



League of Women Voters of Portland

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Date: May 10, 2024

To: Honorable District Judge Michael Simon

From: League of Women Voters of Portland
Carolyn Buppert, president
Debbie Aiona, Action Committee chair

Re: Status Conference, May 15, 2024
United States of America v. City of Portland Case No. 3:12-cv-02265-SI

The League of Women Voters of Portland has a long-standing interest in Portland's police oversight system and in other issues related to the Settlement Agreement between the city and U.S. Department of Justice (DOJ). We are grateful for the opportunity to provide our comments and truly appreciate the court's role in the process.

Independent Monitor

The League appreciates the process the city used to select the independent monitor and that the Settlement Agreement amici and a Portland Committee for Community Engaged Policing (PCCEP) representative were given a role in choosing the finalists. Introducing the three finalists at a community meeting, welcoming questions, and inviting comments afterwards provided a meaningful opportunity for the public to participate in the decision.

It is encouraging to see that the recommended monitor, Mark P. Smith and Associates, has such extensive experience in civilian oversight of police. It appears the city has a long road ahead in implementing the system voters adopted in 2020, and we expect that the monitor's guidance and advice will be helpful.

The League encourages our new monitor to devote attention to ensuring the city's self-assessments of completed Settlement Agreement requirements are comprehensive and thorough. The public needs to know if the city is continuing to comply with those requirements and is building on its progress without the benefit of DOJ and Compliance Officer Community Liaison (COCL) scrutiny and advice.

We further suggest that the monitor review the concerns regarding Police Review Board (PRB) operations expressed over the years by the DOJ, the COCL, and in the OIR Group's reviews of police shootings. The PRB handles the most serious misconduct cases and it is imperative that the city corrects the deficiencies that the experts have identified.

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To promote political responsibility through informed and active participation in government.

A stronger police oversight system is at risk

It is disappointing that it likely will take significantly more time for the oversight system voters approved in 2020 to start accepting police misconduct complaints. In light of the overwhelming support for the measure, we suggest that the city provide regular public updates on where things stand with contract negotiations and when we can expect to see progress.

The League supported Measure 26-217 and the Police Accountability Commission's (PAC) recommended code. We have serious concerns about the proposal the city presented to City Council last fall. It may be consistent with the basic elements of the charter amendment, but it is a departure from the independent and empowered system we believe voters envisioned. For example, the city proposes that the new civilian oversight system handle a limited set of complaints, with the rest going to Internal Affairs. The PAC recommendation calls for the new civilian agency to be truly independent and handle all complaints. We hope the independent monitor and court will help move the city towards the type of system voters wanted and will prioritize involving the community as we move forward.

Finally, we find it disappointing that although, as a party to the Settlement Agreement, the Portland Police Association agreed to Paragraph 195 outlining Measure 26-217 implementation, they recently filed an initiative petition that, if it qualifies and passes, could undermine much of what voters adopted and that the PAC proposed. The initiative creates the potential for even more roadblocks to implementation of the new oversight system.

Portland Street Response should be fully funded and supported

The League thanks Mayor Wheeler for including ongoing funding for Portland Street Response (PSR) in his proposed budget. PSR is an effective program that helps address the issue U.S. DOJ identified over 10 years ago: excessive use of force against people experiencing mental health issues. We agree with PCCEP that PSR needs sufficient funds to operate 24/7. Additionally, careful consideration should be given to removing some of the existing barriers to serving people in need, such as the rule prohibiting PSR from entering buildings.

Portland Police Bureau Annual Report presents an opportunity for meaningful engagement

The timely release and presentation of the Portland Police Bureau's (PPB) annual report to City Council has improved significantly in recent years. We understand that this year's draft will be discussed at an upcoming PCCEP meeting, giving community members the opportunity to engage in the process.

The required precinct meetings provide an excellent opportunity for PPB to connect with the community. We encourage more effort into promoting the meetings and suggest getting the word out through the many advisory committees focused on public safety and accountability, along with the other methods the city employs to notify the community about upcoming events.

Thank you for welcoming the public to participate in these periodic hearings and for listening so carefully to what the community and the involved parties have to say.

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