



League of Women Voters of Portland
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Date: December 6, 2024
To: City Council members-elect
From: League of Women Voters of Portland
Carolyn Buppert, president
Debbie Aiona, Action Committee chair
James Ofsink, Justice Interest Group chair
Re: Police accountability system

Dear Newly-elected City Councilors,

The League of Women Voters of Portland welcomes you and looks forward to your leadership in a new era for our city.

We write today to encourage your action on the city's new police accountability system and recommend that you preserve voters' will to create a community-centered and truly independent system worthy of public trust by returning to the Police Accountability Commission's (PAC) meticulously researched and publicly-vetted recommendation. As will be discussed in more detail, city council created the PAC to ensure that a diverse group of Portlanders would draft the code for the Community Police Oversight Board, taking a key step toward implementing Measure 26-217.

The League began studying policing in Portland in the 1960s and has been engaged in issues related to law enforcement and police accountability since that time. In November 2020, we joined the more than 80 percent of voters supporting Measure 26-217 and, at the conclusion of their work, offered our wholehearted endorsement of the PAC's recommended code¹.

Our support is based on League study and years of involvement in the issue. In 2021, we completed a publication titled, ***Portland Police Bureau: Oversight and Accountability***² and adopted a new advocacy position³, including the following section on civilian oversight of police:

Civilian oversight of police should include an accountability system with the following powers:

- **Authority to conduct independent investigations of police misconduct, including cases of deadly force.**

¹ <https://www.portland.gov/police-accountability/documents/pac-city-code-recommendations-08-31-2023-0>

² <https://lwvpdx.org/wp-content/uploads/2021/04/LWVPDX-Police-Accountability-Report-4-10-21.pdf>

² <https://lwvpdx.org/wp-content/uploads/2021/04/LWVPDX-Police-Accountability-Report-4-10-21.pdf>

³ <https://lwvpdx.org/wp-content/uploads/2021/06/LWVPDX-ADVOCACY-POSITION-Portland-Police-Bureau-Oversight-and-Accountability.pdf>

League of Women Voters of Portland:

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

- **Power to subpoena witnesses and other evidence.**
- **Authority to compel statements from officers and witnesses.**
- **Meaningful role in determining findings and administering appropriate discipline in misconduct cases.**
- **Authority to recommend policy changes to the PPB with Portland City Council having the final say in adoption.**
- **Authority to use its independent judgment when weighing evidence and determining or recommending findings and discipline in misconduct cases. The oversight board's standard of review should not give deference to PPB's internal determinations.**

To function effectively, the accountability system must have sufficient public funding to conduct thorough investigations, maintain adequate staffing, and support a community board.

Just and effective enforcement of the law requires good police-community relations. We support meaningful community involvement in the functioning of the PPB including, but not limited to, police oversight boards, budget advisory committees, and both limited duration and standing advisory committees.

The League has worked for decades toward an effective civilian police accountability system. We expected that with the passage of Measure 26-217, Portland would finally enact a system with jurisdiction over all cases of police misconduct, independent from the police bureau, and governed by a community board. Per the mandate from city council and the voters, the PAC designed such a system.

PAC members were selected and appointed in December 2023 by city council to reflect the lived experiences and perspectives voters dictated in the charter amendment. This diverse group of Portlanders devoted nearly two years crafting a plan and draft code for the Community Board for Police Accountability (CBPA) and its Office of Community-based Police Accountability. The PAC's proposal carefully followed the charter amendment's provisions and council direction, incorporated effective and promising practices from other jurisdictions, relied on expert research and reports, and on extensive community input. The PAC engaged the public through informational sessions, focus groups, public comment periods at its frequent commission meetings, and online written comments. It held 23 community engagement events throughout the city, reaching over 1,500 members of the public and using their input to shape the proposal.

In addition, independent legal counsel hired by the city provided advice and drafted the actual code provisions developed by the PAC. PAC members unanimously endorsed the final product.

We were quite dismayed, however, when, with minimal public engagement, the city attorney's office undermined the voters' will and dismantled essential provisions of the proposed code developed by the PAC. City council adopted the much weakened Community Police Oversight Board code (Title 35) in September 2024.

Prior to final city council code adoption, U.S. District Court Judge Michael Simon, at an August 2024 fairness hearing, approved an amended settlement agreement between the city and U.S. Department of Justice. In response to significant community concern about the code and the current council's ability to select nominating committee members capable of honoring voters' intent, he ordered that the amended agreement become effective on January 2, 2025. That order places responsibility for the next steps in creating the new system in your hands.

The League urges you, as the new city council, to reverse course from the weakened plan adopted by the city in 2024 and to instead enact the PAC's thoroughly researched and publicly vetted proposed code. Furthermore, in the coming weeks, we urge you to give careful consideration to the people you select as members of the nominating committee. Ensure that they are fully committed to creating the system envisioned by voters with jurisdiction over all cases of police misconduct, independent from the police bureau, and governed by a community board.

The League welcomes the opportunity to discuss this matter with you further if you have questions or if it would otherwise be helpful.

Respectfully,
Carolyn Buppert, president
Debbie Aiona, Action chair
James Ofsink, Justice Interest Group chair