engagement. It appears that the City's efforts to comply with the requirements of the agreement have indeed produced positive change in a number of areas.

In November 2020, Portland voters approved Measure 26-217 with 81.6% of the vote. The measure adds a section to the City Charter, authorizing the creation of a new police oversight board based on national best practices in police accountability. The new board would have the authority, to the full extent of the law, to independently investigate complaints and to issue disciplinary action against sworn police officers and their supervisors. However, the measure only created a framework for the new oversight board and implementing the changes needed may take two years.

This study identifies opportunities for change to the accountability and oversight process that have been suggested by various groups of civilians and elected leaders:

1. Improve accountability
 - Conduct independent investigations by a civilian board with power to subpoena documents, compel testimony, and discipline officers.
 - Change the standard of review from the "reasonable person" standard to "preponderance of the evidence."
 - Take away the police union's ability to insulate officers from discipline for misconduct.
 - Disempower arbitrators' ability to overrule disciplinary judgements, if the discipline was within policy.
2. Change police culture
 - Impose a duty to intervene and report excessive force or biased conduct.
 - Demilitarize the police force by reducing military-style equipment and changing the "warrior mentality" to a "guardian mentality."

- Train officers to treat community members appropriately through a race-equity lens, implicit bias training, de-escalation training, community involvement in training policy, and other training improvements.
- 3. Improve public access, involvement and transparency
 - Involve more civilians in the process, whether it is policy making or disciplinary, and give genuine weight to their views.
 - Allow victims or their representatives to be present at hearings and to present their perception of events
 - Treat anyone under investigation equally, whether a sworn officer or a community member.
 - Improve record-keeping and transparency and make more results of investigations public.
 - Resolve cases in a timely manner.
- 4. Support state-wide reforms
 - From chokehold bans to arbitration reform and officer ID requirements, state-wide legislation can help transform police accountability across Oregon.
- 5. Reimagine public safety
 - Acknowledge racial disparities and invoke a more collaborative vision of public safety, involving the community as well as law enforcement.
 - Invest in alternatives to policing. Use them in cases where community health care workers, mental health professionals, and other civilian workers may be more suited to handle certain crises or other police work.

The relationship between the public and the police is necessarily a two-way street, demanding mutual participation and investment, to build mutual respect and trust.